

STAFF REPORT FOR PLANNING COMMISSION MEETING OF SEPTEMBER 30, 2009

FILE NO: SUP-09-075

AGENDA ITEM: H-3

STAFF AUTHOR: Kathe Green, Assistant Planner

REQUEST: Special Use Permit to allow permanent outdoor display and sales of merchandise in a General Commercial (GC) zoning district.

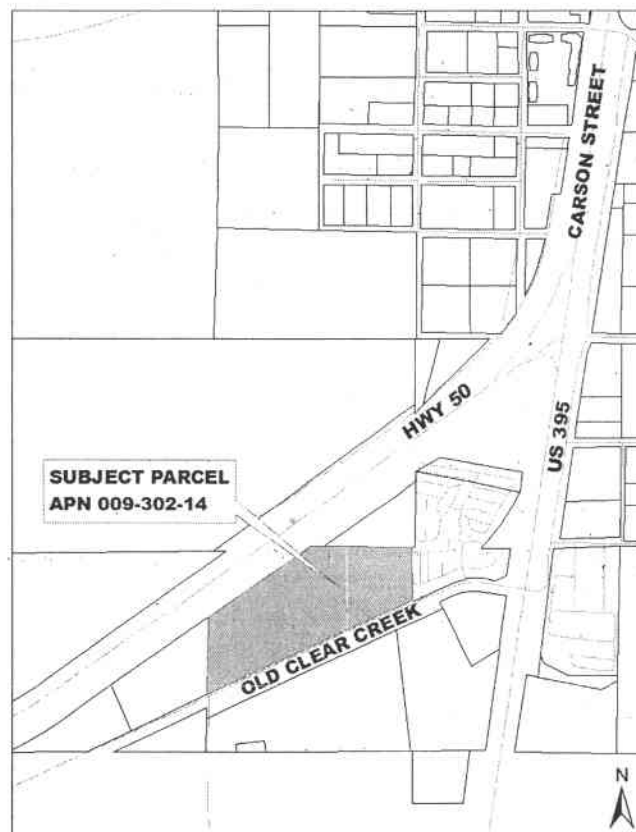
OWNER: Costco Wholesale Corporation

APPLICANT/AGENT: Letisha Ambrose

LOCATION: 700 Old Clear Creek Road

APN: 009-302-14

RECOMMENDED MOTION: "I move to approve SUP-09-075, a Special Use Permit to allow permanent outdoor display and sales of merchandise in the General Commercial zoning district, located at 700 Old Clear Creek Road, APN 009-302-14, based on the findings and subject to the conditions of approval contained in the staff report."



RECOMMENDED CONDITIONS OF APPROVAL:

The following shall be completed prior to commencement of the use:

1. The applicant must sign and return the Notice of Decision for conditions for approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, then the item will be rescheduled for the next Planning Commission meeting for further consideration.
2. All development shall be substantially in accordance with the development plans approved with this application, except as otherwise modified by these conditions of approval.
3. All on- and off-site improvements shall conform to City standards and requirements.
4. The applicant shall obtain a building permit from the Carson City Building and Safety Department for any proposed construction. Contact the Building Department for approximate fees, design criteria, number of plans to submit and general assistance in the City's Building Permit process.
5. The applicant shall meet all the conditions of approval and commence the use for which this permit is granted within twelve months of the date of final approval. A single, one year extension of time may be granted if requested in writing to the Planning and Community Development Department thirty days prior to the one year expiration date. Should this permit not be initiated within one year and no extension granted, the permit shall become null and void.
6. It is recommended that the Costco management staff contact the Carson City Building Division to discuss their plans to make this area a permanent part of the store's merchandise display floor plan. Accessibility and egress from this space, in compliance with the *2006 International Building Code ('06 IBC)*, shall be maintained

The following shall be submitted with any building permit application:

7. The applicant shall submit a copy of the Notice of Decision and conditions of approval, signed by the applicant and owner, with any building permit application.

