



Agenda Item No.: 78.

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

DEPARTMENT: PLANNING

DIRECTOR: ROBERT SUMMERFIELD

☐ Consent ☒ Discussion

SUBJECT:

UP-7336 - SPECIAL USE PERMIT PUBLIC HEARING - APPLICANT/OWNER: RED MOUNTAIN PROPERTIES LLC. Possible action on a request for a Special Use Permit FOR A PROPOSED SHORT TERM RESIDENTIAL USE WITH A WAIVER TO ALLOW A 302-FOOT DISTANCE SEPARATION FROM A SIMILAR USE WHERE 660 FEET IS REQUIRED at 1701 South 17th Street (APN 162-02-B14-053), R-1 (Single Family Residential) Zone, Ward 3 (Coffin) [PRJ-73359]. Staff recommends DENIAL.

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

10

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

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. Protest/Support Postcards
7. Documentation Not Vetted - Protest Comment Forms (9)
8. Submitted after Final Agenda Protest Postcards and Protest/Support Documentation Not Vetted Protest Comment Forms (19), Email (1) and Support Comment Form (1)

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.

PLANNING COMMISSION MEETING OF: JULY 10, 2018

JONATHAN BOYLES, Senior Planner, reported that the applicant is proposing to operate a Short-Term Residential Rental use that does not meet the minimum distance separation of 660 feet from a similar use. There are two other Short-Term Residential Rental units within this separation radius. In addition, the applicant will not comply with the owner occupied requirement of a Conditional Use Regulation; therefore, under Title 19.12 a Special Use Permit (SUP) is required. Due to the required Waiver, staff recommended denial of the use as it is incompatible with the surrounding uses. MR. BOYLES noted that additional letters of protest were received since publication.

NATHAN TAYLOR, on behalf of the applicant, explained that he spoke with COMMISSIONER SCHLOTTMAN regarding the condition of the home when his client first purchased the property, and he noted that it is a unique downtown property.

MARK GROSS, applicant, stated that he has a long-term loan servicing company in Las Vegas so he understands assets. He explained that he purchased this distressed property in late 2016 and put approximately \$40,000 into the property because it was plagued with vagrant/squatter inhabitants. He added that during the construction process he ran into many occasions where he had to remove people from the property. He stated that there is a backs up to an easement for Nevada Power and directly across the street and to the side of the property are commercial properties, which he believes create a challenge in keeping the vagrants out. After speaking with the neighbors, he feels very like what has become of the property and its use.

Speaking in opposition, MR. BENJAMIN CHESTERO appreciated that MR. GROSS put some money into the property; however, he felt combating vagrancy would best be solved with long-term residents. He noted that they could not confirm whether or not the church across the street was still active; however, if it was, having a short-term rental there would not be appropriate. Additionally, he understood that there were already two other short-term rentals within the 660-foot radius. Other speakers who noted similar oppositions were DAVID FIGLER, President of the John S. Park Neighborhood Association and on behalf of the neighbors in the Crestwood Neighborhood, and SCOTT SWANIK.

COMMISSIONER SCHLOTTMAN acknowledged that he spoke with MR. TAYLOR and discussed the amount of money the applicant put into the property. However, he ultimately felt it was about the distance separation and noted protests; therefore, it would be hard to support the Waiver.

CHAIR CHERRY declared the Public Hearing closed.