

Request

Conditional Use Permit (Tattoo Parlor)

Staff Recommendation

Approval

Staff Planner

Marchelle Coleman

Location

1612 Laskin Road, Suite 774

GPIN

2407898434

Site Size

18.4 acres

AICUZ

Greater than 75 dB DNL

Watershed

Chesapeake Bay

Existing Land Use and Zoning District

Retail / B-2 Community Business

Surrounding Land Uses and Zoning Districts

North

Laurel Lane

Single-family dwellings / R-7.5 Residential

South

Laskin Road

Retail / B-2 Community Business

East

Retail / B-2 Community Business

West

Retail / B-2 Community Business



Background and Summary of Proposal

- The applicant is requesting a Conditional Use Permit for a Tattoo Parlor, specifically for the application of permanent makeup, known as microblading. The operation will occur within an existing salon in the Hilltop Shopping Center along Laskin Road.
- According to the application, the microblading portion of the business will have one employee. The typical hours of operation will be between 10:00 a.m. – 6:00 p.m., Wednesday through Saturday.
- No exterior changes are proposed to the building or to the existing signage.

	Zoning History	
	#	Request
	1	CUP (Tattoo Parlor) Approved 03/21/2017
	2	CUP (Automobile Repair Garage) Approved 12/08/2015
	3	CUP (Open Air Market) Approved 02/26/2013
	4	MOD Approved 04/28/2009 CUP (Tattoo Studio) Approved 09/23/2008
	5	SVR Approved 05/11/2004 CUP (Automated Car Wash) Approved 08/27/2002
	6	CUP (Indoor Recreation Center) Approved 02/27/2001 CUP (YMCA and Child Care Center) Approved 01/12/1993
	7	CUP (Private School) Approved 09/14/1999 CUP (Private School) Approved 05/28/1996
	8	CRZ (R-10 & B-2 to Conditional B-2) Approved 02/23/1999
	9	CUP (Church) Approved 10/24/1993
10	CUP (Indoor Recreation Center for Children) Approved 02/09/1993	
11	CUP (Eating & Drinking Establishment and Commercial Recreational Facility) Approved 10/13/1992	
Application Types		
CUP – Conditional Use Permit REZ – Rezoning CRZ – Conditional Rezoning	MOD – Modification of Conditions or Proffers NON – Nonconforming Use STC – Street Closure	FVR – Floodplain Variance ALT – Alternative Compliance SVR – Subdivision Variance

Evaluation and Recommendation

The request for the Conditional Use Permit is, in Staff's opinion, acceptable given that the use will be compatible with the other existing commercial businesses within the shopping center and along this section of Laskin Road.

Prior to operating on the site, the applicant is required to obtain a business license and the Health Department must verify that the business meets all requirements of Chapter 23 of the City Code. This section of the codes establishes standards for disclosure, hygiene, licenses, waivers, proof of age, recordkeeping, inspections, cleanliness, vaccinations, and permitting. A Certificate of Occupancy will not be issued until the requirements of the Health Department are met.

For the reasons stated above, Staff recommends approval of this application, subject to the conditions listed below.

Recommended Conditions

1. A business license for the Tattoo Parlor shall not be issued to the applicant without the approval of the Health Department to ensure consistency with the provisions of Chapter 23 of the City Code.
2. This Conditional Use Permit for a Tattoo Parlor shall be limited to only microblading, a tattooing technique used in the application of permanent make-up. No other form of tattooing shall be permitted.
3. The actual application of permanent makeup shall not be visible from the exterior of the establishment or from the waiting and sales area within the establishment.
4. Any on-site signage for the establishment shall meet the requirements of the City Zoning Ordinance, and there shall be no neon, electronic display or similar sign installed on the exterior of the building or in any window, or on the doors. Building signage designed to be a “box sign” and signage for windows shall not be permitted. A separate sign permit shall be obtained from the Planning Department for the installation of any new signs.

