



AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2022

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: ANGEL HAMMERING – OWNER: PAUL C. GALLO TRUST, ET AL

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
22-0177-SUP1	Staff recommends APPROVAL, subject to conditions	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 26

NOTICES MAILED 94 (by City Clerk)

PROTESTS 1

APPROVALS 0

**** CONDITIONS ****

22-0177-SUP1 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Massage Establishment use.
2. Conformance to the approved conditions for Special Use Permit (SUP-76116), except as amended herein.
3. 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.
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 Department of Building and Safety.
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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing to relocate and expand an existing Massage Establishment into a vacant suite on the same legal parcel at 2911 North Tenaya Way, Suite #210.

ISSUES

- A Major Amendment to a previously approved Special Use Permit(SUP-76116), is required as the proposed expansion of the approved use is an 88 percent increase or 830 square-foot expansion of the approved 984 square-foot Massage Establishment.

ANALYSIS

On June 19, 2019, the City Council approved a Special Use Permit (SUP-76116) to allow a 984 square-foot massage establishment with Waivers to allow a 600-foot distance separation from an existing Massage Establishment where 1,000 feet is required and to allow a zero-foot distance separation from a city park where 400 feet is required.

The applicant is requesting to relocate and expand their approved Massage Establishment use into a new suite on the same legal parcel. This expansion would bring the entire approval area to 1,850 square feet, an 88 percent increase from the prior Special Use Permit (SUP-76116) approval, which allowed 984 square feet. This increase would expand the total number of massage rooms from two to six. The proposed expansion exceeds the Minor Amendment allowance of a 50 percent increase in square-footage therefore, the applicant is applying for a Major Amendment.

The subject site is located within the Twin Lakes planning area as defined by the City of Las Vegas 2050 Master Plan. The proposed Massage Establishment, if approved, use would fulfill key implementation strategies relating to workforce and education by increasing employment opportunities and building upon the Las Vegas Technology Center.

The proposed expansion and relocation of the Massage Establishment use would fulfill goals outlined in the City of Las Vegas 2050 Master Plan and does not require any additional waivers or any increase or expansion of previously approved waivers as the expansion and relocation is on the same legal parcel as the original approval . Staff finds that the requested expansion and relocation of the approved Massage Establishment use can be conducted in a compatible and harmonious manner with the surrounding area;

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therefore, staff recommends approval of the Major Amendment to a previously approved Special Use Permit request. If denied, the applicant would not be allowed to expand the previously approved Massage Establishment use.

FINDINGS (22-0177-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 is an expansion and relocation of an operating Massage Establishment within an existing commercial center that required Waivers to allow a 600-foot distance separation from an existing Massage Establishment where 1,000 feet is required and a zero-foot distance separation from a City park where 400 feet is required per the minimum Special Use Permit requirements set forth by Title 19.12. As these Waivers were approved by the City Council, the proposed land use 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 an existing shopping center and is physically suitable for the type and intensity of the 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.**

The subject site is accessed from Tenaya Way, an 80-foot wide Major Collector street and is adequate in size to meet the requirements of the proposed Massage Establishment 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.**

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The approval of the Major Amendment to a previously approved Special Use Permit will be subject to Conditions of Approval and regular inspections conducted by the Business Licensing Division of the Department of Planning to ensure that the proposed Massage Establishment complies with all rules and regulations to ensure the public health, safety, and welfare is not compromised.

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

The City Council previously approved a Waiver to allow a 600-foot distance separation from an existing massage establishment and a Waiver to allow a zero-foot distance separation from a city park, therefore meeting the applicable conditions set forth by Title 19.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
07/18/84	The City Council approved a petition for the Annexation (A-0015-84) of land generally located south of Cheyenne Avenue and west of Lorenzi Boulevard.
12/20/95	The City Council approved a request for a Plot Plan and Building Elevation Review (Z-0068-85 (20)) for a proposed retail/office complex on property located on the west side of Tenaya Way, approximately 505 feet south of Cheyenne Avenue. The Planning Commission recommended approval.
09/14/98	The City Council approved a Use Review [Z-0068-85 (47)] to allow a 1,200 square-foot Restaurant at 2911 North Tenaya Way. The Planning Commission recommended approval.
06/19/19	The City Council approved a Special Use Permit (SUP-76116) to allow a 984 square-foot Massage Establishment use with Waivers to allow a 600-foot distance separation from an existing Massage Establishment where 1,000 feet is required and a zero-foot distance separation from a City park where 400 feet is required at 2911 North Tenaya Way, Suite #215. The Planning Commission recommended approval. Staff recommended denial.
06/21/22	The Planning Commission (6-0 vote) recommends APPROVAL on a Land Use Entitlement project request for a Major Amendment to a previously approved Special Use Permit (SUP-76116) FOR A PROPOSED 866 SQUARE-FOOT EXPANSION AND RELOCATION ON THE SAME LEGAL PARCEL OF A PREVIOUSLY APPROVED 984 SQUARE-FOOT MASSAGE ESTABLISHMENT USE at 2910 North Tenaya Way, Suite #210 (APNs 138-15-511-002, 138-15-610-012 AND 013), C-PB (Planned Business Park) Zone, Ward 1 (Knudsen)

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Most Recent Change of Ownership	
09/18/19	A deed was recorded for a change in ownership.

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Related Building Permits/Business Licenses	
07/18/19	A Business License (P67-00179) was issued for a Medical Massage Establishment at 2911 North Tenaya Way, Suite #215. The license is currently waiting for renewal. The license is active as of 06/07/22.
10/03/19	A Business License (G67-06617) was issued for Massage Employees at 2911 North Tenaya Way, Suite #215. The license is currently waiting for renewal. The license is active as of 06/07/22.

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Pre-Application Meeting	
03/24/22	A pre-application meeting was conducted with the applicant to discuss the submittal requirements for a Major Amendment to a previously approved Special Use Permit related to a Massage Establishment use.

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

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Field Check	
05/12/22	Staff conducted a field check and noted nothing of concern.

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Details of Application Request	
Site Area	
Gross Acres	1.53

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Gross Acres	1.53

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Office, Medical or Dental	LI/R (Light Industrial and Research)	C-PB (Planned Business Park)
North	Tavern	LI/R (Light Industrial and Research)	C-PB (Planned Business Park)
South	Medical Office	LI/R (Light Industrial and Research)	C-PB (Planned Business Park)
East	Hospital	LI/R (Light Industrial and Research)	C-PB (Planned Business Park)
West	Detention Basin/Park	PF (Public Facilities)	C-V (Civic)

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<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
Master Plan 2050 Area: Twin Lakes	Y
Las Vegas Technology Center Phase 1	Y
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
A-O (Airport Overlay) District – 175 Feet	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

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Tenaya Way	Major Collector	Master Plan of Streets and Highways	90	Y

Pursuant to (SUP1-76116), the following parking standards apply:

<i>Parking Requirement</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>	
		<i>Parking Ratio</i>	<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Massage Establishment	6 Massage Rooms (1,850 SF)	Two Spaces per massage room, minimum of 6 spaces	12				

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Parking Requirement								
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance	
		Parking Ratio	Parking		Parking			
			Regular	Handi-capped	Regular	Handi-capped		
Medical or Office, Other than Listed	52,818 SF	1:300 SF	177					
Restaurant	1,200 SF	1:50 SF of public seating, 1:200 SF	12					
TOTAL SPACES REQUIRED			201				265	
Regular and Handicap Spaces Required			194	7	257	8	Y	