



City of Las Vegas

Agenda Item No.: **98.**

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 18, 2009**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT: SUP-3214 - SPECIAL USE PERMIT PUBLIC HEARING - APPLICANT: SUMMERLIN MASSAGE, LLC - OWNER: JIM / JOYLA PAD, LLC - Request for a Special Use Permit FOR A PROPOSED 5,193 SQUARE FOOT MASSAGE ESTABLISHMENT WITH WAIVERS TO ALLOW THE ESTABLISHMENT TO REMAIN OPEN UNTIL 10:00 P.M. WHERE 9:00 P.M. IS THE LAST ALLOWED AND TO ALLOW FOR A ZERO-FOOT DISTANCE SEPARATION FROM ANOTHER MASSAGE ESTABLISHMENT WHERE 1,000 FEET IS THE MINIMUM DISTANCE REQUIRED at 8950 West Charleston Boulevard, Suite #7 (APN 138-32-412-026), - (Limited Commercial) Zone, Ward 2 (Wolfson). NOTE: BUSINESS HOURS WAIVER WITHDRAWN. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

16

City Council Meeting

18

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

4

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (7-0 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 Postcards
7. Submitted after Final Agenda - Protest Postcards
8. Submitted after Meeting - Protest Postcards and Recordation Notice of City Council Action and Conditions of Approval
9. Backup Referenced from the 02-12-2009 Planning Commission Meeting Item 14

Motion made by STEVE WOLFSON to Approve subject to conditions

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

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

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NOTE: COUNCILMAN BARLOW disclosed that he has a membership with Massage Envy; however, he did not believe that would impede his ability to vote on this matter. ASSISTANT CITY ATTORNEY BRYAN SCOTT advised the Councilman that he could vote.

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

MATTHEW DUSHOFF, 3320 West Sahara Avenue, representing Massage Envy, and MIKE SANDERSON, representing STEPHEN COOK, the franchisee for this location, were present. MR. DUSHOFF stated that Massage Envy is recognized as a highly reputable company with over 800 clinics located throughout the nation and is renown for employing only licensed masseuses who have completed extensive background checks.

TEDDY RUSSELL, Las Vegas resident, questioned staff's recommendation for denial, to which MARGO WHEELER, Director of the Planning and Development Department, responded that it was due to the waiver request. MR. RUSSELL concurred with staff's recommendation for denial.

After verifying with MR. DUSHOFF that MR. COOK is a developer and franchisee owner, COUNCILMAN WOLFSON stated Massage Envy is one of the best, clean and professional massage establishments he has seen.

MAYOR GOODMAN declared the Public Hearing closed.

