

STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF JANUARY 27, 2010

FILE NO(S). SUP-09-096 and VAR-09-097

AGENDA ITEM(S): H-2(A) and H-2(B)

STAFF AUTHOR: Jennifer Pruitt, Principal Planner

REQUESTS:

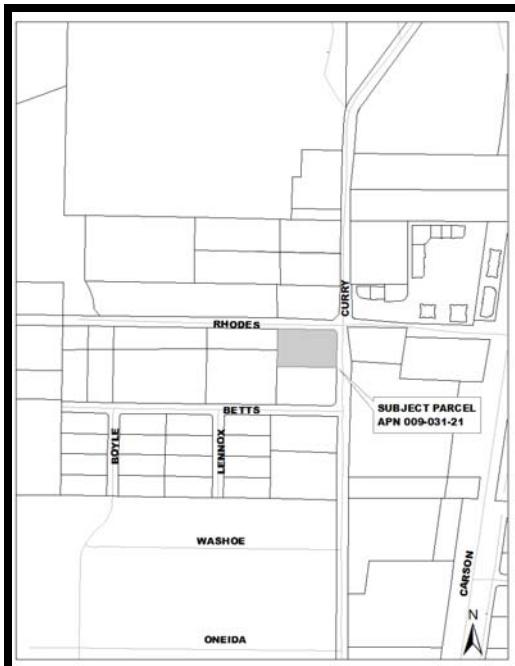
- A Special Use Permit to allow three multi family dwelling units within an existing commercial structure in the General Commercial (GC) zoning district.
- A Variance to modify the setback requirements for multi family dwelling units in a non-residential zoning district, adjacent to a residential zoning district.

OWNER/APPLICANT: Darrin Berger/Anderson Neverka Family Trust

LOCATION/APN: 291 Rhodes Street/009-031-21

SPECIAL USE PERMIT RECOMMENDED MOTION: "I move to approve SUP-09-096, a Special Use Permit request from Darrin Berger (owner: Anderson Neverka Family Trust) to allow a multi family dwelling unit of three units within the General Commercial zoning district, located at 291 Rhodes Street /APN 009-031-21, based on the findings and subject to the conditions of approval contained in the staff report."

VARIANCE RECOMMENDED MOTION: "I move to approve VAR-09-097, Variance request from Darrin Berger (owner: Anderson Neverka Family Trust) to allow a reduction in the required rear yard setback from 30 feet to 7 feet 6 inches for multi family dwelling units in a non-residential zoning district, adjacent to a residential zoning district, located at 291 Rhodes Street /APN 009-031-21, 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 meet all the conditions of approval and commence the use for which this permit is granted within 45 days of the Planning Commission approval date. All work related to the required building permit shall be completed and signed off through the required inspection process within 90 days of building permit issuance.
5. 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.
6. Exterior light fixture details shall be submitted with a building permit application for review and approval by the Planning Division prior to installation. Light standards in or within 100 feet of residential zones shall not exceed twelve feet in overall height.
7. Exterior building colors shall be muted or earthtone in color. Bold colors shall be prohibited except when used as accent or trim.
8. The required six parking spaces on site will be reserved for the occupants of the proposed three dwelling units. The parking of inoperative vehicles will be prohibited.
9. All water services (domestic and fire) shall have reduced pressure type backflow prevention devices as required by NAC 445A.67195.
10. Water connection fees were apparently never paid for these apartments, but research shows that significant amounts have been paid over time for water. It appears that the water paid for would cover the amount being used presently based on the last two years, but that is assuming all three apartments were in use. This will have to be reviewed again as more information comes in. If fees are required, they will be collected at the time the permit is issued, and probably will cost about \$865.00. This is an estimate only.
11. Please show water and sewer mains in the streets and services to the building on the plan submittal for permit.
12. A fire flow analysis is required with building permit submittal.

