



Agenda Item No.: 58.

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

DEPARTMENT: PLANNING

DIRECTOR: ROBERT SUMMERFIELD

☐ Consent ☒ Discussion

SUBJECT:

UP-7485 - SPECIAL USE PERMIT PUBLIC HEARING - APPLICANT/OWNER: RANBIR SIDHU - 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 ZERO-FOOT DISTANCES FROM FRONT FROM A SIMILAR USE WHERE 660 FEET IS REQUIRED at 150 North Las Vegas Blvd. Unit 1113 (APN 139-34-613-074), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PKS 12/10/18]. Staff recommends DENIAL.

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

5

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL, if approved, 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
7. Submitted after Final Agenda Protest Postcards and Documentation Not Vetted Protest (19)/Support (1) Comment Forms

Motion made by TRINITY HAVEN SCHLOTTMAN 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:

This item was called subsequent to hearing related Items 51 and 52.

CHAIR CHERRY declared the Public Hearing open.

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ERIC McCAMMOND, Sr. Management Analyst, reported that the applicant is proposing a short-term residential rental use with a waiver to allow a zero-foot distance separation from a similar use where 660 feet is required. At the time of application, relief from Conditional Use Regulations were available through the Special Use Permit and associated Waivers. With the recent adoption of Bill Number 2018-58 amending the Unified Development Code, relief from Conditional Use Regulations by means of a future Special Use Permit no longer exists. If approved, the proposed use would be authorized and subject to non-conforming use provisions of Las Vegas Municipal Code Title 9. If denied, the proposed use would not be authorized. Staff is recommending denial. MR. McCAMMOND noted that additional letters of protest and support were submitted since publication.

MARY McELHON, Deputy Planning Director, further reported that this location has had two active Code Enforcement cases. One case was open from January 1, 2018, to June 9, 2018, and most recently, a case was opened on October 22, 2018. A Notice and Order was issued in August 2018. At this point in time, there are no short-term rental websites that are active and there does not appear to be any recent short-term rental activity.

RANBIR SIDHU, applicant, stated that he was in sales for many years, so he lived in many high-rises and did his home work. He feels this unit is one that meets the guidelines for a short-term rental. He noted that he will be the person managing the Special Use Permit and has several years experience in hospitality management. He has lived in Nevada for a long time and currently works with the public safety sector. He feels approval should mainly be based on the intent, noting that he usually rents out his unit professionally. He is not looking to run this rental like a full 24-hour hotel or anything of that nature. With the expansion of his company, there will be times when he will be out of state, and he would not mind having the permit available in case he needs it.

KERRY GERST, neighbor, spoke in opposition to his request. She displayed screenshots of the applicants Airbnb ad from when it was active in July 2018 and pointed out that he had six guests and two bedrooms in one ad, six guests and one bathroom in another ad, and that the bedding situation included two regular bedrooms. However, in the common spaces, it included a couch, an air mattress, and a mattress on the floor. She thought this was unreasonable in a situation where they share walls and common spaces.

MR. SIDHU stated he was not familiar with how Airbnb works. He shared that he has made a large investment in furniture and worked with Living Spaces to gain a concept of what is going on. He does not agree that there should be more people in the unit, as he is not looking to have a large group of people. He stated that he has a lot of family in Canada and friends who want to stay in Las Vegas. He is actively looking for only professional guests and will only be selected at his consent. He described many of his interests, some of which included that he is big in the Arts District, was involved with Radio City Pizza's opening and in many downtown projects, and he is a fan of the Las Vegas Golden Knights.

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CHAIR CHERRY stated that he has always been on the denial front with The Ogden project because it was caught in the wave of the beginning of the short-term residential rentals. While it does not say that this is disallowed, it does not say it is allowed either, so people have taken advantage of this situation. Further, he felt that if this was a condominium project that, from the beginning, had been set up to accommodate this type of traffic, he would be more inclined to work with it. However this project is not; therefore, he would not be supporting the application.

COMMISSIONER SCHLOTTMAN agreed with CHAIR CHERRY. He stated that he likes short-term rentals and uses them when he goes out of town. However, because The Ogden was not built for short-term rentals and many homeowners have come out against this, he could not support MR. SIDHUS request.

CHAIR CHERRY declared the Public Hearing closed.

