



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: APRIL 9, 2024
DEPARTMENT: COMMUNITY DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: JOSEPH STAMIS - OWNER: JPJM FAMILY TRUST

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0059-SUP1	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

NOTICES MAILED 138

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

24-0059-SUP1 CONDITIONS

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 request for a Special Use Permit to allow a proposed 1,142 square-foot Residential, Accessory Dwelling Unit (Casita) located at 2904 Justice Lane.

ISSUES

- A Special Use Permit is requested to allow a proposed Residential, Accessory Dwelling Unit that provides living quarters including full kitchen facilities within the R-E (Residence Estates) zoning district per Title 19.12. Staff recommends approval of the request.
- A building permit (#PRC23-00018) was processed to construct a new custom residential home with detached casita (Stamis Residence) at 2904 Justice Lane. The permit has not been issued.

ANALYSIS

A Residential, Accessory Dwelling Unit (Casita) 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 0.61 acres which equates to approximately 26,572 square feet in area, which exceeds the 6,500 square-foot minimum parcel size.

- 2. No more than one Residential, Accessory Dwelling Unit is permitted on a single lot. The unit is subject to the development standards if 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.

The submitted site plan indicates the subject site will only have one Residential, Accessory Dwelling Unit that complies with all Title 19.06.060 development standards. The proposed 1,142 square-foot accessory dwelling does not exceed the gross floor area of the main dwelling, which is approximately 6,075 square feet.

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

The applicant has indicated in the submitted justification letter that the principal dwelling and casita will be owner occupied and the casita will not be occupied as a rental unit.

According to the submitted justification letter and floor plan, the proposed use meets the definition outlined above. The submitted elevations and floor plan indicate the proposed 1,142 square-foot structure is one-story and 13 feet and six-inches tall measured to the mid-point of the roof eaves. The structure will be designed to aesthetically match the principle dwelling with concrete roof tiles, brick accent trim work and stucco to match the proposed residence. The submitted floor plan indicates the proposed casita structure will provide a bedroom, bathroom, walk-in closet, storage room, living room 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 19.06.060 development standards pertaining to building setbacks, coverage, building height and aesthetic compatibility which means minimal impacts to surrounding properties, therefore, staff recommends approval subject to conditions.

FINDINGS (24-0059-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 Residential, Accessory Dwelling Unit (Casita) 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 0.61 acres which equates to approximately 26,572 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.**

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Access to the site will not change. Vehicles may enter the property from Justice Lane a 50-foot wide Private Local Street as classified by the Title 13.

- 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 a Residential, Accessory Dwelling Unit (Casita) use per Title 19.12.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
06/19/02	The City Council approved a request for a General Plan Amendment (GPA-0047-01) to amend portions of the Southeast Sector map of the General Plan in the general vicinity of the Charleston Boulevard/Rancho Drive intersection from SC (Service Commercial) to O (Office); from R (Rural Density Residential) to DR (Desert Rural Density Residential); from O (Office) to DR (Desert Rural Density Residential) and; from L (Low Density Residential) to DR (Desert Rural Density Residential) in accordance with the recommendations of the Rancho Charleston Land Use Study and Strategic Plan. The Planning Commission and staff recommended approval of the request.

<i>Most Recent Change of Ownership</i>	
10/12/22	A deed was recorded for a change in ownership.

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Related Building Permits/Business Licenses	
09/04/09	A building permit (R-146906) was issued to install a water heater at 2904 Justice Lane. The permit was finalized on 09/04/09.
06/26/19	A building permit (R19-09215) was processed to install a water softener at 2904 Justice Lane. The permit has not been issued.
	A building permit (R19-09242) was processed to install a water softener at 2904 Justice Lane. The permit was finalized on 06/26/19.
09/28/20	A building permit (R20-14481) was issued for building water and sewer repairs/replacement per 100LF at 2904 Justice Lane. The permit has not been finalized.
11/15/23	A building permit (PRC23-00018) was processed to construct a new custom residential home with detached casita (Stamis Residence) at 2904 Justice Lane. The permit has not been issued. The permit was denied by the Department of Community Development - Planning Division pending approval of a Special Use Permit for a Residential, Accessory Dwelling Unit.
11/21/23	A building permit (R23-18877) was processed to construct a new custom residential home (Stamis Residence) at 2904 Justice Lane. The permit has not been issued.
	A building permit (R23-18879) was processed to construct a new detached casita (Stamis Residence) at 2904 Justice Lane. The permit has not been issued.

Pre-Application Meeting	
01/30/24	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Special Use Permit for a proposed Residential, Accessory Dwelling Unit [Casita] on the subject site.

Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

Field Check	
02/29/24	A field check was conducted on the subject property and revealed a well maintained single-family residence.

Details of Application Request	
Site Area	
Gross Acres	0.61

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Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Residential, Single Family, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)
North	Residential, Single Family, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)
South	Residential, Single Family, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Residential, Single Family, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)
West	Residential, Single Family, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)

Master and Neighborhood Plan Areas	Compliance
Las Vegas 2050 Master Plan Area: Charleston	Y
Rancho Charleston Land Use Study	Y
Special Area and Overlay Districts	Compliance
RP-O (Rural Preservation Overlay) District	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 19.06.060, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	18,000 SF	26,572 SF	Y
Min. Lot Width	100 Feet	112 Feet	Y
Min. Setbacks - Main Dwelling			
• Front	30 Feet	32 Feet	Y
• Side - West	10 Feet	10 Feet	Y
• Side - East	10 Feet	10 Feet	Y
• Rear	35 Feet	110 Feet	Y
Min. Setbacks - Casita			
• Side - West	5 Feet	12 Feet	Y
• Side - East	5 Feet	25 Feet	Y
• Rear	5 Feet	25 Feet	Y

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Standard	Required/Allowed	Provided	Compliance
Min. Distance Between Buildings	6 Feet	50 Feet	Y
Max. Lot Coverage - Accessory Structures	Not to exceed 50% of the rear and side yard areas (Total Rear & Side Yard = 16,175 SF/2 = 8,087.50	1,420 SF	Y
Max. Building Height - Main Dwelling	35 Feet	17 Feet	Y
Max. Building Height - Casita	35 Feet	12 Feet	Y

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Justice Lane	Private Street	Title 13	50	Y

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

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Residential, Single Family, Detached	1 Dwelling	1:2	2				
Residential Accessory Dwelling Unit	1 Accessory Dwelling	1:1	1				
TOTAL SPACES REQUIRED					4		Y*
Regular and Handicap Spaces Required			3	-	4	-	Y*

*The subject site provides a curved driveway that is approximately 84 feet long that provides space for four vehicles with a minimum length of 18 feet.