



City of Las Vegas

Agenda Item No.: 76.

**AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 13, 2017**

DEPARTMENT: PLANNING
DIRECTOR: TOM PERRIGO

Consent Discussion

SUBJECT: UP-7020 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: STRUCTURAL BODY THERAPIES OWNER: CHRISTOPHER DAY, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 3,860 SQUARE-FOOT MASSAGE ESTABLISHMENT WITH A WAIVER TO ALLOW A DISTANCE SEPARATION OF ZERO FEET FROM A CHURCH/HOUSE OF WORSHIP AND A 66-FOOT SEPARATION FROM A RESIDENTIAL USE WHERE A 100 FEET IS REQUIRED at 7830 West Ann Road, Suite #140 (APN 125-28-818-007), C-2 (General Commercial) Zone, Ward 6 (Ross) [PRJ-70183]. Staff recommends DENIAL.

P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	6	Planning Commission Mtg.	0
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:

Staff recommends DENIAL, if approved, subject to conditions:

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo(s)
5. Justification Letter
6. Protest Support Postcard
7. Submitted after Final Agenda - Protest Postcards

Motion made by TODD L. MOODY to Approve subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
TODD L. MOODY, VICKI QUINN, TRINITY HAVEN SCHLOTTMAN, SAM CHERRY, GLENN TROWBRIDGE, CEDRIC CREAR, DONNA TOUSSAINT; (Against-None); (Abstain -None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open.

PLANNING COMMISSION MEETING OF: JUNE 13, 2017

SCOTT RUEDY, Senior Management Analyst, reported the applicant is proposing to operate a massage establishment. The proposed use does not meet the minimum distance requirements of a 400-foot separation from a church/house of worship or residential use. Due to the required waiver, staff recommended denial because the use is not compatible. MR. RUEDY noted additional letters of protest were received since publication.

GERSON VARGAS, applicant, MRS. VARGAS (first name not provided), NANCY PRINCE, co-founder of Structura Body Therapies, Ogden, Utah, were present. MR. VARGAS stated they were seeking support of the two requested waivers, and they agree with staffs recommendations. He explained they have been categorized as a massage establishment, but they are more clinical therapy than massage. Their focus is therapy instead of relaxation to include sports therapy, athletic performance, mobility, injury recovery and pain management. He is an amateur athlete, and it has been challenging to find a location that deals with sports injuries, but they found one in Structura Body Therapies in Ogden, Utah. It is very effective, and they would like to bring this service to Las Vegas, which is why the Special Use Permit is being requested.

MS. PRINCE stated Structura Body Therapies is a therapy that she and her husband have been doing for more than 19 years; it is effective and life changing. She played a brief video clip on her phone, which was not submitted for the record, explaining this type of therapy.

CHARLENE O'DELL, resident, thought the business sounded great but expressed concern that this establishment was categorized under foot massage because she attends the adjacent church, and there is a nearby dance studio with children. She noted that the Pastor of the church did sign off, but she still had concerns with the associated connotations. CHAIR SCHLOTTMAN clarified that the foot reference had to do with the square footage of the massage establishment, not the type of establishment.

COMMISSIONER MOODY appreciated the willingness of the applicant to work with the church, which is in a non-traditional setting. He liked the presentation and was convinced this was more of a clinical massage versus a traditional massage establishment.

COMMISSIONER TOUSSAINT expressed her support of the project.

See Item 11 for related discussion.

CHAIR SCHLOTTMAN declared the Public Hearing closed.