



City of Las Vegas

Agenda Item No.: 87.

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

**DEPARTMENT: PLANNING
DIRECTOR: ROBERT SUMMERFIELD**

☐ Consent ☒ Discussion

SUBJECT: SUP-7353 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MARCO FORCEDD - OWNER: GINGER K. CHAMZU - For possible action on a request for a Special Use Permit FOR PROPOSED SHORT TERM RESIDENTIAL RENTAL USE WITH A WAIVER TO ALLOW MINIMUM FOOT DISTANCE SEPARATION FROM A SIMILAR USE WHERE 660 FEET IS REQUIRED - 408 South 6th Street (APN 362-03-213-007), R-1 (Single Family Residential) Zone, Ward 2 (Coffin) [PRJ-73443]. Staff recommends DENIAL.

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

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

3

Planning Commission Mtg.

1

City Council Meeting

0

City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL, if approved, subject to conditions:

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo(s)
5. Justification Letter
6. Documentation Not Vetted - Protest Comment Forms (3)
7. Submitted after Final Agenda Protest/Support Postcards and Documentation Not Vetted Protest (23) Comment Forms and Support (1) Comment Form

Motion made by TRINITY HAVEN SCHLOTTMAN to Deny

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

Minutes:

CHAIR CHERRY declared the Public Hearing open.

PAUL BENGTON, Senior Management Analyst, reported that the applicant is proposing to operate a Short-Term Residential Rental (STR) unit that does not meet the minimum required

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distance separation of 660 feet from a similar use. There are two other STR units within this separation radius. Due to the required Waiver, staff recommended denial of the use as incompatible. If the request is approved, a recommended condition would require expungement if the property is to be sold. MR. BENGTSON noted that additional public input was received after publication.

DULCIE CRAWFORD, representing the applicant MARCO PORCEDDU, stated that MR. PORCEDDU could not be present because he lives in Aspen, Colorado, and his business makes it difficult for him to travel. She shared that MR. PORCEDDU is a very good client of hers and has represented him in real estate for 21 years. She explained that MR. PORCEDDU has consistently rented the property for over 10 years and has always done a fantastic job as a landlord. She added that he used to reside at the property and has no intention of selling it; however, because of his work as a chef and his catering business in Aspen, it has taken him out of state. She understood that his most recent tenant started renting out the home as a short-term rental without his knowledge, and he only learned of this when he got fired. Upon learning of this situation, he immediately ceased the operation. In working with City staff, they recommended that he obtain a short-term rental permit and take control of the situation so he could manage the short-term rental on his own. She believed MR. PORCEDDU would be an excellent host and would not rent to anyone who would damage the property or the integrity of the community surrounding it. Further, since the interior design of the home had been changed to three bedroom suites, she understood that he would not allow more than five people to rent at any one time. Since the property location is close to Charleston Boulevard, she did not believe that access to the property would require a lot of traffic for the tenants to come and go from the neighborhood. Also, MR. PORCEDDU has a perimeter fence around the property, so it would be a very contained situation.

MIKE BROWN-CASTERO, DAVID FIGLER, MICHAEL LARIME and SCOTT SWANK spoke in opposition. The concerns noted were: 1) the 6th Street (which is nearby and a cut-through street) is a heavily trafficked area by both vehicle and children on their way to John S. Park Elementary School; 2) parking will be relegated to the street; 3) it is within the 660-foot buffer; 4) the neighbors did not learn of the short-term rental until the sign went up; 5) the immediate neighbors are in opposition; 6) they are concerned about STR oversaturation and crime. MR. SWANK believed a better solution was needed because this was a larger problem than just one house.

MS. CRAWFORD clarified that the property has a one-car garage, a full driveway and a three-quarter circular driveway that goes across the front of the doorway; therefore, parking would not be an issue.

COMMISSIONER SCHLOTTMAN noted that there are already two existing business licenses within the 660-foot distance separation requirement; therefore, he could not support the request.

CHAIR CHERRY declared the Public Hearing closed.