



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: AUGUST 13, 2024  
DEPARTMENT: COMMUNITY DEVELOPMENT  
ITEM DESCRIPTION: APPLICANT/OWNER: CAROLYN AND ANTHONY ESQUIBEL

**\*\* STAFF RECOMMENDATION(S) \*\***

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0304-SUP1	Staff recommends APPROVAL, subject to conditions:	

**\*\* NOTIFICATION \*\***

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23

NOTICES MAILED 141

PROTESTS N/A

APPROVALS N/A

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**\*\* CONDITIONS \*\***

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**24-0304-SUP1 CONDITIONS**

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**Planning**

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Residential, Accessory Dwelling Unit 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 Building and Safety Division.
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.

**Public Works**

6. Prior to the issuance of permits, coordinate with City of Las Vegas Sanitary Billing Section of the Department of Community Development regarding the initial sewer connection fee for additional living space. If it is determined that this addition requires an increase in sewer fees, comply with the regulations governing sewer fees for connection and usage.

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**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a Special Use Permit request for a proposed Residential, Accessory Dwelling Unit use at 6441 Fairy Duster Street.

**ISSUES**

- A Residential, Accessory Dwelling Unit use is permitted in the R-1 (Single Family Residential) zoning district with the approval of a Special Use Permit. Staff supports the request.
- The proposed casita adheres to all Title 19.06.070 development standards.
- The Las Vegas Valley Water District (LVVWD) has commented, "This project site is currently being provided water service by LVVWD. However any tenant improvements involving plumbing fixtures will need to be submitted to LVVWD for review of capacity and any applicable regional fees."

**ANALYSIS**

The subject 0.27-acre site is zoned R-1 (Single Family Residential) and subject to Title 19 development standards. It is developed with an existing detached single-family dwelling within a gated residential subdivision. The purpose of the R-1 District is to provide for the development of single family detached dwellings in a suburban setting. The applicant requests a Special Use Permit to allow a proposed Residential, Accessory Dwelling Unit use.

Per Title 19, the Residential, Accessory Dwelling Unit 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, provides living quarters, including full kitchen facilities, for the occupants of the principal dwelling or their tenants, domestic employees or temporary guests." Per the submitted justification letter, the proposed casita will be for their elderly parents.

**Minimum Special Use Permit Requirements:**

\*1. In the U, R-E, R-D and R-1 Zoning Districts, the minimum size of the lot or parcel must be at least 6500 square feet.

*This requirement is met as the subject lot size is 11,761 square feet.*

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\*2. No more than one Residential, Accessory Dwelling Unit is permitted on a single lot. The unit is subject to the development standards of the zoning district in which it is located; provided, however, that in no case shall the unit exceed the total gross floor area of the primary dwelling unit.

*This requirement is met as only one Residential, Accessory Dwelling Unit is proposed and it does not exceed the total gross floor area of the primary dwelling unit.*

3. Unless the principal dwelling is owner-occupied, a Residential, Accessory Dwelling Unit may not be offered or occupied as a rental unit.

*This requirement is met as the applicant has not proposed to offer the dwelling unit for rent.*

The proposed Accessory Dwelling Unit use adheres to all applicable Title 19 development standards and can be conducted in a harmonious and compatible manner within the existing gated residential subdivision. Therefore, staff recommends approval, subject to conditions.

## **FINDINGS (24-0304-SUP1)**

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 Dwelling Unit use can be conducted in a harmonious and compatible manner within the existing gated residential subdivision.

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

The subject 0.27-acre site is physically suitable for the proposed Accessory Dwelling Unit 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.**

Street access is provided by Fairy Duster Street, a 60-foot Local Street, which is adequate in size to accommodate the needs of the proposed use.

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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.**

If approved, the proposed use will be subject to building permit review, thereby protecting the public health, safety and welfare.

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

The proposed use adheres to all applicable Title 19.12 minimum Special Use Permit requirements.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
11/15/17	<p>The City Council approved Project #71473 to allow the following entitlements:</p> <ul style="list-style-type: none"> <li>• A General Plan Amendment (GPA-71535) is proposed to change the land use category of the subject site from R (Rural Density Residential) to L (Low Density Residential).</li> <li>• A Rezoning (ZON-71536) is proposed from U (Undeveloped) [R (Rural Density Residential) General Plan Designation] to R-1 (Single Family Residential).</li> <li>• A Waiver (WVR-71655) of LVMC Title 19.06.040 to allow no perimeter landscape buffer along the north property line where a minimum six-foot buffer is required.</li> <li>• A Variance (VAR-71537) to allow a Connectivity Ratio of 1.22 in the proposed subdivision where 1.30 is required.</li> <li>• A Petition (VAC-71538) to vacate portions of Darling Road and Conquistador Street in conflict with the proposed development, as well as U.S. Government Patent Easements.</li> <li>• A Tentative Map (TMP-71539) for a 69-unit single-family residential subdivision.</li> </ul>

<b><i>Most Recent Change of Ownership</i></b>	
07/30/19	A deed was recorded for a change in ownership.

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<b>Related Building Permits/Business Licenses</b>	
03/20/19	Building Permit #P19-00393 was issued for a single-family dwelling. The permit was finalized on 07/26/19.

<b>Pre-Application Meeting</b>	
06/10/24	Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed for a proposed Special Use Permit.

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

<b>Field Check</b>	
06/27/24	Staff conducted a routine field check and found a well-maintained single-family dwelling. No issues were noted.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	0.27

<b>Master and Neighborhood Plan Areas</b>	<b>Compliance</b>
Las Vegas 2050 Master Plan Area: La Madre Foothills	Y
<b>Special Area and Overlay Districts</b>	<b>Compliance</b>
No Applicable Special Area or Overlay Districts	N/A
<b>Other Plans or Special Requirements</b>	<b>Compliance</b>
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

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## DEVELOPMENT STANDARDS

*Pursuant to Title 19.06, the following standards apply:*

<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Min. Lot Size	6,500 SF	11,822 SF	Y
Min. Lot Width	60 Feet	60 Feet	Y
Min. Setbacks			
• Side	3 Feet	10 Feet	Y
• Rear	3 Feet	10 Feet	Y
Min. Distance Between Buildings	6 Feet	45 Feet	Y
Max. Lot Coverage	50%	43%	Y
Max. Accessory Structure Size and Coverage	Not to exceed 50% of the floor area of the principal dwelling unit	29% of the floor area of the principal dwelling unit	Y
Max. Building Height	Not to exceed 2 stories, 35 feet in height or the height of the principal dwelling unit, whichever is less	10 Feet	Y

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

Ordinance 14-10-001, and 14-10-002, and 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
Residential, Single Family, Detached	2	2 per dwelling unit	2				
Residential, Accessory Dwelling Unit	1	1 per Accessory Structure Dwelling Unit	1				
TOTAL SPACES REQUIRED			3				3