



City of Las Vegas

Agenda Item No.: 19.

**AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: OCTOBER 23, 2018**

**DEPARTMENT: PLANNING
DIRECTOR: ROBERT SUMMERFIELD**

☐ Consent ☒ Discussion

SUBJECT: SUP-7421 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: HENGYIN MAI AND HU HANG LIANG - possible action on a request for a Special Use Permit FOR A PROPOSED SHORT-TERM RESIDENTIAL RENTAL USE at 3909 San Bernardino Avenue (APN 004-011-014-011-017, R4 Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-73928]. Staff recommends APPROVAL.

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

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	4	Planning Commission Mtg.	0
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:

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

Motion made by CHRISTINA ROUSH to Deny

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.

PETER LOWENSTEIN, Deputy Planning Director, reported that the application was before the Planning Commission as a result of a Code Enforcement action for an illegal Short-Term Residential Rental use. The applicant was proposing to operate a non-owner occupied five

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bedroom short-term residential rental unit that meets all minimum special use permit requirements of Title 19.12. Staff recommended approval with Condition 1 requiring expungement should the property be sold. He acknowledged MARY McELHONE, Deputy Planning Director, who had additional information pertaining to this item.

MS. McELHONE stated that Code Enforcement was able to confirm short-term rental activity from April through July of 2018. On July 18, 2018, a Notice and Order was issued to the owners of the property. Since that time, no short-term rental activity has been identified.

DAVID WANG appeared with and spoke on behalf of his father, WEN WANG. MR. D. WANG indicated the applicant had operated the short-term rental prior to realizing a permit was required. As soon as the Notice and Order was received, the applicant ceased operation and applied for the permit. They accepted staff's condition of approval.

COMMISSIONER ROUSH said it has been well known for more than a year that short-term rentals are not legal without a permit. She did not feel the applicant being unaware was a good defense in this case but was glad he had ceased operation at that point. Given that fact and the fact that she continued to support the ban on short-term rentals, she would not support the application.

CHAIR CHERRY declared the Public Hearing closed.