13. Any work in the building will require the submittal of an elevation certificate showing that the lowest elevation including crawl space is at or above the base flood elevation (BFE) of the area. If this elevation is not at or above the BFE, other requirements may apply. The FEMA maps updated 1/16/09 show this building is in an "A" flood zone. The required vertical datum is NAVD 1988.
14. Project requires application for a Building Permit, issued through the Carson City Building Division. This will necessitate a complete review of the project to verify compliance with all adopted construction codes and municipal ordinances applicable to the scope of the project.
15. The plans submitted for review shall comply with the prescriptive requirements found in the Carson City Building Division handout titled: *Commercial Submittal Requirements*.
16. Effective January 1, 2008, all new commercial submittals shall show compliance with the following codes, and adopted amendments:
 - 2007 Northern Nevada Amendments*
 - 2006 International Building Code
 - 2006 International Energy Conservation Code
 - 2006 International Existing Building Code
 - 2006 International Fire Code
 - 2006 Uniform Mechanical Code
 - 2006 Uniform Plumbing Code
 - 2005 National Electrical Code
 - 2003 ICC/ANSI A117.1 (For accessible design)
17. If the owner wishes to proceed with the proposed three (03) dwelling units, he will fall below the threshold that requires that the dwelling units must be accessible. As such, an elevator will not be necessary to access the dwelling units on the second story.
18. As a part of the submittal, include a complete "Architectural Design Analysis" for the whole building, indicating all proposed uses (occupancies). The "Architectural Design Analysis" shall include a **complete** break down of the **allowable area and height versus the actual area and height**. The analysis shall **indicate separated or non-separated uses for mixed occupancies**, with a complete itemized breakdown of the assigned Occupancy types (uses) within the various areas of the structure.
19. The West facing wall line, due to its proximity to the property line, shall have a minimum of 1-hour fire resistance rating. In addition, please be aware that the wall line, which is

located at 5'-0" to the property line, shall have a fire resistance rating designed for fire exposure on both sides of the wall.

20. Assuming that the building is equipped throughout with a full NFPA 13 sprinkler system, the glazing in the West wall line, due to their proximity to the property line, shall have either fire-protection-rated glazing, or an approved water curtain.

LEGAL REQUIREMENTS: CCMC 18.02.080 (Special Use Permits), CCMC 18.04.135 General Commercial (GC), CCMC DS 1.18 Residential Development Standards in Non-Residential Districts.

MASTER PLAN DESIGNATION: Mixed Use Commercial

PRESENT ZONING: General Commercial (GC)

KEY ISSUES: Will the proposed multi family use be in keeping with all of the standards of the Carson City Municipal Code? Is this location appropriate for a multi family use?

SURROUNDING ZONING AND LAND USE INFORMATION

EAST: General Commercial (GC)/ Commercial/Curry Street

WEST: Limited Industrial (LI) Single Family 12,000 (SF12)/ Single Family Dwelling unit and storage.

NORTH: General Commercial (GC)/ Commercial-Greenhouse Nursery

SOUTH: General Commercial (GC)/ Commercial

ENVIRONMENTAL INFORMATION

- 1 FLOOD ZONE: AH Zone (100 year flood plain)
- 2 EARTHQUAKE FAULT: Zone II
- 3 SLOPE/DRAINAGE: Site is primarily flat
- 4 SOILS: 61: Surprise Gravelly Sandy Loam 0%-2% slopes

SITE DEVELOPMENT INFORMATION

- 1 LOT SIZE: 1.18 acres
- 2 STRUCTURE SIZE: Existing warehouse/office structure of 4,000 square feet (Building 1) and an existing 7,740 square warehouse/multi family structure (Building 2) the first floor is 3,870 square feet warehousing and the second floor is 3,870 square feet (three dwelling units) which were used in the past for professional offices. It is not clear from the Planning Division records or the Building Division records, when the second floor area of Building 2 was converted to the apartment use.

