



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MAY 14, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: BLACK SPADE TATTOO - OWNER: 3RD & CHARLESTON, LLC

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-48861	Staff recommends APPROVAL, subject to conditions:	N/A

**** CONDITIONS ****

SUP-48861 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. The applicant shall restripe the parking lot in conformance to Title 19.08.110 prior to the approval of a business license.
3. 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.
4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Tattoo Parlor/Body Piercing Studio within an approximate 1,250 square-foot portion of a 3,350 square-foot commercial building addressed as 1106 South 3rd Street. The use is located within the Downtown Centennial Plan – 18b Las Vegas Arts District. The use is appropriate for the area and can be conducted in a manner that is compatible with the surrounding land uses; therefore, staff recommends approval of this request. If denied, the Tattoo Parlor/Body Piercing Studio would not be permitted to operate at this location.

ISSUES

- A Tattoo Parlor/Body Piercing Studio is permitted in the 18b Las Vegas Arts District and C-2 (General Commercial) zoning district with the approval of a Special Use Permit.
- Conditions of approval have been placed requiring the restriping of the parking lot prior to the approval of a business license.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
04/12/2011	The Planning Commission approved a Special Use Permit (SUP-41046) for an urban lounge at 1106 S. 3 rd Street. Staff recommended approval. The Special Use Permit (SUP-41046) expired on 04/12/2013.

<i>Most Recent Change of Ownership</i>	
04/06/07	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
08/27/2010	A business license (G50-06747) was issued for general retail sales at 1106 South 3 rd Street. The license was marked out of business on 10/12/2011.
10/19/2011	A business license (L41-90428) for an urban lounge was withdrawn as a result of a Metro investigation at 1106 S. 3 rd Street. Failure to obtain a business license resulted in the Special Use Permit (SUP-41046) for an urban lounge use to expire on 04/12/2013.

Staff Report Page Two
 May 14, 2013 - Planning Commission Meeting

Pre-Application Meeting	
03/14/2013	A pre-application meeting was held to discuss the requirements of submitting a Special Use Permit for a Tattoo Parlor/Body Piercing Studio.

Neighborhood Meeting	
A neighborhood meeting is not required for this type of request, nor was one held.	

Field Check	
04/03/13	During a routine site inspection performed by staff, the subject property was noted as being a well maintained commercial development.

Details of Application Request	
Site Area	
Net Acres	0.16

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Vacant	C (Commercial)	C-2 (General Commercial)
North	Vacant	C (Commercial)	C-2 (General Commercial)
South	Office, Other than Listed	MXU (Mixed Use)	C-1 (Limited Commercial)
East	Vacant	C (Commercial)	C-1 (Limited Commercial)
West	Vacant	C (Commercial)	C-2 (General Commercial)

Master Plan Areas	Compliance
Downtown Centennial Plan (18b Las Vegas Arts District)	Y
Special Purpose and Overlay Districts	Compliance
Downtown Centennial Plan Overlay District	Y
Live/Work Overlay District	Y
Other Plans or Special Requirements	Compliance
Trails	N/A
Las Vegas Redevelopment Plan Area	Y
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

GK

DEVELOPMENT STANDARDS

<i>Parking Requirement - Downtown</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Base Parking Requirement</i>	<i>Base Parking Requirement</i>		<i>Provided</i>		<i>Compliance</i>
			<i>Parking</i>		<i>Parking</i>		
			<i>Regular</i>	<i>Handi-capped</i>	<i>Regular</i>	<i>Handi-capped</i>	
Tattoo Parlor/Body Piercing Studio	1,250 SF	1:250	5				
TOTAL SPACES REQUIRED			5		4		N
Regular and Handicap Spaces Required			4	1	3	1	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.

ANALYSIS

The Tattoo Parlor/Body Piercing Studio use is defined as “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.

This use does not include a permanent makeup establishment.”

The proposed use meets the above definition, as the applicant proposes to tattoo paying customers at their request. There are no Minimum Special Use Permit Requirements for this use.

The applicant has proposed a permanent makeup and tattoo service. A permanent makeup service is considered a General Personal Service use and is permitted in the Las Vegas 18b Arts District. However, the applicant is also proposing tattoo services, which requires a Special Use Permit prior to the approval of a business license in the Las Vegas 18b Arts District.

Staff Report Page Four
May 14, 2013 - Planning Commission Meeting

The proposed Tattoo Parlor/Body Piercing Studio Establishment will be located at 1106 South 3rd Street within approximately 1,250 square feet of an existing vacant 3,350 square-foot commercial building. The commercial building can accommodate three tenants at 1104, 1106, and 1108 South 3rd Street. The parcel also contains a separate and vacant building addressed as 220 E. Charleston Boulevard. If approved, the Tattoo Parlor/Body Piercing Studio will be the sole tenant on the parcel. The use will not significantly change the physical appearance or characteristics of the subject site and is compatible with the surrounding land uses in the area. This use is located within the C-2 (General Commercial) zone, which also requires the approval of a Special Use Permit prior to licensing a Tattoo Parlor/Body Piercing Studio. Sites located within the Downtown Centennial Plan – 18b Las Vegas Arts District are not subject to the automatic application of parking requirements; however the applicant has demonstrated sufficient space to accommodate most of the required parking. A condition of approval has been placed on this request requiring the applicant to restripe the parking lot in order to make the faded parking spaces more visible. The use is appropriate for the area and can be conducted in a manner that will be compatible with the surrounding land uses; therefore staff recommends approval.

FINDINGS (SUP-48861)

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 is located within the Downtown Centennial Plan. It is surrounded by commercial uses and will be harmonious with the existing and future land uses as projected by the General Plan.

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

The subject site is suitable for a variety of service, retail and restaurant uses. The subject Tattoo Parlor/Body Piercing Studio is appropriate for the site as 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 fronts Charleston Boulevard, a 100-foot Primary Arterial, but is primarily accessed from 3rd Street, an 80-foot wide Secondary Collector as designated by the Master Plan of Streets and Highways. This thoroughfare can accommodate the proposed Tattoo Parlor/Body Piercing Studio use.

**Staff Report Page Five
May 14, 2013 - Planning Commission Meeting**

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 proposal conforms to the goals and objectives of the General Plan designation in which it is located. As such, it will not endanger the public health, safety, or welfare of the populace or be inconsistent with the objectives of the General Plan.

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

The site meets all applicable conditions per Title 19.12 for a Tattoo Parlor/Body Piercing Studio.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 25

NOTICES MAILED 136

APPROVALS 2

PROTESTS 0