



City of Las Vegas

Agenda Item No.: 39.

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: SEPTEMBER 11, 2018

DEPARTMENT: PLANNING

DIRECTOR: ROBERT SUMMERFIELD

☐ Consent ☒ Discussion

SUBJECT:

ABEYANCA - RENOTIFICATION - SUP - 29 - SPECIAL USE PERMIT - PUBLIC HEARING APPLICANT/OWNER MICHAEL TROISI - For possible action on a request for a Special Use Permit FOR A PROPOSED SHORT-TERM RESIDENTIAL RENTAL USE at 4021 Mountain View Boulevard (APN 162-06-603-002), R-E (Residence Estates) Zone, Ward 1 (Takanian) [PR] - Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 10/17/2018

OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

27

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, 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 and Protest Documentation Not Vetted - Comment Forms (10) and Altered Postcard (1)
7. Submitted after Final Agenda Protest Postcards and Protest Documentation Not Vetted Comment Form (1)

Motion made by LOUIS DE SALVIO to Hold in abeyance to 10/9/2018

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

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

Minutes:

CHAIR CHERRY declared the Public Hearing open.

STEVE GEBEKE, Planning Supervisor, reported that the applicant is proposing to operate a short-term residential rental unit that meets all minimum Special Use Permit (SUP) requirements. Additional protest letters have been received since publication.

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NATHAN TAYLOR appeared representing the applicant. He stated that the applicant has operated luxury short-term rentals for over a decade and is spending \$150,000 to renovate this property. MR. TAYLOR indicated that the clients he represents all have security systems, noise monitoring and lighting, and they do not allow parties. His client will be hiring a local reputable property management company that will be available 24/7. He requested approval.

JOSEPH NOLD stated that he lives in the house directly west of this site, and he is opposed to this short-term rental as school children use the side walk. He also described the neighbors who live in the area and said this is a very quiet community. They have issues with break-ins in the area, so they look out for traffic and have a neighborhood watch. He was concerned that this could become a party house.

DR. ROBERT CRANLEY stated that he lives directly east of the proposed project and has owned the property for 35 years. He opposed the granting of this entitlement as it will lead to the permanent disruption of the fabric of a long-established neighborhood that bears the historic name of Artesian Heights. He said that protection of established historic neighborhoods is important for the continued health of the city.

SUSAN CANADAY-HENRY stated that she was opposed to the project. They moved into the neighborhood about three years ago. She was concerned about their investment and what would happen with short-term rentals in the next 10 to 20 years. She pointed out that this short-term rental would not be owned locally. MS. CANADAY-HENRY was also concerned about out-of-state owners who are not in the community and wondered if the community would be losing votes and participation. Zones that are zoned as residential cannot accommodate the expected commercial behavior of a new generation. She requested denial.

DAVE SEEMAN stated that he has a background in real estate and owned three Remax offices, one of which included a property management sector. He said that no matter how good you are at property management, there are still problems because rentals do not take care of their property as well as owners do. The idea of bringing someone in for a couple of days or a week makes it much more of a problem because it is not their neighborhood, and they do not have to care. He felt that short-term rentals should be in multi-family neighborhoods instead of this nice quiet neighborhood.

ALDEMA RIDGE stated that she is a retired teacher, and the subject property is approximately 150 feet from the main traffic pathway the children use to get back and forth to Hyde Park Middle School. This is a unique, close-knit and old-fashioned community, and the neighbors look out for each other.

SUSAN WAINSCOTT stated that they purchased their property two years ago, and she has spoken in opposition of allowing commercial ventures inside of residential neighborhoods. As they were purchasing their home, one was approved in their neighborhood; if they had known this was a possibility in the city, they would have stayed in North Las Vegas. She felt there was no guarantee that the applicant can manage this property from afar no matter how good their staff and contractors are. She was also concerned about the schools in the area and maintaining the integrity of the neighborhood.

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ROBERT GILMER concurred with the other comments and stated there is an overwhelming lack of support for this project. He was opposed to this application.

RAYMOND WATTS used to live across the street from the subject property and he was opposed to the usage of this home. He spoke with a gentleman who owns 13 of these types of properties who said they have to deal with issues such as alcohol and drug abuse and violence; MR. WATTS was concerned that would happen in this area.

MARCO HENRY disclosed that he has become employed in COUNCILMAN SEROKA'S Ward 2 office; however, he was appearing as a resident of Ward 1 and a neighbor of the subject property. He stressed that this is a Jewish holiday and many people could not attend this meeting. MR. HENRY stated that the applicant requested this item be held in abeyance last month, and he introduced himself to the applicant's representative, MR. TAYLOR, to ask about the abeyance. MR. TAYLOR gave his business card to MR. HENRY and said to reach out to him if there were any problems. MR. HENRY indicated that he told MR. TAYLOR it would be better if he or the applicant reached out to the neighbors and had a meeting to explain their plans. MR. HENRY stated there has been no attempt to reach the neighbors, and the applicant lives in Denver, Colorado. MR. HENRY firmly opposed the application.

MR. TAYLOR addressed some of the neighbors' concerns stating that traffic and break-ins in the area have nothing to do with this applicant; many proposals that were submitted in opposition were duplicates; and he has personal experience that disruption in a neighborhood happens with long-term renters as well. He stated that he gave MR. HENRY his card and told him they could hold a meeting if desired, but MR. TAYLOR did not hear from MR. HENRY. MR. TAYLOR stated that out-of-state owners own thousands of properties in the Las Vegas Valley, and the City of Las Vegas has numerous Code Enforcement complaints on them. MR. TAYLOR said he is personally and professionally tired of hearing people talk about how horrible short-term rentals are because he would have loved to have had a short-term renter next to his home for the two years he dealt with the ongoing parties and drugs. This applicant is a property owner who spent \$515,000 to purchase a property and is investing \$150,000 to renovate it. MR. TAYLOR said it is bothersome that someone invests this much money in this city and wants to operate the right way. He offered imposing a six-month administrative review, and if there is a problem, the SUP can be revoked.

COMMISSIONER DE SALVIO asked MR. TAYLOR if he would like to hold this item in abeyance and have a neighborhood meeting due to the number of people who came to this meeting. MR. TAYLOR agreed to a 30-day abeyance and said he would work with the Planning Department to hold a neighborhood meeting.

CHAIR CHERRY wished that COMMISSIONER QUINN was at the meeting as this is her ward. COMMISSIONER DE SALVIO replied that COMMISSIONER QUINN is concerned when neighbors are opposed and thought she would want the applicant to work with the neighbors.

CHAIR CHERRY clarified with ASSISTANT CITY ATTORNEY BRYAN SCOTT that the item would have to be heard at the next Planning Commission meeting as the abeyance request

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was made by a Commissioner, and MR. SCOTT confirmed.

CHAIR CHERRY requested that MR. TAYLOR coordinate with COMMISSIONER QUINN.

See Item 40 for related discussion.

CHAIR CHERRY declared the Public Hearing closed.

