



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: GEORGE H RODRIGEZ - OWNER: G CAPITAL INVESTMENT, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-49167	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-49167 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. 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.
3. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
4. Prior to the submittal of a building permit application, the applicant shall meet with Department of Planning staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. 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 for a Tattoo Parlor/Body Piercing Studio use within an existing mixed-use development at 200 West Sahara Avenue in a proposed tenant space is approximately 950 square feet. If approved, this use will be located in the Downtown Centennial Plan North Strep Gateway and the first tenant in an existing mixed-use development. The Tattoo Parlor/Body Piercing Studio use is consistent with the surrounding area and can be conducted in a harmonious and compatible manner; therefore, staff is recommending approval of the request. If denied, the Tattoo Parlor/Body Piercing use will not be permitted at this location.

ISSUES

- The Tattoo Parlor/Body Piercing Studio use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
08/04/04	The City Council approved a Site Development Plan Review (SDR-4534) and a Special Use Permit (SUP-4540) Special Use Permit for a mixed-use development on 3.90 acres located at the northwest corner of Sahara Avenue and Fairfield Avenue. The Planning Commission and staff recommended approval of these requests.
07/06/05	The City Council approved a Site Development Plan Review (SDR-6588) for a proposed 41-story mixed use development including 900 Residential Units, 10,200 square feet of commercial space on the northwest corner of Sahara Avenue and Fairfield Avenue. The Planning Commission and staff recommended approval of this request.
09/08/05	The Planning Commission approved a Tentative Map (TMP-8442) for a 902-unit residential Condominium development on 3.82 acres adjacent to the northwest corner of Sahara Avenue and Fairfield Avenue. Staff recommended approval of this request.
01/18/07	The Planning and Development Department approved a Final Map (FMP-17618) for a one-lot commercial subdivision on 3.86 acres located at northwest corner of Sahara Avenue and Fairfield Avenue. The map was not recorded.
08/28/07	The Planning and Development Department approved a Final Map (FMP-23087) technical review for a 428-unit residential Condominium development on 2.05 acres at the northwest corner of Sahara Avenue and Fairfield Avenue. The map was recorded on 09/18/07.

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<i>Most Recent Change of Ownership</i>	
02/23/12	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
08/03/05	A building permit (#05005305) was issued for a condominium tower at 200 West Sahara Avenue. The permit received final approval 06/13/08.
11/03/11	A Code Enforcement complaint (#107460) was received for work being performed without permits. The complaint has not been resolved.

<i>Pre-Application Meeting</i>	
04/16/13	A pre-application meeting was held with the applicant to discuss the requirements for a Special Use Permit for a Tattoo/Body Piercing Studio.

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

<i>Field Check</i>	
05/02/13	A field check was conducted at the proposed location and the following was discovered: 1. The commercial space for the site is an empty shell. 2. The subject site is well maintained.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	A portion of 2.05

<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	Mixed-Use	C (Commercial)	C-2 (General Commercial)
North	Vacant	MXU (Mixed Use)	C-2 (General Commercial)
	Single Family, Detached		R-4 (High Density Residential)

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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>
North	Single Family, Attached		
	Multi-Family Residential		
South	Vacant	CT (Commercial Tourist – Clark County)	H-1 (Limited Resort and Apartment – Clark County)
East	Shopping Center	C (Commercial)	C-2 (General Commercial)
West	Vacant	C (Commercial)	C-2 (General Commercial)

<i>Master Plan Areas</i>	<i>Compliance</i>
Downtown Centennial Plan	Y
<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
Downtown Centennial Plan Overlay District (Northern Strip Gateway)	Y
G-O (Gaming Enterprise Overlay) District	Y
A-O (Airport Overlay)	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area	Y
Project of Significant Impact (Development Impact Notification Assessment)	Y
Project of Regional Significance	Y

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

<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/Body Piercing Studio	950 SF	1/250	4				
TOTAL SPACES REQUIRED			5		1,124		Y
Regular and Handicap Spaces Required			1,100	24	1,100	24	Y

Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements.

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ANALYSIS

If approved, the proposed Tattoo Parlor/Body Piercing Studio will be located at 200 West Sahara Avenue within an existing mixed-use development on the first floor. The proposed tenant space is approximately 950 square feet. The commercial element of this property is currently an unfinished open floor plan and as such, the suite number is unknown at this time. Condition of Approval four was added to address the suite number issue. Also, due to site proximity to the City limits the proposed use is a Project of Regional Significance (PRS). The applicant completed the required PRS report and it was distributed the proper agencies; however, no comments no comments have been received to date.

The Tattoo Parlor/Body Piercing 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 definition of a Tattoo Parlor/Body Piercing Studio as the applicant is proposing to create skin art (tattoo’s) on his clients. As, the use is consistent with uses generally associated in the C-2 (General Commercial) zoning district and can be conducted in a compatible and harmonious manner with the surrounding area, staff recommends approval of this request. If denied the Tattoo Parlor/Body Piercing Studio use will not be allowed at the proposed location.

FINDINGS (SUP-49167)

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 within an existing mixed-use development surrounded by a commercial shopping center, multi-family residential, single family residential and vacant land. The proposed use can be conducted in a manner that is harmonious with the existing and future land uses as projected by the General Plan and current zoning designations.

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

The subject site is suitable for a variety commercial uses and services such as, retail restaurants, office uses and residential. The proposed Tattoo Parlor/Body Piercing Studio is an appropriate use for site.

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 site has primary access from Sahara Avenue, a 100-foot Primary Arterial and secondary access from Fairfield Avenue, A 60-foot Secondary Thoroughfare. Both streets can adequately accommodate the existing uses and the proposed use of a Tattoo Parlor/Body Pierce Studio 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.

The proposed use will undergo continuous health and business licensing inspections and conforms to the goals and objectives of the General Plan designation of C (Commercial). As such, the proposed use is will not endanger the public health, safety, and welfare of the general population or be inconsistent with the objectives of the General Plan

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

The proposed application meets all the minimum requirements detailed in Title 19.12 for the Tattoo Parlor/Body Piercing Studio use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

22

NOTICES MAILED

443

APPROVALS

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PROTESTS

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