The following applies to the site throughout the life of the project:

8. The permanent outdoor display and sales area is strictly limited to the areas shown on the submitted site plan, which is in front of the main building and in the vicinity and under the canopy on the west, southwest and south.

9. If food products are to be stored in this location, approval must be obtained on a case-by-case basis from Environmental Health prior to initiating the display.
10. Trash and debris generated at the areas of the outdoor display and sales must be collected by the business and placed in an appropriate trash container on the site.
11. Advertising of a product or service is limited to promote the existing permanently licensed primary business activity on the site.
12. Display cannot impede, restrict or block any aisle, doorway, pathway or pedestrian access from parking lot or street or to or from buildings for either customers or employees.

LEGAL REQUIREMENTS: CCMC 18.02.080 (Special Use Permits), 18.02.115.8 Outdoor Sales and Activities, 18.04.135.3 General Commercial Conditional Uses at Permanent Outdoor Sales.

MASTER PLAN DESIGNATION: Community/Regional Commercial (C/RC)

PRESENT ZONING: General Commercial (GC)

KEY ISSUES: Will the proposed permanent outdoor sales and display be in keeping with all of the standards of the Carson City Municipal Code? Is this location appropriate for outdoor display? Will the display of merchandise substantially increase sales at this retail location?

SURROUNDING ZONING AND LAND USE INFORMATION

WEST: General Commercial/Storage Units
EAST: General Commercial/Recreational Vehicle Park
NORTH: General Commercial/Highway 50 West then Public Community, Conservation Reserve/Vacant
SOUTH: Public Regional/Fuji Park

ENVIRONMENTAL INFORMATION

- 1 FLOOD ZONE: Zone C
- 2 EARTHQUAKE FAULT: Zone II, beyond 500 feet
- 3 SLOPE/DRAINAGE: Graded to flat
- 4 SOILS: 60 Surprise sandy loam 8-15% slopes

SITE DEVELOPMENT INFORMATION

- 1 LOT SIZE: 16.08 acres
- 2 STRUCTURE SIZE: No change to existing buildings of 148,474 square feet
- 3 STRUCTURE HEIGHT: No change to single story buildings.
- 4 PARKING: Existing. Cart storage is to be moved to parking areas during outdoor display. Cart storage areas are already located in the parking lot. An excess of parking is available on the site.
- 5 SETBACKS: Existing buildings. Display proposed at the front and south side of the building and under the existing overhangs of the building. No changes proposed to setbacks.

6 VARIANCES REQUESTED: None

PREVIOUS REVIEWS:

SUP-04-036 (retail store exceeding 50,000 square feet, fuel, tires sale/installation), U-00/01-12 (signage), Z-99/00-4 (Public to General Commercial zoning), GM-99/00-2 (water usage exceeding 7,500 gallons per day)

DISCUSSION:

A Special Use Permit is required for the following reasons:

- According to CCMC Section 18.04.135.3 General Commercial Conditional Uses, Permanent Outdoor Sales and Activities requires a special use permit.

The proposal is for outdoor display and storage of merchandise in front of the main building, under the canopy on the west, southwest and south areas adjacent to the building, on a permanent basis. All businesses in the General Commercial zoning district are allowed a maximum of 30 days of outdoor display and sales of merchandise within any calendar year. This request is to increase that timeframe to permanent, although the applicant has indicated that the display will generally be seasonal. The applicant would like to create an outdoor fenced area of 215 feet by 27 feet on the south site of the building to display merchandise such as seasonal materials, live plants and outdoor products. Stores which place merchandise outdoors to encourage customer interest have found that it is a very effective means of increasing visibility and sales. This store anticipates an increase in volume of sales through this increased outdoor display.

The display will be placed at the front of the store. Because of the grade elevation change, this area cannot be seen from the adjacent street, nor can it be seen from the Fuji Park area further to the south. The display is not proposed along the parcel frontage. Potential customers must be on the site to see the area proposed for display. Therefore, impacts to the surrounding areas are minimal.

