

STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF NOVEMBER 15, 2022

FILE NO: LU-2022-0435

AGENDA ITEM:6.E

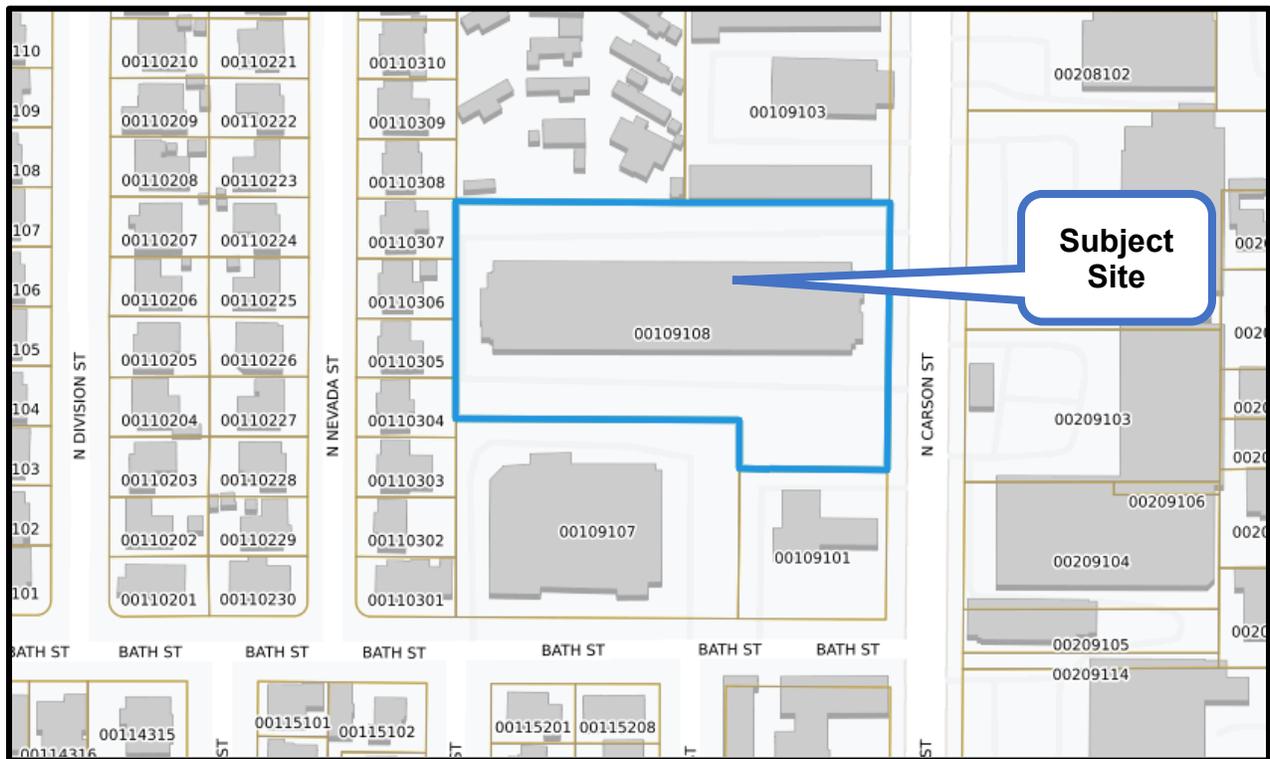
STAFF CONTACT: Heather Manzo, Associate Planner

AGENDA TITLE: For Possible Action: Discussion and possible action regarding an application from Marshall Stokes (“Applicant”) for a special use permit (“SUP”) to establish a tattoo parlor on a property zoned Retail Commercial (“RC”) located at 1802 North Carson Street, Assessor’s Parcel Number (“APN”) 001-091-08. (Heather Manzo, hmanzo@carson.org)

STAFF SUMMARY: The Applicant is proposing to establish a tattoo parlor within an existing tenant space. An SUP is required. The Planning Commission is authorized to approve the SUP.

PROPOSED MOTION: “I move to approve the special use permit Case No. LU-2022-0435 based on the ability to make the required findings, and subject to the conditions of approval contained in the staff report.”

VICINITY MAP:



RECOMMENDED CONDITIONS OF APPROVAL:

1. All development shall be substantially in accordance with the plans approved in association with this request.
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 must be requested in writing to the Planning Division of the Carson City Community Development Department ("Planning Division") 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. The Applicant must sign and return the Notice of Decision within ten (10) days of receipt of notification. If the Notice of Decision is not signed and returned within ten (10) days, then the item may be rescheduled for the next Planning Commission meeting for further consideration.
5. The Applicant shall obtain a Carson City business license prior to commencement of the use.

