

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 12, 2018

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: HELEN ADAMS - OWNER: HELLFIRE MEDIA, LLC

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
SUP-73275	Staff recommends APPROVAL, subject to conditions:	N/A

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 34

NOTICES MAILED 360

PROTESTS 0

APPROVALS 4

**** CONDITIONS ****

SUP-73275 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.04 of the Archived Zoning Ordinance for an Astrologer, Hypnotist, or Psychic Art and Science use.
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This application request is for a Special Use Permit to allow an Astrologer, Hypnotist, or Psychic Art and Science use within the existing Museum, Art Display, or Art Sales (Private) use, which serves as the primary use at 600 East Charleston Boulevard.

ISSUES

- Pursuant to Title 19.04 of the Archived Zoning Ordinance an Astrologer, Hypnotist, or Psychic Art and Science use is permitted in the P-R (Professional Office and Parking) zoning with the approval of a Special Use Permit.

ANALYSIS

The subject site is currently operating as a Museum, Art Display, or Art Sales (Private) use the Haunted Museum. The proposed Astrologer, Hypnotist, or Psychic Art and Science use will serve as an ancillary use to the Haunted Museum; and will locate in one of the rooms within the Haunted Museum. Pursuant to the Title 19.04 Land Use Table of the Archived Zoning Ordinance an Astrologer, Hypnotist, or Psychic Art and Science use is permitted within the P-R (Professional Office and Parking) zoning district with a Special Use Permit approval.

The Astrologer, Hypnotist, or Psychic Art and Science use is defined as “Any person who practices, teaches, or professes to practice the business of astrology, hypnotism or the psychic arts and sciences for a fee, gift, donation, or otherwise. Psychic arts and sciences may include palmistry, phrenology, life reading, fortune telling, cartomancy, clairvoyance, clairaudience, crystal gazing, mediumship, prophecy, augury, divination, magic or necromancy. The term does not include a hypnotherapy practice.”

There are no minimum Special Use Permit Requirements for this use.

The proposed Astrologer, Hypnotist, or Psychic Art and Science use will locate inside a portion of the existing Museum, Art Display, or Art Sales (Private). As proposed, it will operate as an ancillary use to the Museum, Art Display, or Art Sales; and can be conducted in a manner that is harmonious and compatible with existing surrounding land uses. Therefore, staff recommends approval, subject to conditions. However, if this request were to be denied the proposed Astrologer, Hypnotist, or Psychic Art and Science use cannot be located at this location.

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FINDINGS (SUP-73275)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.

The proposed Astrologer, Hypnotist, or Psychic Art and Science use will locate inside a portion of the existing Museum, Art Display, or Art Sales (Private). The proposed use will be ancillary to the primary use, as such, it can be conducted in a manner that is harmonious and compatible with existing surrounding land uses.

2. The subject site is physically suitable for the type and intensity of land use proposed.

The subject site is physically suitable for the type and intensity of the proposed land use, as the use will serve as an ancillary use to the Haunted Museum.

3. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.

Charleston Boulevard, a 100-foot Primary Arterial as defined by the Master Plan of Streets and Highways, is sufficient to serve vehicular traffic.

4. Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.

The Astrologer, Hypnotist, or Psychic Art and Science use will be subject to business license review to ensure that the use will not compromise the public health, safety, and welfare.

5. The use meets all of the applicable conditions per Title 19.12.

The proposed use meets all of the applicable conditions of Title 19.12.

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BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/18/72	The City Commission approved a request for Reclassification of Property (Z-0047-72) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) for a proposed office generally located on the southeast corner of Charleston Boulevard and South 6 th Street.
04/17/74	The City Commission approved a request for Reclassification of Property and Plot Plan Review (Z-0010-74) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) for a proposed five-story office building, bank building and existing office building on property located at 600 and 622 East Charleston Boulevard.
08/06/75	The Board of City Commissioners approved a request for Reclassification of Property and Plot Plan Review (Z-0021-75) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) for a proposed office building and bank building on property located at 1001 South 6 th Street and 622 East Charleston Boulevard.
02/04/76	The City Commission approved a request for a six month Extension of Time (Z-0021-75) for Reclassification of Property and Plot Plan Review (Z-0021-75) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) for a proposed office building and bank building on property located at 1001 South 6 th Street and 622 East Charleston Boulevard.
10/14/76	The City Planning Commission denied a request for a Plot Plan Review (Z-0021-75) to allow a restaurant facility on property generally located on the southeast corner of East Charleston Boulevard and South 6 th Street.
12/22/76	The Board of City Commissioners approved a request for reclassification of property (Z-0085-76) from P-R (Professional Office and Parking) to C-1 (Limited Commercial) and Plot Plan Review (Z-0021-75) for a proposed restaurant with parking facilities on property located at 600 East Charleston Boulevard.
09/16/87	The City Council approved a request for a Plot Plan Review (Z-0047-72) for a proposed addition to an existing law office on property located at 600 East Charleston Boulevard.
05/24/88	The Planning Commission approved a request for a Plot Plan Review (Z-0047-72) regarding additional covered parking for a professional office building on property located at 600 East Charleston Boulevard.

