

STAFF REPORT FOR PLANNING COMMISSION MEETING OF FEBRUARY 28, 2018

FILE: SUP-18-005

AGENDA ITEM: E-4

STAFF AUTHOR: Hope Sullivan, Planning Manager

REQUEST: A request for a Special Use Permit to allow a Tattoo Parlor.

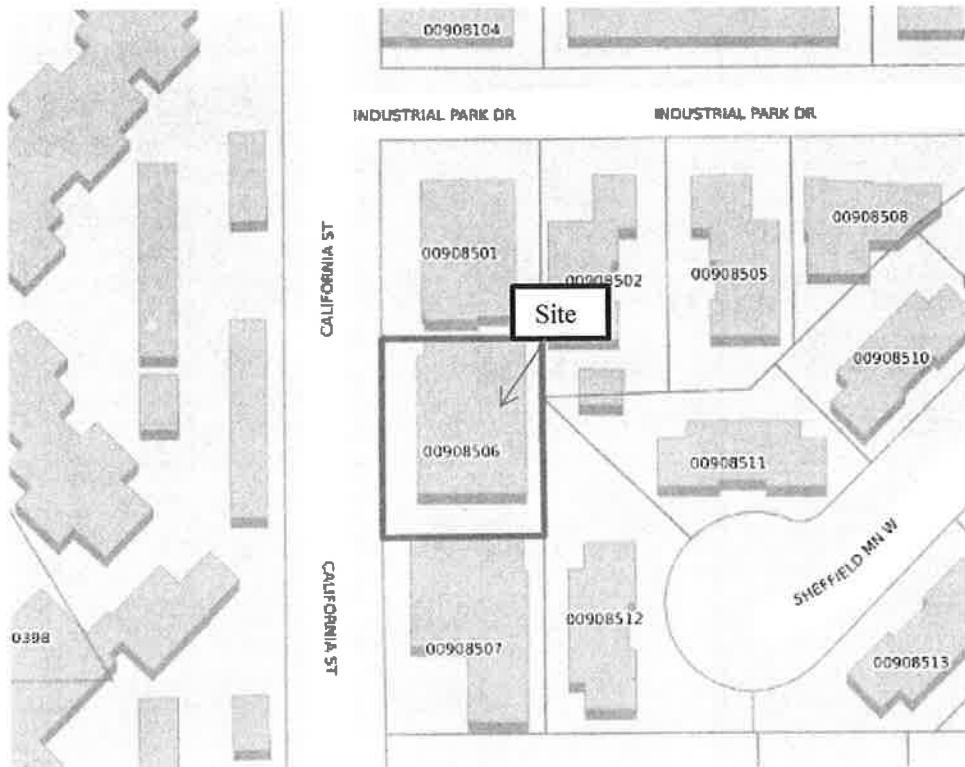
APPLICANT: Jason Meindl

OWNER: Sulezich Family Trust 11/25/04

LOCATION: 2049 California Street, #2

APN: 009-085-06

RECOMMENDED MOTION: "I move to approve SUP-18-005, a Special Use Permit to allow a tattoo parlor at a property zoned Retail Commercial, located at 2049 California Street, #2, APN 009-085-06, based on the findings contained in the staff report and subject to the conditions of approval."



RECOMMENDED CONDITIONS OF APPROVAL:

1. All development shall be substantially in accordance with the attached site development plan.
2. All on and off-site improvements shall conform to City standards and requirements.
3. The use for which this permit is approved shall commence within twelve (12) months of the date of final approval. A single, one (1) year extension of time must be requested in writing to the Planning and Community Development Department thirty (30) days prior to the one (1) year expiration date. Should this permit not be initiated within one (1) year and no extension granted, the permit shall become null and void.
4. Prior to commencement of use, the applicant must obtain a Business License and a Health Permit. Building permits to meet applicable health code may be required.
5. The Special Use Permit is subject to the Board of Supervisors authorizing Tattoo Parlors as a Conditional Use in the Retail Commercial zoning district.

LEGAL REQUIREMENTS: CCMC 18.02.050 (Review); 18.02.080 (Special Use Permit); 18.04.130 (Retail Commercial)

MASTER PLAN DESIGNATION: Community / Regional Commercial (C/RC)

ZONING DESIGNATION: Retail Commercial (RC)

KEY ISSUES: Will the use be compatible with the surrounding neighborhood and be in keeping with the standards of the Carson City Municipal Code?

