



Legislation Details (With Text)

File #: STR-0149 **Version:** 1 **Name:**

Type: Planning Case **Status:** Passed

File created: 9/27/2019 **In control:** Planning Commission

On agenda: 10/17/2019 **Final action:**

Title: Revoke or suspend Short-Term Rental Permit #STR-0149 issued to Tanya Mitchell for the property located at 6040 Castlewood Lane, Colorado Springs, Colorado.

(Quasi Judicial)

Presenter:
Mitch Hammes, Neighborhood Services Manager, Planning and Community Development
Peter Wysocki, Director of Planning and Community Development

Sponsors:

Indexes: Short Term Rental

Code sections:

Attachments: 1. 6040 Castlewood Ln - Notice to Show Cause (Oct 1 2019), 2. Cover Letter Castlewood Permit Revocation STR-0149, 3. Exhibit A Timeline, 4. Exhibit B Case 1901874, 5. Exhibit C CSPD Premise History, 6. Exhibit D Airbnb and VRBO Listings, 7. Exhibit E Permit and Application, 8. Exhibit F Emails, Photos and Attachments, 9. 7.5.1706 Rules and Regulations, 10. 7.5.1707 Permit Suspension or Revocation, 11. 6.D. str-0149_TanyaMitchell_HouseRules, 12. 6.D. str-0149_NicoleNeff, 13. 6.D. str-0149 tanya mitchell, 14. CPC_Sign-in_10.17.2019

Date	Ver.	Action By	Action	Result
10/17/2019	1	Planning Commission	accepted	Pass
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Revoke or suspend Short-Term Rental Permit #STR-0149 issued to Tanya Mitchell for the property located at 6040 Castlewood Lane, Colorado Springs, Colorado.

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Summary:

Neighborhood Services (Code Enforcement) has received multiple complaints over the last five (5) months from a few adjacent neighbors regarding short-term rental guests at this property that are causing distress. The complainant’s distress is caused by additional vehicles parked on the street in front of this residence and large numbers of people (often between 12 and 20 people) using the property for overnight stays, occasional noise disturbances, and one instance of a juvenile male using an airsoft gun in the rear yard which resulted in a report to Colorado Springs Police Department that there were shots fired at this address.

Conversations with Ms. Tanya Mitchell (the property owner and operator of the short-term rental) have stalled as she claims she has no control over how many people occupy the property and Ms. Mitchell is not responding to phone calls and does not return voice mails from Neighborhood Services.

Previous Planning Commission Action:

N/A

Background:

As the Planning Commission is aware, the City adopted short term rental regulations in December 2018, which were codified in City Code Chapter 7, Sections 7.5.1701 through 7.5.1707. Section 7.5.1706 establishes rules and regulations for the operation of short term rentals. Section 7.5.1707 sets forth procedures for revocation or suspension of a short term rental permit. The Planning Commission is responsible for holding a public hearing on the revocation or suspension, and render a decision based on evidence. As with other Planning Commission's decisions, the Commission's action on a revocation or suspension may be appealed to the City Council vis-à-vis regular appeal procedures.

Please see the attached packet containing case investigation documentation, email correspondence, CSPD records, and other documentation supporting this revocation request.

Financial Implications:

Loss of future City tax revenue from this short-term rental unit.

Board/Commission Recommendation:

N/A

Alternatives:

1. Suspend the Short-Term Rental Permit for up to one year, which would prohibit the property from being used as a short-term rental during the suspension period;
2. Revoke the Short-Term Rental Permit;
3. Find that the conditions present do not warrant revocation or suspension.

Proposed Motion:

Approve a 30-day suspension of Short-Term Rental Permit #STR-0149.