

MASSAGE  
(TITLE 30)

DECATUR BLVD/NEVSO DR

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-21-0073-DECATUR FLAMINGO GARDEN, LLC:**

**USE PERMIT** for a massage establishment in conjunction with an existing commercial center on 2.6 acres in a C-2 (General Commercial) Zone.

Generally located on the northeast corner of Decatur Boulevard and Nevso Drive within Paradise. MN/jt/jd (For possible action)

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RELATED INFORMATION:

**APN:**  
162-19-101-011

**LAND USE PLAN:**  
WINCHESTER/PARADISE - COMMERCIAL GENERAL

**BACKGROUND:**  
**Project Description**

General Summary

- Site Address: 4170 S. Decatur Boulevard (Suite A1)
- Site Acreage: 2.6
- Project Type: Massage establishment
- Number of Stories: 1
- Square Feet: 1,275 (approximate size of lease space)
- Parking Required/Provided: 102/103

Site Plans

The plans depict a proposed massage establishment located in the southern portion (Suite A1) of the commercial building located in the northwest portion of the overall commercial center. The commercial center consists of 4 buildings located around a courtyard. Parking spaces are located around the perimeter of the site, and vehicular access is provided from both Decatur Boulevard and Nevso Drive. No changes are proposed for the site.

Landscaping

No changes are proposed or required for the existing landscaping, which includes landscaping along Decatur Boulevard and Nevso Drive, within the parking lot, around the base of the buildings, and within the courtyard.

### Elevations

Photos depict an existing 1 story building constructed with stucco finish, aluminum storefront window systems, and parapet walls along the roofline.

### Floor Plans

Plans show an approximate 1,275 square foot lease space consisting of a reception area, breakroom, restroom, and 4 massage rooms.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant states that the proposed massage establishment complies with Title 30 standards, and the location meets the minimum separation requirement of 200 feet from any residential use and 1,000 feet from any other massage establishment. In addition, the business operator will comply with all the necessary requirements.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ADR-0628-16	Place of worship within the existing commercial center	Approved by ZA	August 2016
ZC-287-85	Reclassified the subject site and adjacent properties north to Flamingo Road to C-2 zoning for a commercial complex and a shopping center	Approved by BCC	January 1986

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Commercial General	C-2	Shopping center
South	Commercial General	C-2	Offices
East	Commercial General	C-2	Vehicle paint & body shop & tire sales facility
West	Residential Urban Center (18 du/ac to 32 du/ac)	R-4	Multiple family residential

### **STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

### **Analysis**

#### **Current Planning**

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

The proposed massage establishment meets the minimum separation requirements of 200 feet from residential uses and 1,000 feet from another massage establishment (measured tenant space to tenant space). For example, the proposed massage establishment is approximately 225 feet from the multiple family residential development located on the west side of Decatur Boulevard. Similarly, the nearest active massage establishment is located 1,015 feet north of this site (Oriental Massage, 4850 W. Flamingo Road).

Another massage establishment (Flamingo Massage) was approved at 4755 W. Flamingo Road, which is approximately 520 feet northeast from the proposed massage establishment. However, according to Business License Department Records, that business recently moved to another location. Although there is still an active land use approval for massage, UC-0696-03 (AR-0086-16) until June 7, 2021 for review, at that location, the proposed massage establishment can apply for this special use permit since there are no active massage establishments within 1,000 feet of the site. Staff can support this request since it meets all the separation requirements, noting that once an establishment is approved and licensed, another massage establishment cannot open within 1,000 feet, despite already having land use approval.

### **Staff Recommendation**

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- Applicant is advised that this application for massage must commence prior to another massage establishment commencing within 1,000 feet, otherwise this use is not allowed; hours of operation are limited from 8:00 a.m. to 9:00 p.m.; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

#### **Public Works - Development Review**

- No comment.

#### **Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

**TAB/CAC:** Paradise - approval (1 year to review as a public hearing).

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** XINWEN LLC DBA BODY MASSAGE LV

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