



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: AUGUST 13, 2013

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: ELSA RUELAS

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-49676	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-49676 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Accessory Structure (Class I) use.
2. 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.
3. The existing driveway shall be widened nine feet on the north side to accommodate a third vehicle. This additional driveway shall use material that matches the current driveway and shall be completed prior to a Certificate of Occupancy is issued for the Accessory Structure (Class I) building.
4. 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 Department of Building and Safety.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. 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 is requesting to construct an Accessory Structure (Class I) in the rear yard at 1328 Stevens Street. The stated purpose is to provide living quarters for members of the applicant's extended family. The site meets all code requirements for such a structure and the applicant has indicated that they will continue to reside in the primary home on the parcel. Staff recommends approval of the project, as all requirements are being met. If denied, the structure could not have cooking facilities installed and could not be rented.

ISSUES

- A Special Use Permit is required for an Accessory Structure (Class I) use in an R-1 (Single Family Residential) zone. Staff supports this request as all minimum conditions are being met.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
No relevant actions on file.	

<i>Most Recent Change of Ownership</i>	
07/01/11	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
No relevant actions on file.	

<i>Pre-Application Meeting</i>	
02/26/13	Staff met with the owner and reviewed the requirements for an Accessory Structure (Class I). No outstanding issues were noted.

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

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Field Check	
07/08/13	Staff visited the site and found a well maintained property with a single family dwelling.

Details of Application Request	
Site Area	
Net Acres	0.19

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
North	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
South	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
East	Las Vegas Wash	PF (Public Facilities)	Las Vegas Wash
West	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)

Master Plan Areas	Compliance
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	Compliance
No Applicable Special Purpose or Overlay Districts	N/A
Other Plans or Special Requirements	Compliance
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.070, the following standards apply:

Accessory Structure Standards	Required/Allowed	Provided	Compliance
Separation from Main Building	6 Feet	6 Feet	Y
Min. Setbacks			
• Side	3 Feet	10 Feet	Y
• Corner	15 Feet	N/A	N/A
• Rear	3 Feet	8 Feet	Y
Max. Size and Coverage	Not to exceed 50% of primary structure	49 %	Y

YK

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<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Stevens Street	N/A	N/A	50	N/A

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Single Family, Detached	1 Unit	2 per Unit	2				
Accessory Structure (Class I)	N/A	1 additional Space	1				
TOTAL SPACES REQUIRED			3				
Regular and Handicap Spaces Required			3	0	3	0	Y *

*By Condition.

ANALYSIS

The applicant is proposing to build an Accessory Structure (Class I) structure in the rear yard of an R-1 (Single Family Residential) zoned property at 1328 Stevens Street. The Accessory Structure (Class I) use is defined as “an accessory structure which is located on the same residential parcel as a principal dwelling and which, as an ancillary use, provide living quarters, including full kitchen facilities, for the occupants of the principal dwelling or their tenants, domestic employees or temporary guests.” The proposed use meets the definition as the applicant states in the justification letter that extended family will reside in the structure.

The Minimum Special Use Permit Requirements for this use include:

1. The size of the lot or parcel must exceed 6500 square feet.

The proposed use meets this requirement as the parcel is 7,136 square feet.

2. Unless the principal dwelling is owner-occupied, a Class I accessory structure may not be offered or occupied as a rental unit.

The proposed use meets this requirement as the owner indicates that she will be residing in the principal dwelling on site.

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An additional parking space is required for the proposed use. This requirement will be met via a condition to widen the existing driveway to accommodate another vehicle without obstruction. There is space to the north of the driveway to accommodate this requirement. The applicant is aware and in agreement with this condition. The proposed project is in conformance with all code requirements and is compatible with the surrounding neighborhood; therefore, staff recommends approval with conditions.

FINDINGS (SUP-49676)

In order to approve a Special Use Permit application, per Title 19.16.110(L) 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.

This project is compatible with the surrounding area as it meets all code requirements for an Accessory Structure (Class I) use in an R-1 (Single Family Residential) zone within an L (Low Density) General Plan designation.

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

The parcel is 7,136 square feet and exceeds the minimum lot size for the proposed use by 636 feet and is adjacent to the Las Vegas Wash open space.

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 project is located on Stevens Street, a standard 50-foot wide residential street that is adequate in size to serve the traffic generated by the proposed 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.

This use will be subject to building inspections via the permitting process; therefore it will not compromise the public health, welfare or safety.

5. The use meets all of the applicable conditions per Title 19.12.

All minimum conditions for an Accessory Structure (Class I) are being met.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

NOTICES MAILED 343

APPROVALS 0

PROTESTS 1