



City of Las Vegas

Agenda Item No.: 29.

**AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JULY 10, 2018**

**DEPARTMENT: PLANNING
DIRECTOR: ROBERT SUMMERFIELD**

☐ Consent ☒ Discussion

SUBJECT: BEYANCA - SUP-73239 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: JOE CERVAANTES - OWNER: THE CERVAANTES FAMILY REVOCABLE LIVING TRUST - For possible action on a request for a Special Use Permit FOR A PROPOSED SHORT-TERM RESIDENTIAL HOME USE WITH A WAIVER TO ALLOW A 492-FOOT DISTANCE SEPARATION FROM A SIMILAR USE WHERE 600 FEET IS REQUIRED at 6809 O'Bannon Drive (APN 163-02-401-007), RLD (Single Family Residential-Restricted) Zone, Ward 1 (Tarkanian) [PRJ 73108]. Staff recommends DENIAL.

C. C.: 8/15/2018

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

4

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

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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. Protest Postcards
7. Documentation Not Vetted - Support Comment Form (1)

Motion made by VICKI QUINN to Approve subject to conditions and adding the following conditions:

1. A six-month administrative review shall be required.

Passed For: 5; Against: 2; Abstain: 0; Did Not Vote: 0; Excused: 0

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

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Minutes:

CHAIR CHERRY declared the Public Hearing open.

JONATHAN BOYLES, Senior Planner, reported that the subject property contains a four-bedroom, single-family dwelling Zoned R-D (Single Family Residential Restricted) and is subject to Title 19 requirements; however, the proposed use does not meet the conditional use regulations requiring it to be owner occupied during each period the unit is rented and to contain three or fewer bedrooms. In addition, a Waiver has been requested to allow the use to be 492 feet from an existing short-term residential rental use where 600 feet is required. Code requirements are intended to discourage the oversaturation of short-term residential rental uses within residential areas; therefore, staff recommended denial.

JOE CERVANTES, applicant, read from a prepared statement and provided details as to why his application should be supported, some of which included: 1) that he believes in licensing and interviewing every person looking to operate a short-term rental (STR) in Las Vegas; 2) that he has been operating as an STR since 2006; 3) that party houses have no place in communities and neighborhoods; 4) he is not an absentee owner as this is his full-time job; 5) he requires a phone interview in order to vet from him; 6) once he decides a guest is a good renter, he meets with them at the home and reiterates the rules; 7) he understands that in order to run a successful vacation rental business, the neighbors must be put first, and 8) he has a complaint-free record with Code Enforcement.

In closing, MR. CERVANTES reiterated one of the rules for an STR; he noted that a placard is required to be placed on the door of a licensed STR that provides a number to call regarding any issues. He felt this put the STR homes at risk of being burglarized, as it is an invitation to stand out the home, as well as his neighbors homes.

COMMISSIONER QUINN stated that she follows the 600-foot rule to the letter; however, she would be making an exception for MR. CERVANTES since he has been operating since 2006 and has had no violations. As an added condition, she requested a six-month administrative review.

CHAIR CHERRY declared the Public Hearing closed.