



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: MAY 14, 2024
DEPARTMENT: COMMUNITY DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: OFF THE EDGE BODY JEWELRY & PIERCING, LLC - OWNER: DECATUR OAKLEY PLAZA, LLC

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0118-SUP1	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

NOTICES MAILED 262

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

24-0118-SUP1 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 Building and Safety Division.
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 Special Use Permit request for a proposed Tattoo Parlor/Body Piercing Studio use at 1620 South Decatur Boulevard, Suite A.

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. Staff supports the request.

ANALYSIS

The subject site is zoned C-1 (Limited Commercial) and developed with an existing commercial building. Development is subject to Title 19 development standards. The surrounding area includes other commercial and office uses. The applicant requests a Special Use Permit to operate a Tattoo Parlor/Body Piercing Studio use within a vacant tenant space of the subject site.

Per Title 19, 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.”

There are no minimum Special Use Permit requirements listed for the Tattoo Parlor/Body Piercing Studio use. The proposed use meets the definition as they intend to operate a Tattoo Parlor within a vacant tenant space. The subject site is parking impaired and currently provides 16 parking spaces. The proposed Tattoo Parlor/Body Piercing Studio use will not increase the area of the suite or result in a change of use that requires an increase in the number of required parking spaces. The previous use of the subject vacant tenant space was classified as an Office, Other than Listed use.

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The proposed use would operate within an existing commercial building that is intended to accommodate a variety of commercial uses. As the proposed Tattoo Parlor/Body Piercing Studio use is consistent with uses allowed in the C-1 (Limited Commercial) zoning district and can be conducted in a harmonious and compatible manner with the surrounding area, staff recommends approval of this request. If denied, the applicant will not be able to operate a Tattoo Parlor/Body Piercing Studio use at the subject site.

FINDINGS (24-0118-SUP1)

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 use can be conducted in a manner that is harmonious and compatible with the uses in the existing site and with the commercial uses on adjacent properties.

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 the proposed use.

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.**

Site access is provided from Decatur Boulevard, a 100-foot Primary Arterial and Oakey Boulevard, an 80-foot Secondary Collector as designated in the Master Plan of Streets and Highways. These streets are of sufficient size to accommodate the needs of the proposed land 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.**

Approval of the proposed Special Use Permit will not compromise the public health, safety and general welfare, as the use will be subject to regular inspections for business licensing.

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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 set forth by Title 19.12 for the Tattoo Parlor/Body Piercing Studio use.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
05/21/69	05/21/69 - The Board of City Commissioners approved for a Rezoning (Z-0026-69) on property generally located on the northwest corner of Oakey Boulevard and Decatur Boulevard, from R-3 and R-1 to C-1. The Planning Commission recommended approval.
10/22/69	The Board of City Commissioners approved a request for a six month Extension of Time under Z-0026-69 on property generally located on the northwest corner of Oakey Boulevard and Decatur Boulevard, C-1 Zone. The Planning Commission recommended approval.
02/14/85	The Planning Commission approved a Plot Plan Review (Z-0026-69) of property generally located on the northwest corner of Oakey Boulevard and Decatur Boulevard, C-1 Zone. Staff recommended approval.
10/24/95	The City Council approved Special Use Permit (U-0130-95) for a 14 x 48-foot double-faced off-premise advertising (billboard) sign at 1624 South Decatur Boulevard.
09/01/10	The City Council approved Special Use Permit (SUP-38533) for a proposed Auto Title Loan use at 1620 South Decatur Boulevard, Suite A. The Planning Commission and Staff recommended approval.
02/02/11	The City Council denied Special Use Permit (SUP-38534) for a Secondhand Dealer use at 1620 South Decatur Boulevard, Suite A. The Planning Commission and Staff recommended approval.
01/15/19	Business License Enforcement Case #BLE576137 was opened regarding a potential unlicensed business at 1620 South Decatur Boulevard, Suite #F. The case was resolved as of 03/27/19.
01/08/24	Business License Enforcement Case #BLE576137 was opened regarding a potential unlicensed business at 1620 South Decatur Boulevard, Suite #C. The case was resolved as of 01/23/24.

