

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 17, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-23559 APPLICANT/OWNER: GEORGE R AND LORI M COLE

**** CONDITIONS ****

The Planning Commission (4-2/se, ds vote) recommends DENIAL. Staff recommends APPROVAL subject to:

Planning and Development

1. Conformance to all minimum requirements under LVMC Title 19.04.010 for Horse Corral or Stable (Commercial) use, including parking requirements.
2. A maximum of eight horses are allowed to be boarded on the premises.
3. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Special Use Permit for a proposed Horse Corral or Stable (Commercial) situated on 1.2 acres at 5701 Mello Avenue. Located in an area surrounded by horse properties and facilities, the applicant proposes to board eight horses on the subject parcel. Although horses are not currently on the property, there are eight stalls to stable horses. The facility meets the required conditions for a commercial stable, therefore, staff recommends approval of the Special Use Permit.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/13/07	The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #50/lhm).
<i>Related Building Permits/Business Licenses</i>	
No Building Permits or Business Licenses are on file for this address.	
<i>Pre-Application Meeting</i>	
2/16/2007 7/31/2007	The first pre-application meeting was held to discuss the Special Use Permit requirements including the site plan submission and parking requirements. A second meeting was prior to submittal of the application to address any changes or needed documents.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application nor was one held.	
<i>Field Check</i>	
08/08/2007	A field check was conducted and the site was found to meet the requirements for the proposed Horse Corrals and Stables (Commercial) use. Surrounding neighborhood is comprised of large lots and single family homes with horse facilities.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.2

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential; Horse Corrals and Stables	L(Low Density Residential)	R-E (Residence Estates)
North	Single Family Residential	L(Low Density Residential)	R-E (Residence Estates)
South	Single Family Residential	L(Low Density Residential)	R-E (Residence Estates)

East	Single Family Residential	L(Low Density Residential)	R-E (Residence Estates)
West	Single Family Residential	L(Low Density Residential)	R-E (Residence Estates)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	20,000 SF	49,533 SF	Y
Min. Lot Width	100 Feet	168 Feet	Y
Min. Setbacks Main Dwelling			
• Front	50 Feet	60 Feet	Y
• Side	10 Feet	140 Feet	Y
• Corner	15 Feet	18/63 Feet	Y
• Rear	35 Feet	186 Feet	Y
Min. Setbacks Accessory Structures			
• Rear	3 Feet	5 Feet	Y
• Side	3 Feet	10 Feet	Y
• Separation from house	6 Feet	156 Feet	Y
Max. Building Height	Lesser of 2 stories or 35 feet	1 story	Y

Pursuant to Title 19.10, the following parking standards apply:

<i>Parking Requirement</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Required Parking Ratio</i>	<i>Required Parking</i>		<i>Provided Parking</i>		<i>Compliance</i>
			Regular	Handi-capped	Regular	Handi-capped	
Horse Corral	8 horses	1/5 horses	2	1	4	0	
Single Family Detached	1 unit	2 spaces/unit	2	0			
Total			4		4		Y

Four paved parking spaces for clients are shown behind the residence in the stable area on the west side property line. A handicap space is not shown.

ANALYSIS

•Zoning

The subject site is zoned R-E (Residence Estates) The Horse Corral or Stable (Commercial) Use is permitted in the R-E (Residence Estates) zone with a Special Use Permit. This application, if approved, is sufficient to meet this requirement.

• Use

Title 19.04 defines the Horse Corral or Stable (Commercial) use as a structure for the keeping of horses, mules or ponies which are boarded for compensation or for use in providing instructional or recreational activities for persons other than the occupants of the premises.

•Conditions

Title 19.04 requires that stables or corrals be placed no more than five feet from any dwelling on an adjacent residential lot, and at least 100 feet from the front property line. All structures must meet the setback requirements of Title 19.08, and in no event shall any accessory structure be placed within five feet from any side or rear property line abutting a residential zoning district. The existing stables are 100 feet from the closest single family dwelling on an adjacent lot and approximately 250 feet from the front property line of the subject parcel. Side setbacks shown on the site plan comply with the required minimum of five feet on the side and rear property lines. The requirements for the proposed use as a commercial stable are met on this property.

FINDINGS

The following findings must be made for a Special Use Permit:

- 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 Horse Corral or Stable (Commercial) Use is appropriate and harmonious with the surrounding area. Adjacent residential parcels have horse-related structures and facilities on large lots.

- 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.

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 subject site is between Jones Boulevard, a 100-foot primary street and Bradley Road an 80-foot collector street, and accessed via Mello Avenue, a 60-foot wide drive. The streets provide adequate access to the subject site with no negative traffic impact.

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.

The approval of this Special Use Permit on the subject site will not be inconsistent with nor will it compromise the public health, safety and welfare as the property will be subject to business licensing requirements and inspections. The proposed use supports the overall objectives of the General Plan for this location.

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

The property meets all applicable Title 19.04 conditions for this Special Use Permit.

PLANNING COMMISSION ACTION

There were two speakers in opposition. The Planning Commission discussed added conditions: A one year review and all health dept permits shall be obtained and maintained.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 2

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 103 by City Clerk

APPROVALS 1

PROTESTS 1