LEGAL REQUIREMENTS: Carson City Municipal Code ("CCMC"): 18.02.080 (Special Use Permits), and 18.04.130 Retail Commercial ("RC")

MASTER PLAN DESIGNATION: Community/Regional Commercial

PRESENT ZONING: Retail Commercial

KEY ISSUES: Will the proposed development be compatible with the surrounding neighborhood and be in keeping with the standards of the CCMC?

SURROUNDING ZONING AND LAND USE INFORMATION:

- EAST: RC / shopping center
- WEST: SF6 / single family residences
- NORTH: RC / motel & mobile home park
- SOUTH: RC / auto repair shop

ENVIRONMENTAL INFORMATION:

- FLOOD ZONE: X Shaded
- EARTHQUAKE FAULT: Greater than 500 feet
- FAULT ZONE: Moderate to severe, however the structure is existing
- SLOPE/DRAINAGE: Site is developed

SITE DEVELOPMENT INFORMATION:

- SITE SIZE: ±2.36 acres
- PROPOSED PROJECT: Occupy a suite within a multi-tenant building on a fully developed site

DISCUSSION: Per CCMC 18.04.130, a tattoo parlor is a conditional use in the RC zoning district. Therefore, the use may only be established upon approval of a special use permit by the Planning Commission. The Applicant wishes to occupy Suite 140 within an existing building and is requesting a special use permit to establish the use. No additions are being proposed, the existing landscape area will remain, and there is sufficient parking to accommodate the use.

PUBLIC COMMENTS: Public notices were mailed on November 3, 2022 to 124 property owners and 177 mobile home park residents within 600 feet of the subject property. As of the writing of this report, no comments from property owners in the vicinity of the proposed project have been received. Any comments that are received after this report is completed will be submitted to the Planning Commission prior to or at the meeting on November 15, 2022, depending on the date of submission of the comments to the Planning Division.

OTHER CITY DEPARTMENTS OR OUTSIDE AGENCY COMMENTS: The following comments were received from various City departments. Recommendations have been incorporated into the recommended conditions of approval, where applicable.

Carson City Public Works Department, Engineering Division (“Development Engineering”): Development Engineering has no preference or objection to the special use request provided that the following conditions are met:

- The project must meet all Carson City Development Standards and Standard Details including but not limited to the following:
 - An appropriate backflow preventor must be installed.

ENGINEERING DISCUSSION:

Development Engineering has reviewed the application within our areas of purview relative to adopted standards and practices and to the provisions of CCMC 18.02.080, Conditional Uses. Development Engineering offers the following discussion:

CCMC 18.02.080(5)(a) - Master Plan

The request is not in conflict with any Engineering Master Plans.

CCMC 18.02.080(5)(b) – Use, Peaceful Enjoyment, Economic Value, Compatibility

Development Engineering has no comment on this finding.

CCMC 18.02.080(5)(c) - Traffic/Pedestrians

The project will have little or no detrimental effect on vehicular or pedestrian traffic.

CCMC 18.02.080(5)(d) - Public Services

Sanitary Sewer: There is an existing 8-inch asbestos concrete main in Carson Street to the east of this parcel. This main is approximately 40% full (d/D). There is sufficient capacity to serve the project.

Water: There is sufficient capacity in the City water system to serve the project. A backflow device needs to be installed per Carson City Development Standards.

Storm Drain: The project will have no impact on the City storm water system.

CCMC 18.02.080(5)(e) – Title 18 Standards

Development Engineering has no comment on this finding.

CCMC 18.02.080(5)(f) – Public health, Safety, Convenience, and Welfare

The project meets engineering standards for health and safety

CCMC 18.02.080(5)(g) – Material Damage or Prejudice to Other Property

Development Engineering has no comment on this finding.

CCMC 18.02.080(5)(h) – Adequate Information

The plans and reports provided were adequate for this analysis.

Carson City Fire Department:

The project must comply with the International Fire Code and Northern Nevada Fire Code amendments as adopted by Carson City.

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 master plan elements.*

The requested development is consistent with the concept of a Compact and Efficient Pattern of Growth (Guiding Principle 1). Carson City is committed to a compact pattern that makes efficient use of the limited land area and water resources it has available for urban growth, and that fosters the provision of infrastructure and services in a cost-effective manner. The subject property is served by water and sewer.

Goal 1.2 of the Master Plan discusses promoting infill and redevelopment in targeted areas. It encourages mixed-use development as a redevelopment strategy along the City's major gateway corridors.

