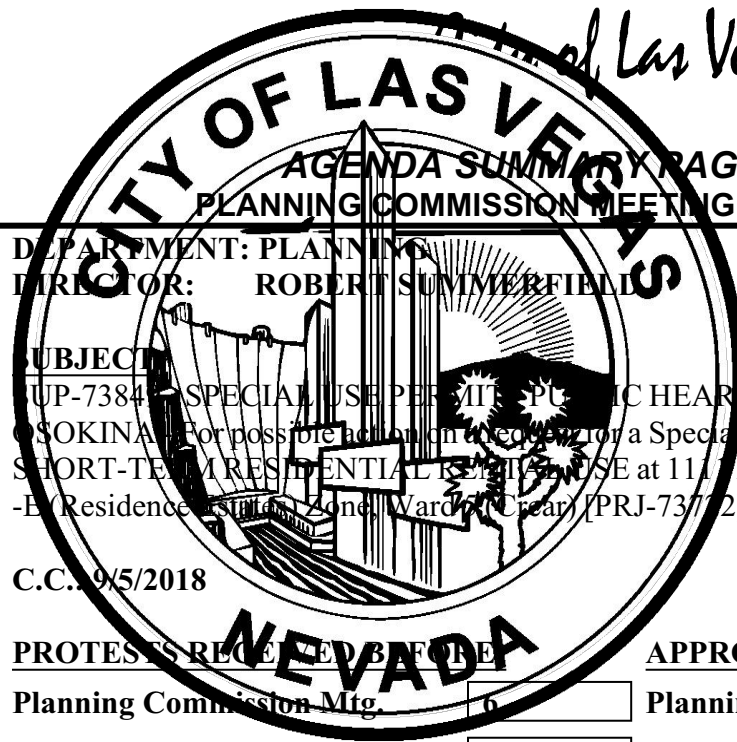




City of Las Vegas

Agenda Item No.: 123.

**AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: AUGUST 14, 2018**

DEPARTMENT: PLANNING

DIRECTOR: ROBERT SUMMERFIELD

☐ Consent ☒ Discussion

SUBJECT:

UP-7384 - SPECIAL USE PERMIT PUBLIC HEARING - APPLICANT/OWNER: ALBINA OSOKINA - For possible action on a recommendation for a Special Use Permit FOR A PROPOSED SHORT-TERM RESIDENTIAL RESIDENTIAL USE at 1117 Ralston Drive (APN 139-28-210-048), R-B (Residence Single-Family Zone), Ward 7 (Near) [PRJ-73772]. Staff recommends APPROVAL.

C.C. 9/5/2018

PROTESTS RECEIVED BEFORE

Planning Commission Mtg.

6

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 (3)
7. Submitted after Final Agenda Protest Postcards and Protest Documentation Not Vetted Comment Forms (4) and Altered Postcards (2)
8. Submitted at Meeting Protest Documentation Not Vetted Petition (48) by Gene Collins

Motion made by BRENDA J. WILLIAMS 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:

Subsequent to the One Motion One Vote agenda items, CHAIR CHERRY asked if the applicant for Item 123 was present. Since the applicant did not come forward, CHAIR CHERRY trailed this item until after Items 38-41 were heard.

CHAIR CHERRY declared the Public Hearing open.

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PAUL BENGTON, Sr. Management Analyst, announced that the notification card indicated that the Short-Term Residential use is proposed; however it should have reflected that it is an Existing Short-Term Residential Rental use.

MR. BENGTON reported that the applicant/owner is currently operating as a Short Term Residential Rental use with an approved Conditional Use Verification, CUV-71917, and a business license. The property is not owner occupied and the applicant is requesting an approval of the Special Use Permit so the use can continue to operate at this location. The site meets distance separation requirements; therefore, the use can be conducted in a manner that is harmonious with existing surrounding land uses and staff recommended approval.

MARY MCELHANE, Deputy Director of Planning, reported that this location does not currently have an active business license; however, they do have an active ad and are actively renting the property. There are three documented stays in April, four in May, six in June and two in July 2018.

ILAN BENTOV appealed and stated that they have converted part of the house as a short-term rental. After speaking with the Planning Department and Code Enforcement, he understood that because the home has three bedrooms, they needed approval for an SUP.

LEAH CAMPBELL stated that she lives next to the subject property. The home has five bedrooms, and the barn in the back has been transformed into a three-bedroom house. She said that place has been a nightmare since they started renting it as there have been problems with parties, parking, and noise, and trash is being thrown over the fence into her yard. She requested denial.

KARL ARMSTRONG stated that this is not owner occupied, and the owners live in California. He opined that they could not control who they are renting the property to or what the renters are doing. He was opposed because he wants peace in their neighborhood and someone to be there if the renters get out of hand.

SCOTT ROCKWELL stated that he lives in the area, and this is a weekend party house that is two miles from downtown in a neighborhood of older, quiet retired people. He was strongly opposed to this application.

STEVEN McLEMORE expressed opposition to the use as this is located in a residential area that has fought against commercial uses for 20 years because they want to keep it a single family neighborhood.

GENE COLLINS stated he was opposed to this use because there are schools and children in the area, and he was concerned about safety issues. The neighbors do not know who will be renting the home, and this is a community that has no sidewalks or streetlights and is zoned for horses; they would like the neighborhood to remain that way. He requested denial.

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JAMES ANDERSON was opposed to this application and would like to eliminate short-term rentals because it does not benefit the neighborhood.

MR. BENTOV stated that none of those who spoke live within 1,000 feet of the subject home. He stated that there are not parties at the location, and they are always at home when they rent the home. He said they received a ticket for trash because one of the neighbors told Republic Services to not pick it up. He added that none of the neighbors ever told them there were any problems.

COMMISSIONER WILLIAMS stated that she was going to abstain from this application as she is a neighbor and is familiar with the house and when someone is renting it. Her main focus is to preserve the integrity of the Bonanza Village community as they have the right to have quiet, safe and peaceful enjoyment of their property. She opined that renting to people who the neighbors do not know is unconscionable.

ASSISTANT CITY ATTORNEY BRYAN SCOTT stated that he spoke with COMMISSIONER WILLIAMS regarding this item, and if she did not vote, it would not affect her any greater or lesser, she was able to vote on this item and she chose to vote.

CHAIR CHERRY advised the applicant that this would be heard by the City Council, and there was time to reach out to the neighborhood prior to that meeting.

See Items 4 and 6 for related discussion.

CHAIR CHERRY declared the Public Hearing closed.