



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: APPLICANT/OWNER: ROBERT AND MARY GRACE AMATO

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-37939	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-37939 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for an Accessory Structure (Class I) use.
2. Approval of and conformance to the Conditions of Approval for Variance (VAR-37379) shall be required.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the Accessory Structure (Class I). 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.

Public Works

5. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 600 square-foot Accessory Structure (Class I) on a developed single-family residential lot at 6825 Emerald Tree Court. The lot contains an existing 4,043 square-foot residence with 5,332 square feet of rear yard area. The use complies with Title 19 requirements for an Accessory Structure (Class I) use and can be conducted in a way that is harmonious and compatible with surrounding properties. Staff therefore recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
02/14/03	The City Council approved by Ordinance 5569, Annexation (A-0038-02) of 495 acres generally located on the north side of Azure Drive, east and west of Rainbow Boulevard.
03/19/03	The City Council approved a request for Rezoning (ZON-1577) from: U (Undeveloped) Zone [DR (Desert Rural Residential) General Plan Designation] to R-PD2 (Residential Planned Development - 2 Units per Acre) on 35.06 acres adjacent to the northwest and northeast corners of Rainbow Boulevard and Azure Drive (APNs 125-26-101-003, 125-27-502-005 and 125-26-101-002).
03/19/03	The City Council approved a request for a Site Development Review (SDR-1580) for a 66-lot single family residential development on 35.06 acres adjacent to the northwest and northeast corners of Rainbow Boulevard and Azure Drive. The Planning Commission and staff recommended approval.
03/19/03	The Planning Commission approved a request for a Tentative Map (TMP-1825) for a 66-lot single family residential development on 35.0635.06 acres adjacent to the northwest and northeast corners of Rainbow Boulevard and Azure Drive (APNs 125-26-101-003, 125-27-502-005 and 125-26-101-002).

<i>Most Recent Change of Ownership</i>	
06/24/09	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
12/15/04	A Building Permit (#4021855) was issued for a single family dwelling at 321 Fremont Street. The permit was finalized 05/06/05.

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<i>Pre-Application Meeting</i>	
03/29/10	A pre-application meeting was held and the submittal requirements of a Special Use Permit application were discussed: • A revised justification letter was required to reflect the request for an Accessory Structure (Class I). • A revised site plan was required to show the distance separation from the main dwelling and from all property lines. • Elevations were required to show the height of the Accessory Structure (Class I), and to show that Accessory Structure (Class I) is aesthetically compatible with the principal dwelling unit.. The height shall not exceed two stories (with a maximum of 35 feet), or the height of the main structure.

<i>Neighborhood Meeting</i>
A neighborhood meeting was not required, nor was one held.

Field Check	
04/20/10	Staff performed a routine field check where a well-maintained single family residence was observed. Staff observed the rear yard where the proposed accessory structure is to be constructed; there was no discernable change in grade and there are no structures located on the site.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	.28

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.04</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Single Family Residence	R (Rural)	R-PD2 (Residential Planned Development – 2 Units per Acre)
North	Private Park	R (Rural)	R-PD2 (Residential Planned Development – 2 Units per Acre)
South	Single Family Residence	DR (Desert Rural) Density Residential	R-E (Residence Estates)
East	Single Family Residence	R (Rural)	R-PD2 (Residential Planned Development – 2 Units per Acre)
West	Single Family Residence	R (Rural)	R-PD2 (Residential Planned Development – 2 Units per Acre)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Setbacks (Accessory Structures)			
• Side	3 Feet	23 Feet	Y
• Rear	3 Feet	10 Feet	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</i>		<i>Provided</i>		<i>Compliance</i>	
		<i>Parking Ratio</i>	<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Single Family Residence	1 Unit	2 / Unit	2		2		Y
Accessory Structure (Class I)	1 Structure	1 Additional	1		1		Y
TOTAL SPACES REQUIRED			3		3		Y

ANALYSIS

The proposed single story Accessory Structure, (Class I) is to be located in the rear yard of an existing single-family residential lot. The structure meets all Title 19.04 and 19.08 requirements for an Accessory Structure (Class I) and is compatible with the surrounding residential uses; therefore, staff is recommending approval of this Special Use Permit request.

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FINDINGS (SUP-37939)

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 use can be conducted in a manner that is harmonious and compatible with the surrounding residential uses.

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 the proposed Accessory Structure (Class I) 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 site is accessed by Emerald Tree Court, a 40-foot Local Street, which is adequate in size to meet the requirements of the proposed Accessory Structure (Class I) use.

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 the proposed Accessory Structure (Class I) use will not jeopardize the public health, safety or welfare, as it will be subject to permit review and inspections.

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

The proposed Accessory Structure (Class I) use meets the conditions of Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

NOTICES MAILED

136

APPROVALS

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PROTESTS

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