



City of Las Vegas

Agenda Item No.: 191.

**AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: FEBRUARY 12, 2019**

DEPARTMENT: PLANNING
DIRECTOR: ROBERT SUMMERFIELD

Consent Discussion

SUBJECT: UP-7530 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: BAAN THAI MASSAGE ESTABLISHMENT - GARDEN HERD PROPERTIES, LLC - For possible action on a request for Special Use Permit for PROPOSED 2,400 SQUARE-FOOT MASSAGE ESTABLISHMENT USE WITH A WAIVER TO ALLOW A 178-FOOT SEPARATION FROM A RESIDENTIAL ZONED PROPERTY WHERE 400 FEET IS REQUIRED at 1600 South Las Vegas Boulevard, Suite 20 (APN 162-03-210-058), C-2 (General Commercial) Zone, Ward 3 (Coffee) [PRJ-71762]. Staff recommends APPROVAL.

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

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="0"/>	Planning Commission Mtg.	<input type="text" value="1"/>
City Council Meeting	<input type="text" value="0"/>	City Council Meeting	<input type="text" value="0"/>

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:

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

Motion made by CHRISTINA ROUSH to Deny

Passed For: 4; Against: 2; Abstain: 0; Did Not Vote: 0; Excused: 1
CHRISTINA ROUSH, DONNA TOUSSAINT, LOUIS DE SALVIO, VICKI QUINN; (Against-TRINITY HAVEN SCHLOTTMAN, SAM CHERRY); (Abstain-None); (Did Not Vote-None); (Excused-BRENDA J. WILLIAMS)

Minutes:

CHAIR CHERRY declared the Public Hearing open.

JONATHAN BOYLES, Sr. Planner, reported that the subject site is located in Area 1 of the Downtown Las Vegas Overlay within the Gateway District. The proposed Massage Establishment use will operate out of a 2,400 square-foot suite within a 13,822 square-foot

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commercial building. While the applicant has requested a distance separation Waiver from a residentially zoned property, staff finds the request to be harmonious with the surrounding area as the residentially zoned property is currently utilized as a Motel use. For this reason, the proposed use is deemed compatible with the surrounding uses; therefore, staff recommended approval with conditions. Additional support letters were received after publication.

AOMMY DARAWAN BEAYAN, applicant, stated that she and her partner own a business in Houston, Texas, and they would like to expand into massage therapy. They have been doing this for many years, and she thinks it will be helpful to the community.

COMMISSIONER ROUSH stated that she felt confused about staff's recommendation for approval and being harmonious in the area. She did not realize this was zoned for a Motel use. MR. BOYLES explained that the residentially zoned property which affects the distance separation waiver to the north is zoned R-4 for High Density Residential. However, it is being operated and utilized as an existing motel, and there are no existing residences there.

COMMISSIONER ROUSH was concerned about the Massage use, especially when it is in the resort corridor, and they have to be sensitive to this as there have been so many applicants who have had their license revoked for unapproved activities. She is very wary of this application.

CHAIR CHERRY stated that normally they would see a lot of neighbors come to speak if they were strongly opposed, and he pointed out there was no support. If approved, he would like to see a six-month review.

COMMISSIONER QUINN stated that distance separation from similar uses is required for a reason. She felt the Corridor was being encroached and was not in support.

CHAIR CHERRY asked if the Waiver from residential property was actually the property operating as a Motel, and ERIC M. CAMMONE, Sr. Management Analyst, confirmed and also clarified that there is no existing similar use within the radius. Additionally, there are no residences within the radius.

Subsequent to the vote, ROBERT SUMMERFIELD, Director of Planning, explained to the applicant that the Planning Commission denied this application, and if she wished to continue she would have to file an appeal with the City Clerk within 10 days so the City Council can hear the request.

CHAIR CHERRY declared the Public Hearing closed.