



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: APRIL 9, 2024

DEPARTMENT: COMMUNITY DEVELOPMENT

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

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
24-0068-SUP1	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 29

NOTICES MAILED 363

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

24-0068-SUP1 CONDITIONS

Planning

1. 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.
2. 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 Building and Safety Division.
3. 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.
4. 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 is a Special Use Permit request for an Astrologer, Hypnotist, or Psychic Art and Science use within the existing Haunted Museum at 600 East Charleston Boulevard.

ISSUES

- An Astrologer, Hypnotist, or Psychic Art and Science use is permitted in the P-R (Professional Office and Parking) zoning district with a Special Use Permit approval. Staff supports the request.
- The proposed use was previously approved at the subject site via Special Use Permit (SUP-73275).
- The use operated under Business License (G66-05153) which is listed as inactive as of 03/13/19.
- Per the archived Title 19.18.060 code, a Special Use Permit shall be void after the use has ceased operation for twelve months or more.

ANALYSIS

The subject site is zoned P-R (Professional Office and Parking) and is subject to the archived Title 19 zoning code. It is developed with an existing Museum, Art Display, or Art Sales (Private) use, currently operating as the Haunted Museum. The applicant requests a Special Use Permit to allow the Astrologer, Hypnotist, or Psychic Art and Science use, which will serve as an ancillary use to the existing Haunted Museum. Per the submitted justification letter, the applicant proposes to offer tarot card readings within the 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 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.

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The proposed Astrologer, Hypnotist, or Psychic Art and Science use will be located inside a portion of the existing Haunted Museum. 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.

FINDINGS (24-0068-SUP1)

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 be located inside a portion of the existing Museum. 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.**

If approved, the proposed use will be subject to licensing requirements, thereby protecting the public health, safety and welfare.

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

There are no minimum Special Use Permit Conditions listed for the proposed Astrologer, Hypnotist, Or Psychic Art and Science use.

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BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
12/09/15	Historic Preservation Commission approved a request (HPC-62223) for historic designation for 600 East Charleston Boulevard as a Historic Landmark on the City of Las Vegas Historic Property Register. Staff recommended approval.
01/20/16	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) on 0.78 acres at 600 East Charleston Boulevard. Planning Commission recommended approval and staff recommended denial.
01/20/16	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) on 0.78 acres at 600 East Charleston Boulevard. Planning Commission recommended approval and staff recommended denial.
02/17/16	City Council approved a request (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) at 600 East Charleston Boulevard. Planning Commission and staff recommended approval.
12/14/16	Historic Preservation Commission approved a request (HPC-67893) to construct a 12' tall pole mounted sign at the Wengert House, also known as The Haunted Museum, at 600 E. Charleston Boulevard. Staff had no recommendation.
03/21/18	City Council approved a 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.
06/12/18	Planning Commission approved a Special Use Permit (SUP-73275) for a proposed Astrologer, Hypnotist, or Psychic Art and Science use within an existing Museum at 600 East Charleston Boulevard. Staff recommended approval.
02/27/19	Historic Preservation Commission approved a Certificate of Appropriateness (HPC-75708) for a building addition to the Wengert House located at 600 E. Charleston Boulevard. Staff recommended approval.
06/11/19	The Planning Commission approved a request for a Site development Plan Review (SDR-76062) for a proposed 1,542 square-foot addition to an existing 10,594 square-foot museum with Waivers of the Downtown Las Vegas Overlay Parking and Setback Standards at 600 East Charleston Boulevard. Staff recommended approval.

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

Related Building Permits/Business Licenses	
04/19/16	A building permit (C-313849) was issued for a tenant improvement to install an ADA accessible restroom at 600 East Charleston Boulevard. The final inspection occurred on 05/09/2017.
04/25/16	A business license (G64-02066) was issued for Museum at 600 East Charleston Boulevard. The license is inactive as of 12/6/2016.
12/19/16	A business license (G64-08511) was issued for Museum & Gifts at 600 East Charleston Boulevard. The license is active as of 07/31/19.
01/09/17	A building permit (C-330565) was issued for a freestanding sign at 600 East Charleston Boulevard. The final inspection occurred on 02/23/2018.
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 final inspection occurred on 08/01/2017.
08/02/18	A business license (P66-00212) was issued for Psychic Arts at 600 East Charleston Boulevard. The license is inactive as of 03/13/2019.
09/26/18	A business license (G66-05153) was issued for Psychic Arts-Retail Sales at 600 East Charleston Boulevard. The license is inactive as of 03/13/19.
02/06/20	A building permit (C19-05027) was issued for a showroom and office addition at the subject site. The permit was finalized on 09/04/20.

Pre-Application Meeting	
02/05/24	Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed for a proposed Special Use Permit.

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

Field Check	
02/29/24	Staff conducted a routine field check and found an existing Museum development. No issues were noted.

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Details of Application Request	
Site Area	
Net Acres	0.78

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)
North	Office, Other than Listed	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)
West	Office, Other than Listed	C (Commercial)	P-R (Professional Office)

Master and Neighborhood Plan Areas	Compliance
Las Vegas 2050 Master Plan Area: Downtown South	Y
Vision 2045 Downtown Las Vegas Master Plan: Founders District	Y
John S. Park Neighborhood Plan	Y
Special Area and Overlay Districts	Compliance
No Applicable Special Area or Overlay Districts	N/A
Other Plans or Special Requirements	Compliance
Trails	N/A
Las Vegas Redevelopment Plan Area - Area 1	Y
Interlocal Agreement	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	Planned Streets and Highways	100	Y
6 th Street	Local Street	Title 13	40	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	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Museum, Art Display, or Art Sales (Private)	12,136 SF	1:300 SF	40				
TOTAL SPACES REQUIRED			42		33		Y*
Regular and Handicap Spaces Required			40	2	31	2	Y*

*A Waiver (SDR-76062) to allow 33 parking spaces where 42 are required was approved on 06/11/19 by the Planning Commission.