PUBLIC COMMENTS: Public notices were mailed to 77 adjacent property owners within 300 feet of the subject site, including a mobile home park. At the writing of this report no written comments have been received either in favor of or in opposition to the proposal. Any comments that are received after this report is completed will be submitted to the Planning Commission prior to or at the meeting on September 30, 2009, depending on the date of submission of the comments to the Planning and Community Development Department.

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

Building Division: it is recommended that the Costco management staff contact the Carson

City Building Division to discuss their plans to make this area a permanent part of the store's merchandise display floor plan. Accessibility and egress from this space, in compliance with the *2006 International Building Code ('06 IBC)*, shall be maintained. Please feel free to contact Mr. Don Wilkins, with the Carson City Building Division, at (775) 887-2310.

Fire Department: The applicant will be required to comply with all codes and ordinances as they related to this request.

Engineering Department: No concerns.

Health and Human Services: Carson City Health and Human Services has no comments regarding the project as described in the packet received so long as the scope of products placed outside do not include food products. If food products are to be stored in this location approval should be obtained on a case-by-case basis from Environmental Health. The applicant must meet all applicable codes and ordinances as they apply to this request.

Parks and Recreation Department: No comment.

FINDINGS: Staff's recommendation is based upon the findings as required by CCMC Section 18.02.062 (Special Use Permits) enumerated below and substantiated in the public record for the project.

1. Will be consistent with the master plan elements.

Chapter 3: A Balanced Land Use Pattern

Goal 1.2.A. Priority Infill and Redevelopment Areas

The outdoor display of merchandise is proposed to increase sales, thereby providing increased profit to the business involved as well as an increase in taxable sales as a benefit to the community. Carson City has many empty storefronts. An increase in the sales in this area would make the shopping center more viable and attractive to the community.

Chapter 5: Economic Vitality

Goal 5.2.A. Promote Expansion of Retail Service Base.

Goal 5.2.B. Encourage Reuse/Redevelopment of Underused Retail Spaces.

Goal 5.2.C. Retail Leakage.

This proposal is to place merchandise along the outside of the front of the building as a display to enhance sales at the existing businesses. The display and appearance of these products is intended to encourage business and sales to the local and driving community at this location. Encouraging sales at this location would increase the success of a local business within the community and broaden the tax base if the business is successful. As this business is at the southernmost area of Carson City, the direct competition for business is located farther to the south in Douglas County. An increase in sales in this location could decrease sales taxes that would otherwise be paid to businesses in Douglas County and increase the taxable sales benefit for Carson City.

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.

The intended proposal is to expand the view of products which would have been available for sale within the confines of the building, and to display these outside the building. All merchandise is eligible for display if this special use permit is approved. It is anticipated that seasonal sale materials, outdoor products and plant materials will be displayed outside, rather than within the confines of the building. In addition, a condition of approval states that if any food products are proposed for display in this outdoor area, the proposed food items must be reviewed and approved by the Environment Health Division prior to display for review on a case-by-case basis. Placing merchandise outdoors increases the view of these products and allows live plant materials to be kept at a more optimum temperature for survival and therefore customer interest. Also, bulky items may more easily be displayed where they can be more easily transported to vehicles. Outdoor display will also serve to draw the driving public into these locations, although only members are allowed to shop at this business. Membership is simply payment of a fee. Therefore, merchandise displayed outdoors could not only increase y interest from existing customers but also the driving public by becoming new customers, and thereby increase total sales. The merchandise would be placed in the vicinity and under the canopy on the west, southwest and south. No additional hours of operation are anticipated as a result of the display of products available for sale at this location.

