



*City of Las Vegas*

Agenda Item No.: 52.

**AGENDA SUMMARY PAGE - PLANNING  
PLANNING COMMISSION MEETING OF: JANUARY 8, 2013**

**DEPARTMENT: PLANNING  
DIRECTOR: FLINN RAGO**

☐ Consent ☒ Discussion

**SUBJECT:** SUP-4759 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ELEMENTS THERAPEUTIC MASSAGE, OWNER: FORT APACHE COMMONS PARK, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 2,108 SQUARE-FOOT MASSAGE ESTABLISHMENT WITH WAIVERS TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A RESIDENTIALLY ZONED PROPERTY WHERE 400 FEET IS REQUIRED AND A 100-FOOT DISTANCE SEPARATION FROM ANOTHER MASSAGE ESTABLISHMENT WHERE 1,000 FEET IS THE MINIMUM DISTANCE ALLOWED at 1215 Fort Apache Road, Suite 1100, APN 173-05-116-005), C-1 (Limited Commercial) Zone, Ward 2 (Beers). Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 02/06/2013  
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**4**

**Planning Commission Mtg.**

**0**

**City Council Meeting**

**0**

**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location, Aerial Maps and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo
5. Justification Letter
6. Submitted after Final Agenda Protest Postcards

Motion made by RICHARD P. BONAR to Approve subject to conditions

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

TRINITY HAVEN SCHLOTTMAN, VICKI QUINN, BYRON GOYNES, GUS FLANGAS, TODD L. MOODY, RICHARD TRUESDELL, RICHARD P. BONAR; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIR FLANGAS declared the Public Hearing open.

## **PLANNING COMMISSION MEETING OF: January 08, 2013**

STEVE GEBEKE, Planning, explained that the proposed use does not meet the minimum special use permit requirements for distance separation from residential or another massage establishment. As such, staff recommended denial since the proposed use is not appropriate at the subject location.

LORA DREJA, Brown, Brown and Premserint, 520 South 4th Street, appeared on behalf of the applicant and explained that this is a nationwide franchise, as there are corporate controls regulating signage and advertising fees. Her understanding of the residential distance separation is to prevent illicit uses occurring within these types of businesses. This is a privileged license that is very in-depth and would reveal any problems prior to employment. MS. DREJA pointed out nearby massage, retail and restaurant establishments.

COMMISSIONER BONAR stated that he is familiar with the shopping center and the area which is a prestigious area of the city. He would agree with MS. DREJA that the landlord would not take a chance on bad tenants.

COMMISSIONER QUINN stated that she knows the area very well and received confirmation from MS. DREJA that the last client would be taken at 9:00 p.m.  
CHAIR FLANGAS declared the Public Hearing closed.

