



Agenda Item No.: 38.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2010**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT: VAR-38096 - VARIANCE RELATIVE TO SUP-37665 - PUBLIC HEARING - APPLICANT: LIVI SALON - OWNER: RECEPTIONARIES ESTATE OF VILLAGE SQUARE SHOPPING CENTER, L.P. - Request for a variance to ALLOW NO ADDITIONAL PARKING SPACES WHERE 10 ADDITIONAL SPACES ARE REQUIRED at 9410 West Sahara Avenue, Suite #140 (APN 163-06-816-0000) - (Limited Commercial Zone, Ward 2 (Wolfson). Staff recommends DENIAL.

C.C.: 07/07/2010

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

5

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps VAR-38096 and SUP-37665
2. Conditions and Staff Report VAR-38096 and SUP-37665
3. Supporting Documentation
4. Photos VAR-38096 and SUP-37665
5. Justification Letter VAR-38096 and SUP-37665
6. Protest/Support Postcards VAR-38096 and SUP-37665
7. Submitted after Final Agenda - Protest/Support Postcards for VAR-38096 and SUP-37665

Motion made by GLENN TROWBRIDGE to Approve subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

GLENN TROWBRIDGE, VICKI QUINN, BYRON GOYNES, RICHARD TRUESDELL, KEEN ELLSWORTH, STEVEN EVANS, GUS FLANGAS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

VICE CHAIR ELLSWORTH declared the Public Hearing open for Items 38 and 39.

STEVE GEBEKE, Planning and Development, indicated that the site is a large commercial development that does not qualify as either a Shopping Center or a Regional Mall for purposes of calculating parking requirements. As a result, the additional parking spaces required for the

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proposed Massage Establishment use will increase the parking deficiency of the overall commercial subdivision. The applicant has provided no evidence of a unique or extraordinary circumstance that would substantiate the Variance request for reduced parking. In addition, the requested Waivers of required distance separation will result in a use that cannot be conducted in a manner that is harmonious and compatible with surrounding uses. Therefore, staff recommended denial of both applications. If the application is denied, the proposed Massage Establishment use cannot be located within the subject tenant space nor can a business license be obtained for the use at this location.

HEIM ISRABY, 127 East Warm Springs Road, appeared with the proprietors of the salon, who are the applicants. MR. ISRABY pointed out that this is the former Euphoria salon space, identified as Unit 449. The space is shy of 5,000 square feet. The applicants would only occupy 2,400 square feet. This should satisfy the parking requirements of 10 additional stalls, especially when the remainder of the square footage is obsolete and cannot be occupied by another business. With regards to the synagogue, he indicated the Rabbi supports the use and offered to obtain a support letter from the Rabbi.

TODD FARLOW, Las Vegas resident, stated the parking lot is empty.

COMMISSIONER EVANS verified with MR. ISRABY that the synagogue within the center is a separate structure. They might share the parking but are on the property lines. The Commissioner did not have a problem with the request, as long as those most affected do not have a problem with it. Since there is no letter of support, COMMISSIONER EVANS suggested holding the item until the applicant can obtain a letter of support.

COMMISSIONER TROWBRIDGE stated he visited the site and pointed out that Euphoria ran a similar type of operation. He would support the request and suggested a one-year review, with which the applicant agreed.

VICE CHAIR TROWBRIDGE declared the Public Hearing closed for Items 38 and 39.