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

This is a request from an existing business, with ongoing traffic presently entering and exiting the parking areas on the site. The applicant is assuming that additional traffic will be created as a result of an increase in business at this location or that additional sales from existing traffic/customers will be generated if this request for outside display is approved. No detrimental effect is anticipated, as the business is already in existence and is adjacent to a street which connects to a major thoroughfare, Highway 395, where large numbers of vehicles pass every day. The existing drive areas and parking are adequate to handle the expected increase in traffic. The number of parking spaces to be

removed to accommodate the cart storage in the parking lots rather than under the canopy is minimal, as cart storage is already supported in the parking areas and additional cart storage racks have already been installed in the parking areas. No impediment to pedestrian or vehicular traffic is anticipated with the placement of the displays. The displays are limited to areas outside the walking areas, doorways, handicapped accessible areas, sidewalks and drive areas.

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 business is already established at this location, with no enlargement of the existing structures or uses other than outdoor display on the site being proposed. No additional public services will be used as a result of the proposed outdoor display of merchandise.

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.

The purpose statement of the General Commercial (GC) zoning district is to preserve the commercial district limited primarily to retail and wholesale sales of new and used material, repair and services facilities and offices. Temporary unscreened outdoor display and sale of merchandise for a period not to exceed 30 days within a calendar year may be authorized by the Director subject to Title 18.02.115.8 (Outdoor Sales and Activities) Outside storage (subject to Division 1 and 1.12 Outside Storage of the Development Standards) is an allowed accessory use in this zoning district. The proposed use of Permanent Outdoor Sales and Display is contained within the Conditional uses in the General Commercial zoning District and requires approval of a Special Use Permit.

The proposed conditional use of outdoor display and sales of merchandise is intended to provide more sales of products at the existing location within the business, which is a permitted use within this zoning district.

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

The proposed outdoor display of merchandise is not anticipated to be detrimental to the public health, safety, convenience and welfare. It is assumed by the business owner that the outdoor display will provide additional sales of merchandise. Outdoor display is a convenient way to facilitate sales of products, and a common method of advertising related to a desire to increase business. In addition, it appears seasonal live plant materials will benefit from being outside the building and not being subjected to a change in temperature or conditions which are detrimental to their health. By moving the display and sales of products to the outdoors, merchandise is more easily

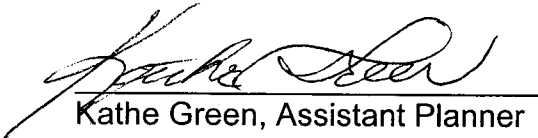
seen by the impulse purchase customer as well as the driving public, who are passing this site, where customers could be encouraged to stop and buy merchandise which has been seen from the street.

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

The outdoor display and sales of product at this location is not anticipated to result in material damage or prejudice to other property in the vicinity. The existing business is a permitted use in the General Commercial zoning district.

Respectfully submitted,

PLANNING DIVISION



Kathe Green, Assistant Planner

Attachments

Application SUP-09-075
Building Division comments
Fire Department comments
Health Department comments
Parks and Recreation Department comments

File # (Ex: MPR #07-111)	SUP 09-075
Brief Description	COSTCO Outdoor Merchandise Display
Project Address or APN	700 Old Clear Creek
Bldg Div Plans Examiner	Don Wilkins
Review Date	Sept 11, 2009
Total Spent on Review	

BUILDING DIVISION COMMENTS:

NOTE: These comments do not constitute a complete plan review, but are merely observations based on the information provided.

SCOPE OF APPLICATION:

Costco wishes to have outdoor merchandise display located under the roofline of the building, within the area that is currently being used by the

GENERAL PLAN SUBMITTAL COMMENTS:

1. It is recommended that the Costco management staff contact the Carson City Building Division to discuss their plans to make this area a permanent part of the store's merchandise display floor plan. Accessibility and egress from this space, in compliance with the 2006 *International Building Code* ('06 IBC), shall be maintained. Please feel free to contact Mr. Don Wilkins, with the Carson City Building Division, at (775) 887-2310.