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Related Relevant City Actions by P&D, Fire, Bldg., etc.	
02/28/89	The Planning Commission approved a request for a Review of Condition (Z-0047-72) requiring an eight-foot high block wall on property located at 600 East Charleston Boulevard. Condition was amended to install cap on the top of the existing wall.
12/14/15	The Historic Preservation Commission approved a request for historic designation (HPC-62223) the (Wengert House) as a Historic Landmark on the City of Las Vegas Historic Property Register.
01/20/16	The City Council approved a request for a Variance (VAR-62029) to allow 33 parking spaces where 35 parking spaces are required for a proposed 10,248 square-foot Museum, Art Display, or Art Sales (Private) at 600 East Charleston Boulevard. The Planning Commission recommended approval and staff recommended denial.
	The City Council approved a request for a Special Use Permit (SUP-61802) for a proposed 10,248 square-foot Museum, Art Display, or Art Sales (Private) use at 600 East Charleston Boulevard. The Planning Commission recommended approval and staff recommended denial.
02/17/16	The City Council approved a request for a Director's Business (DIR-62634) to designate the Wengert House as a Historic Building on the City of Las Vegas Historic Property Register as approved by the Historic Preservation Commission (HPC-62223). The Planning Commission and staff recommended approval.
03/21/18	The City Council approved a one-year Required Review (RQR-72721) of an approved Special Use Permit (SUP-61802) for an existing 10,248 square-foot Museum, Art Display, or Art Sales (Private) at 600 East Charleston Boulevard. Staff recommended approval.

Most Recent Change of Ownership	
12/22/15	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
09/23/05	A building permit (#51268) was issued for the installation of a new roof at 600 East Charleston Boulevard. This was expired on 09/06/06.
12/20/06	A building permit (#6007426) was issued for eleven parking spaces with 9-foot by 18-foot carports at 600 East Charleston Boulevard. The permit received its final inspection on 01/02/07.
04/16/09	A building permit (#137746) was issued for a water heater at 600 East Charleston Boulevard. The permit received its final inspection on 04/20/09.

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Related Building Permits/Business Licenses	
04/25/16	A business license (G64-02066) was issued for a Museum at 600 East Charleston Boulevard. The license was marked out of business on 12/06/16 due to change of ownership.
12/19/16	A business license (G64-08511) was issued for a Museum and Gifts at 600 East Charleston Boulevard. The license is currently active.
01/09/17	A building permit (#C-330565) was issued for the freestanding sign at 600 East Charleston Boulevard. The permit was finalized on 02/23/18.
06/26/17	A building permit (#C-328393) was issued for a change of occupancy from office to museum at 600 East Charleston Boulevard. The permit was finalized on 08/01/17.

Pre-Application Meeting	
04/10/18	Staff conducted a pre-application meeting with the applicant where the submittal requirements for a Special Use Permit for an Astrologer, Hypnotist, or Psychic Art and Science use were discussed.

Neighborhood Meeting	
A Neighborhood meeting was not required, nor was one held.	

Field Check	
05/03/18	During a routine field check, staff observed a well-maintained Museum, Art Display, or Art Sales (Private).

Details of Application Request	
Site Area	
Net Acres	0.78

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Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Museum, Art Display, or Art Sales (Private)	C (Commercial)	P-R (Professional Office and Parking)
North	Office	C (Commercial)	C-1 (Limited Commercial)
South	Single Family, Detached	O (Office)	R-1 (Single Family Residential)
East	Church/House of Worship	C (Commercial)	P-R (Professional Office and Parking)
West	Office	C (Commercial)	P-R (Professional Office and Parking)

Master Plan Areas	Compliance
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	Compliance
Downtown Las Vegas Overlay (DTLV-O) – Area 2 (Founders District)	Y
Other Plans or Special Requirements	Compliance
John S. Park Neighborhood Plan	Y
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Charleston Boulevard	Primary Arterial	Master Plan of Streets and Highways	100	Y
6 th Street	Local Street	Title 13	50	Y

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Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Museum, Art Display, or Art Sales (Private)	10, 248 SF	1:300 SF	33				
TOTAL SPACES REQUIRED			33		33		Y*
Regular and Handicap Spaces Required			31	2	31	2	Y*

*Per approved Variance (VAR-62029).