SURROUNDING ZONING AND LAND USE INFORMATION:

NORTH: Retail Commercial / Dance Studio

EAST: Multi-Family Apartment / Duplexes

WEST: Public / Apartments

SOUTH: Retail Commercial / Commercial Use

ENVIRONMENTAL INFORMATION:

FLOOD ZONE: Zone X (Area of Minimal Flooding)

EARTHQUAKE FAULT: Beyond 500 feet; Severe earthquake potential

SLOPE/DRAINAGE: Site is flat

SITE DEVELOPMENT INFORMATION:

LOT SIZE: 8170 square feet

BUILDING SIZE: Total: 3648

PREVIOUS REVIEW:

U-83-3: Used Clothing Sales

BACKGROUND:

The applicant currently operates Jason's Bazaar at the subject location. The applicant is seeking to operate a tattoo parlor at the subject property. The property is a multi-tenant shopping center, with the other uses being a salon, a window cleaning office, and a dog groomer.

At its meeting of February 15, 2018 the Board of Supervisors introduced an ordinance that would allow Tattoo Parlors as a Conditional Use in the Retail Commercial zoning district. The second reading of the Ordinance is scheduled for March 1, 2018. Staff has included a condition of approval that the Special Use Permit will be dependent upon the Board of Supervisors allowing Tattoo Parlors as a Conditional Use in the Retail Commercial zoning district.

PUBLIC COMMENTS: Public notices were mailed to 34 property owners within 375 feet of the subject parcel in accordance with the provisions of NRS and CCMC 18.02.045 on February 12, 2018. As of the writing of this report, no written comments have been received. Any comments that are received after this report is completed will be submitted prior to or at the Planning Commission meeting, depending on their submittal date to the Planning Division.

OTHER CITY DEPARTMENT OR OUTSIDE AGENCY COMMENTS

Engineering Division:

1. The Engineering Division has no preference or objection to the special use request and offers no conditions of approval.

Fire Department:

1. The project must comply with the 2012 IFC and northern Nevada fire code amendments as adopted by Carson City.

Building Division: No comments

Environmental Control: No comments

Parks, Recreation and Open Space: No comments

Health Department

1. If the SUP is granted, the applicant must apply for a Carson City Business License and Health Permit to operate this type of establishment. The applicant will also need to submit plans to Carson City Building Department for review of applicable building and health code requirements.

SPECIAL USE PERMIT FINDINGS:

Staff's recommendation is based upon the findings as required by CCMC Section 18.02.080 (Special Use Permits) enumerated below and substantiated in the public record for the project.

1. ***Will be consistent with the objectives of the Master Plan elements.***

The subject property is designated as Community / Regional Commercial in the Master Plan. This land use designation is characterized by a mix of retail and commercial

services in a concentrated and unified center that serves the local community. The subject property has been developed as a unified center that serves the local community. The occupancy of the existing tenant spaces with the proposed use is consistent with the Master Plan.

2. *Will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and is compatible with and preserves the character and integrity of adjacent development and neighborhoods or includes improvements or modifications either on-site or within the public right-of-way to mitigate development related to adverse impacts such as noise, vibrations, fumes, odors, dust, glare or physical activity.*

The subject property is in a commercial, multi-tenant building. The property to the north and to the south is also commercial use. Property across the street to the west is apartments, but the portion closest to the road is a parking lot. To the rear (east) are duplexes. Parking for the use is on the west side of the building, and the tattooing function will occur entirely indoors. The use is compatible with other uses in the immediate areas, and will not create adverse impacts such as noise, vibrations, fumes, odors, dust, glare or physical activity.

3. *Will have little or no detrimental effect on vehicular or pedestrian traffic.*

Staff finds that the proposed use will not have a detrimental effect on vehicular or pedestrian traffic. It is anticipated that the maximum traffic will be 32 customers per day. The Engineering staff has opined that the associated traffic impact is anticipated to be negligible.

4. *Will not overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public improvements.*

The existing sewer, water and storm drain infrastructure are sufficient to serve this site. Staff does not find that the proposed use will overburden any public facilities.

5. *Meets the definition and specific standards set forth elsewhere in this Title for such particular use and meets the purpose statement of that district.*

The Board is currently considering an Ordinance that would cause Tattoo Parlors to be a conditional use in the Retail Commercial zoning district. Staff has included a condition of approval that if the Planning Commission can make the required findings, the Special Use Permit is dependent on the code being amended to allow Tattoo Parlors as a conditional use in the Retail Commercial zoning district.

6. *Will not be detrimental to the public health, safety, convenience and welfare.*

Staff finds that the proposed project will not be detrimental to public health, safety, convenience and welfare. The proposed use is appropriate in this commercial center, and will help revitalize the shopping center.

