



City of Las Vegas

Agenda Item No.: **62.**

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

DEPARTMENT: PLANNING

DIRECTOR: ROBERT SUMMERFIELD

☐ Consent ☒ Discussion

SUBJECT:

UP-7486 - SPECIAL USE PERMIT PUBLIC HEARING - APPLICANT/OWNER:
MONITCO, LLC - For possible action on a request for a Special Use Permit FOR AN EXISTING
SHORT-TERM RESIDENTIAL RENTAL USE at 1908 Chapman Drive (APN 162-02-312-013),
RM (Single Family Residential) Zone, Ward 3 (Coffin) [PRJ-74829]. Staff recommends
APPROVAL.

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

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

7

Planning Commission Mtg.

0

City Council Meeting

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
7. Submitted after Final Agenda Protest Postcards and Protest Documentation Not Vetted
Comment Forms (4)

Motion made by TRINITY HAVEN SCHLOTTMAN to Approve subject to conditions

Passed For: 5; Against: 1; Abstain: 0; Did Not Vote: 0; Excused: 1

DONNA TOUSSAINT, TRINITY HAVEN SCHLOTTMAN, SAM CHERRY, LOUIS DE
SALVIO, BRENDA J. WILLIAMS; (Against-CHRISTINA ROUSH); (Abstain-None); (Did Not
Vote-None); (Excused-VICKI QUINN)

Minutes:

CHAIR CHERRY declared the Public Hearing open.

ERIC McCAMMOND, Sr. Management Analyst, stated that the applicant is operating a short-
term residential rental use that meets all minimum Special Use Permit requirements of Title
19.12 that were applicable at the time of application. At the time of application, the Special Use

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Permit was required as a result of Ordinance 6585, which required all existing Short-Term Residential Rental uses not eligible for Conditional Use approval to be approved via the Special Use Permit process prior to July 1, 2019. 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. Whether approved or denied, the existing use would remain authorized and be subject to non-conforming use provisions of Las Vegas Municipal Code Title 19. Staff is recommending approval with a condition of approval requiring that, at such time as the property is put up for sale, the property owner shall voluntarily expunge the Special Use Permit. MR. McCAMMOND noted that additional letters of protest were submitted since publication.

MARY McELHON, Deputy Planning Director, additionally reported that this property has been licensed since February 1, 2017 and there have been no issues or complaints received for this property.

DANIEL PULLOUK, applicant/owner, stated that the rental has been licensed and operated with a professional management company. There have been no issues with the short-term rental, and it meets the guideline for approval.

LARRY BIALEK requested clarification on a Special Use Permit short-term rental, as he was uncertain as to the rental period. He stated that he is not opposed to having a rental in the neighborhood; however, he was unsure about having apartment-type rental property. Additionally, he did not want to see a lot of traffic coming into the community. He acknowledged that MR. PULLOUK keeps his property nice, which is consistent with the neighborhood. He noted that in the past, he has lived in areas with short-term rentals who damaged the property or other homeowners' properties.

MR. PULLOUK added that they require a minimum number of days for a stay at the rental, and he feels they have done an excellent job in running it.

ROBERT SUMMERFIELD, Planning Director, confirmed for CHAIR CHERRY that the Planning Department will not be taking any more applications for Short-Term Rental Special Use Permits due to the ordinance that was adopted on December 5, 2018, and became effective on Sunday, December 9, 2018.

In response to MR. BIALEK's question as to the rental period, COMMISSIONER SCHLOTTMAN clarified that the Special Use Permit is required for a rental that is being rented out for less than 30 days. He elaborated on the process, noting that an ordinance passed a few years ago that requires licensees, even those with an existing Business License, to come before the Planning Commission.

CHAIR CHERRY declared the Public Hearing closed.