



City of Las Vegas

Agenda Item No.: 85.

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

**DEPARTMENT: PLANNING
DIRECTOR: ROBERT SUMMERFIELD**

☐ Consent ☒ Discussion

SUBJECT: UP-7349 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: RICHARD KENT CALDWELL. Request for possible action on a request for a Special Use Permit FOR A PROPOSED SHORT-TERM RESIDENTIAL RENTAL USE WITH A WAIVER TO ALLOW A 50-FOOT DISTANCE SEPARATION FROM A SIMILAR USE WHERE 660 FEET IS REQUIRED. 9011 Beverly Way (APN 167-03-315-033), R-1 (Single Family Residential) Zone, Ward 2 (Coffin) [PRJ-73299]. Staff recommends DENIAL.

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

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

10

Planning Commission Mtg.

0

City Council Meeting

0

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. Documentation Not Vetted - Protest Comment Forms (7)
7. Submitted after Final Agenda Protest Postcards and Protest Documentation Not Vetted Altered Postcard (1), Comment Forms (12), Telephone Log (1) and Email (1)
8. Submitted at Meeting Speaking Points Email with Aerial Map, Email with Before and After Photos, Email Regarding STR Course and Email Regarding Contacts for Kent Caldwell by Attorney Matthew Sibert

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)

PLANNING COMMISSION MEETING OF: JULY 10, 2018

Minutes:

CHAIR CHERRY declared the Public Hearing open.

PAUL BENGTON, Senior Management Analyst, stated that the applicant is proposing to operate a Short-Term Residential Rental unit that does not meet the minimum required distance separation of 660 feet from a similar use. There is one other Short-Term Residential Rental (STR) unit within this separation radius. Due to the required waiver, staff recommended denial of the use as incompatible. If the request is approved, a recommended condition would require expungement if the property is to be sold. MR. BENGTON noted that additional public input was received after publication.

ATTORNEY MATT SIBERT, on behalf of applicant, stated that since the applicant could not be present due to their work, he would be reading from a prepared statement. A few points noted from the applicants statement included that the he intends to use the income generated from the STR to restore the historic home in the Beverly Green Neighborhood that he is within 100 feet of being in full compliance, and that he will be a responsible property owner. MR. SIBERT added that the applicant is an artist and very appreciative that he lives in a mid-century home in a historical neighborhood.

MR. SIBERT understood that the applicant had reached out to his neighbors, as well as to those who were opposed to his application. He also believed that the applicant had reached out to the Nevada Preservation Foundation (NPF) to learn how they can better restore the home to its original state. MR. SIBERT submitted photographs for the record to show that the applicant has already made improvements to the home. Additionally, he reported that the applicant will be signing up for the STR course at the College of Southern Nevada.

Those speaking in opposition of this item included MIKE BROWN-CESTERO, SCOTT SWANK and MICHELLE LARIME. The concerns noted included that there are plenty of short-term rentals in the neighborhood, and that the short-term rentals are pushing the owners out, which is not the community they want to build or maintain. MS. LARIME noted that she lives in the notification radius for this property and submitted a comment card; however, she was not contacted by the applicant. Additionally, she works for the Nevada Preservation Foundation, and to her knowledge, the applicant had not reached out to their foundation. She stated that this home is one of the most unique residences in the neighborhood and is very beloved and known by the residents; therefore, no one wants to see this property turned into a short-term rental.

MR. SIBERT understood that this is a great home; however, it was somewhat dilapidated. Additionally, he displayed pictures of renovations and upgrades that have already been completed by the applicant, noting that the he plans on living in the home in the future and wants to be a member of the community.

COMMISSIONER SCHLOTTMAN appreciated MR. SIBERT for coming forward and providing photos of the applicants renovations; however, he felt the neighborhood was saturated with short-term rentals.

PLANNING COMMISSION MEETING OF: JULY 10, 2018

CHAIR CHERRY declared the Public Hearing closed.

