



City of Las Vegas

Agenda Item No.: 78.

**AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 13, 2017**

**DEPARTMENT: PLANNING
DIRECTOR: TOM PERRIGO**

☐ Consent ☒ Discussion

SUBJECT: SUP-7024 - SPECIAL USE PERMIT PUBLIC HEARING - APPLICANT: LAURINCE ROVELINE, OWNER, THOMAS AND MELANDA MASON - For possible action on a request for a Special Use Permit FOR A PROPOSED SHORT-TERM RESIDENTIAL RENTAL USE WITH A WALL TO ALLOW A TWO-FOOT DISTANCE SEPARATION FROM A SIMILAR USE WHERE 660 FEET IS REQUIRED at 2323 Palomino Lane (APN 139-32-802-005), R-E (Residence Medium) Zone, Ward 1 (Tahlequah) [PRJ-70194]. Staff recommends DENIAL.

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

18

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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. Protest Postcards
7. Submitted after Final Agenda - Protest Letters/Postcards

Motion made by VICKI QUINN 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.

PETER LOWENSTEIN, Planning Section Manager, reported the applicants request is not compatible with the goals of the Rancho Charleston Land Use Study, as it encourages the

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protection of existing residential neighborhoods from any additional encroachment by commercial and/or office uses. Furthermore, the proposed short-term residential rental use will not be compatible with the surrounding residential uses due to the existing short-term rental that is currently licensed on the adjacent property to the east. Therefore, staff recommended denial of the application. MR. LOWENSTEIN noted that additional letters of protest were received after publication.

LAURINCE LOVELIFE, applicant, accepted staffs conditions of approval. To address staffs concerns, MR. LOVELIFE stated that of the 56 reservations he has hosted through his licensed business, VegasBNB, no complaints from neighbors have been received. There are strict house rules, including absolutely no parties. Restricting the number of guests per reservation, 24-hour camera surveillance and his constant interaction with his guests during their stay are the reasons no complaints have been received. To date, he has a 92 percent five-star rating through Airbnb. MR. LOVELIFE read into the record a comment from one of his recent guests. In the spirit of entrepreneurship in Las Vegas, he asked that he be given a chance to once again prove himself to be a respectable business owner by being allowed to operate this business. He wished to keep the integrity of his business by continuing to license each of his rentals, which is why he is before the Commission today. Allowing this business to operate will be a win for the City because it will generate more room tax revenue; his business has already paid \$1,279.19 in room tax over the last five months. It would also be a win for the Mason family because it would allow them to keep their home, a win for the neighborhood because the home would be occupied with non-partiers and a win for the tourists visiting Las Vegas looking for a great vacation rental. He read an excerpt from an article from the Las Vegas Sun.

RIC TRUESDELL appeared representing himself and his family. He lives six houses from the subject location. There is already an existing short-term rental next door. Everyone talks about how these short-term rentals will help save their house. Residential values are skyrocketing right now in this area; there is a shortage of housing in this immediate area west of the new Medical District. It is the main pedestrian route for children going to Howard A. Wasden Elementary School. To have them deal with a tourist business is inappropriate. He disagrees with the idea that someone coming to Las Vegas for a bachelor party will stay in a hotel. Owners are investing in their homes by renovating; they do not need the neighborhood to invest in motels.

JODY HOEFFNER, resident, referenced the 660-foot distance separation requirement and asked the Commission to abide by that and not approve the requested Special Use Permit (SUP).

LOA CHANG, resident, lives across the street from the subject property. She is worried about having strangers in her neighborhood, and she has not had a good experience with other short-term rentals in the area. She asked the Commission to deny the applicants request.

JUDY SANTELMAN has lived in this neighborhood since 1959. She is extremely upset about the short-term rentals moving into the area because they turn into party houses. She has experienced terrible problems in their neighborhood with trash, loud noise and prostitutes being brought into the area. Short-term rentals are not compatible with their beautiful historic

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neighborhood. She also asked the Commission to deny the applicants request, especially since it is right next to another short-term rental.