7. *Will not result in material damage or prejudice to other property in the vicinity, as a result of proposed mitigation measures.*

The proposed use will not result in material damage or prejudice to other property in the vicinity. The site is currently a multi-tenant commercial space. Activity on the property occurs indoors. Properties to the north and south are also commercial, and the parking area is across the street from the parking area for the apartment complex.

Attachments:

Application SUP-18-005

Carson City Planning Division
108 E. Proctor Street • Carson City NV 89701
Phone: (775) 887-2180 • E-mail: planning@carson.org

FILE # SUP - 18 - 006
530721 7085

APPLICANT

234 Walker St Gardnerville NV 89410

MAILING ADDRESS, CITY, STATE, ZIP

jay1600@gmail.com

EMAIL ADDRESS

Sulezich family trust

PROPERTY OWNER

10 Carson Properties 187 Sonoma St Carson City

MAILING ADDRESS, CITY, STATE, ZIP

EMAIL ADDRESS

APPLICANT AGENT/REPRESENTATIVE

PHONE #

MAILING ADDRESS, CITY STATE, ZIP

EMAIL ADDRESS

Project's Assessor Parcel Number(s):

00908506

Street Address

2049 California St #2 Carson City NV 89701

Project's Master Plan Designation

Project's Current Zoning

Nearest Major Cross Street(s)

RC

Fairview

Please provide a brief description of your proposed project and/or proposed use below. Provide additional pages to describe your request in more detail.

I would like to open a tattoo shop at 2049 California St #2

PROPERTY OWNER'S AFFIDAVIT

I, Walletha Sulezich, being duly deposed, do hereby affirm that I am the record owner of the subject property, and that I have knowledge of, and I agree to, the filing of this application.

Signature

Address

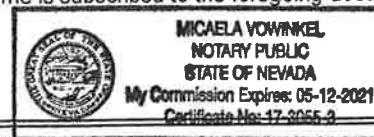
Date

Use additional page(s) if necessary for additional owners.

STATE OF NEVADA
COUNTY OF Carson

On January 23, 2018, Walletha E Sulezich, personally appeared before me, a notary public, personally known (or proved) to me to be the person whose name is subscribed to the foregoing document and who acknowledged to me that he/she executed the foregoing document.

M. Sulezich
Notary Public



NOTE: If your project is located within the Historic District or airport area, it may need to be scheduled before the Historic Resources Commission or the Airport Authority in addition to being scheduled for review by the Planning Commission. Planning staff can help you make this determination.

- 1) Yes, allowing a tattoo shop at this location will allow for greater business diversity in the area.
- 2) Opening a tattoo shop in this location will have many positive effects on the neighboring businesses and residences. Where once there was an empty store front there will be a thriving business that will help increase foot traffic and revenue for the neighboring shops.
- 3) The special use in this location will have 0 negative effects on traffic and parking. The location already exists and there will be no exterior changes required.
- 4) My business will have no effect at all on public services and will create no foreseeable issues.
- 5) As of right now the classification of tattoo shops as industrial is an issue, but with proper code amendment this will open the path to being able to open a tattoo shop without breaking any rules.
- 6) There will be no detrimental effects to public welfare or safety. All sterilization and safety regulations will be followed above and beyond what is required by industry standards.
- 7) If approved my business will have no impact whatsoever on neighboring businesses and residences. Tattoos create no: dust, noise, or any other pollutants of any kind.



Master Plan Policy Checklist

Special Use Permit, Major Project Review & Administrative Permits

PURPOSE

The purpose of a development checklist is to provide a list of questions that address whether a development proposal is in conformance with the goals and objectives of the 2006 Carson City Master Plan that are related to non-residential and multi-family residential development. This checklist is designed for developers, staff, and decision-makers and is intended to be used as a guide only.

Development Name: Jason's Bizarre

Reviewed By: _____

Date of Review: _____

DEVELOPMENT CHECKLIST

The following five themes are those themes that appear in the Carson City Master Plan and which reflect the community's vision at a broad policy level. Each theme looks at how a proposed development can help achieve the goals of the Carson City Master Plan. A check mark indicates that the proposed development meets the applicable Master Plan policy. The Policy Number is indicated at the end of each policy statement summary. Refer to the Comprehensive Master Plan for complete policy language.

CHAPTER 3: A BALANCED LAND USE PATTERN



The Carson City Master Plan seeks to establish a balance of land uses within the community by providing employment opportunities, a diverse choice of housing, recreational opportunities, and retail services.

Is or does the proposed development:

- Meet the provisions of the Growth Management Ordinance (1.1d, Municipal Code 18.12)?
- Use sustainable building materials and construction techniques to promote water and energy conservation (1.1e, f)?
- Located in a priority infill development area (1.2a)?
- Provide pathway connections and easements consistent with the adopted Unified Pathways Master Plan and maintain access to adjacent public lands (1.4a)?
- Protect existing site features, as appropriate, including mature trees or other character-defining features (1.4c)?



