



City of Las Vegas

Agenda Item No.: 65.

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: SEPTEMBER 12, 2017

DEPARTMENT: PLANNING

DIRECTOR: ROBERT SUMMERFIELD ACTING

☐ Consent ☒ Discussion

SUBJECT:

UP-7126 - SPECIAL USE PERMIT PUBLIC HEARING - APPLICANT: NOBLE MASSAGE OWNER. MOREAU TRUST - For possible action on a request for a Special Use Permit FOR A MASSAGE ESTABLISHMENT WITH WAIVERS TO ALLOW A 94 FOOT DISTANCE SEPARATION FROM A SIMILAR USE WHERE 1,000 FEET IS REQUIRED AND ALLOW A 117-FOOT DISTANCE SEPARATION FROM A PARCEL ZONED FOR RESIDENTIAL USE WHERE 400 FEET IS REQUIRED at 2120 Paradise Road (APN 162-03-411-006), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-71175]. Staff recommends DENIAL.

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

10

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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. Submitted after Final Agenda - Protest Postcards

Motion made by SAM CHERRY to Deny

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

DONNA TOUSSAINT, CEDRIC CREAR, VICKI QUINN, TRINITY HAVEN
SCHLOTTMAN, SAM CHERRY, CHRISTINA ROUSH, LOUIS DE SALVIO; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open.

PLANNING COMMISSION MEETING OF: SEPTEMBER 12, 2017

NICOLE EDDOWES, Sr. Planner, gave the staff report and said the applicant is requesting two waivers for distance separation requirements from both residentially zoned property and a similar use located on the east side of Paradise Road. Staff finds the addition of a second massage establishment within 94 feet of an existing massage establishment would over saturate the area with similar uses. Staff recommended denial.

JOI MOFFATT, property owner, and YING FAN, owner Noble Massage, were present. MS. MOFFATT mentioned that she has owned the property for a long time and that the owners of the massage parlor across the street are gone. She indicated she advised MS. EDDOWES of this so she could verify. Her property has been vacant for approximately two years, but she used to have a massage parlor business operating at the property for 14 years. She alleged that the distance separation from residential has never been a problem. The massage parlor in the nearby mall is located closer to a residential area than her property. She assured the Commissioners that she has done everything to comply with business license requirements and urged the Commissions approval.

MS. FAN commented that she has been operating another massage business in Clark County since 2005 and has a very good reputation. She was looking for a second location when she found this site. She tried to open a fitness parlor to help people stay healthy. She is a single mother who served in the military and attended massage school upon her return. She wants to be independent and support her family. She requested approval and assured the Commissioners that she would follow all the regulations.

DAYVID FGLER, president of the John S. Park Neighborhood Association, remarked that the residents are concerned about the number of massage parlors that have fallen into violation in the area. He would appreciate language in the Urban Code to address clusters of certain businesses. Before any consideration, he requested abeyance until the need for a variance is verified.

MIKE GANSON, John S. Park Neighborhood resident, felt that the applicant should be allowed to operate if she runs an honest business. The area has a history of massage parlors, but the Arts District is saturated with bail bond businesses.

COMMISSIONER QUINN discussed with MS. FAN that she owns the Noble Massage establishment in Clark County and her concern with the sites proximity to a similar use. The Commissioner emphasized that in all fairness, the ordinance requirements have to be followed, especially since there are a lot of applications involving short-term rentals that have to meet the respective ordinance requirements.

COMMISSIONER CHERRY agreed with COMMISSIONER QUINN regarding her concern about the proximity to a similar use, adding that he had never seen so many violations on a property. He could not support this application.

CHAIR SCHLOTTMAN declared the Public Hearing closed.