CARSON CITY, NEVADA


CONSOLIDATED MUNICIPALITY AND STATE CAPITAL
DEVELOPMENT SERVICES

RECEIVED

SEP 22 2009

CARSON CITY
PLANNING DIVISION

**Engineering Division
Planning Commission Report
File Number SUP 09-075**

TO: Planning Commission
FROM:  Jeff Sharp, P.E. – City Engineer

DATE: Sept 22, 2009

MEETING DATE: Sept 30, 2009

SUBJECT TITLE:

Action to consider an application for a Special Use Permit from Letisha Ambrose of Costco Company for outdoor merchandising on property zoned GC located at 700 Old Clear Creek Road, APN 009-302-14.

RECOMMENDATION:

The Engineering Division has no preference or objection to the special use request, and no recommended conditions of approval.

DISCUSSION:

The Engineering Division has reviewed the conditions of approval within our areas of purview relative to adopted standards and practices and to the provisions of CCMC 18.02.080, Conditional Uses.

CCMC 18.02.080 (2a) - Adequate Plans

The information submitted by the applicant is adequate for this analysis.

CCMC 18.02.080 (5a) - Master Plan

The request is not in conflict with any Engineering Master Plans for streets or storm drainage.

CCMC 18.02.080 (5c) - Traffic/Pedestrians

The proposal will have little effect on traffic or pedestrian facilities.

CCMC 18.02.080 (5d) - Public Services

The proposal will have little effect on existing public services.

H:\EngDept\IP&EShare\Engineering\Planning Commission Reports\Special Use Permits\2009\SUP 09-075 Outdoor Merch at Costco.doc

ENGINEERING DIVISION • 2621 Northgate Lane, Suite 54 • Carson City, Nevada 89706
Phone: (775) 887-2300 Fax: (775) 887-2283 E-mail: engdiv@ci.carson-city.nv.us

From: Teresa Hayes
To: MPR Committee
Date: 9/3/2009 4:16 pm
Subject: Planning Cmmission Sept 30

VAR 09-071

Carson City Health and Human Services has no comments regarding the project as described in the packet received. The applicant must meet all applicable codes and ordinances as they apply to this request.

SUP 09-074

Carson City Health and Human Services has no comments regarding the project as described in the packet received. The applicant must meet all applicable codes and ordinances as they apply to this request.

SUP 09-075

Carson City Health and Human Services has no comments regarding the project as described in the packet received, so as long as the scope of products placed outside do not include food products. If food products are to be stored in this location approval should be obtained on a case-by-case basis from Environmental Health. The applicant must meet all applicable codes and ordinances as they apply to this request.

SUP 09-076

Carson City Health and Human Services has no comments regarding the project as described in the packet received. The applicant must meet all applicable codes and ordinances as they apply to this request.

Teresa Hayes, R.E.H.S.

Environmental Health Specialist II

Carson City Health and Human Services

900 E. Long St

Carson City, NV 89706

Phone: (775) 887-2190 ext 30227

Fax: (775) 887-2248

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MEMORANDUM

TO: Community Development
FROM: Duane Lemons, Fire Inspector
DATE: September 9, 2009

SUBJECT: AGENDA ITEMS FOR SEPTEMBER 14, 2009 PLANNING COMMISSION MEETING

We reviewed the agenda items for the September 14, 2009 Planning Commission Meeting and have the following comments:

- VAR-09-071 Aurelio Acebedo We have no concerns with the applicant's request.
- TSM-09-063 Ltd Partnership Management Service, LLC We have no concerns with the applicant's request.
- SUP-09-064 Ltd Partnership Management Service, LLC We have no concerns with the applicant's request.
- VAR-09-065 Ltd Partnership Management Service, LLC We have no concerns with the applicant's request.
- SUP-09-074 Western States Storage We have no concerns with the applicant's request.
- ZCA-09-072 Carson City Planning Division
- SUP-09-075 Costco Wholesale - The applicant will be required to comply with all codes and ordinances as they relate to this request.
- SUP-09-076 Ed Silsby Through the building plan review process, this Department has informed the applicant numerous times as to the corrections that will need to be made in order to meet the requirements of the Wildland Urban Interface Ordinance. As of September 1, 2009, these corrections have not been made. Until this project is in compliance, it will not be approved.