- 3 STRUCTURE HEIGHT: The structures on site are existing and Building 2 is two stories or approximately 27 feet overall height.
- 4 PARKING: The proposed multi-family project is in compliance with the Development Standards for parking, with enough parking of the tenants for the proposed three multi dwelling units. The following parking analysis has been provided by the applicant:

- Six parking spaces required for the three multi family dwelling units;
- Four parking spaces required for the storage areas;
- Six remaining parking spaces to serve the office/warehouse on site.
 - Business office requires three parking spaces
 - Warehouse requires three parking spaces

5 SETBACKS:

Front	L Side	R Side	Rear
Required: 0 feet	0 feet	0 feet	30 feet
Proposed: 40 feet	NA	11+ feet	7+ feet*

- 6 *VARIANCES REQUESTED: VAR-09-097- to vary from the required 20 setback with an additional 10 feet for each story above one story if adjacent to a single family zoning district.

ADDITIONAL REVIEWS:

- Major Project Review, MPR-09-061, was conducted by City staff on July 22, 2009 as required by the CCMC.

DISCUSSION:

A Special Use Permit is required for the following reason:

- According to CCMC Section 18.04.135(3) General Commercial Conditional Uses, a Multi Family Use requires a special use permit.

A Variance is required for the following reason:

- For Multi Family Apartment projects within the NB, RC, GC and GO zoning districts, a minimum setback of 20 feet is required adjacent to a residential zoning district, with an additional 10 feet for each story above one story if adjacent to a single-family zoning district. The subject site is adjacent to the Mobile Home 12,000 zoning district thus requiring a 30 foot setback since the existing building is two stories in height.

The subject site is 1.18 acres and currently has two existing buildings on site. Building 1 is used for office/warehousing and is 4,000 square feet in size. Building 1 is located in the southwestern portion of the subject site. Building 2 is a two story structure, with storage areas on the first floor and three multi- dwelling units on the second floor area that were converted from office space without permits. Approximately, 1/3 of the subject site, the northeastern portion is currently used as a gravel parking area for the Greenhouse Garden Center to the north. Building 2 is over 230 feet from the Curry Street frontage and is located on the northwestern portion of the subject site.

The current property owner purchased the subject site in 2003. Per the applicant, Darrin Berger, the current property owner was under the assumption that the three multi dwelling units on the second floor of Building 2, were permitted outright.

For the purposes of this staff report, the definition as noted in the CCMC for Multi-Family Dwelling Unit is as follows:

- **Dwelling, Multi-Family** means a building designed and/or used to house three (3) or more families, living independently of each other.

The proposed multi family project is the second project in Carson City subject to the adopted CCMC Development Standards 1.18, Residential Development standards in Non-Residential Districts criteria. The first project was conditionally approved in 2006 and was never constructed for unknown reasons.

1.18 Residential Development Standards in Non-Residential Districts.

The following standards are intended to establish minimum standards and Special Use Permit review criteria for residential development within the Neighborhood Business (NB), Retail Commercial (RC), General Commercial (GC), Residential Office (RO) and General Office (GO) zoning districts.

1. Permitted uses. Residential uses are only allowed as permitted by Chapter 18.04, Use Districts, as a primary or conditional use in the applicable zoning districts.

Currently, the subject property located at 291 Rhodes Street in the GC zoning district. There is a diverse group of mixed zoning and uses along this portion of Rhodes Street and Curry Street, which includes: commercial, industrial and single family dwelling units, in the as Limited Industrial, General Commercial, Public Regional, Retail Commercial and Single Family 12,000 zoning districts.

2. Maximum permitted density. There is no maximum residential density within non-residential zoning districts subject to meeting the height, setback, parking and open space requirements of this chapter.

The applicant has met all the current requirements for the maximum permitted density. The proposed project satisfies the parking, open space and height requirements subject to the GC zoning district, with the exception of the required setback requirements. The proposed project is not a result of an over built site. The site has expansion possibilities along the primary frontage of Curry Street, which is approximately 1/3 of the subject site.

3. Maximum building height shall be the maximum height established by the zoning district in which the project is located.

The maximum building height requirement is set at 45 feet in the GC zoning district. The existing structure, Building 2, is approximately 27 feet tall at its highest point.

