



City of Las Vegas

Agenda Item No.: 59.

**AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MAY 9, 2017**

**DEPARTMENT: PLANNING
DIRECTOR: TOM PERRIGO**

☐ Consent ☒ Discussion

SUBJECT: PRJ-69641 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: VENZA CRACKEN. For possible action on a request for a Special Use Permit FOR A PROPOSED BED & BREAKFAST INN USE WITH WAIVERS TO ALLOW GUEST PARKING NOT BE SCREENED BY A 39-FOOT TALL FENCE OR DENSE LANDSCAPING AND TO ALLOW THE USE TO BE LOCATED ON A 39-FOOT RIGHT-OF-WAY WHERE 50 FEET IS REQUIRED at 309 Arroyo Street (APN 139-33-210-037), R-1 (Single Family Residential) Zone, Ward 5 (Barlow) [PRJ-69641]. Staff recommends DENIAL.

P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	16
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	20
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. Protest/Support Postcards
7. Submitted after Final Agenda - Protest/Support Postcards, Protest Comment Forms and Support Letters and Email

Motion made by CEDRIC CREAR to Deny

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

TODD L. MOODY, VICKI QUINN, TRINITY HAVEN SCHLOTTMAN, SAM CHERRY, GLENN TROWBRIDGE, CEDRIC CREAR, DONNA TOUSSAINT; (Against-None); (Abstain -None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open for Item 59.

PLANNING COMMISSION MEETING OF: MAY 9, 2017

SCOTT RUEDY, Sr. Management Analyst, reported that the applicant was proposing a bed and breakfast. The proposed use does not meet the minimum standards set-forth for the Bed & Breakfast use. In addition, the use will be located within 660 feet of two short-term residential rental uses. While there is no requirement for a distance separation, the uses are similar. The establishment of this commercial use is too intense for the surrounding residential uses; therefore, staff recommended denial. He noted that additional letters of protest and support had been received since publication.

VENZA and DILLON BRACKEN introduced themselves. MR. BRACKEN stated that he had been listening to the other applications and understood the previous residents' concerns; however, in their specific neighborhood a bed and breakfast is welcomed. They approached their neighbors and have received 18 letters of approval and one letter in opposition. He and MS. BRACKEN wished to have a bed and breakfast because they bought a six bedroom house and have aging parents who will stay with them. At times their parents aren't visiting, they would like to rent out the house, but they would also reside at the home.

MR. BRACKEN explained that the bed and breakfast has a much stricter standard and requires commercial, on-site parking with a limit of five guests. He also mentioned the associated Waivers for a 39-foot wide street and not having a six-foot high hedge or fence blocking the on-site parking. TERA ANDERSON had mixed views as she sympathized with the previous residents concerns. She did not think the most important point was the short-term rentals but was the lack of enforcement with Code Enforcement and the Las Vegas Metropolitan Police Department. She felt more comfortable with the BRACKENS being owner/occupants but would like to see the City do more. She did not object to the application.

MR. BRACKEN thanked the Commission and asked for approval.

In response to a question from COMMISSIONER CREAR, STEVE GEBEKE, Planning Supervisor, explained that a license is not needed if an individual is renting their home for longer than 30 days. Anything less than that is considered a short-term rental. The bed and breakfast predates the short-term rental concept. He indicated that there is a Text Amendment that was recently heard by the Planning Commission that is moving forward; it would delete bed and breakfasts from the code and combine it with short-term rentals.

COMMISSIONER CREAR was not a fan of the short-term rental environment as he has a problem with there being no enforcement of them. He would not support the application.

COMMISSIONER QUINN agreed, and as much as she believed MR. and MRS. BRACKEN were trying to do the right thing, the approval may open the door to short-term rentals wanting to do the same thing.

COMMISSIONER MOODY could not find support in the application that this was a compatible use with the surrounding homes.

PLANNING COMMISSION MEETING OF: MAY 9, 2017

CHAIR SCHLOTTMAN declared the Public Hearing closed for Item 59.

