



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: FEBRUARY 11, 2025
DEPARTMENT: COMMUNITY DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: WELLNESS BY KELLEY - OWNER: HUKL FVBP
OWNER, LLC

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0634-SUP1	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 22

NOTICES MAILED 1006

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

24-0634-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. Waivers from Title 19.12 are hereby approved, to allow a zero-foot distance separation from a parcel zoned for residential use where 400 feet is required and a zero-foot distance separation from another massage establishment where 1000 feet is required.
4. 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.
5. 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.
6. 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 Massage Establishment use at 750 South Rampart Boulevard, Suite #8.

ISSUES

- A Massage Establishment use is permitted in the PD (Planned Development) zoning district with the approval of a Special Use Permit. Staff supports the request.
- Waivers are requested to allow a zero-foot distance separation from existing residential properties where 400 feet is required and zero-feet from an existing Massage Establishment use where 1,000 feet is required. Staff supports the requests
- The subject site is located within a commercial subdivision.

ANALYSIS

The subject site is zoned PD (Planned Development) and located within the Boca Park Phase III Master Plan Area. It is developed with an existing shopping center and subject to the Boca Park Maser Plan and Title 19 development standards. The applicant requests a Special Use Permit to operate a Massage Establishment use within a vacant tenant space.

Pursuant to Title 19, a Massage Establishment 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. Per the submitted justification letter, the applicant meets this definition as they propose to offer massage therapy services within a luxury wellness spa.

Minimum Special Use Permit Requirements:

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

This requirement is met, as a Business License will be required to operate the proposed use with adherence to LVMC Title 6.

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

This requirement is met, as it is located on Rampart Boulevard, a 100-foot Primary Arterial.

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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.

This requirement is not met, as a Waiver is requested to allow a zero-foot distance separation from a parcel zoned for residential use where 400 feet is required. Staff finds that there is no direct access to the adjacent residential property and that the subject site is developed with an existing shopping center, which is equipped to accommodate a variety of commercial uses. Therefore, staff supports the Waiver request.

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

This requirement is not met, as a Waiver is requested to allow a zero-foot distance separation from another massage establishment where 1000 feet is required. Staff finds that while another massage establishment use is located within the subject shopping center, the actual distance between the two uses will be over 1,000 feet. The subject site is developed with an existing shopping center, which is equipped to accommodate a variety of commercial uses. Therefore, staff supports the Waiver request.

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.

This requirement will be met as a condition of approval.

While distance separation Waivers are requested, the proposed Massage Establishment use will be located in a shopping center that is designed to accommodate a variety of commercial uses. Staff finds that the use can be conducted in a harmonious and compatible manner with the surrounding land uses and therefore recommends approval of the Special Use Permit request.

FINDINGS (24-0634-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 land use can be conducted in a manner that is harmonious and compatible with the other existing commercial uses in the surrounding area.

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

The subject tenant space is located within an existing shopping center, which is physically suitable to accommodate the proposed use.

- 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.**

The subject site is accessed from Rampart Boulevard, a Primary Arterial, which is adequate in size to meet the needs of the proposed use.

- 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.**

Distance separation Waivers are requested from existing residential properties and an existing Massage Establishment. Staff supports the requests and finds the proposed Massage Establishment can be conducted in a harmonious and compatible manner with the existing development in the area.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
05/20/81	The City Council approved a Request for a Rezoning (Z-34-81) of approximately 2,249.23 acres of land from: N-U (Non-Urban) to: R-1, R-2, R-3, R-MHP, R-PD7, R-PD8, P-R, C-1, C-2, and C-V on property generally located north of Sahara Avenue, south of Westcliff Drive, west of Durango Drive, and east of Hualapai Way. The Planning Commission recommended approval.
09/02/92	The City Council approved a request for Reclassification of Property (Z-30-92) located on the east side of Rampart Boulevard, between Charleston Boulevard and Alta Drive, from: N-U (Non-Urban) (under Resolution of Intent to R-1, C-1, and C-2), to: R-1 (Single Family Residence) and C-1 (Limited Commercial), proposed use: Regional Shopping Mall and Single Family Dwellings. The Planning Commission recommended approval.

