

**MEETING DATE:** November 16, 2021

**STAFF:** Stuart Borders, Senior Planner

**PROJECT NAME:** Pegasus Tattooing and Arts

**CASE NUMBER / REQUEST:** Case 21-200-07 – Special Use Permit – 2400 S. Lee’s Summit Road, Unit 150 – Lacie Greer requests approval to run a body art shop

**APPLICANT:** Lacie Greer, Pegasus Tattooing and Arts

**PROPERTY OWNER:** GMC 2400 LLC

**PROPERTY ADDRESS:** 2400 S. Lee’s Summit Road, Unit 150

**SURROUNDING ZONING / LAND USE:**

**North/West:** C-2; Various commercial businesses

**South:** R-6 (Single Family Residential); Single family homes

**East:** R-6; City stormwater management facility

**PUBLIC NOTICE:**

- Letters to adjoining property owners – October 28, 2021
- Public notice published in the Independence Examiner – October 30, 2021
- Sign posted on property – October 29, 2021

**FURTHER ACTION:**

Following action by the Planning Commission, this special use permit request is scheduled for first reading by the City Council on December 6<sup>th</sup> and the public hearing/second reading on December 20<sup>th</sup>.

**RECOMMENDATION**

Staff recommends **APPROVAL** of this application with the following conditions:

1. This special use permit is restricted to Unit 150, 2400 S. Lee’s Summit Road.
2. The applicant will obtain and maintain all applicable City and State licenses and comply with all health requirements.

**PROJECT DESCRIPTION & BACKGROUND INFORMATION**

**PROJECT DESCRIPTION:**

Lacie Greer requests approval to operate a body art shop at 2400 S. Lee’s Summit Road, Unit 150.

**Current Zoning:** O-1 (Office Residential); [in process of rezoning to C-2]

**Current Use:** Office/commercial building

**Proposed Use:** Body art shop

**Acreage:** 1.18 acres +/-

**Unit Square Foot:** 1,250 SF+/- (Rental)

## **BACKGROUND & HISTORY:**

Lacie Greer has been a licensed tattoo artist for 14 years; most recently employed in the Crossroads District in Kansas City, Missouri. She has decided to open her own business, 'Pegasus Tattooing and Arts' in the commercial building at 2400 S. Lee's Summit Road, just south of 23<sup>rd</sup> Street. Her business will operate in Unit 150, a roughly 1,250 SF space on the south half of the building. She states the space suits her needs and will be making only minor, cosmetic improvements to the unit. Initially she will be the sole artist, but she may rent out space to other artists in the future.

In addition to the proposed body art shop, the building has multiple rental spaces which are occupied by an insurance agent, a hair salon, a donut shop, and a martial arts studio.

The limit on the number of body art shops is now eight, an increase from seven due to the city's 2020 census population of 123,011, up from 116,830 in 2010. There are currently five locations in the city, including the shop in the ARTS District approved this summer.

## **ANALYSIS**

### **Consistency with *Independence for All*, Strategic Plan:**

This proposed use could help support the economic prosperity of this commercial node by occupying a vacant space in an existing commercial building.

### **Comprehensive Plan Guiding Land Use Principles:**

The City Comprehensive Plan recommends Commercial Use for this site. This quadrant of this has had commercial zoning and uses for decades and is expected to remain as such for the foreseeable future.

**Historic and Archeological Sites:** There are no apparent historic/archeological issues with this property.

**Public Utilities:** All utilities are present on the site and operational.

## **REVIEW CRITERIA**

Recommendations and decisions on special use permit applications must be based on consideration of all the following criteria:

### **1. Compatibility of the proposed use with the character of the neighborhood.**

*The intersection just north of this site contains a mix of small and large businesses such as restaurants, a grocery store, a drug store, offices, small retail stores, auto services, and a hair salon. The building where the applicant seeks to locate has been leased for an assortment of commercial uses over the years.*

### **2. The extent to which the proposed use is compatible with the adjacent zoning and uses.**

*As mentioned previously, there is an assortment of businesses in this area and this proposed use should have minimal impact. This application is running concurrent with a rezoning application from O-1 to C-2 for the southern portion of the building with this proposed use.*

**3. The impact of the proposed use on public facilities.**

*All public facilities are in place here and this proposed business is not a significant consumer of water, sanitary sewer, and electricity services.*

**4. The suitability of the property for the permitted uses to which it has been restricted under the applicable zoning district regulations.**

*This special use permit would allow one additional land use not already permitted by right in a C-2 district. This use would be enclosed and restricted to one unit.*

**5. The extent to which the proposed use may injure or detrimentally affect the use of enjoyment of property in the area.**

*Based upon the site's zoning and long use as a commercial property, this use is not expected to affect any of these issues.*

**6. The extent to which the proposed use will create excessive stormwater runoff, air pollution, noise pollution or other environmental harm.**

*As this is a developed site, there will be no change in stormwater drainage. This small shop in the existing building will not create any more extensive noise, air, or environmental pollution than other uses that do not require a special use permit.*

**7. The extent to which there is a need for the use in the community.**

*The maximum number of body art shop locations in the city is restricted to eight. As a few shops have shuttered recently, the total number of active shops now stands at five; this proposed business would be the sixth location.*

**8. The ability of the applicant to satisfy any requirements applicable to the specific use imposed pursuant to this article.**

*If approved with a special use permit, the application satisfies the requirements Section 14-416 of the Unified Development Ordinance.*

**9. The extent to which public facilities and services are available and adequate to meet the demand for facilities and services generated by the proposed use.**

*This is an long existing commercial property, all public facilities are in place and operational.*

**10. Conformance of the proposed use to the comprehensive plan and other adopted plans and policies.**

*The City's updated Comprehensive Plan envisions Commercial Use for this site and this use is consistent.*

**11. The extent to which the use will impact sustainability or revitalization of a given area.**

*This special use permit would allow this business to utilize a vacant rental space in an existing commercial property helping to sustain the commercial base of the area.*

**EXHIBITS**

1. Application
2. Company Logo
3. Applicants Letter
4. Mailing affidavit
5. Notification Letter
6. Mailing list
7. Comp Plan Map
8. Zoning map