



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: SEPTEMBER 11, 2018

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: DENNIS MATTHEW LAY AND
ROCHELLE T NGUYEN

** STAFF RECOMMENDATION(S) **

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
SUP-74030	Staff recommends APPROVAL, subject to conditions:	

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 28

NOTICES MAILED 265

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

SUP-74030 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. 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, as well as submitted as part of any business license application.
5. 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

This is a request for a Special Use Permit to allow a proposed 452 square-foot Accessory Structure (Class I) [Casita] located at 2601 Colanthe Avenue.

ISSUES

- A Special Use Permit is required to allow an Accessory Structure (Class I) that provides living quarters including full kitchen facilities within the R-1 (Single Family Residential) zoning district per Title 19.12.
- The applicant has proposed to convert the existing 452 Accessory Structure (Class I) [Garage] located in the rear yard into a Casita, which will provide living space and full kitchen facilities.

ANALYSIS

An Accessory Structure (Class I) is described in Title 19.12 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."

Minimum Special Use Permit Requirements:

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

The subject site is 0.24 acres which equates to approximately 10,454 square feet in area, which exceeds the 6,500 square-foot minimum parcel size.

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

The applicant has indicated in the submitted justification letter that the structure will be utilized as living space for an elderly family member and will not be occupied as a rental unit.

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According to the submitted justification letter and floor plan, the proposed use meets the definition outlined above. The submitted elevations and floor plan indicate that the existing one-story, 452 square-foot detached garage is 11 feet in height measured to the mid-point of the roof, with a 409 square-foot patio cover on the east perimeter of the structure. The accessory structure is currently being utilized as a detached garage and has been designed to aesthetically match the principle dwelling with exterior stucco and a tile roof to match the existing residence. The submitted floor plan indicates the structure will be converted into a guest house and casita with full kitchen facilities, which require the approval of a Special Use Permit per Title 19.12.

As proposed the accessory structure adheres to all Title 19.06.070 development standards pertaining to building setbacks, coverage and building height, which means minimal impacts to surrounding properties, therefore, Staff recommends approval subject to conditions.

FINDINGS (SUP-74030)

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 Accessory Structure (Class I) use is compatible with the surrounding land uses and can be conducted in a manner that is harmonious with surrounding land uses.

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

The subject site is 0.24 acres which equates to approximately 10,454 square feet in area and is physically suitable for the intensity of the proposed 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.

Access to the site will not change. Vehicles may enter the property from Strong Drive a 60-foot Local Street as classified by the Master Plan of Streets and Highways.

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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.

Approval of this Special Use Permit will not compromise the public health safety and general welfare of the public. The use will be subject to regular inspections and is subject to licensing restrictions.

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

The proposed use meets all applicable conditions of approval for an Accessory Structure (Class I) use per Title 19.12.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc</i>	
There are no relevant City Actions associated with the subject property.	

<i>Most Recent Change of Ownership</i>	
12/27/13	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
1963	The single family dwelling was constructed.

<i>Pre-Application Meeting</i>	
07/19/18	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Special Use Permit for a proposed Accessory Structure (Class I) [Casita] on the subject site.

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

<i>Field Check</i>	
08/02/18	A field check was conducted on the subject property and revealed a well maintained single-family residence with an existing detached garage located in the rear yard area.

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Details of Application Request	
Site Area	
Net Acres	0.24

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	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)

Master and Neighborhood Plan Areas	Compliance
No Applicable Master Plan Area	N/A
Special Area and Overlay Districts	Compliance
A-O (Airport Overlay) District (200 Feet)	Y
Other Plans or Special Requirements	Compliance
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	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:

Standard	Required/Allowed	Provided	Compliance
Min. Accessory Structure Setbacks			
• Corner Side (East)	3 Feet	40 Feet	Y
• Rear	3 Feet	5 Feet	Y

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Standard	Required/Allowed	Provided	Compliance
Min. Distance Between Buildings	6 Feet	19 Feet	Y
Size and Coverage	50% of the floor area of the principal dwelling unit 1,473 SF	29% of the floor area of the principal dwelling unit 452 SF w/ 409 SF Patio Cover 861 SF	Y
	50% of the rear yard area 2,018 SF	43% of the rear yard area 452 SF w/ 409 SF Patio Cover 861 SF	Y
	50% overall lot coverage 5,227 SF	Existing Home – 2,946 SF; Existing Accessory Structure – 452 SF w/ 409 SF Patio Cover 3,807 SF = 36%	Y
Max. Building Height	One Story	One Story	Y

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Colanthe Avenue	Local Street	Title 13	60	Y
Strong Drive	Local Street	Title 13	60	Y