4. Setbacks. Minimum setbacks shall be those established by the zoning district in which the project is located, subject to the following:
 - a. In the NB, RC, GC and GO zoning districts, a minimum setback of 20 feet is required adjacent to a residential zoning district, with an additional 10 feet for each story above one story if adjacent to a single-family zoning district.
 - b. A minimum setback of 10 feet is required from the right-of-way of an arterial street as identified in the adopted Transportation Master Plan, excluding the Downtown Mixed-Use area.

The minimum required setback in the GC zoning district is zero, with exceptions for projects adjacent to single family zoning districts. The proposed project will have a seven foot six inch setback on the rear, which is not in keeping with item 4(a) noted above. The applicant has applied for a Variance request VAR-09-037 to be processed concurrently with the subject Special Use Permit application.

5. Required parking: Two spaces per dwelling unit; and in compliance with the Development Standards Division 2, Parking and Loading.

The proposed multi-family project is in compliance with the Development Standards for Parking. The following parking analysis has been provided by the applicant:

- *Six parking spaces required for the three multi family dwelling units;*
- *Four parking spaces required for the storage areas;*
- *Six remaining parking spaces to serve the office/warehouse on site.*

*-Business office requires three parking spaces
-Warehouse requires three parking spaces*

6. Open Space.
 - a. A minimum of 150 square feet per dwelling unit of common open space must be provided. For projects of 10 or more units, areas of common open space may only include contiguous landscaped areas with no dimension less than 15 feet, and a minimum of 100 square feet per unit of the common open space area must be designed for recreation, which may include but not be limited to picnic areas, sports courts, a soft-scape surface covered with turf, sand or similar materials acceptable for use by young children, including play equipment and trees, with no dimension less than 25 feet.
 - b. A minimum of 100 square feet of additional open space must be provided for each unit either as private open space or included in the common open space area.
 - c. Front and street side yard setback areas may not be included toward meeting the open space requirements.

The subject site has an existing landscaped area of 1,365 square feet (grass and trees) to the east of Building 2. The open space required for the three multi-dwelling units is 750

square feet.

7. Landscaping. Landscaping shall comply with the Carson City Development Standards Division 3, Landscaping.

All the landscaping on the proposed project will comply with the Carson City Development Standards Division 3. The subject site includes a dozen mature trees in the Greenhouse Garden Center parking area on the northeastern portion of the site, in addition to the four trees in the open space area.

8. Special Use Permit review standards. Where a residential use is a conditional use within a given zoning district, the Planning Commission shall make two of the following findings in the affirmative in the review of the Special Use Permit in addition to the required findings of Section 18.02.080 of the Carson City Municipal Code. Per the information provided by the applicant, three of the following findings can be made in the affirmative.

- a. The development is not situated on a primary commercial arterial street frontage.

The proposed project is located on a collector street and not a primary commercial arterial street.

- b. The development is integrated into a mixed-use development that includes commercial development

Currently the property sits within a mix-use development that also includes commercial development.

- c. The applicant has provided evidence that the site is not a viable location for commercial uses.

This item is not applicable to the proposed project, the applicant has not provided evidence that the site is not a viable location for commercial uses.

- d. The site is designated Mixed-Use Commercial, Mixed-Use Residential or Mixed-Use Employment on the Master Plan Land Use Map and the project meets all applicable mixed-use criteria and standards.

This item is applicable to the proposed project. The project is located in an area identified as Mixed Use Commercial on the Carson City Land Use Map. The applicant has addressed the Mixed Use Evaluation Criteria and it is noted on pages 8-10 of this staff report.

