

**AGENDA MEMO****CITY COUNCIL MEETING DATE: FEBRUARY 2, 2011****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: APPLICANT: PRINCESS MASSAGE - OWNER: CHETAK DEVELOPMENT, INC.**

**** STAFF RECOMMENDATION(S) ****

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
RQR-40547	Staff recommends APPROVAL, subject to conditions:	None

RQR-40547 CONDITIONS

Planning and Development

- 1.This Special Use Permit (SUP-11419) shall be subject to a one-year review at a public hearing, at which time the City Council may require cessation of the use. The applicant shall be responsible for the notification costs of the review; failure to pay the City for these costs may result in termination of use.
- 2.Conformance to the conditions of approval of Special Use Permit (SUP-11419) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site is within an existing shopping center that includes a Massage Establishment, Retail Establishments, a Restaurant, and Tavern. The Special Use Permit (SUP-11419) allowed a 1,200 square-foot expansion of an existing Massage Establishment with a waiver of the minimum 1,000 foot separation requirement from three existing Massage Establishments. Since the last Required Review (RQR-36890) in February 2010, there has not been any negative police reports/incidents reported, nor have any new building permits been issued for the subject site.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
04/05/06	The City Council approved a request for a Special Use Permit (SUP-11419) for a proposed 1,200 square-foot expansion of an existing Massage Establishment with a waiver of the minimum 1,000 foot separation requirement from three existing Massage Establishments and a waiver to allow the business to be open 24-hours a day at 2212 and 2214 Paradise Road. The Planning Commission recommended approval, staff recommended denial.
10/01/08	The City Council approved a request for a Required Review (RQR-29379) of a previously approved Special Use Permit (SUP-11419) for a proposed 1,200 square-foot expansion of an existing Massage Establishment with a waiver of the minimum 1,000 foot separation requirement from three existing Massage Establishments and a waiver to allow the business to be open 24-hours a day at 2212 and 2214 Paradise Road. Staff recommended denial. Note: City Council added Condition 'A' to amend Condition Number 5 to change the hours of operation from 24-hours to 9:00 a.m. to 11:00 p.m.
02/17/10	The City Council approved a request for a Review of Condition Number 5 (ROC-36892) of a previously approved Special Use Permit (SUP-11419) to allow 24-hour operations for a Massage Establishment located at 2212 and 2214 Paradise Road. Staff Recommended denial. Note: City Council allowed a waiver to allow business operations to be 9:00 a.m. to 3:00 a.m.
	The City Council approved related request for a Required Review (RQR-36890) of a previously approved Special Use Permit (SUP-11419) for a proposed 1,200 square-foot expansion of an existing Massage Establishment with a waiver of the minimum 1,000 foot separation requirement from three existing Massage Establishments at 2212 and 2214 Paradise Road. Staff recommended denial.

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<i>Most Recent Change of Ownership</i>	
11/01/00	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
09/16/04	A business license (M12-01099) was issued for Massage Therapy at 2212 Paradise Road. The license is still active.
03/01/10	A business license (M03-00129) was issued for a Massage Establishment at 2212 Paradise Road. The license is still active.
06/15/10	A business license (M12-01902) was issued for Massage Therapy at 2212 Paradise Road. The license is still active.
07/19/10	A business license (M12-01911) was issued for Massage Therapy at 2212 Paradise Road. The license is still active.
There have not been any recent building permits issued for the subject site.	

<i>Pre-Application Meeting</i>
A pre-application meeting was not required, nor was one held.

<i>Neighborhood Meeting</i>
A neighborhood meeting was not required, nor was one held.

<i>Field Check</i>	
01/04/11	Staff conducted a field check of the subject site and found the area surrounding the establishment to be neat and clean in appearance with no discrepancies noted.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.35

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.04</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Shopping center with a Massage Establishment	C (Commercial)	C-1 (Limited Commercial)
North	Retail Establishment and Tavern	C (Commercial)	C-1 (Limited Commercial)

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South	Retail Establishment and Restaurant	C (Commercial)	C-1 (Limited Commercial)
East	Offices	C (Commercial)	P-R (Professional Office and Parking)
West	Motels	C (Commercial)	C-2 (General Commercial)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area			
Beverly Green /Southridge Neighborhood	X		Y
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
G-O (Gaming Enterprise Overlay) District	X		Y
A-O (Airport Overlay) District (175 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the third request for a Required Review of a previously approved Special Use Permit (SUP-11419) for a proposed 1,200 square-foot expansion of an existing Massage Establishment with a waiver of the minimum 1,000 foot separation requirement from three existing Massage Establishments at 2212 and 2214 Paradise Road. There have not been any recent building permits issued for the subject site, nor are there any negative police reports/incidents reported for the location since the last Required Review in February 2010. Staff conducted a field inspection on 01/04/11 and found the area surrounding the establishment to be free of debris and neat in appearance.

FINDINGS

The Massage Establishment is located in a C-1 (Limited Commercial) zoning district. The area surrounding the business is in good condition and being properly maintained. As no discrepancies have been noted for the subject site since February 2010, staff is recommending approval with a one-year review.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

NOTICES MAILED 755 (By Planning)

APPROVALS 0

PROTESTS 0