



*City of Las Vegas*

Agenda Item No.: 60.

**AGENDA SUMMARY PAGE - PLANNING  
PLANNING COMMISSION MEETING OF: SEPTEMBER 11, 2018**

DEPARTMENT: PLANNING  
DIRECTOR: ROBERT SUMMERFIELD

Consent  Discussion

**SUBJECT:** UP-7405 - SPECIAL USE PERMIT PUBLIC HEARING - APPLICANT/OWNER: NANCY AND JAVIER MENDEZ-LEAL - not a public action of a request for a Special Use Permit FOR A PROPOSED SHORT TERM RESIDENTIAL RENTAL USE WITH A WAIVER TO ALLOW A 490-FOOT MINIMUM SEPARATION FROM A SIMILAR USE WHERE 660 FEET IS REQUIRED at 1411 South 7th Street (APN 162-02-706-001), R-1 (Single Family Residential) Zone, Ward 3 (Coffin) [UP-7405]. Staff recommends DENIAL.

**P.C.: FINAL ACTION Unless Appeared Within 10 Days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.	8	Planning Commission Mtg.	0
City Council Meeting	0	City Council Meeting	0

**RECOMMENDATION:**

Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo(s)
5. Justification Letter
6. Submitted after Final Agenda Protest Postcards and Protest Documentation Not Vetted Comment Forms/Email (9)

Motion made by TRINITY HAVEN SCHLOTTMAN to Deny

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2  
DONNA TOUSSAINT, TRINITY HAVEN SCHLOTTMAN, SAM CHERRY, LOUIS DE SALVIO, BRENDA J. WILLIAMS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-CHRISTINA ROUSH, VICKI QUINN)

Minutes:  
CHAIR CHERRY declared the Public Hearing open.

STEVE SWANTON, Sr. Planner, reported that the applicant is proposing to operate a Short-Term Residential Rental use that is owner occupied but does not meet the minimum required distance separation of 660 feet from a similar use as there is one other approved short-term

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residential rental unit within the separation radius. Due to the required waiver, staff recommended denial of the use as incompatible. If approved, a condition has been added requiring expungement of the Special Use Permit (SUP) at such time the property is put up for sale. Additional protest documents were submitted after publication.

EDGAR MONTALVO appeared representing the owner. He stated that the applicant bought the house in 2014 and wanted to operate as a short-term rental in 2016. The property had issues that needed to be repaired, which have since been completed. In the meantime, another applicant within the required distance separation was approved for short-term rental. MR. MONTALVO showed photographs and described the location of the subject site and the other already-approved short-term rental. He stated that at least four cars can fit in the driveway, the property has security cameras, the alley will have motion sensors and be lit, and one of the four bedrooms will be owner occupied at all times.

MIKE BROWN-CESTERO thought the subject home was beautiful, but it was less than 660 feet from another short-term rental. He requested denial of this application.

COMMISSIONER DE SALVIO referred to the map that shows there are two proposed SUP's within the 660-foot radius and wondered that why staff recommended denial. MR. SWANTON explained that the map was created prior to approval of a short-term rental. He confirmed for CHAIR CHERRY that one of the proposed short-term rentals on the map was approved in June 2018 and one was denied.

COMMISSIONER SCHLOTTER thought the home was beautiful, but he could not support this application as it did not meet the distance separation requirement and letters of protest from the neighbors had been submitted.

CHAIR CHERRY declared the public hearing closed.