Comprehensive Plan Recommendations

The Comprehensive Plan identifies this site as being located within the Hilltop Strategic Growth Area (SGA). The Hilltop SGA is home to a wealth of local businesses with a variety of retail, restaurant, office, health, and recreational uses. The Hilltop Strategic Growth Area Master Plan provides recommendations for this SGA. The general planning principles for the Hilltop SGA includes providing a mix of retail, restaurants, and office uses; building a network of streets to improve traffic flow; and matching quality of local businesses with an equally memorable built setting. (Sec. 1.2, pp.1-47, 1 – 48)

Natural and Cultural Resources Impacts

The site is located within the Chesapeake Bay Watershed. As the site is already developed, there does not appear to be any significant environmental or cultural features on the site.

Traffic Impacts

Street Name	Present Volume	Present Capacity	Generated Traffic
Laskin Road	31,190 ADT ¹	27,300 ADT ¹ (LOS ² “D”) 31,700 ADT ¹ (LOS ² “E”)	No Change Anticipated ³
First Colonial Road	39,100 ADT ¹	27,300 ADT ¹ (LOS ² “D”) 31,700 ADT ¹ (LOS ² “E”)	
¹ Average Daily Trips ² LOS = Level of Service ³ average daily trips not expected to change			

Master Transportation Plan (MTP) and Capital Improvement Program (CIP)

First Colonial Road, in this vicinity, is considered a four-lane divided major urban arterial. The existing infrastructure currently resides in a 90-foot right-of-way. The MTP proposes a six-lane facility within a 165-foot right-of-way. Currently, this segment of roadway is functioning over the maximum Level of Service “E” and there currently is no CIP projects slated for this segment of First Colonial Road.

Laskin Road, in this vicinity, is considered a four-lane divided major urban arterial. In addition to the existing four-lane section of road, there are two lane local access roads parallel to the mainline portion of roadway. One on the south side of Laskin Road and one on the north side of Laskin Road. The existing infrastructure currently resides in a 160 foot right-

of-way. The MTP proposes an eight lane facility within a 165 foot right-of-way. Currently, this segment of roadway is functioning over-capacity at a Level of Service E.

