



City of Las Vegas

Agenda Item No.: **68.**

AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 4, 2009

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT: CON-3572 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: YSBM INVESTMENT LLC - Request for rezoning FROM C-1 (LIMITED COMMERCIAL) AND C-2 (GENERAL COMMERCIAL) TO C-3 (GENERAL COMMERCIAL) on 1.40 acres at 1150 South Las Vegas Blvd. (APNs 402-03-112-003 and 004), Ward 3 (Reese). The Planning Commission (4-0-1) and staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

RECOMMENDATION:

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Submitted after Final Agenda - Protest/Support Postcards for Items 68 and 69
7. Submitted at Meeting Protest Messages by Councilman Reese for Items 68 and 69
8. Submitted after Meeting Protest Postcard for Items 68 and 69
9. Backup referenced from the October 8, 2009 Planning Commission Meeting Item 11

Motion made by GARY REESE to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

LOIS TARKANIAN, STEVE WOLFSON, OSCAR B. GOODMAN, GARY REESE, STEVEN D. ROSS, STAVROS S. ANTHONY; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-RICKI Y. BARLOW)

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 68 and 69.

DENNIS RUSK, Dennis Rusk Architects, 3530 West Trail Avenue, appeared with the applicant and stated the requested zone change would eliminate the issue with intruding on property lines. He also asked the Council to consider a six-month review, as the applicant desires to offer short-term rentals.

PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2009

COUNCILMAN REESE read some of the emails he received that indicated opposition and submitted the documentation for the record.

CINDY FUNKHOUSER; VERONICA HOLMES; HANS CEWE; MICHAEL CORNTHWAITE; JENNIFER HARRINGTON and LAUNCE RAKE all expressed concerns that the development does not foster economic growth. Some of them have their life savings invested in this area and do not want this to have a negative impact on the surrounding businesses. MS. HOLMES noted that many other tenants have signed long-term leases and expressed opposition as well. They desire to be good neighbors and are trying to establish an arts district and alleviate the negative elements in the area. The speakers do not believe this proposal would assist in improving the subject area.

COUNCILMAN REESE was disturbed hearing MS. FUNKHOUSER's comments, as he had met with the applicant who lead him to believe that MS. FUNKHOUSER and others present supported the development. MS. FUNKHOUSER negated this and added that the crime rate has increased since this development. Even with the proposed six-month review, she believed the property could be sold and the next owner may not be neighborhood-friendly. She asked ASSISTANT CITY ATTORNEY BRYAN SCOTT how often these types of licenses have been revoked, and he was not aware of any being revoked. MS. FUNKHOUSER believed that a lot of these licenses are a problem. ASSISTANT CITY ATTORNEY SCOTT informed MS. HOLMES that all conditions on a special use permit are with the land, so the new owner would have to adhere to all of the conditions.

TODD FARROW pointed out that the request involves a rezoning and a special use permit. Although he appreciated the applicant's owning the property, he could only support the proposed rezoning.

MR. RUSK clarified that MS. FUNKHOUSER visited the site and was given a tour of the facility. It was his impression that she was inclined to support the proposal. He pointed out that even with an approval, an ultimate denial could happen should there be any issues. However, he did not believe the development would bring negative elements. This is a quality inn, which will provide a temporary place to stay for out-of-state individuals working at Civic Center.

The applicant apologized to COUNCILMAN REESE, as he believed MS. FUNKHOUSER and others supported the development, including recommending the six-month review. He has invested over a million dollars and is trying to stay competitive with similar businesses in the area. Credit cards will be the only form of payment and identification must be shown. All of the rooms have been upgraded beyond standard accommodations. He was open to multiple inspections and welcomed having art exhibits held at his facility as suggested by the neighbors.

COUNCILMAN REESE appreciated all of the comments and the applicant's explanation and noted that the Council supports entrepreneurs.

PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2009

ASSISTANT CITY ATTORNEY SCOTT informed MR. RUSK that the applicant could apply for a similar use after one year. MAYOR GOODMAN added that the item could also be rescinded and heard again.

See Item 12 for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 68 and 69.

