

Agenda Item #3

CU-2023-02 Conditional Use Permit (CUP) by Anthony Tong, 307 East Jane Street, ~0.33 acres,

Mr. Martin presented the case in which the applicant, Mr. Anthony Tong is requesting a Conditional Use Permit (CUP) for a “Tattoo Parlor/Studio” in an Office Professional (O-P) zoning district. The subject property consists of 0.33 acres located at 307 East Jane Street, which is along the south side of the street about 300 feet east of Williams Street and about 500 feet west of North Ashley Street. (** This is the same property that was rezoned from R-P to O-P by City Council on April 6th at the request of this same applicant.) The property contains a small vacant office building (2,034-sf) with small front and rear yard parking areas. The applicant is proposing to expand his existing “Urban Ink” tattoo parlor from its current location at 1507 North Ashley Street, to become a tenant in this second location in order to be closer to VSU. This proposed use requires a CUP in O-P zoning (which is why the applicant requested the rezoning to O-P, in order to make the proposed use eligible for consideration). The applicant is currently not proposing any exterior changes to the building.

The subject property is located within a Transitional Neighborhood (TN) Character Area on the Future Development Map of the Comprehensive Plan.

As discussed with the recent Rezoning request for this property, the surrounding land use pattern is dominated by a mixture of both residential and professional office type uses. However, in terms of overall character, this area still has a strong “residential” feel to it in terms of older homes that have been converted to offices but keeping their residential style, the urban tree canopy, narrow streets with light traffic, etc.. Because of these factors, staff was opposed to the rezoning to O-P. However, since the O-P zoning has now been approved by City Council, the attention now turns to that of CUP criteria (see pages 3-4 herein) and overall compatibility of the proposed use with its surroundings. Staff recognizes the limited size of the existing building (2,034-sf) will go a long way in limiting the potential magnitude of the facility, but believes there should be some additional limitations to aid in the compatibility with the surrounding R-P development pattern. Included in these are limitations on the hours of operation, as well as signage being restricted to a primarily R-P standard.

Staff finds the request consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommends approval to the City Council, subject to the following conditions:

- (1) Approval shall be granted in the name of the applicant only, for a Tattoo Parlor/Studio business in O-P zoning, and for the existing building only – with no building expansions greater than 100 square feet cumulative. This shall be a single tenant/business occupancy with no other tenants/businesses allowed on the premises.
- (2) Hours of operation shall be limited to within the hours of 7am – 6pm daily.
- (3) Signage shall be in strict accordance with O-P requirements without Variance. No signs shall be internally lit. There shall be no directional signs, nor any temporary signs nor attention-getting devices of any kind.
- (4) Conditional Use approval shall expire one (1) year from the date of approval if no City business license has been obtained by that date.