The proposed project will support uses within an existing building with existing site improvements and infrastructure. The request is consistent with the concepts of compact development, placing people near economic centers to encourage mixed-use activity centers, and promotes infill along one of the City's major gateways.

2. *Will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and will cause no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity.*

This use will not be detrimental to the use, peaceful enjoyment, or economic value of surrounding properties. The request will bring more activity to an existing property along the Carson Street corridor. The use is compatible with surrounding commercial uses.

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

The proposed use is not anticipated to have a detrimental effect on vehicular or pedestrian traffic. The site is developed, existing access will be utilized, sidewalks exist along the site frontage, and there is sufficient capacity in the roadway network to support the proposed use.

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 site is within a developed area of the City and adequate public facilities and services exist to serve the site. No additional site improvements are proposed or needed to accommodate the use.

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.*

A tattoo parlor is a conditional use in accordance with CCMC 18.04.130 Retail Commercial Conditional Uses and requires a special use permit. As proposed and with the recommended conditions of approval, the project will meet the definition and specific standards required to support this use in the RC zoning district.

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

The use will be located in a commercial zoning district, located along a major arterial, and is within an existing building served by existing site improvements and infrastructure. As conditioned, the proposed use will not be detrimental to public health, safety, convenience, and welfare. The use is compatible with other uses in the neighborhood.

7. *Will not result in material damage or prejudice to other property in the vicinity.*

The proposed use will be established within an existing building and on a fully developed site. The use is compatible with other surrounding commercial uses and will not result in material damage to other property in the vicinity.

Attachments:

Application LU-2022-0435

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

FOR OFFICE USE ONLY:

CCMC 18.02.080

SPECIAL USE PERMIT

FEE*: \$2,450.00 MAJOR
\$2,200.00 MINOR (Residential zoning districts)
+ noticing fee

*Due after application is deemed complete by staff

SUBMITTAL PACKET – 4 Complete Packets (1 Unbound Original and 3 Copies) including:

- Application Form
- Detailed Written Project Description
- Site Plan
- Building Elevation Drawings and Floor Plans
- Special Use Permit Findings
- Master Plan Policy Checklist
- Applicant's Acknowledgment Statement
- Documentation of Taxes Paid-to-Date
- Project Impact Reports (Engineering)

CD or USB DRIVE with complete application in PDF

Application Received and Reviewed By:

Submission Deadline: Planning Commission application submittal schedule.

Note: Submittals must be of sufficient clarity and detail for all departments to adequately review the request. Additional information may be required.

FILE

APPLICANT **Marshall Stokes** PHONE # **775 400 2660**

MAILING ADDRESS, CITY, STATE, ZIP
PO Box 770, Carson City, NV 89702

EMAIL ADDRESS
marshall@battleborn.email

PROPERTY OWNER PHONE #

MAILING ADDRESS, CITY, STATE, ZIP

EMAIL ADDRESS

APPLICANT AGENT/REPRESENTATIVE PHONE #

MAILING ADDRESS, CITY STATE, ZIP

EMAIL ADDRESS

Project's Assessor Parcel Number(s):

001-091-08

Street Address

1802 N Carson St. Ste. 140

Project's Master Plan Designation

Community Regional/Comm

Project's Current Zoning

RC

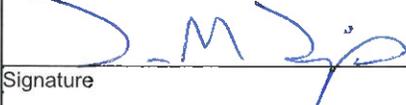
Nearest Major Cross Street(s)

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

See attached

PROPERTY OWNER'S AFFIDAVIT

I, **Joey Jennings**, 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

1802 N Carson St Suite 110 Carson City NV 89701

Address

10/4/2022

Date

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

STATE OF NEVADA
COUNTY **WASHOE**

On **October 4th, 2022**, **Joey Jennings**, 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 he acknowledged to me that he/she executed the foregoing document.

Notary Public



LILIA CEBOTARI
Notary Public, State of Nevada
Appointment No. 17-2088-2
My Appt. Expires Apr 3, 2025

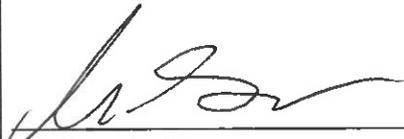
NOTE: If your project is located within the Historic District or airport area, it may need to be scheduled before the Historic Resources Commission or the Airport Authority in addition to being scheduled for review by the Planning Commission. Planning staff can help you make this determination.

If there is any additional information that would provide a clearer picture of your proposal that you would like to add for presentation to the Planning Commission, please be sure to include it in your detailed description.

Please type and sign the statement on the following page at the end of your findings response.

