

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITYCOUNCIL MEETING OF: OCTOBER 17, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:

SPECIAL USE PERMIT

SUP-23093 - PUBLIC HEARING - APPLICANT: SHADOW MOUNTAIN MASSAGE NV, LLC - OWNER: SHADOW MOUNTAIN MARKETPLACE LLC - Request for a Special Use Permit FOR A PROPOSED 3,270 SQUARE-FOOT MASSAGE ESTABLISHMENT WITH A WAIVER OF THE HOURS OF OPERATION LIMITATION TO ALLOW BUSINESS HOURS FROM 8:00 A.M. TO 10:00 P.M. WHERE BUSINESS HOURS ARE RESTRICTED TO 8:00 A.M. TO 9:00 P.M.; A WAIVER OF THE 400-FOOT MINIMUM DISTANCE SEPARATION REQUIREMENTS TO ALLOW A 67-FOOT DISTANCE SEPARATION FROM A PARCEL ZONED FOR RESIDENTIAL USE AND A 10-FOOT DISTANCE SEPARATION FROM A CITY PARK; AND A WAIVER OF THE 1000-FOOT DISTANCE SEPARATION REQUIREMENT TO ALLOW A 130-FOOT DISTANCE SEPARATION FROM ANOTHER MASSAGE ESTABLISHMENT at 6475 North Decatur Blvd., Suite #'s 160 and 165 (APN 125-24-111-003), C-1 (Limited Commercial) Zone. **Staff Report:** NOTE: To be heard in conjunction with morning session Item 56. Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE: APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	Planning Commission Mtg.	<input type="text" value="1"/>
City Council Meeting	City Council Meeting	<input type="text" value="1"/>

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/support postcards
7. Submitted after final agenda Protest postcards
8. Submitted after meeting Protest postcard
9. Backup referenced from the 09-13-07 Planning Commission Meeting Item 22

Motion made by STEVEN D. ROSS to Approve subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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RICKI Y. BARLOW, LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY JENNIFER LAZOVICH, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. She pointed out that once the residents understood the concept of the proposal and who the owner was, they supported the proposal. At the Planning Commission, there was a request for a waiver relative to the hours of operation. However, the request was withdrawn and the applicant agreed to a condition of a one-year review to which the hours of operation can be reviewed at that time. She requested approval and appreciated staff's commendation.

MAYOR GOODMAN declared the Public Hearing closed.