- At adjacent county boundaries or adjacent to public lands, coordinated with the applicable agency with regards to compatibility, access and amenities (1.5a, b)?
- In identified Mixed-Use areas, promote mixed-use development patterns as appropriate for the surrounding context consistent with the land use descriptions of the applicable Mixed-Use designation, and meet the intent of the Mixed-Use Evaluation Criteria (2.1b, 2.2b, 2.3b, Land Use Districts, Appendix C)?
- Meet adopted standards (e.g. setbacks) for transitions between non-residential and residential zoning districts (2.1d)?
- Protect environmentally sensitive areas through proper setbacks, dedication, or other mechanisms (3.1b)?
- Sited outside the primary floodplain and away from geologic hazard areas or follows the required setbacks or other mitigation measures (3.3d, e)?
- Provide for levels of services (i.e. water, sewer, road improvements, sidewalks, etc.) consistent with the Land Use designation and adequate for the proposed development (Land Use table descriptions)?
- If located within an identified Specific Plan Area (SPA), meet the applicable policies of that SPA (Land Use Map, Chapter 8)?

CHAPTER 4: EQUITABLE DISTRIBUTION OF RECREATIONAL OPPORTUNITIES



The Carson City Master Plan seeks to continue providing a diverse range of park and recreational opportunities to include facilities and programming for all ages and varying interests to serve both existing and future neighborhoods.

Is or does the proposed development:

- Provide park facilities commensurate with the demand created and consistent with the City's adopted standards (4.1b)?
- Consistent with the Open Space Master Plan and Carson River Master Plan (4.3a)?

CHAPTER 5: ECONOMIC VITALITY



The Carson City Master Plan seeks to maintain its strong diversified economic base by promoting principles which focus on retaining and enhancing the strong employment base, include a broader range of retail services in targeted areas, and include the roles of technology, tourism, recreational amenities, and other economic strengths vital to a successful community.

Is or does the proposed development:

- Encourage a citywide housing mix consistent with the labor force and non-labor force populations (5.1i)
- Encourage the development of regional retail centers (5.2a)
- Encourage reuse or redevelopment of underused retail spaces (5.2b)?
- Support heritage tourism activities, particularly those associated with historic resources, cultural institutions and the State Capitol (5.4a)?
- Promote revitalization of the Downtown core (5.6a)?



- Incorporate additional housing in and around Downtown, including lofts, condominiums, duplexes, live-work units (5.6c)?

CHAPTER 6: LIVABLE NEIGHBORHOODS AND ACTIVITY CENTERS



The Carson City Master Plan seeks to promote safe, attractive and diverse neighborhoods, compact mixed-use activity centers, and a vibrant, pedestrian-friendly Downtown.

Is or does the proposed development:

- Use durable, long-lasting building materials (6.1a)?
- Promote variety and visual interest through the incorporation of varied building styles and colors, garage orientation and other features (6.1b)?
- Provide variety and visual interest through the incorporation of well-articulated building facades, clearly identified entrances and pedestrian connections, landscaping and other features consistent with the Development Standards (6.1c)?
- Provide appropriate height, density and setback transitions and connectivity to surrounding development to ensure compatibility with surrounding development for infill projects or adjacent to existing rural neighborhoods (6.2a, 9.3b 9.4a)?
- If located in an identified Mixed-Use Activity Center area, contain the appropriate mix, size and density of land uses consistent with the Mixed-Use district policies (7.1a, b)?
- If located Downtown:
 - Integrate an appropriate mix and density of uses (8.1a, e)?
 - Include buildings at the appropriate scale for the applicable Downtown Character Area (8.1b)?
 - Incorporate appropriate public spaces, plazas and other amenities (8.1d)?
- Incorporate a mix of housing models and densities appropriate for the project location and size (9.1a)?

CHAPTER 7: A CONNECTED CITY



The Carson City Master Plan seeks to promote a sense of community by linking its many neighborhoods, employment areas, activity centers, parks, recreational amenities and schools with an extensive system of interconnected roadways, multi-use pathways, bicycle facilities, and sidewalks.

Is or does the proposed development:

- Promote transit-supportive development patterns (e.g. mixed-use, pedestrian-oriented, higher density) along major travel corridors to facilitate future transit (11.2b)?
- Maintain and enhance roadway connections and networks consistent with the Transportation Master Plan (11.2c)?
- Provide appropriate pathways through the development and to surrounding lands, including parks and public lands, consistent with the Unified Pathways Master Plan (12.1a, c)?

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