



City of Las Vegas

Agenda Item No.: 24.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 11, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
UP-2921 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: JEAN CVR
ERRATORRE - OWNER, LINCOLN Request for a Special Use Permit FOR A
PROPOSED MASSAGE ESTABLISHMENT WITH WAIVERS TO ALLOW A ZERO-FOOT
DISTANCES FROM FRONT RESIDENTIAL USE WHERE 400 FEET IS REQUIRED
AND TO ALLOW THE USE TO BE LOCATED ON A LOCAL STREET WHERE A
SECONDARY THROUGHWAY IS REQUIRED at 708 and 710 South 3rd Street (APN 139-34
-310-046), C-2 (General Commercial Zone, Ward 3 (Reese))

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

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="38"/>	Planning Commission Mtg.	<input type="text" value="3"/>
City Council Meeting	<input type="text" value="0"/>	City Council Meeting	<input type="text" value="0"/>

RECOMMENDATION:
DENIAL

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 and Protest Letter
7. Submitted after Final Agenda Protest Letters for Item 24, Protest Postcards, Protest Letters and Floor Plan for Items 24 and 25
8. Submitted at meeting Protest letters for Items 24 and 25

Motion made by STEVEN EVANS to Deny

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
SAM DUNNAM, DAVID STEINMAN, RICHARD TRUESDELL, BYRON GOYNES,
GLENN TROWBRIDGE, STEVEN EVANS, VICKI QUINN; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

Minutes:
CHAIR GOYNES declared the Public Hearing open for Items 24 and 25.

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DOUG RANKIN, Planning and Development Department, stated that the Special Use Permit is not compatible with the surrounding area and the site development plan review does not meet the minimum standards for Title 19 of the Downtown Centennial Plan. He recommended denial of both applications.

JEAN SERRATORE, 912 Ruff Drive, explained that there are two buildings situated on her property. The back building is being leased as a wedding chapel and she planned to convert the front building into a Health Spa and Salon.

TODD FARLOW, 240 North 19th Street, questioned whether the property was located in the Arts District.

JOAN SANDENS, 714 South 3rd Street, expressed concern with the proposed use because of the number of children who live in the area. She had no problem with the wedding chapel but felt a massage establishment was not compatible with the neighborhood.

TEDDY RUSSELL, Las Vegas resident, commended the applicant stating that the proposed use would be subject to close scrutiny during the initial review. He believed her intended use was appropriate and recommended approval.

CLIFF EVERTS, 555 South 3rd Street, voiced opposition to the proposed massage establishment. He stated that the current property owners have spent millions of dollars to revitalize that corner and build it up. There are no massage parlors in that area and he would like that to remain as is. He has fastly believed this type of establishment would devalue the properties and promote crime.

DON TINGEY, 725 South 3rd Street, disclosed that he owns four properties on South 3rd Street. Located on that block are four businesses and 23 residences. He stated that one of the concerns relates to the number of families with children who reside in the area and another issue deals with the lack of sufficient parking. He recommended denial of both applications.

JIM CROCKET, 700 South 3rd Street, stated that he owns the law firm located adjacent to the applicants property. He had no problem with the applicant conducting a bookkeeping service or operating the wedding chapel but he was very concerned that the intended use would worsen the parking situation on 3rd Street. He submitted a protest letter and asked for denial of both applications.

BILL PEARSON, 715 South 3rd Street, the apartment manager of the twelve-unit complex where most of the tenants who reside there are senior citizens could not recall any situations that required police intervention over the past thirteen years. He stated the area is very safe.

WILLIAM REAL, 711 South 3rd Street, expressed concern for the safety of the children in the neighborhood and stated his opposition.

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CHAIR GOYNES submitted for the record a letter of opposition from Alexander Beaton of CityMark and one from John T. Moran, Jr. from the Moran Law Firm.

MRS. SERRATORE explained that her business operates based on appointment only. With regard to the wedding chapel, she revealed that she intends to evict the current operator.

Seeing the number of people who appeared in opposition, many of whom have vested interests in several of the sites, and hearing their disapprovals, COMMISSIONER EVANS stated that a massage establishment would not coincide with the goals of the Redevelopment area, it is not harmonious with Title 19 as it fails to meet the separation standards and the use is too intense for the location. He agreed with several of the speakers that the area is parking impaired and concurred with staff's recommendation for denial.

CHAIR GOYNES declared the Public Hearing closed for Items 24 and 25.

