



AGENDA MEMO - COMMUNITY DEVELOPMENT

CITY COUNCIL MEETING DATE: JANUARY 15, 2025
DEPARTMENT: COMMUNITY DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: WEILI CHEN - OWNER: SHAYAN CAPITAL, LLC,
ET AL

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

| CASE NUMBER | RECOMMENDATION | REQUIRED FOR APPROVAL |
|--------------|---|-----------------------|
| 24-0526-SUP1 | Staff recommends APPROVAL, subject to conditions: | |

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 22

NOTICES MAILED 245 (by City Clerk)

PROTESTS 1

APPROVALS 0

**** CONDITIONS ****

24-0526-SUP1 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Massage Establishment 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. A Waiver from Title 19.12 is hereby approved, to allow a zero-foot distance separation from a church/house of worship where 400 feet is required.
4. A Waiver of Title 19.12 is hereby approved, to allow an 80-foot distance separation from a parcel zoned for residential use where 400 feet is required.
5. 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.
6. 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.
7. 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 a proposed 1,275 square-foot Massage Establishment use within an existing shopping center at 4343 North Rancho Drive, Suite #220.

ISSUES

- The proposed Massage Establishment use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit. Staff supports the request.
- A Waiver is requested to allow a zero-foot distance separation from a church/house of worship where 400 feet is required. Staff supports the request.
- A Waiver is requested to allow an 80-foot distance separation from a parcel zoned for residential use where 400 feet is required. Staff supports the request.

ANALYSIS

The subject site is zoned C-2 (General Commercial), and is subject to Title 19 development standards. The proposed tenant space is located in an established shopping center that offers restaurants, general personal services, and retail. The applicant is requesting a Special Use Permit for a proposed Massage Establishment use with Waivers of distance separation requirements from a church/house of worship located within the subject shopping center and parcels zoned for residential use located to the west.

Per Title 19.12, The Massage Establishment use is defined as “A facility which is occupied and used for the purpose of practicing massage therapy as defined in LVMC Chapter 6.52. This use does not include the “accessory massage,” as defined in this Title.” The proposed use meets the definition as the applicant intends to offer massage therapy services within the tenant space.

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The Minimum Special Use Permit Requirements for this use include:

1. The use shall comply with all applicable requirements of LVMC Title 6.

The proposed use meets this requirement, as the business license, if issued, is dependent on this requirement.

2. The use must be located on a secondary thoroughfare or larger.

The proposed use meets this requirement, as primary site access is provided from Rancho Drive, a 150-foot Expressway.

3. The use may not be located within 400 feet of any church/house of worship, school, City park, individual care center licensed for more than 12 children, or any parcel zoned for residential use.

The proposed use does not meet this requirement, as Waivers are requested to allow a zero-foot distance separation from a church/house of worship within the shopping center, and an 80-foot distance separation from parcels zoned R-MH (Mobile/ Manufactured Home) to the west. Staff supports the requested Waivers.

4. The use may not be located within 1000 feet of any other massage establishment.

The proposed use meets this requirement, as no other massage establishment is located within 1,000 feet of the subject site.

5. The hours of operation shall be limited to the period between 6:00 a.m. and 10:00 p.m., unless further limited by the City Council on a case-by-case basis.

The proposed use meets this requirement, as the proposed hours of operation are from 9:30 a.m. to 9:30 p.m.

The subject site is a shopping center designed to accommodate a variety of uses, including the proposed Massage Establishment use. Ample parking is provided and shared throughout the shopping center. Staff finds the proposed use will not negatively impact the surrounding area, despite Waivers of distance separation requirements. Therefore, staff recommends approval of the requested Special Use Permit with Waivers, subject to conditions.

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FINDINGS (24-0526-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 use can be conducted in a manner that is harmonious and compatible with existing and future land uses. The subject shopping center includes several restaurants, retail, beauty salons, and offices.

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

The subject site is a shopping center which is physically suitable for the type and intensity of land use proposed.

- 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.**

Site access is provided by Craig Road, a Primary Arterial, Rancho Drive, an Expressway, and Torrey Pines Drive, a Collector, as designated by the Master Plan of Streets and Highways. These street facilities are adequate in size to meet the requirements of the proposed use and shopping center.

- 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 proposed use is subject to regular inspections and business licensing compliance to ensure the public health, safety, and welfare or the overall objectives of the General Plan are not compromised.

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

The proposed Massage Establishment use does not meet the distance separation requirements from a church/house of worship and residential property; therefore, Waivers are requested which staff supports.

