

MEETING DATE: January 11, 2022

STAFF: Brian L. Harker, Planner

PROJECT NAME: 1103 Galleree~

CASE NUMBER/REQUEST: Case 22-200-01 – Special Use Permit – 217 S. Main Street, Independence, MO – Jeremy & Aimee Taylor (Ulberg) requests approval to operate a body art shop

APPLICANT: Jeremy & Aimee Taylor (Ulberg)

PROPERTY OWNER: Myong Pak-Schuman

PROPERTY ADDRESS: 217 S. Main Street

SURROUNDING ZONING/LAND USE:

North: C-2 (General Commercial)...nonprofit

South: C-2 (General Commercial)...event center

East: C-2 (General Commercial)...church ministry

West: C-2 (General Commercial)...bible college

PUBLIC NOTICE:

- Letters to adjoining property owners – December 20, 2021
- Public notice published in the Independence Examiner – December 23, 2021
- Sign posted on property – December 23, 2021

FURTHER ACTION:

Following action by the Planning Commission, this Special Use Permit request is scheduled for first reading by the City Council on February 7th and the public hearing/second reading on February 22nd.

RECOMMENDATION

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

1. This special use permit is restricted to 217 S. Main Street, only.
2. An opaque door (wood or metal) shall be installed on the existing trash enclosure.
3. The parking lot shall be clearly striped.
4. A van accessible handicapped space with marking and sign shall be provided.
5. The applicant will obtain and maintain all applicable City and State licenses and comply with all health requirements.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION:

Jeremy & Aimee Taylor (Ulberg) request approval to operate a body art shop at 217 S. Main Street.

Current Zoning: C-2 (General Commercial)
Current Use: Vacant bar
Acreeage: 8,866-square feet

Proposed Use: Body art shop
Building Square Footage: 750-square footage+/-

BACKGROUND & HISTORY:

The applicants are applying to open a tattoo studio at 217 S. Main Street, the former location of Tommy’s Tavern. The business intends to operate mainly during the day and will be by appointment only. There will only be two tattoo artists working at any time.

The former tavern site has off-street parking located to the rear of the property. However, these spots will need to be clearly striped, and a van-accessible handicapped parking space must be provided and signed.

The owner has indicated that there will be minimal exterior improvements (like painting) to the existing building. Additionally, opaque metal or wood doors should be installed on the existing trash enclosure.

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 six locations in the city.

ANALYSIS

Consistency with *Independence for All*, Strategic Plan:

This proposed use could help support the economic prosperity of this commercial area 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 area 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.

Driving Surface and Parking Lot: A paved driving surface and parking lot occupy all of the property that is not building, accessory structure or trash enclosure. The parking lot shall be clearly striped and a signed and a marked van-accessible handicapped space shall be provided.

Landscaping: Similar to most properties located on the Square, the property does not have any greenspace or landscaping. In the case of renovations and remodeling of existing buildings, landscape may need to be provided. The requirement is based on the level of investment.

Trash Enclosure: The applicant needs to install an opaque door (wood or metal) on the existing trash enclosure.

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 of the following criteria:

- 1. Compatibility of the proposed use with the character of the neighborhood.**
The area of the square contains a mix of businesses such as restaurants, offices and small retail stores.
- 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 on the neighborhood.
- 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.
- 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, it 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 an existing building will not create any more extensive noise, air or environmental pollution than other uses that don't 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 six; this proposed business would be the seventh 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 appears to satisfy 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 a long existing commercial property, all public facilities 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.
- 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 commercial property helping to sustain the Square.

EXHIBITS

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