



City of Las Vegas

Agenda Item No.: **89.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2010

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
VAR-38195 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT:
STEVEN KAZMAY, M.D., OWNER OF JOLLA PLAZA II, LLC - Request for a Variance
TO ALLOW 6 PARKING SPACES WHERE 45 PARKING SPACES ARE REQUIRED at 2851
El Camino Avenue, Suite 100 (702-05-8010) C-1 (Limited Commercial) Zone, Ward 1
(Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends
APPROVAL.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

12

City Council Meeting

17

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

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 VAR-38195 and SUP-38194
2. Conditions and Staff Report VAR-38195 and SUP-38194
3. Supporting Documentation
4. Photos VAR-38195 and SUP-381294
5. Justification Letter VAR-38195 and SUP-38194
6. Protest Postcards for VAR-38195 and SUP-38194
7. Recordation Notice of Council Action and Conditions of Approval for VAR-38195 and SUP-38194
8. Backup referenced from the June 24, 2010 Planning Commission Meeting for VAR-38195 and SUP-38194

Motion made by LOIS TARKANIAN to Approve subject to conditions

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 89 and 90.

CITY COUNCIL MEETING OF: AUGUST 18, 2010

STEVEN KOZMARY, M.D. expressed appreciation for the Council and Planning Commission's previous recommendations from previous meetings. He has since met with COUNCILWOMAN TARKANIAN, and a neighborhood meeting was also held to review the applications. In addition, the parking lot has been restriped.

JUANITA CLARK, Charleston Neighborhood Preservation (CNP), stood in opposition due to the requested waivers pertaining to the required separation distance from residential and an existing massage establishment. The CNP was also concerned that this business entailed foot massages and, ultimately, the establishment could end up performing full body massages.

DR. KOZMARY believes there is a misunderstanding from the public's view relating to massage therapy facilities versus similar establishments. He respectfully rebutted that his business does not entail foot massages, rather pain therapy for neck and back injuries. This request is due to changes in State law pertaining to massage therapy. His office only sees existing patients, and there is no signage on the building, aside from the business name. Either he or his assistants will be on site all day during business hours. COUNCILWOMAN TARKANIAN was given a brief history on his establishment and an explanation of what a physician assistant's position and educational experience entails.

COUNCILWOMAN TARKANIAN visited the site and believed the parking is sufficient, and she appreciated DR. KOZMARY taking the time to meet with her and the neighborhood.

MAYOR GOODMAN declared the Public Hearing closed for Items 89 and 90.