<i>Most Recent Change of Ownership</i>	
08/17/21	A deed was recorded for a change in ownership.

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Related Building Permits/Business Licenses	
03/12/85	A building permit (#6238) was issued for a Commercial Retail Building at 1620 South Decatur Boulevard. The project was completed on 07/19/85.
08/08/95	A business license (C21-00023) was issued for a Check Cashing Service at 1620 South Decatur Boulevard Suite #A. The license was reclassified to Non-Depository Lender on 09/18/09.
01/07/10	A temporary business license (N02-00124) was issued for Non-Depository Lender at 1620 North Jones Boulevard Suite #A. The temporary business license will expire on 07/07/10.
06/13/17	Business License (#G65-03890) was issued for a cosmetology establishment at 1620 South Decatur Boulevard, Suite #H. The license is listed as active.
07/18/20	Business License (#G68-04478) was issued for a DMV Services/Notary use at 1620 South Decatur Boulevard, Suite #D. The license is listed as active.
05/04/21	Business License (#G69-03025) was issued for a beauty salon use at 1620 South Decatur Boulevard, Suite #C. The license is listed as active.
11/10/22	Business License (#G70-07348) was issued for a Live Podcast/Streaming and Online General Good Sales use at 1620 South Decatur Boulevard, Suite #A. The license is set to expire on 05/01/24.
11/23/22	Business License (#G70-07608) was issued for a General Household Discount Store at 1620 South Decatur Boulevard, Suite #B. The license is listed as expired as of 11/01/23.
04/05/23	Business License (#G71-00919) was issued for a tax preparation use at 1620 South Decatur Boulevard, Suite #H. The license is set to expire on 04/16/24.
11/02/23	Business License (#G71-06598) was issued for a graphic design use at 1620 South Decatur Boulevard, Suite #H. The license is set to expire on 05/01/24.
01/04/24	Business License (#G71-07932) was issued for a Document Preparation Services use at 1620 South Decatur Boulevard, Suite #E. The license is listed as active.
03/28/24	Business License (#G72-01984) was requested for a tattoo parlor use at 1620 South Decatur Boulevard, Suite #A. The license has not been issued pending the subject Special Use Permit.

Pre-Application Meeting	
02/29/24	Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed for a proposed Special Use Permit.

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<i>Neighborhood Meeting</i>

A neighborhood meeting was not required, nor was one held.
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<i>Field Check</i>

04/04/24	Staff conducted a routine field check and found an existing commercial development. No issues were noted.
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<i>Details of Application Request</i>
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<i>Site Area</i>

Net Acres	0.30
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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	Office, Other than Listed	TOD-1 (Transit Oriented Development - High)	C-1 (Limited Commercial)
	General Retail, Other than Listed		
	General Personal Service		
North	Motor Vehicle Sales, Used	TOD-1 (Transit Oriented Development - High)	C-2 (General Commercial)
South	General Retail, Other than Listed	TOD-1 (Transit Oriented Development - High)	C-1 (Limited Commercial)
East	General Retail, Other than Listed	TOD-1 (Transit Oriented Development - High)	C-1 (Limited Commercial)
West	Office, Other than Listed	TOD-1 (Transit Oriented Development - High)	C-1 (Limited Commercial)

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<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
Las Vegas 2050 Master Plan Area: Charleston	Y
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
A-O (Airport Overlay) District (200 Feet)	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area - Area 2	Y
Interlocal Agreement	N/A
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>
Decatur Boulevard	Primary Arterial	Master Plan of Streets and Highways Map	100	Y
Oakey Boulevard	Collector	Master Plan of Streets and Highways Map	80	Y