PAUL and CYNTHIA McKELLAR appeared in opposition. They live in an adjacent historical neighborhood, and the short-term rental occupants in their neighborhood party all night.

GERALD DUNCAN, resident, spoke in opposition. He referenced that someone at the City must have realized there was a negative side to short-term rentals or else the 660-foot distance separation requirement would not have been implemented. The short-term rentals near him are noisy.

CANDICE WHITFIELD, resident, stated she has utilized Airbnb in the past, and she is a proponent of the applicants request. Airbnb has strict rules and is able to weed out anyone who violates those rules as well as withhold security deposits, etc.

Pointing out the outpouring of neighbors, STEPHEN GROGAN thought it was clear short-term rentals were not wanted. He noted there are nine other legalized short-term rentals located throughout the City that fall within the 660-foot distance separation requirement. He thought they should be checked out, and he wondered why they were given a business license when they are less than the 660-foot requirement. He asked the Commission to take into account the fact that the applicant is not the owner of the property. He thought it would be interesting to hear from the owner of property. He thought the Commission at one point may wish to consider suitability of the owner and the applicant. As such, he expressed his opposition to the applicants request.

JESSICA SAYLOR appeared in opposition. The applicant does not live in the neighborhood nor does he own the home. She commented that what is happening with short-term rentals is tearing apart the fabric of the community and the American dream, which is to own a home, live in a home and to be able to feel safe and secure in your neighborhood. Having short-term rentals in their neighborhoods with tourists coming in and someone that is not a licensed property manager trying to manage the property is tearing apart the fabric of society. She asked the Commission to vote in opposition.

SELENE REVENIO, McNeil Estates, spoke in opposition. She stated this area is one of their sister neighborhoods, and they help each other with everything from coyotes to crime. Everyone is heartbroken with what is happening to their neighborhoods. She explained the problems she has experienced having a party house two houses from her. She said something has to be done. She asked what happened to considering the safety of the residents and knowing your neighbor.

ERIK KING, Secretary of the Equestrian Estates Neighborhood Association, stated his group recommended denial of this request. It does not meet the code, and they want party houses out of the neighborhood.

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RYAN MASON appeared on behalf of the property owner. He thanked everyone for voicing their concerns and wished to explain the reason why the SUP is being requested. His family moved to Las Vegas 35 years ago and have been in their current home for approximately 15 years. It has been a wonderful experience, and they love being a part of the community. His parents are THOMAS and YOLANDA MASON. His mother was at the meeting earlier, but she is extremely ill and had to leave the meeting. The family is currently experiencing financial and health issues; this has almost come to a last resort. MR. RYAN MASON lives in Los Angeles, California, and has been coming to Las Vegas every other week for the past 10 to 12 months because of the dire situation of losing their house. They researched several months to find the best BnB with the highest rating to keep the integrity of their house. They care about their house 110 percent. He noted they are the only African American family on the street, and they take pride in that. They cannot afford the house and are in jeopardy of losing it. His mom has one kidney, and it is failing, and his father has prostate cancer. He has a 16-year old daughter he would like to enroll in the University of Nevada, Las Vegas when she finishes high school. He does not want to disrespect anyone that spoke, he is just asking for this because of his situation. He does not want the house to be a party house. They are just looking for revenue to be able to keep their home. Instead of asking people for help, they want to help themselves and do whatever is required up front.

COMMISSIONER QUINN restated that the ordinance requires a 660-foot distance separation so the applicant cannot put another short-term rental right next to an existing one; it does not belong in the neighborhood. She is sorry for MR. RYAN MASONS family, but thought they were creating a hardship on the neighborhood. She suggested the MASONS either live in the house, sell it or rent it.

COMMISSIONER TOUSSAINT stated she cannot support the applicants request. She had a short-term rental in her community where the applicant said the same thing about there being no parties, and there still were. People buy a home because they wish to live in a community; they do not want to buy a home in a commercial area.

Subsequent to the vote, COMMISSIONER CREAR stated that the applicant had the right to appeal the Commissions decision to the City Council.

CHAIR SCHLOTTMAN declared the Public Hearing closed.