DL/llb



CARSON CITY, NEVADA

CONSOLIDATED MUNICIPALITY AND STATE CAPITAL

RECEIVED

SEP 21 2009

CARSON CITY
PLANNING DIVISION

MEMORANDUM

TO: Lee Plemel, Planning Director
Jennifer Pruitt, Senior Planner (Hardcopy and Email)

FROM: Roger Moellendorf, Parks and Recreation Director *[Signature]*
Vern L. Krahn, Park Planner *[Signature]*

DATE: September 18, 2009

SUBJECT: Parks and Recreation Department's comments for the Wednesday, September 30, 2009, Planning Commission meeting.

TSM-09-063 SUP-09-064 VAR-09-065	The Open Space Advisory Committee will be reviewing the proposed Lakeview Gated Estates development at its September 28, 2009 meeting. After this meeting, Parks and Recreation Department staff will prepare a memorandum outlining issues addressed by the Committee. In addition, Parks and Recreation Department staff will be at the Planning Commission meeting to answer any questions.
VAR-09-071	No comments.
SUP-09-074	No comments.
SUP-09-075	No comments.
SUP-09-076	No comments.

Carson City Planning Division
2621 Northgate Lane, Suite 62 • Carson City NV 89706
Phone: (775) 887-2180 • E-mail: plandept@ci.carson-city.nv.us

FOR OFFICE USE ONLY:

CCMC 18.02

RECEIVED

SPECIAL USE PERMIT AUG 20 2009

FEE: \$2,450.00 MAJOR
\$2,200.00 MINOR (Residential zoning districts)

+ noticing fee and CD containing application digital data (all to be submitted once the application is deemed complete by staff)

SUBMITTAL PACKET

- ☐ 6 Completed Application Packets (1 Original + 5 Copies) including:
 - ☐ Application Form
 - ☐ Site Plan
 - ☐ Building Elevation Drawings and Floor Plans
 - ☐ Proposal Questionnaire With Both Questions and Answers Given
 - ☐ Applicant's Acknowledgment Statement
 - ☐ Documentation of Taxes Paid-to-Date (1 copy)
 - ☐ Project Impact Reports (Engineering) (4 copies)

Application Reviewed and Received By:

Submittal Deadline: See attached PC application submittal schedule.

Note: Submittals must be of sufficient clarity and detail such that all departments are able to determine if they can support the request. Additional Information may be required.

FILE # SUP - 09 - 075

PROPERTY OWNER

MAILING ADDRESS, CITY, STATE, ZIP

PHONE #

FAX #

Name of Person to Whom All Correspondence Should Be Sent
APPLICANT/AGENT

MAILING ADDRESS, CITY, STATE ZIP

PHONE #

FAX #

E-MAIL ADDRESS

Project's Assessor Parcel Number(s):

Street Address

ZIP Code

Project's Master Plan Designation

Project's Current Zoning

Nearest Major Cross Street(s)

Briefly describe your proposed project: (Use additional sheets or attachments if necessary). In addition to the brief description of your project and proposed use, provide additional page(s) to show a more detailed summary of your project and proposal. In accordance with Carson City Municipal Code (CCMC) Section 18.04.135.3 or Development Standards, Division _____, Section _____, a request to allow as a conditional use is as follows:

We would like place Merchandise outside of the building at Different times of the year

PROPERTY OWNER'S AFFIDAVIT

I, Janine Walsh, 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.

Janine Walsh 700 Old Clear Creek Rd 8/20/09
Signature Address Date

Use additional page(s) if necessary for other names.

STATE OF NEVADA

COUNTY Carson City

On 8/20, 2009, Janine Walsh, 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 who acknowledged to me that he/she executed the foregoing document.