ACKNOWLEDGMENT OF APPLICANT

I certify that the forgoing statements are true and correct to the best of my knowledge and belief. I agree to fully comply with all conditions as established by the Planning Commission. I am aware that this permit becomes null and void if the use is not initiated within one-year of the date of the Planning Commission's approval; and I understand that this permit may be revoked for violation of any of the conditions of approval. I further understand that approval of this application does not exempt me from all City code requirements.


Applicant's Signature

MARSHALL STOKES
Print Name

10/5/22
Date

Master Plan Policy Checklist

Special Use Permits & Major Project Reviews & 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: Odyssey

Reviewed By: Marshall Stokes

Date of Review: Oct 3, 2022

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 (5.1j)
- 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 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 (12.1 a, c)?

Detailed Written Project Summary

Marshall Stokes - Odyssey

Description of the Business:

Tattoo Parlor specializing in custom designs.

Hours of Operation:

Tuesday through Saturday 11am-5pm and by appointment.

Goals:

To provide tattoo services in Carson City. Odyssey will work with independent artists that wish to perform tattooing a safe and healthy environment.

Special Use Permit Application Findings

Marshall Stokes – Odyssey

1. Odyssey will be consistent with the codes and objectives of the Carson City Master Plan. The business will engage in local commerce by providing tattoo services to the public using existing Retail/Commercial property.

2. Odyssey is compatible with the character and integrity of the adjacent businesses; it will respect the use, peaceful enjoyment, economic value and development of the general neighborhood.

A. The facility will be located in the Canyon Falls Business Center, zoned Retail/Commercial, on the west side of N. Carson St. To the north is the recently converted Warren Inn, which is under the same ownership as the Canyon Falls Business Center. Across N. Carson St., to the east, is a strip mall also zoned Retail/Commercial.

B. There is a community of like-minded businesses within the building, including a permanent makeup studio and the Dark Willow Emporium that provides small symbolic tattoos to their spiritual clients. Dark Willow Emporium received their Special Use Permit earlier this year.

Within the building are several hair and nail salons, community churches, a game store, an insurance company and other private businesses. We will work to mitigate adverse impacts including noise, vibrations, fumes, odors, dust glare and physical activity.

C. The tattoo services provided by Odyssey will not negatively affect the other businesses occupying the retail commercial building. It will respect the peaceful enjoyment, economic value and development of the neighborhood and adjacent commercial and residential properties.

D. No changes will be made to outdoor lighting.

E. No changes will be made to the existing landscaping on the property.

F. A new tattoo parlor will provide options to customers as well as independent artists that wish to do business in Carson City. It will bring people into town that are looking for custom body decorations performed in a safe, healthy and friendly environment.

3. There will be little impact on pedestrian and vehicular traffic; no additional walkways or traffic lights will be needed because traffic to the area will not substantially increase during open hours.

4. Odyssey 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.

A. Services will not be provided to students under the age of 18 without parental consent in accordance with state laws.

B. Odyssey will be located in a building that has a security system as to not overburden police protection; we will comply with fire codes and inspections by the Carson City Fire Department.

C. The water supply serving the building is adequate to meet the needs of the business without degrading the supply and quality of the other tenants.

D. Drainage will not be affected as there will be no changes made to the exterior of the building.

E. The facility will be located within an building currently connected to a sewage disposal trunk line with adequate capacity.

F. No road improvements are needed for accommodation.

5. Tattoo parlors fall under the Conditional Use category for Invasive Body Decorations; this Special Use Permit is required because Odyssey wishes to be located in a retail commercial building as defined by the Carson City Municipal Code, Title 18.

6. Odyssey will not be detrimental to the public health, safety, convenience and welfare. The interior space requires minimal upgrades to comply with health codes and will be completed through cooperation with the building owners and Carson City Health and Human Services.

7. This project will not result in material damage or prejudice to other property in the vicinity, as explained above.



American Academy of CPR & First Aid, Inc.

