

MONTECITO

COMPANIES

June 12, 2006

City of Las Vegas
Planning and Development Department
731 S. Fourth Street
Las Vegas, NV 89101

RE: Justification for Major Modification of the Montecito Town Center Standards

Dear Mr. Leobold:

Pursuant to the Montecito Town Center Development Agreement ("Development Agreement"), we respectfully request a modification to page 14 of the Montecito Town Center Land Use and Design Standards ("Design Standards"). The proposed modification is to add Massage Establishment as an allowable use with a Special Use Permit.

We believe the request is justified for a number of reasons. These include;

- The Design Standards indicate that Bath Houses are a permitted use within the Montecito Town Center. The Las Vegas Municipal Code in Section 6.16 provides the definition of a "bath" and a "bathhouse attendant" in a similar context as a "massage" and a "massage therapist" as described in Section 6.52. As a result, it is our opinion that the two uses are similar enough to warrant the addition of a massage establishment to the list of permissible uses. Furthermore, the bath house use is permitted outright use where our request includes a less intense use and a staff and public review via a Special Use Permit.
- The City of Las Vegas Zoning Ordinance allows the Massage Establishment Use with a Special Use Permit in commercial zones per Title 19. A Special Use Permit will require staff and the Planning Commission to determine on a case by case basis whether the use is justified.
- The use permit process gives the City sufficient discretion and design authority to ensure that a massage establishment is allowed only in circumstances where they are compatible to and consistent with nearby development.
- The specific user proposed within the Montecito Town Center area in which this request is being made is a nationally recognized company with other locations in Las Vegas. Information regarding their establishment can be found via internet at www.MassageEnvy.com. They also have locations within Las Vegas that can be toured. This information can be reviewed in more detail via the use permit process.

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For the reasons outlined above, we ask that our request be approved and the modification be made. Please feel free to contact at our office at 798-5111 to discuss this matter further. Thank you in advance for your consideration of this request.

Sincerely,



Joe P. Gwerder, PE
Land Division President
Montecito Companies

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