Notary Public



B. SMITH

Notary Public - State of Nevada

Appointment Recorded in Douglas County

No. 00-04470-5 - Expires August 28, 2012

NOTE: If your project is located within the historic district, airport area, or downtown area, it may need to be scheduled before the Historic Resources Commission, the Airport Authority, and/or the Redevelopment Authority Citizens Committee prior to being scheduled for review by the Planning Commission. Planning personnel can help you make the above determination.

Question 1.

A. By allowing Costco Wholesale to assemble a 215' x 27' extending outdoor fenced area to create more merchandising space for seasonal and out door products. By constructing this area we will be in compliance to continue the sale of our seasonal merchandise.

Question 2.

A. South- Fuji Park (City Park), North – Hwy 50 North, East- Comstock Country RV Resort, West- Carson Tahoe Self Storage.

B. It will have no effect other than making our business more enticing. This will also present our seasonal merchandise.

C. This project will only increase the flexibility with merchandise to allow our continued sale of seasonal merchandise.

D. This project is within the boundaries of our parking lot and will not have any impact on left and turn or the need for traffic lights. No display items will be placed in any handicapped or wheelchair accessible area.

E. They will have extended selection of merchandise.

Question 3.

A. This will have no effect on the school district. It will not effect the sheriff's department.

B. This project will require no extra paving, and no effect with the drainage.

C. This project will not require any extra water and will have no effect on water quality. We have sufficient water pressure.

D. This project will generate no additional sewage

E. We need no extra road improvements.

F. See attached.

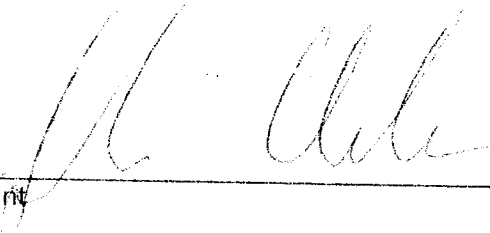
G. We will require no extra lighting.