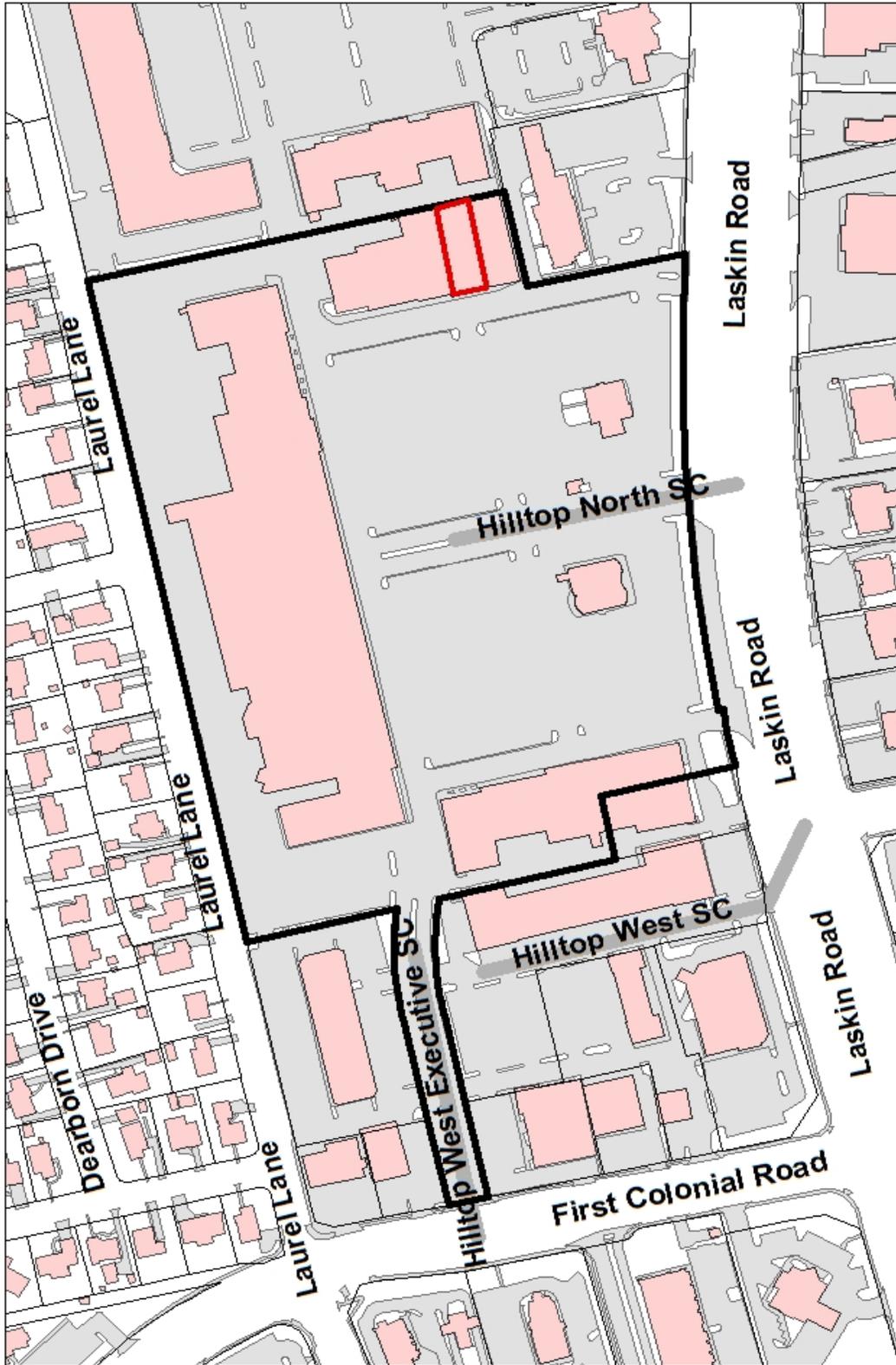
There is a roadway CIP project slated for this area. Laskin Road – Phase I (CIP 2-156) is for the construction of an eight lane divided highway in a 160 foot right-of-way from Republic Road to Winwood Drive and a six lane divided highway in a 150 foot right-of-way from Winwood Drive to Oriole Drive with multi-use path and sidewalk. These limits include the intersections at First Colonial Road and at Birdneck Road. Construction of this project will begin in 2019.

Public Utility Impacts

Water & Sewer

This site is currently connected to both City water and sanitary sewer service.

Site Layout – Specific Unit Identified



Just Browsing, LLC
1612 Laskin Road, Suite 774
Virginia Beach, VA

Legend

-  Unit
-  Site
-  Parking Lot Drive Aisle
-  Building

Site Photo





APPLICANT'S NAME Just Browsing, LLC

DISCLOSURE STATEMENT FORM

The completion and submission of this form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Virginia Beach requiring action by the City Council or a board, commission, or other body appointed by the City Council. Such applications and matters include, but are not limited to, the following:

Acquisition of Property by City	Disposition of City Property	Modification of Conditions or Proffers
Alternative Compliance, Special Exception for	Economic Development Investment Program (EDIP)	Nonconforming Use Changes
Board of Zoning Appeals	Encroachment Request	Rezoning
Certificate of Appropriateness (Historic Review Board)	Floodplain Variance	Street Closure
Chesapeake Bay Preservation Area Board	Franchise Agreement	Subdivision Variance
Conditional Use Permit	Lease of City Property	Wetlands Board
	License Agreement	

The disclosures contained in this form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law.

SECTION 1/ APPLICANT DISCLOSURE

FOR CITY USE ONLY / All disclosures must be updated two (2) weeks prior to any Planning Commission and City Council meeting that pertains to the application(s).

Page 1 of 7

<input type="checkbox"/>	APPLICANT NOTIFIED OF HEARING	DATE:	
<input type="checkbox"/>	NO CHANGES AS OF	DATE:	
<input type="checkbox"/>	REVISIONS SUBMITTED	DATE:	



Check here if the **APPLICANT IS NOT** a corporation, partnership, firm, business, or other unincorporated organization.

