



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: ASHLEY RESTIVO - OWNER: RARBARA ZINK

**** STAFF RECOMMENDATION ****

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-48191	Staff recommends APPROVAL, subject to conditions:	N/A

**** CONDITIONS ****

SUP-48191 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Horse Corral or Stable (Commercial) 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. 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.
4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
5. 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) use for 15 horses, on 4.14 acres, located at 6666 West Ann Road. The applicant proposes to see clients by appointment only, with the anticipated hours of 7 a.m. to 5 p.m. 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) use.

ISSUES

- A Special Use Permit is required for the Horse Corral or Stable (Commercial) use in the R-E (Residential Estates) zoning.
- The applicant proposes to have no more than a maximum of 15 horses on site.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
05/01/92	The Board of Zoning Adjustment approved a Variance (V-0053-92) for the keeping of six (6) emu birds where only certain domestic animals are permitted on property located at 6666 West Ann Road. Staff recommended approval.
05/05/04	The City Council approved a Petition to Vacate (VAC-3932) portions of Rebecca Road between Ann Road and El Campo Grande Avenue. This vacation moved the east property line of the adjacent residential neighborhood thirty feet to the west of the subject site.
12/11/12	A Code Enforcement Case (#123140) was opened for operating a Horse Corral or Stable (Commercial) use without Special Use Permit.

<i>Most Recent Change of Ownership</i>	
03/20/12	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
1966	A single family dwelling with a stable and corrals was constructed.

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<i>Pre-Application Meeting</i>	
01/14/13	A pre-application meeting was held with the applicant to discuss the submittal requirements for Special use Permit to operate a proposed Horse Corral or Stable (Commercial) Use at 6666 West Ann Road.

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

<i>Field Check</i>	
01/31/13	Staff visited the site and found a well maintained single family residence with corrals and stables located at the rear of the property. It was noted that the applicant was in the process of performing dust-abatement measures and that there were no discernible odors or pests with the existing privately owned horses on site. There was adequate space for parking and drop-off, with an space dedicated for handicapped parking.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	4.14

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Single Family, Detached	DR (Desert Rural Residential)	R-E (Residential Estates)
North	Single Family, Detached	DR (Desert Rural Residential)	R-PD2 (Residential Planned Development – 2 Units Per Acre)
South	Single Family, Detached	R (Rural Density Residential)	R-E (Residential Estates)
East	Single Family, Detached	DR (Desert Rural Residential)	R-E (Residential Estates)
West	Single Family, Detached	RE (Rural Estates)	R-PD2 (Residential Planned Development – 2 Units Per Acre)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08 and 19.12, 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	
Horse Corral or Stable (Commercial)	15 horses	1 space per 5 horses					
TOTAL SPACES REQUIRED			3		10		
Regular and Handicap Spaces Required			2	1	9	1	Y

ANALYSIS

The Horse Corral or Stable (Commercial) use is defined in Title 19.18 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 occupants of the premises.”

The proposed use meets the definition in that the applicant seeks to operate a private corral for professional horseback riding instruction on a by-appointment basis.

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 with no comments received.

There are no Minimum Special Use Permit Requirements for this use. The stables have been in place since the development of the primary residence in 1966. The existing stables and corrals are legally non-conforming.

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The proposed Horse Corral or Stable (Commercial) use is located within the RP-O Rural Preservation Overlay. It is the intent of the RP-O Rural Preservation Overlay to ensure that the rural character of each rural preservation neighborhood is preserved by providing resources typical of rural living without making any increase in residential density or traffic. Surrounding the site are large lot residential properties with similar horse-related uses located within the area to the north. Client parking is located in the rear of the property with a dedicated handicap space to the south of the stable. The subject site can readily accommodate the 15 horses requested of the applicant.

Staff recommends approval of this request as the use is compatible with the surrounding rural land uses. If denied, the applicant will not be allowed to operate the Horse Corral or Stable (Commercial) use at this location.

FINDINGS (SUP-48191)

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.

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 similar horse-related uses north of the subject site.

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 and has maintained the stables and corrals on site since the construction of the primary residence in 1966. Access to the corrals located at the back of the property is made by a 20-foot wide unpaved road located along the west side of the property.

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 primarily accessed via Ann Road, a 100-foot Primary Arterial, with access to the corrals and parking located at the rear of the property by a 20-foot wide unpaved road. This provides adequate access to the subject site with no negative traffic impact.

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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 19.12.

There are no Minimum Special Use Permit requirements for the Horse Corral or Stable (Commercial) Use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 26

NOTICES MAILED 226

APPROVALS 0

PROTESTS 0