



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: OCTOBER 11, 2016

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: BOBBY J. PONTE JR. - OWNER: GARCES VENTURE, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-66425	Staff recommends APPROVAL, subject to conditions:	N/A

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 32

NOTICES MAILED 199

APPROVALS 1

PROTESTS 0

**** CONDITIONS ****

SUP-66425 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Tattoo Parlor/Body Piercing Studio use.
2. 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.
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, as well as submitted as part of any business license application.
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 proposed Tattoo Parlor/Body Studio use within an existing building located at 626 South Las Vegas Boulevard, Suite #100, which is presently vacant.

ISSUES

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

ANALYSIS

This is a request for a Special Use Permit for a proposed Tattoo Parlor/Body Studio use. The subject property contains a building with two suites provided. One suite currently operates as a Bailbond Service use. The proposed suite location is currently vacant, but was previously a Secondhand Dealer use. The subject site's current zoning is C-2 (General Commercial); it is located within the Live Work Overlay and the Las Vegas Scenic Byway Overlay Districts.

According to Title 19.12, both Bailbond Service and Tattoo Parlor/Body Studio use requires a parking ratio of one space for every 300 square feet and one space for every 250 square feet of gross floor area respectively. The Tattoo Parlor/Body Studio use parking requirement is less intense than the previous Secondhand Dealer use where it requires one space for every 175 square feet of gross floor area.

An approval of a Special Use Permit application is required to allow a Tattoo Parlor/Body Studio use in the C-2 (General Commercial) zoning district. Additionally, the following analysis is required:

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.

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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 the establishment will have a tattooing area in the rear. In addition, a maximum of three tattoo stations will be provided. The front room will be the retail lobby with and serves as a waiting room for tattoo and piercing customers.

The subject property’s zoning of C-2 allows the proposed Tattoo Parlor/Body Piercing Studio with an approved Special Use Permit. The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding and future surrounding land uses; therefore, staff recommends approval of this request with conditions. If this request is denied, the proposed will not be permitted to operate at the subject property.

FINDINGS (SUP-66425)

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 use can be conducted in a manner that is harmonious with the surrounding 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, as this area is designated for this and other similar types of uses.

- 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.**

Access to the site is provided via Las Vegas Boulevard, which is an 80-foot wide Primary Arterial according to the Master Plan of Streets and Highways. The right-of-way provides adequate capacity to serve the proposed 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 proposed Tattoo Parlor/Body Piercing Studio would be subject to inspections and would therefore not compromise the public health and safety.

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

The proposed use meets all of the applicable conditions of Title 19.12.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/18/06	The City Council approved a Site Development Plan Review (SDR-9153) for a 55-story, 833-foot tall mixed-use development consisting of 349 residential units and 6,000 square feet of commercial space with waivers of the Downtown Centennial Plan stepback requirements, streetscape requirements and build-to-line requirements on 1.10 acres at the northwest corner of Las Vegas Boulevard and Garces Avenue. Planning Commission and staff recommended approval. The entitlement expired on 01/18/12.
	The City Council approved a Special Use Permit (SUP-9159) for a mixed-use development on 1.10 acres at the northwest corner of Las Vegas Boulevard and Garces Avenue. Planning Commission and staff recommended approval. The entitlement expired on 01/18/12.
03/05/08	The City Council approved an Extension of Time (EOT-26485) of an approved Special Use Permit (SUP-9159) for a mixed use development on 1.10 acres at the northwest corner of Las Vegas Boulevard and Garces Avenue. Staff recommended approval.
	The City Council approved an Extension of Time (EOT-26486) of an approved Site Development Plan Review (SDR-9153) for a 55-story, 833-foot tall mixed-use development consisting of 349 residential units and 6,000 square feet of commercial space with waivers of the Downtown Centennial Plan stepback requirements, streetscape requirements and build-to-line requirements on 1.10 acres at the northwest corner of Las Vegas Boulevard and Garces Avenue. Staff recommended approval.
03/03/10	The City Council approved an Extension of Time (EOT-37220) of an approved Special Use Permit (SUP-9159) for a mixed use development on 1.10 acres at the northwest corner of Las Vegas Boulevard and Garces Avenue. Staff recommended approval.
	The City Council approved an Extension of Time (EOT-37221) of an approved Site Development Plan Review (SDR-9153) for a 55-story, 833-foot tall mixed-use development consisting of 349 residential units and 6,000 square feet of commercial space with waivers of the Downtown Centennial Plan stepback requirements, streetscape requirements and build-to-line requirements on 1.10 acres at the northwest corner of Las Vegas Boulevard and Garces Avenue. Staff recommended approval.

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/11/11	A Code Enforcement case (#97242) was processed for a complaint of remodeling done without building permits. The case was resolved by Code Enforcement on 09/10/13.

<i>Most Recent Change of Ownership</i>	
08/01/05	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
06/27/13	A business license (S26-96192) was issued for a second hand dealer at 626 South Las Vegas Boulevard, Suite #100. The license was marked out of business on 05/29/16.
08/08/16	A business license (G64-05282) was issued for general retail sales at 626 South Las Vegas Boulevard, Suite #100. The license is currently active.

<i>Pre-Application Meeting</i>	
08/08/16	Staff met with the applicant to discuss the proposed Tattoo Parlor/Body Piercing Studio use at 626 South Las Vegas Boulevard. Staff determined that the proposed use is permissible at the subject site with an approval of a Special Use Permit. Staff discussed with the applicant about revising the Site and Floor Plans indicating the size of the suite will be utilized for this use. The submittal requirements for a Special Use Permit were discussed.

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

<i>Field Check</i>	
09/01/16	Staff conducted a site visit and noted a well maintained commercial building.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.16

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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>
Subject Property	General Retail, Other than Listed	C (Commercial)	C-2 (General Commercial)
North	General Retail, Other than Listed	C (Commercial)	C-2 (General Commercial)
South	General Retail, Other than Listed	C (Commercial)	C-2 (General Commercial)
East	General Retail, Other than Listed	C (Commercial)	C-2 (General Commercial)
	Sexually Oriented Business		

<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>
West	Office, Other than Listed	C (Commercial)	C-1 (Limited Commercial)
			C-2 (General Commercial)

<i>Master Plan Areas</i>	<i>Compliance</i>
Downtown Centennial Plan (Office Core)	Y
<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
Live/Work Overlay District	Y
Las Vegas Boulevard Scenic Byway Overlay District	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)	N/A
Project of Regional Significance	N/A

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	Y

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<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	
Bailbond Service	2,500 SF	1/300 SF	9				
Tattoo Parlor/Body Piercing Studio	750 SF	1/250 SF	3				
TOTAL SPACES REQUIRED			12		0		Y*
Regular and Handicap Spaces Required			11	1	0	0	Y*

**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.*