

ITEM DESCRIPTION: APPLICANT/OWNER: THE SILVIA BRUNN FAMILY TRUST

**** CONDITIONS ****

SUP-67474 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Bed & Breakfast Inn 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 for a proposed Bed & Breakfast Inn use at 2508 Callita Court.

ISSUES

- A Bed & Breakfast Inn use is permitted in the R-1 (Single Family Residential) zoning district with the approval of a Special Use Permit.
- A Waiver request of Title 19.12 is needed, to allow one guest bedroom where two is the minimum required. Staff recommends denial of this request.

ANALYSIS

The subject property contains a single-family. The property is in the airport overlay and the proposed use will not affect the overlay. The applicant is requesting to allow one guest bedroom, where two is the minimum required.

A Bed & Breakfast Inn use is permitted in the R-1 (Single Family Residential) zoning district with the approval of a Special Use Permit. Additionally, the following analysis is required:

The Bed & Breakfast Inn use is defined as “A facility wherein overnight accommodations and a morning meal are provided in a dwelling unit to tourists for compensation.” The proposed use meets the definition as the applicant will host tourists for compensation to stay at the subject property.

The Minimum Special Use Permit Requirements for this use include:

1. The establishment must have a minimum of two and a maximum of five guest bedrooms.

The applicant is requesting a waiver to allow one guest bedroom. Staff recommends denial of this request.

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2. Required on-site parking for guest bedrooms shall be screened by a 6 foot fence or by dense landscaping.

The site plan submitted provided Italian Cypress trees along the southeast portion of the property to provide screening of the on-site parking.

3. Access to the parcel on which the establishment is located must be by means of a paved street with a right of way width of at least 50 feet.

The proposed use meets this requirement, as access to the parcel is by Callita Court a paved street with a right of way width that is 50 feet.

4. Cooking facilities for guest rooms are not permitted.

The proposed use meets this requirement as the establishment will use the cooking facility of the existing single-family dwelling.

5. The Department of Fire and Rescue must inspect and approve the occupancy of an establishment before it may be used as a bed and breakfast inn.

The proposed use meets this requirement and prior to business license issuance, an inspection by the Department of Fire and Rescue will be conducted.

6. Individual guest occupancy is limited to no more than one month in any 3-month period.

The proposed use meets this requirement the guest occupancy will be days at a time.

7. No sale or display of merchandise or other commodities may occur in connection with the establishment.

The proposed use meets this requirement, as no other sale or display of merchandise or other commodities will take place in connection with the proposed use.

8. Private functions such as weddings, receptions, luncheons, parties and similar activities are not permitted, except to the extent such activities represent personal activities of the owner/ resident.

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The proposed use meets this requirement, as the applicant will be hosting between one to three people only and no other activities will be provided at this location.

9. Not more than one on premise sign shall be permitted. With respect to that sign:
 - a. The copy may contain only the name and address of the establishment.
 - b. The sign may not exceed 3 square feet in size or 4 feet in height.
 - c. The sign may be freestanding or may be located on the dwelling itself or on a fence or wall.
 - d. Any sign illumination must be exterior to the sign and must be shielded so as not to produce glare upon an adjacent property or a public right of way.
 - e. The design materials and colors of the sign must be compatible with the architectural style of the dwelling.

The proposed use meets requirement, as there is no signage proposed for this proposed use.

The proposed Bed & Breakfast Inn use will not be compatible with the surrounding residential uses due the waiver request to allow for one guest bedroom. In addition, the use will be located within a residential subdivision, within 660 feet of two approved Short-Term Residential Rental uses. While there is no requirement for distance separation for the Bed and Breakfast use, the Short-Term Residential Rental use is very similar and does require separation from other rental uses. The establishment of this commercial use of a single family residence at the proposed location is too intense for the surrounding residential uses. Therefore, staff recommends denial. If this application is approved, it is subject to conditions.

FINDINGS (SUP-67474)

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 land use cannot be conducted in a manner that is harmonious and compatible with the existing surrounding land uses due to the waiver request to allow one guest bedroom where two is the minimum required.

Staff Report Page Four**December 13, 2016 - Planning Commission Meeting****2.The subject site is physically suitable for the type and intensity of land use proposed.**

The subject site is not physically suitable for the type and intensity of land use proposed due to the waiver request to allow one guest bedroom where two is the minimum required.

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 facility can be accessed from Callita Court, a local street that is adequate in size to accommodate the proposed Bed & Breakfast Inn use.

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 the Special Use Permit on this subject property will be subject to condition of approval and business license approval and compliance. The Department of Fire and Rescue must inspect and approve the occupancy of an establishment before it may be used as a bed and breakfast inn.

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

The proposed use does not meet all of the applicable conditions of Title 19.12. The use requires a minimum of two guest bedrooms and the proposed use will provide only one guest bedroom.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
There is no relevant city actions found for this property.	

<i>Most Recent Change of Ownership</i>	
02/26/14	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
01/12/81	A building permit (#7879-14) was issued for a Single-Family Dwelling at 2508 Callita Court. The permit was finalized on 05/18/81.

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Pre-Application Meeting	
10/26/16	A pre-application meeting was conducted with the applicant and discussed the submittal requirements for a Special Use Permit application for the proposed Bed & Breakfast Inn use at 2508 Callita Court.

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

Field Check	
11/03/16	A field check by staff observed the single-family residence and noted the site is well maintained.

Details of Application Request	
Site Area	
Net Acres	0.21

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 Plan Areas	Compliance
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	Compliance
A-O (Airport Overlay) District	Y or N

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<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	N/A

DEVELOPMENT STANDARDS

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Callita Court	Local Street	Title 13	60	Y

Pursuant to Title 19.08 and 19.12, 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	
Bed & Breakfast Inn	One guest room	2 spaces for primary resident, 1 spaces for each guest room	3				
TOTAL SPACES REQUIRED			3		3		Y
Regular and Handicap Spaces Required			3	N/A	3	N/A	Y