

05/07/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-24-0088-MALDONADO LEON FAMILY TRUST ETAL & VACA, JORGE MALDONADO TRS:

USE PERMIT for large livestock (horses).

WAIVER OF DEVELOPMENT STANDARDS to eliminate street landscaping on 0.7 acres in an RS20 (Residential Single-Family 20) Zone.

Generally located on the west side of Gateway Road, 770 feet south of Judson Avenue within Sunrise Manor. WM/rp/ng (For possible action)

RELATED INFORMATION:

APN:

140-19-610-009

WAIVER OF DEVELOPMENT STANDARDS:

Eliminate street landscaping where required per Section 30.04.01.

LAND USE PLAN:

SUNRISE MANOR - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 0.7
- Project Type: Large livestock (horses) and accessory agricultural structures
- Square Feet: 1,980 (9 stalls)/383 (3 accessory structures)/1,320 (corral)/approximately 6,500 (turn-out/pasture)

Site Plan

Fences and walls surround the whole property, with a fence that is approximately 135 feet from the front property line splitting the site for livestock areas and a future residence area. All existing structures are in the rear livestock area. The accessory structures consist of 2 shade structures, corral, and stables with 9 separate animal enclosures. The shade structures are each set back 5 feet from the south property line. The corral is set back 20 feet from the north property line. Seven of the stables are set back 6 feet from the west (rear) property line and 2 of the stables are set back 5 feet from the south property line.

Landscaping

No landscaping will be provided. Street landscaping consisting of a minimum 10 foot wide landscape street with trees and shrubs is required.

Elevations & Floor Plan

The photographs depict an accessory structure, shade structure, corral, and stables, with a fence enclosing all the rear portion of the property. The existing accessory structures labeled A and B on the site plan are 64 square feet each, 9 feet 7 inches in height, and consist of white and black wood. The existing shade structure labeled C is 100 square feet, 7 feet 2 inches in height, and consists of wood. The existing stables labeled D (156 square feet), and E (144 square feet) and labeled F through L (240 square feet each) on the site plan are between 8 feet and 8 feet, 9 inches in height, and consist of wood and metal. The existing shade structure labeled M on the site plan is 215 square feet each, 9 feet in height, and consists of wood and metal. The existing accessory structure labeled N on the site plan is 255 square feet, 8 feet, 5 inches in height, and consists of wood. The existing corral and gate consist of metal.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the property will include 4 horses owned by the property owner for their personal use. The horses have ample space per Code requirements for stables, pens, stalls, and exercising area. The applicant states that no new structures have been established since taking ownership of the property and are requesting to waive landscaping to keep the property in the same condition it was prior to changing ownership. The applicant has worked with Public Works (PW24-10367) to complete the necessary applications to waive full off-site improvements.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, East, & West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single family residential

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Use Permit

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

The applicant is requesting to have large livestock that are not in conjunction with a residential primary use. Staff's primary concern with this type of use permit request is to ensure compatibility with the surrounding uses. Staff understands that the structures and layout of the property existed on-site prior to the applicant taking ownership of the property. However, staff finds the existing structures, boarding stalls, and arena are inconsistent with other structures in the neighborhood. The applicant shows on the plan a future residential house; however, no permit has been submitted with the Building Department. Therefore, staff cannot support this request.

Waiver of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Street landscaping is important to buffer development and site activity from the public right-of-way, while also mitigating the urban heat island effect. Therefore, staff cannot support this request.

Staff Recommendation

Denial.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- 1 year to complete the building permit and inspection process with any extension of time to be a public hearing.
- Applicant is advised the application must be complete or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Execute a Restrictive Covenant Agreement (deed restrictions).

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #9962-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Sunrise Manor - approval of the use permit; denial of waiver of development standards.

APPROVALS:

PROTESTS:

APPLICANT: JORGE MALDONADO

CONTACT: LLAJAIRA MALDONADO, 4077 BORATKO STREET, LAS VEGAS, NV 89115