H. This project will require no extra landscaping.

I. This project will require no extra parking.

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

8/20/09
Date

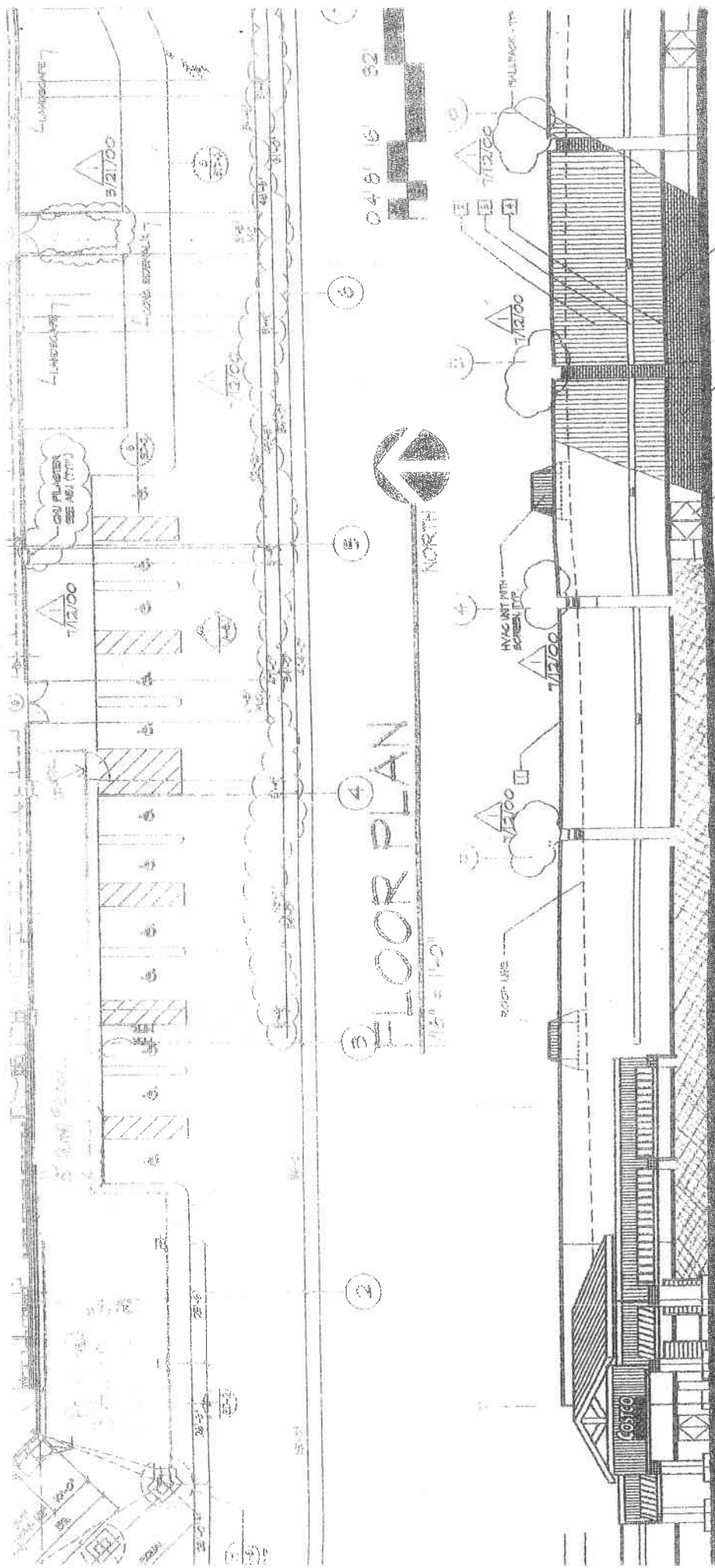
Costco
WHOLESALE

$\frac{2}{17100}$

700 OLD CLEAR CREEK ROAD

CARSON CITY, NEVADA 89701

$\frac{2}{1712}$



OWNER: Costco Wholesale
 706 Old Clear Creek Rd.
 Carson City NV. 89706
 (775)881-2503

APPLICANT: Same

REQUEST: Temp. Retail outdoor storage.

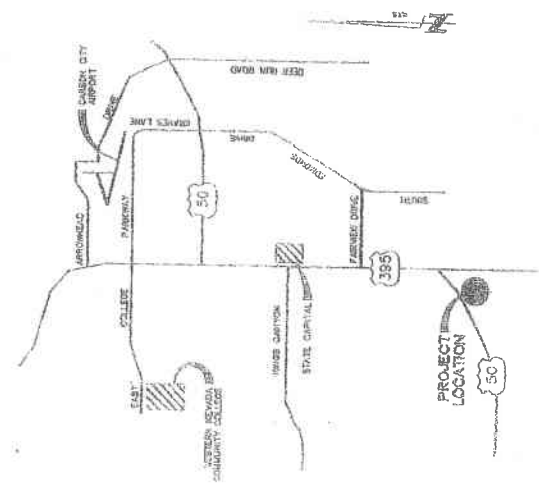
LOCATION: 706 Old Clear Creek Rd.

ZONING: Retail Commercial.

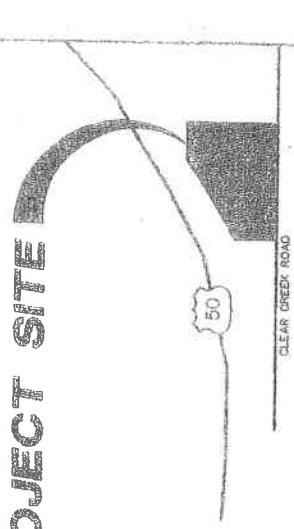
MASTER PLAN LAND USE DESIGNATION: Commercial.

PN:

Site Plan Prepared By Scott Blair



PROJECT SITE



- Plants will be kept in the area that used to store the carts, surrounded by a fence that will follow the red line