Check here if the **APPLICANT IS** a corporation, partnership, firm, business, or other unincorporated organization.

(A) List the Applicant's name: Just Browsing, LLC

If an LLC, list all member's names:

Julie A. Fobear

If a CORPORATION, list the the names of all officers, directors, members, trustees, etc. below: *(Attach list if necessary)*

(B) List the businesses that have a parent-subsiary ¹ or affiliated business entity ² relationship with the Applicant: *(Attach list if necessary)*

See next page for information pertaining to footnotes ¹ and ²

SECTION 2 / PROPERTY OWNER DISCLOSURE

Complete Section 2 only if property owner is different from Applicant.

Check here if the **PROPERTY OWNER IS NOT** a corporation, partnership, firm, business, or other unincorporated organization.

Check here if the **PROPERTY OWNER IS** a corporation, partnership, firm, business, or other unincorporated organization, **AND THEN**, complete the following.

(A) List the Property Owner's name: SUSU Developers, LLP

If an LLC, list the member's

names: See attached Exhibit A



If a Corporation, list the names of all officers, directors, members, trustees, etc. below: *(Attach list if necessary)*

- (B) List the businesses that have a parent-subsiary¹ or affiliated business entity² relationship with the Property Owner: *(Attach list if necessary)*

¹ "Parent-subsiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

² "Affiliated business entity relationship" means "a relationship, other than parent-subsiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

SECTION 3. SERVICES DISCLOSURE

Are any of the following services being provided in connection with the subject of the application or any business operating or to be operated on the Property. If the answer to any item is YES, please identify the firm or individual providing the service: IF THE OWNER AND APPLICANT ARE DIFFERENT, EACH MUST COMPLETE THE SECTION SEPERATELY



APPLICANT

YES	NO	SERVICE	PROVIDER (use additional sheets if needed)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Accounting and/or preparer of your tax return	Dawn Kroboth, Accountant
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Architect / Landscape Architect / Land Planner	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Contract Purchaser (if other than the Applicant) - identify purchaser and purchaser's service providers	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Any other pending or proposed purchaser of the subject property (identify purchaser(s) and purchaser's service providers)	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Construction Contractors	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Engineers / Surveyors/ Agents	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Financing (include current mortgage holders and lenders selected or being considered to provide financing for acquisition or construction of the property)	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Legal Services	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Real Estate Brokers / Agents/Realtors for current and anticipated future sales of the subject property	

SECTION 4. KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE

YES NO

Does an official or employee of the City of Virginia Beach have an interest in the subject land or any proposed development contingent on the subject public action?

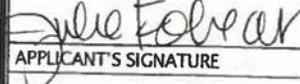
If yes, what is the name of the official or employee and what is the nature of the interest?



CERTIFICATION:

I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.

I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein two weeks prior to the Planning Commission, Council, VBDA meeting, or meeting of any public body or committee in connection with this Application.

	Julie Fobear	2-20-19
APPLICANT'S SIGNATURE	PRINT NAME	DATE



OWNER

YES	NO	SERVICE	PROVIDER (use additional sheets if needed)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Accounting and/or preparer of your tax return	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Architect / Landscape Architect / Land Planner	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Contract Purchaser (if other than the Applicant) - identify purchaser and purchaser's service providers	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Any other pending or proposed purchaser of the subject property (identify purchaser(s) and purchaser's service providers)	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Construction Contractors	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Engineers / Surveyors/ Agents	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Financing (include current mortgage holders and lenders selected or being considered to provide financing for acquisition or construction of the property)	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Legal Services	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Real Estate Brokers / Agents/Realtors for current and anticipated future sales of the subject property	Richard M. Jacobson, Leasing Agent for Hilltop North Shopping Center

SECTION 4. KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE

YES NO Does an official or employee of the City of Virginia Beach have an interest in the subject land or any proposed development contingent on the subject public action?

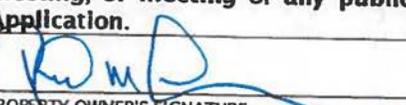
If yes, what is the name of the official or employee and what is the nature of the interest?