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BACKGROUND INFORMATION

| <i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i> | |
|---|--|
| 12/12/17 | The Planning Commission approved a Special Use Permit (SUP-71932) for a tattoo parlor/body piercing studio use at 4343 North Rancho Drive, Suite #210. |
| 12/10/24 | The Planning Commission voted (7-0) to recommend APPROVAL on a Land Use Entitlement project request FOR A PROPOSED MASSAGE ESTABLISHMENT USE WITH A WAIVER TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A CHURCH/HOUSE OF WORSHIP AND AN 80-FOOT DISTANCE SEPARATION FROM A PARCEL ZONED FOR RESIDENTIAL USE WHERE 400 FEET IS REQUIRED at 4343 North Rancho Drive, Suite #220 (APN 138-02-701-004), C-2 (General Commercial) Zone, Ward 5 (Crear). |

| <i>Most Recent Change of Ownership</i> | |
|---|--|
| 08/15/17 | A deed was recorded for a change in ownership. |

| <i>Related Building Permits/Business Licenses</i> | |
|--|--|
| 03/26/18 | A business license (G65-04863) was issued for residential cleaning services at 4343 North Rancho Drive, Suite #220. The license was deemed inactive on 04/01/19. |
| 04/19/23 | A business license (G71-02085) was issued for chiropractic services at 4343 North Rancho Drive, Suite #220. The license is active and set to renew on 04/01/25. |
| 04/19/23 | A business license (G71-02082) was issued for counseling services at 4343 North Rancho Drive, Suite #220. The license was deemed inactive on 05/20/24. |

| <i>Pre-Application Meeting</i> | |
|---------------------------------------|--|
| 10/07/24 | A pre-application meeting was held with the applicant. |

| <i>Neighborhood Meeting</i> | |
|--|--|
| A neighborhood meeting was not required, nor was one held. | |

| <i>Field Check</i> | |
|---------------------------|---|
| 10/29/24 | Staff conducted a routine field check and observed a vacant suite within an existing shopping center. |

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| Details of Application Request | |
|---------------------------------------|------|
| Site Area | |
| Net Acres | 2.90 |

| Surrounding Property | Existing Land Use Per Title 19.12 | Planned or Special Land Use Designation | Existing Zoning District |
|-----------------------------|--|--|----------------------------------|
| Subject Property | Shopping Center | TOC-2 (Transit Oriented Corridor - Low) | C-2 (General Commercial) |
| North | Tattoo Parlor/ Body Piercing Studio | | C-2 (General Commercial) |
| South | Shopping Center | | C-2 (General Commercial) |
| East | Car Wash | GC (General Commercial) | C-2 (General Commercial) |
| West | Residential, Manufactured Home (Qualifying for Treatment as Residential Single Family Detached Dwelling) | L (Low Density Residential) | R-MH (Mobile/ Manufactured Home) |

| Master and Neighborhood Plan Areas | Compliance |
|--|-------------------|
| Las Vegas 2050 Master Plan Area: Rancho | Y |
| Special Area and Overlay Districts | Compliance |
| A-O (Airport Overlay) District (140 Feet) | Y |
| Other Plans or Special Requirements | Compliance |
| Trails | N/A |
| Las Vegas Redevelopment Plan Area | N/A |
| Interlocal Agreement | N/A |
| Project of Significant Impact (Development Impact Notification Assessment) | N/A |
| Project of Regional Significance | N/A |

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DEVELOPMENT STANDARDS

| Street Name | Functional Classification of Street(s) | Governing Document | Actual Street Width (Feet) | Compliance with Street Section |
|--------------------|---|---|-----------------------------------|---------------------------------------|
| Rancho Drive | Expressway | Master Plan of Streets and Highways Map | 150 | Y |
| Craig Road | Primary Arterial | Master Plan of Streets and Highways Map | 125 | Y |
| Torrey Pines Drive | Major Collector | Master Plan of Streets and Highways Map | 80 | Y |

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 | |
| Shopping Center | 62,645 SF | 1 space per 250 GFA | 251 | | | | |
| TOTAL SPACES REQUIRED | | | 251 | | 290 | | Y |
| Regular and Handicap Spaces Required | | | 244 | 7 | 281 | 9 | Y |

| Waivers | | |
|--|--|-----------------------------|
| Requirement | Request | Staff Recommendation |
| 400-foot distance separation from any church/house of worship | To allow a zero-foot distance separation | Approval |
| 400-foot distance separation from any parcel zoned for residential use | To allow an 80-foot distance separation | Approval |