



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 11, 2018

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: LAS INK TATTOO - OWNER: ABONA FAMILY, LLC

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
SUP-74716	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

NOTICES MAILED 346

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

SUP-74716 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, as well as submitted as part of any business license application.
4. 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 shopping center development at 4601 West Sahara Avenue, Suite K in a proposed tenant space which is approximately 1,200 square feet.

ISSUES

- The Tattoo Parlor/Body Piercing Studio use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

ANALYSIS

The subject tenant space is located within an existing 29,244 square-foot shopping center, which is located within the C-1 (Limited Commercial) zoning district. Within the C-1 (Limited Commercial) zoning district a Special Use Permit is required for the proposed Tattoo Parlor/Body Piercing Studio use.

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.”

There are no Minimum Special Use Permit requirements associated with the Tattoo Parlor/Body Piercing use. 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-1 (Limited 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.

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FINDINGS (SUP-74716)

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 will be placed within an existing shopping center development surrounded by commercial uses to the north, west and east; and single family residential homes to the south. 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.

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 shopping and personal services. 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 150-foot Primary Arterial as defined by the Master Plan of Streets and Highways. This street 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 MXU (Mixed Use). 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.

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

There are no Minimum Special Use Permit requirements associated with the Tattoo Parlor/Body Piercing use.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc</i>	
07/25/73	The City Council approved a Rezoning (Z-0058-73) from R-3 (Medium Density Residential) to C-1 (Limited Commercial) for the subject site.
09/09/98	The City Council approved a request for a Special Use Permit (U-0079-98) on property located at 4601 West Sahara Avenue, Suite J, for a secondhand dealer (musical instruments). Planning Commission and staff recommended approval of the request.
02/02/00	The City Council approved a Special Use Permit (U-0127-99) for minor auto repair. The Planning Commission and staff recommended approval of the request.
05/17/00	The City Council approved a request for a Variance (V-0009-00) on property located at 4601 West Sahara Avenue to allow eight parking spaces where 15 parking spaces are the minimum required. The Board of Zoning Adjustment and staff recommended approval.
11/15/00	The City Council approved a Variance (V-0064-00) to expand a non-conforming tavern. The Planning Commission and staff recommended approval of the request.
06/05/02	The City Council denied a request for a Special Use Permit (U-0023-02) for a daily labor service at 4601 West Sahara Avenue, Suite E. The Planning Commission recommended approval and staff recommended denial of the request.
06/18/08	The City Council approved a Special Use Permit (SUP-27662) to allow a Social Service Provider use at 4601 West Sahara Avenue, Suite I. The Planning Commission and staff recommended approval of the request.
06/06/12	The City Council approved a Special Use Permit (SUP-44939) for a proposed 90 square-foot Accessory Package Liquor Off-Sale use within a proposed 2,400 square-foot Convenience Store at 4601 West Sahara Avenue, Suite W. The Planning Commission and staff recommended approval of the request.

<i>Most Recent Change of Ownership</i>	
07/19/06	A deed was recorded for a change in ownership.

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Related Building Permits/Business Licenses	
03/28/18	A business license (#G66-01413) was denied by the Department of Planning for a proposed Tattoo Establishment at 4601 West Sahara Avenue, Suite K pending approval of a required Special Use Permit.

Pre-Application Meeting	
09/26/18	A pre-application meeting was held with the applicant to discuss the requirements for a Special Use Permit for a Tattoo/Body Piercing Studio.

Neighborhood Meeting	
A Neighborhood meeting was not required, nor was one held.	

Field Check	
11/01/18	A routine field check was conducted by staff and found a well maintained commercial development.

Details of Application Request	
Site Area	
Net Acres	2.29

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Single-Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
East	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)
West	Motor Vehicle Sales	CG (Commercial General) – Clark County	C-2 (General Commercial) – Clark County

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Master and Neighborhood Plan Areas	Compliance
No Applicable Master Plan Area	N/A
Special Area and Overlay Districts	Compliance
No Applicable Special Area or Overlay Districts	N/A
Other Plans or Special Requirements	Compliance
Trails	N/A
Las Vegas Redevelopment Plan Area 2	Y
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	Y

DEVELOPMENT STANDARDS

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Sahara Avenue	Primary Arterial	Master Plan of Streets & Highways	150	Y

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

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	29,244 SF	1:250 SF	117				
TOTAL SPACES REQUIRED			117		106		*Y
Regular and Handicap Spaces Required			112	5	103	3	*Y

* This is a parking impaired development as indicated in Title 19, "A land use or building which is existing on the effective date of this Title and which complied with applicable parking standards at the time the use or building was established, but which does not comply with the requirements of this Section, shall not be considered a nonconforming use or nonconforming building; but rather, it shall be considered a "parking-impaired development."