



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 20, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-25996 - APPLICANT/OWNER: CURTIS POINDEXTER, MD

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for a Horse Corral or Stable (Commercial) use.
2. [A handicap parking space shall be provided as required by LVMC Title 19.10.](#)
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 to allow a Horse Corral or Stable (Commercial) for 35 horses, with a waiver to allow a corral to be nine feet from the front property line where 100 feet is the minimum required on 3.30 acres, located at 10301 Homestead Road. Surrounding the site are large lot residential properties, many are developed with horse barns and arenas. Two of the four paddocks/corrals on the front portion of the property, are within nine feet of the front property line where 100 feet is required. All four are being reseeded with grass and will be used for daily turn out of the horses. Horses will not be stabled in the four paddocks/corrals.

Staff finds the subject site is physically suitable for the type and intensity of land use and recommends approval of this request for a Special Use Permit to allow a Horse Corral or Stable (Commercial) and the requested waiver.

BACKGROUND INFORMATION

| <i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i> | |
|---|--|
| 1964 | A-0003-64 |
| 10/06/99 | The City Council approved a Vacation (VAC0021-99) Petition to vacate portions of Rocky Ave. and Ruston Road generally located north of Log Cabin Way and east of Homestead Road. |
| 01/24/08 | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #54/lhm). |
| <i>Related Building Permits/Business Licenses</i> | |
| 1982 | Existing structures built. |
| <i>Pre-Application Meeting</i> | |
| 12/20/07 | Applicant described the property and existing facilities. The intent is to board up to 35 horses on the property and provide assistance to groups with horses. They are applying for a Special Use Permit in order to obtain a business license. Staff explained submittal procedure and required documentation. |
| <i>Neighborhood Meeting</i> | |
| A neighborhood meeting is not required, nor was one held. | |
| <i>Field Check</i> | |
| 12/27/07 | Three plus acre property developed with a large barn, outbuildings, arena and corrals for horse activities in northwest area. Surrounding properties are residential developed with horse facilities. |
| <i>Details of Application Request</i> | |
| <i>Site Area</i> | |
| Net Acres | 3.30 |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|-----------------------------|-------------------------------|--------------------------------------|-------------------------|
| Subject Property | Residence with Horse Facility | RNP(Rural Neighborhood Preservation) | R-E (Residence Estates) |
| North | Residential | RNP(Rural Neighborhood Preservation) | R-E (Residence Estates) |
| South | Residential | RNP(Rural Neighborhood Preservation) | R-E (Residence Estates) |
| East | Residential | RNP(Rural Neighborhood Preservation) | R-E (Residence Estates) |
| West | Residential | RNP(Rural Neighborhood Preservation) | R-E (Residence Estates) |

| Special Districts/Zones | Yes | No | Compliance |
|--|------------|-----------|-------------------|
| Special Area Plan | | X | N/A |
| Special Districts/Zones | Yes | No | Compliance |
| Special Purpose and Overlay Districts | | X | |
| Trails | | X | N/A |
| Rural Preservation Overlay District (Title 19.06.150) | X | | Y |
| Development Impact Notification Assessment | | X | N/A |
| Project of Regional Significance | X | | Y |

Rural Preservation Overlay District

It is the intent of the Rural Preservation Overlay District to:

1. Ensure that the rural character of each rural preservation neighborhood is preserved.
2. Unless a rural neighborhood is located within 330 feet of an existing or proposed street or highway that is more than 99-foot wide, maintain the rural character of the area developed as a low density residential development.
3. Provide adequate buffer areas, adequate screening and an orderly and efficient transition of land uses, excluding raising or keeping animals commercially or noncommercially.
4. Establish a basis for the modification of standards for the development of infrastructure to maintain the rural character of the rural preservation neighborhood.

Project of Regional Significance

Pursuant to Ordinance #5477, the proposed Special Use Permit request has been deemed a Project of Regional Significance, as it concerns property located within 500 feet of the city boundary with Clark County. A questionnaire describing the impacts of the project to the area was submitted to various regional agencies for review. As of 01/08/08, no comments have been received.

DEVELOPMENT STANDARDS

Pursuant to Title 19.04, the following parking standards apply:

| Parking Requirement | | | | | | | |
|--------------------------------------|--|----------------------|-----------------|--------------|-----------------|--------------|-------------------|
| Use | Gross Floor Area or Number of Units | Parking Ratio | Required | | Provided | | Compliance |
| | | | Parking | | Parking | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Horse Corral or Stable (Commercial) | 35 Horses | 1 Space per 5 Horses | 6 | 1 | 12 | 1 | |
| TOTAL (including handicap) | | | 7 | | 12 | | Y |

| Waivers | | |
|--|---|-----------------------------|
| Request | Requirement | Staff Recommendation |
| Corral nine feet from the front property line. | 100 foot front setback for corral or stables. | Approval |

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.

This facility is a 3.30 acre fenced property developed with a residence, an 18-stall barn attached to a 1,008 square foot residence, a five-stall cinder block barn, eight-stall mare motel, and quarantine area. A large main arena for riding is located on the back portion of the property. The smaller secondary arena is central to the site and a training round pen is provided on the northeast corner of the parcel. Turnout exercise for the horses is provided in four grass turn-out paddocks (corrals) located at the front of the property. Two of the paddocks do not meet the 100 feet distance requirement from the front property line, thus a waiver has been requested. Barn waste is removed from the property and deposited into three commercial dumpsters, which are emptied twice a week.

Entrance to the site is from Homestead Road. Visitor parking is located in front and on either side of the main barn. A handicap space is shown on the barns south side, although access aisles are not indicated on the site plan. In the area surrounding the facility are large lot residential properties, many with horse barns and arenas. The subject property is in an appropriate location and contains the appropriate amenities for a horse boarding facility.

•**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.

FINDINGS

- 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. Most of the adjacent residential parcels have large horse-related structures and facilities, and the subject site is close to horse trails and riding areas in Floyd Lamb Park.

- 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. A waiver is requested to allow the two paddocks/corrals to be nine feet from the front property line where 100 feet is required. Staff recommends approval of this waiver as these facilities are only used for daily turn-out of horses.

- 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 accessed via Homestead Road, a 60-foot wide street. This provides 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.

With the approved waiver to allow two paddocks/corrals to be nine feet from the front property line where 100 feet is required, the property meets all applicable Title 19.04 conditions for this Special Use Permit.

PLANNING COMMISSION ACTION

The Planning Commission added condition #2 as shown.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 73 by City Clerk

APPROVALS 1

PROTESTS 2