



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: NOVEMBER 8, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: MARI GONZALES - OWNER: THE JUNIOR CORP.

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-43278	Staff recommends APPROVAL, subject to conditions:	None

** CONDITIONS **

SUP-43278 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. A revised site plan shall be submitted and approved by the Department of Planning prior to the approval of a business license, to include a van accessible handicapped parking space that meets the federal standard.
3. All signage shall be in full conformance to Title 19.08 sign standards and Title# 19.10.160 Las Vegas Scenic Byway Overlay District standards, and shall be reviewed by the Downtown Design Review Committee prior to issuance of a sign permit.
4. No temporary signs such as banners, pennants, inflatable objects, streamers, flags, or other similar attention gaining item or devices shall be displayed upon the subject property or a vehicle displayed for sale in the parking lot of the subject property without the appropriate permits.

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5. Prior to occupancy, 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.
6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
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 request for a Special Use Permit to allow a Tattoo Parlor/Body Piercing Studio within an existing 528 square-foot commercial building zoned C-2 (General Commercial) at 806 South Las Vegas Boulevard. The tenant space is vacant and the business is not yet licensed to operate at this location. The proposed use is appropriate for the site and can be conducted in manner that is harmonious and compatible with surrounding uses; therefore, staff recommends approval. If the application is denied, the Tattoo Parlor/Body Piercing Studio will not be allowed at this location.

ISSUES

- A Tattoo Parlor/Body Piercing Studio is a permitted use within a C-2 (General Commercial) zoning district with the approval of a Special Use Permit.
- The property lacks an adequate handicapped parking space.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
No relevant cases were found regarding a Tattoo Parlor/Body Piercing Studio.	

<i>Most Recent Change of Ownership</i>	
08/14/89	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
08/12/08	A business license (#S25-96146) was issued for Secondhand Dealer at 806 South Las Vegas Boulevard. This license is no longer active as of 02/04/09.
09/19/11	A building permit (#195853) is currently under review for a Non-Work Certificate of Occupancy at 806 South Las Vegas Boulevard.

<i>Pre-Application Meeting</i>	
09/12/11	A pre-application meeting was held and issues concerning the submittal of a Special Use Permit for a Tattoo Parlor/Body Piercing Studio use were discussed with the applicant.

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<i>Neighborhood Meeting</i>
A Neighborhood Meeting is not required for this application nor was one held.

<i>Field Check</i>	
09/29/11	During a routine site inspection performed by staff, the subject property address was noted as 806 Las Vegas Boulevard South.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.17

<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	Vacant	MXU (Mixed Use Development)	C-2 (General Commercial)
North	Dry Cleaners	MXU (Mixed Use Development)	C-2 (General Commercial)
South	Social Services Provider	MXU (Mixed Use Development)	C-2 (General Commercial))
East	Multi-Family Residential	MXU (Mixed Use Development)	C-2 (General Commercial)
West	Office, Other Than Listed	MXU (Mixed Use Development)	C-2 (General Commercial)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area			
Downtown Centennial Plan	X		N/A
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Centennial Plan (Downtown South)	X		N
Live/Work Overlay District	X		N/A
Las Vegas Boulevard Scenic Byway Overlay District	X		N/A
Trails			
Las Vegas Boulevard Scenic Byway	X		N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

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DEVELOPMENT STANDARDS

<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>
Las Vegas Boulevard	Primary Arterial	Master Plan of Streets and Highways	80	N

<i>Parking Requirement - Downtown</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Base Parking Requirement</i>		<i>Provided</i>		<i>Compliance</i>	
		<i>Parking Ratio</i>	<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Tattoo Parlor	528 SF	1/250	3				
General Retail	6472 SF	1/175	37				
TOTAL SPACES REQUIRED			40		5		Y
Regular and Handicap Spaces Required			38	2	4	0	N

Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City. The analysis should take a number of factors into consideration when discussing parking availability, including pedestrian access, nearby parking structures, on-street parking, etc.

ANALYSIS

A Tattoo Parlor/Body Piercing Studio is allowed in the C-2 (General Commercial) Zoning District with approval of a Special Use Permit. A Tattoo Parlor/Body Piercing Studio is an establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of one or more of the following:

1. The placing of designs, letters, figures, symbols or other marks upon or under the skin of any person, using ink or other substances which result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin.
2. The creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration.

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The Las Vegas 2020 Master Plan directs the Downtown Centennial Plan provide direction for the development of the Downtown South District. Properties within the Downtown Centennial Plan are not subject to the automatic application of parking requirements. However, a change in the use of the property requires the minimum federal handicap parking standards to be applied. One van accessible handicap parking space is required as a condition of approval.

Since only the use at this location will change and the structure will not be altered as a result of the approval of this request, no streetscape, setback, utility or design standards apply. The use is also in conformance with the Live/Work Overlay District and the policies of the Downtown Redevelopment Plan Area.

New signage for parcels adjacent to Las Vegas Boulevard, including the subject site, must comply with both Title 19.14 sign standards for the C-2 (General Commercial) Zoning District and the standards of the Las Vegas Boulevard Scenic Byway Overlay District pursuant to Title 19.06.140. This special district requires at least 75 percent of the total sign surface areas of the development to contain illuminated signage in the form of neon signs, animated signs or a combination of the two. A review of the signage by the Downtown Design Review Committee is also required prior to the issuance of any sign permits.

Title 19.12 does not have minimum conditions for a Tattoo Parlor/Body Piercing Studio thus each site is evaluated on a case-by-case basis for its compatibility with surrounding uses. As the use can be conducted in a manner that is harmonious and compatible with the commercial land uses on all sides of the site, staff recommends approval of the Special Use Permit request.

FINDINGS (SUP-43278)

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 Tattoo Parlor/Body Piercing Studio can be conducted in a manner that is harmonious and compatible with 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 land use proposed, provided a handicap parking space is provided.

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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.

Las Vegas Boulevard, designated as a Primary Arterial by the city's Master Plan of Streets and Highways, provides access to the property. Access is possible only from the southbound lanes. These roadway facilities are adequate to serve the proposed Tattoo Parlor/Body Piercing Studio.

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.

Approval of a Special Use Permit for a Tattoo Parlor/Body Piercing Studio at this location will not compromise the public health, safety and welfare or the primary objectives of the General Plan, as the use will be subject to regular inspections and licensing requirements.

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

Title 19.12 does not have minimum conditions for a Tattoo Parlor/Body Piercing Studio.

NOTICES MAILED 470

APPROVALS 1

PROTESTS 2