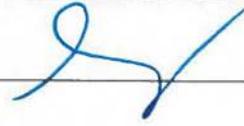
Disclosure Statement



CERTIFICATION:
 I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.

I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein two weeks prior to the Planning Commission, Council, VBDA meeting, or meeting of any public body or committee in connection with this Application.

	*	Richard M. Jacobson,	3-06-2019
PROPERTY OWNER'S SIGNATURE		PRINT NAME Managing Partner of SUSU Developers, LLP	DATE


 Alan L. Nordlinger, 3-06-2019
 Managing Partner of SUSU
 Developers, LLP

- * Please note that this Conditional Use Permit is being approved by the property owner, SUSU Developers, LLP for the consent to allow the performance of permanent makeup and microblading within Salon Plaza, a tenant within Hilltop North Shopping Center.

**EXHIBIT A
Partners of Property Owner
Property Owner: SUSU Developers, LLP**

**Attachment to Conditional Use Permit Application
(Page 2, Section 2, (A))**

Applicant Name: Just Browsing, LLC

<u>Names of Partners</u>	
Alan Nordlinger	
Amy R. Shook-Perez	
Ana Salzberg	
Amy Pearce Stokes	
APSFP, LLC	
Charles S. Nusbaum, Trustee of the Bertram S. Nusbaum, Jr. Trust dated 8/26/1992	
Beth Nusbaum Curtiss	
Charles S. Nusbaum	
Charles S. Nusbaum and Beth N. Curtiss, Trustees of the Lois S. Nusbaum Family Trust	
Foundation Realty	
George G. Ginsburg	
GKSFP, LLC	
Gordon K. Stokes	
Jana R. Pariser	
Jo Anne Salzberg Adams	
John Randolph Stokes	
JRSFP, LLC	

Disclosure Statement

Julie Lynn Harrison	
Julie L. Harrison Irrevocable Trust	
Linda S. Laibstain	
Marc A. Shook, Trustee of the Marc A. Shook and Cynthia S. Shook Revocable Living Trust dated 6/1/2007	
Matthew Salzberg	
Maxine H. Baicker	
Michael S. Pariser	
Richard M. Jacobson	
Richard Salzberg	
Robert C. Nusbaum	
Robert C. Nusbaum, Jr.	
Ruth H. Weinberg	
Sharon K. Nusbaum	
Stanley L. Harrison Irrevocable Inter Vivos Trust dated 8/24/1983	
SunTrust Bank, Agent for Donald J. Horne under IMA dated 9/14/2012	
Susan H. Crittenden	
Thomas H. Watts	
TJJ Harrison, LLC	
TLSFP, LLC	
William J. Silberman	
William L. Nusbaum	

Exhibit A, Page 2 of 2

Next Steps

- Upon receiving a recommendation from Planning Commission, this request will be scheduled for a City Council public hearing. Staff will inform the applicant and/or their representative of the date of the hearing in the upcoming days.
- Following City Council's decision, the applicant will receive a decision letter from Staff.
- Once the conditions of approval are in place and/or completed, the applicant must contact the Zoning Division of the Planning Department to obtain verification that the conditions have been met. Contact the Zoning Division at 757-385-8074.
- If the request requires land disturbance and/or a subdivision of property, please contact the Development Services Center (DSC) to discuss next steps for site plan/plat review. Contact the DSC at 757-385-4621 or the Development Liaison Team at 757-385-8610.
- Please note that further conditions may be required during the administration of applicable City Ordinances and Standards. Any site plan submitted with this application may require revision during detailed site plan review to meet all applicable City Codes and Standards. All applicable permits required by the City Code, including those administered by the Department of Planning / Development Services Center and Department of Planning / Permits and Inspections Division, and the issuance of a Certificate of Occupancy, are required before any approvals allowed by this application are valid.
- The applicant is encouraged to contact and work with the Crime Prevention Office within the Police Department for crime prevention techniques and Crime Prevention Through Environmental Design (CPTED) concepts and strategies as they pertain to this site.