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<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
06/07/95	The City Council approved a review of condition (Z-10-82) that required a planter to be constructed along the north property line. The Planning Commission recommended denial.
09/02/92	The City Council approved a Reclassification of Property (Z-30-92) located on the east side of Rampart Boulevard, between Charleston Boulevard and Alta Drive, from: N-U (Non-Urban) to: R-1 (Single Family Residence) and C-1 (Limited Commercial) for a proposed regional shopping mall and single family dwellings.
04/27/98	The City Council approved a Site Development Plan Review [Z-30-92(5)] for a proposed 433,240 square-foot retail shopping center including 21 retail pad sites on property located on the northeast corner of Rampart Boulevard and Charleston Boulevard.
04/18/01	The City Council approved a request for a Master Sign Plan Review [Z-12-98(3)] for property located at the southeast corner of the intersection of Alta Drive and Rampart Boulevard (Boca Park, Phase III). The Planning Commission recommended approval.
12/21/05	The City Council approved a request for a Special Use Permit (SUP-9430) for a proposed Supper Club located along the east side of Rampart Boulevard, approximately 900 feet south of Alta Drive. The Planning Commission and staff recommended approval.
11/15/06	The City Council approved a Special Use Permit (SUP-16488) for a Supper Club use at 750 South Rampart Boulevard, Suite #4. The Planning Commission and staff recommended approval.
10/07/09	The City Council approved a Special Use Permit (SUP-35154) for a Supper Club use at 750 South Rampart Boulevard, Suite #7. The Planning Commission and staff recommend approval.
07/29/10	The Planning Commission approved a Special Use Permit (SUP-38501) for a Supper Club use at 750 South Rampart Boulevard, Suite #7. Staff recommended approval.
10/08/13	The Planning Commission approved a Master Sign Plan (MSP-50845) for an existing Shopping Center on the east side of Rampart Boulevard approximately 1,250 feet north of Charleston Boulevard. Staff recommended approval.
06/13/23	The Planning Commission approved a Special Use Permit (23-0182-SUP1) for a Alcohol, On-Premise Full use at 750 South Rampart Boulevard, Suite #15. Staff recommended approval.

<i>Most Recent Change of Ownership</i>	
06/02/23	A deed was recorded for a change in ownership.

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<i>Related Building Permits/Business Licenses</i>	
07/10/08	A business license (G50-01961) was issued for a clothing store at 750 South Rampart Boulevard, Suite #8. The license was marked out of business on 09/12/14.
01/31/20	A business license (G68-00389) was issued for a tailor at 750 South Rampart Boulevard, Suite #8. The license was deemed out of business on 06/21/21.
01/12/22	A building permit (#C21-05193) was issued for tenant improvements at 750 South Rampart Boulevard, Suite #8. The permit was finalized 03/01/22.
02/25/22	A business license (G70-01171) was issued for a furniture and home store at 750 South Rampart Boulevard, Suite #8. The license is active and set to renew on 02/01/25.

<i>Pre-Application Meeting</i>	
11/26/24	Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed for a proposed Massage Establishment use.

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

<i>Field Check</i>	
01/08/25	Staff conducted a routine field check and found an existing shopping center. No issues were noted.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	6.04

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<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Shopping Center	TOD-1 (Transit Oriented Development - High)	PD (Planned Development)
North	Shopping Center	TOD-1 (Transit Oriented Development - High)	PD (Planned Development)
South	Shopping Center	TOD-1 (Transit Oriented Development - High)	C-1 (Limited Commercial)
East	Residential, Multi-Family	TOD-1 (Transit Oriented Development - High)	PD (Planned Development)
West	Shopping Center	TOD-1 (Transit Oriented Development - High)	C-1 (Limited Commercial)

<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
Las Vegas 2050 Master Plan Area: Angel Park	Y
Boca Park III	Y
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
PD (Planned Development) District	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
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
Rampart Boulevard	Primary Arterial	Master Plan of Streets and Highways Map	100	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	641,189 SF	1:250 SF	2,565				
TOTAL SPACES REQUIRED			2,565		2,639		Y
Regular and Handicap Spaces Required			2,528	36	2,603	36	Y