This is to certify that

MARSHALL STOKES

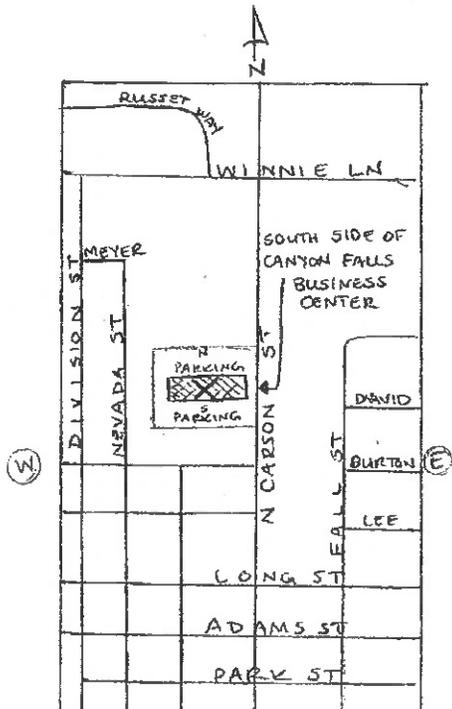
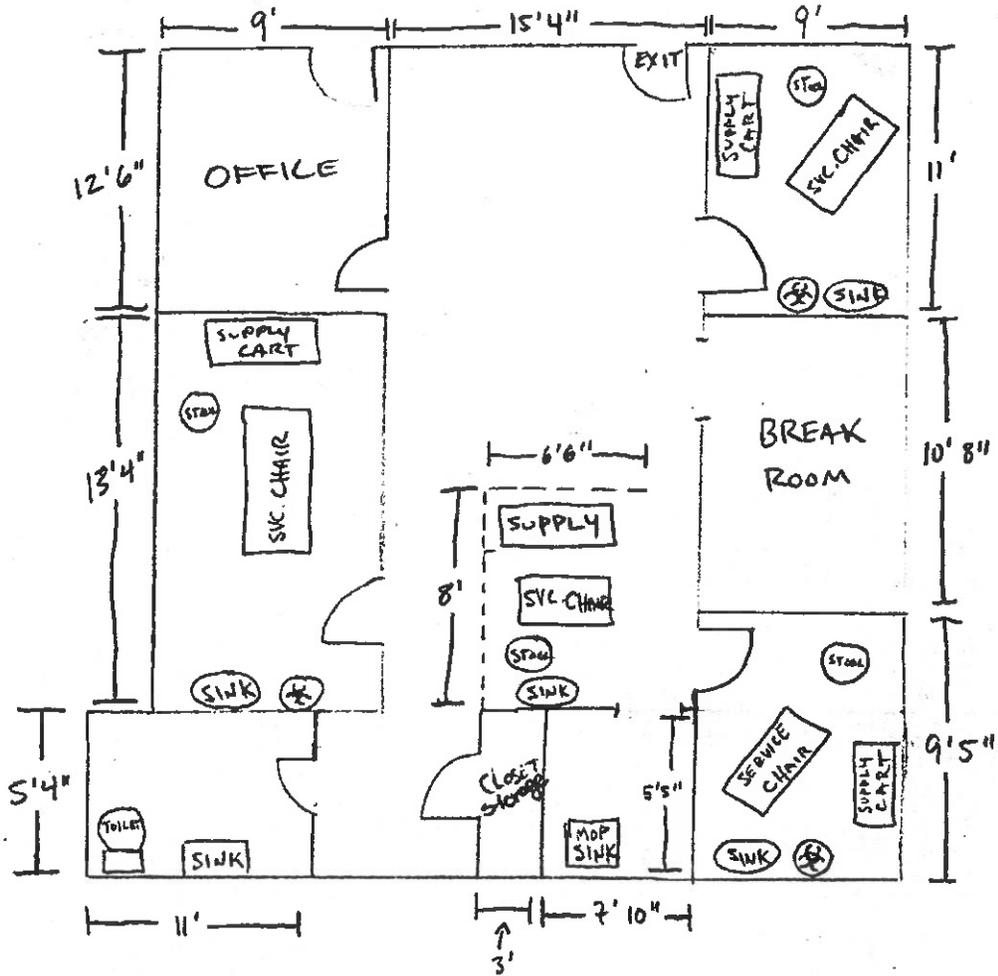
has completed the course in

Blood Borne Pathogens

This individual has successfully completed the above mentioned course, and has demonstrated proficiency in the subject by passing the examination, in accordance with the terms and condition of American Academy of CPR and First Aid, Inc.

AB1406691-BBP	09/26/2022	09/26/2023	<i>J. Gowani MD</i>
<i>Certification Number</i>	<i>Issue Date</i>	<i>Renewal Date</i>	<i>Director of Training Jebangir Gowani, MD</i>

ODYSSEY SITE PLAN



OWNER: Marshall Stokes
 PO Box 770
 Carson City, NV 89702
 775-400-2666

APPLICANT: Same

REQUEST: To allow tattoo services

LOCATION: 1802 N Carson St
 Suite 140
 Carson City, NV 89701

ZONING: Retail Commercial (RC)

APN: 00109108

MASTER PLAN
 LAND USE: 400 - General Commercial

Site plan prepared by Marshall Stokes

