



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: DECEMBER 3, 2008**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: RQR-30591 REQUIRED REVIEW APPLICANT:**  
**ROCKSPRINGS MASSAGE NEVADA LLC - OWNER: ROCKSPRINGS PLAZA, LLC**

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**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION:**      **APPROVAL**, subject to:

**Planning and Development**

1. Conformance to the Conditions of Approval for Special Use Permit (SUP-14757) and all other site related actions as required by the Planning and Development Department.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This application is in response to a reviewed review of an approved Special Use Permit (SUP-14757) for a Massage Establishment and Waiver from the 400-foot distance separation requirement from an existing school; a Waiver from the 1,000-foot distance separation from an existing Massage Establishment; and a Waiver from the hours of operation restriction at 7175 West Lake Mead Boulevard.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
12/05/90	The City Council denied a request for Rezoning (Z-0100-90) from R-E (Residence Estates) to C-1 (Limited Commercial) on property located on the north side of Lone Mountain Road between Maverick Street and Jones Boulevard. The Planning Commission recommended denial on 11/08/90.
01/19/94	The City Council approved a request for a Rezoning (Z-0056-91) from N-U (Non-Urban) to C-V (Civic) on property located on the southwest corner of Lake Mead Boulevard and Rock Springs Drive. The Planning Commission recommended approval on 07/11/91.
11/17/04	The City Council approved a request to Amend a portion of the Southwest Sector Plan of the General Plan (GPA-5205) from PF (Public Facilities) to SC (Service Commercial) on 4.18 acres adjacent to the southwest corner of lake Mead Boulevard and Rock Springs Road. The Planning Commission recommended approval on 10/21/04.
11/17/04	The City Council approved a request for Rezoning (ZON-5206) from U (Undeveloped) [PF (Public Facilities) General Plan designation] to C-1 (Limited Commercial) on 4.18 acres adjacent to the southwest corner of lake Mead Boulevard and Rock Springs Road. The Planning Commission recommended approval on 10/21/04.
03/16/05	The City Council approved a request for a Site Development Plan Review (SDR-5711) for a 40,125 square-foot commercial development and waivers of the build-to-line, front landscaping; and front, side, and rear setback standards on 4.18 acres adjacent to the southwest corner of lake Mead Boulevard and Rock Springs Road. The Planning Commission recommended approval on 02/10/05.

03/01/06	The City Council approved a request for a Special Use Permit (SUP-10767) for a proposed Beer/Wine/Cooler On-Sale Establishment and a Waiver of the 400-foot distance separation requirement from a school at 7101 West Lake Mead Boulevard. The Planning Commission recommended approval on 01/26/06.
12/05/06	A Temporary Sign Permit (TSP-18837) was issued for a grand opening banner sign from 12/05/06 through 02/02/07 at 7175 West Lake Mead Boulevard.
07/10/07	A Code Enforcement case (55257) was processed for an illegal banner sign at 7175 West Lake Mead Boulevard. The case was closed on 07/30/07.
08/01/07	The City Council approved a request for a Special Use Permit (SUP-21909) for a proposed Second-Hand Dealer at 7175 West Lake Mead Boulevard, Suite 160. The Planning Commission recommended approval on 06/28/07.
06/04/08	The City Council approved a request for a Special Use Permit (SUP-27536) for a proposed Service Bar at an existing Restaurant with a Waiver to allow a 330-foot distance separation from school where 400 feet is required. The Planning Commission recommended approval on 05/08/08.
<b><i>Related Building Permits/Business Licenses</i></b>	
11/17/05	A building permit (05008057) was issued for trash enclosure 1 of 2 at 7175 West Lake Mead Boulevard. The permit was finalized on 11/06/06.
11/17/05	A building permit (05008056) was issued for trash enclosure 2 of 2 at 7175 West Lake Mead Boulevard. The permit was finalized on 11/06/06.
02/09/07	A building permit (07000536) was issued for tenant improvements for a Certificate of Occupancy at 7175 West Lake Mead Boulevard. The permit was finalized on 04/26/07.
03/08/07	A building permit (07000817) was issued for a sign at 7175 West Lake Mead Boulevard.
05/17/07	A business license (M12-01506) was issued for an Independent Massage Therapist at 7175 West Lake Mead Boulevard. The license is still active.
10/03/07	A business license (M03-00168) was issued for a Massage Establishment at 7175 West Lake Mead Boulevard. The license is still active.
10/03/07	A business license (Q24-00003) was issued for Massage Administration. The license is still active.
10/04/07	A business license (M14-00123) was issued for a membership service club at 7175 West Lake Mead Boulevard. The license is still active.
10/16/07	A business license (B08-01229) was issued for Beauty/Cosmetic Sales at 7175 West Lake Mead Boulevard. The license is still active.
<b><i>Pre-Application Meeting</i></b>	
A pre-application meeting is not required for this type of application, nor was one held.	
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is not required for this type of application, nor was one held.	

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	3.51

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
	Tavern	SC (Service Commercial)	C-1 (Limited Commercial)
South	Vacant Land	M (Medium Density Residential)	U(M) (Undeveloped)[M (Medium Density Residential) General Plan designation]
East	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
West	Offices	SC (Service Commercial)	C-1 (Limited Commercial)

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Area Plan</b>		X	N/A
<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Purpose and Overlay Districts</b>	X		Y
A-O (Airport Overlay) District (175 feet)	X		Y
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

**ANALYSIS**

This is the first required review of an approved Special Use Permit (SUP-14757) for a Massage Establishment and a Waiver from the 400-foot distance separation requirement from an existing school; a Waiver from the 1,000-foot distance separation from an existing Massage Establishment; and a Waiver from the hours of operation restriction at 7175 West Lake Mead Boulevard. There have been no complaints from the surrounding neighborhood regarding the Waiver of the hours of operation restriction. There was a single Code Enforcement case (55257) processed on 07/10/07 for an illegal banner sign, which was closed on 07/30/07.

During a field inspection, staff found the area surrounding the business clean and well maintained: no code violations were present.

**FINDINGS**

The Massage Establishment is located within a C-1 (Limited Commercial) zoning district. The area surrounding the business is in good condition and being properly maintained. There have been no complaints filed by businesses or residents regarding the hours of operation for the Massage Establishment; therefore, staff recommends approval of this request.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**                      N/A

**ASSEMBLY DISTRICT**                      N/A

**SENATE DISTRICT**                      N/A

**NOTICES MAILED**                      82

**APPROVALS**                      0

**PROTESTS**                      0