Mixed Use Evaluation Criteria:

The implementation of numerous policies contained within the Master Plan hinges on the creation of three mixed-use zoning districts to align with the Mixed-Use Commercial (MUC), Mixed-Use Employment (MUE), and Mixed-Use Residential (MUR) land use categories. As noted in this staff report the subject site is located within the Mixed Use Commercial land use category. Recognizing that mixed-use development proposals have already been and will continue to be submitted within these areas prior to the completion and adoption of the future mixed-use zoning districts, a set of Interim Mixed-Use Evaluation Criteria have been developed to:

- Facilitate higher intensity, mixed-use development in locations designated on the Land Use Plan for mixed-use development, but where mixed-use zoning is not currently in place;
- Encourage the incremental transition of existing uses in locations designated on the Land Use Plan for mixed-use development, recognizing that in some locations, mixed-use development may be perceived as incompatible with existing adjacent uses in the short term;
- Establish a consistent method for reviewing mixed-use development projects until mixed-use zone districts can be established; and
- Ensure that mixed-use development is consistent with the General Mixed-Use policies contained in the Master Plan, as well as with specific MUC, MUE, and MUR policies, as applicable.

The following Interim Mixed-Use Evaluation Criteria shall apply to all development proposed within the Mixed-Use Residential (MUR), Mixed-Use Commercial (MUC), and Mixed-Use Employment (MUE) land use categories. The application of these Criteria shall be triggered in one of the following ways:

- ***Existing Zoning/Special Use Permit***—Development is proposed within a mixed-use land use category where the underlying zoning may permit the types and mix of uses proposed using the Special Use Permit process as outlined in Section 18.02.80 of the City's Municipal Code. The Interim Mixed-Use Evaluation Criteria are applied in addition to the standard list of Findings outlined in the Code.
The criteria noted above is the criteria that has triggered the interim Mixed Use Evaluation Criteria.
- ***Re-Zoning/Special Use Permit***—Development is proposed within a mixed-use land use category where the underlying zoning does not permit the types and mix of uses proposed. In this instance, the subject property would need to be re-zoned to the most appropriate zoning district and then followed for the project and combined with a Special Use Permit or Planned Unit Development request to allow the mix of uses desired and to trigger the application of the Interim Mixed-Use Evaluation Criteria.
The criteria noted above did not trigger the application of the Mixed Use Evaluation Criteria.
- ***Planned Unit Development (PUD)***—Development is proposed within a mixed-use land use category where the underlying zoning does not permit the types and mix of uses proposed. As an alternative to the Re-Zoning/Special Use Permit process outlined above, a Planned Unit Development request could be submitted for the subject property, within which it could be re-zoned to the most appropriate zoning district(s) for the project. As part of the PUD process, the Interim Mixed-Use Evaluation Criteria would be applicable all other conditions of approval outlined in the City's Municipal Code.
The criteria noted above did not trigger the application of the Mixed Use Evaluation Criteria.

Mixed-use developments should incorporate a variety of uses in a compact, pedestrian-friendly

environment. Uses are encouraged to be mixed vertically ("stacked"), but may also be integrated horizontally. In this case the mixed use will be incorporated vertically, within the existing structure on site.

MUC 1.6—Mix of Uses

Large-scale, single-use commercial developments are not encouraged within the MUC designation. MUC developments should generally provide a mix of commercial, retail, and office uses in combination with high-density residential uses. Where a vertical pattern of mixed-use is employed, active uses (e.g., retail and restaurants) should be located on the ground floor of buildings, with residential and office uses occurring on upper floors. Where a horizontal mix of uses is employed, residential uses should be physically integrated with non-residential uses and should be used to provide transitions to and create a visual link to surrounding neighborhoods. Placing residential and non-residential uses adjacent to one another, but segregating them through the use of fences, walls or other barriers and a lack of street or pedestrian connections does not constitute an integrated mix of uses.

As noted in the Carson City Master Plan, sites will be evaluated on a case-by-case basis using the Interim Mixed-Use Evaluation Criteria.

- Are the residential uses well-integrated with non-residential uses (either horizontally or vertically)? In this case the residential use is located above the exiting warehouse use.
- Does the development contain a mix of housing types that is compatible with the surrounding neighborhood and planned land use in terms of its scale and intensity? In this case the existing two story structure is in scale to the surrounding buildings in the vicinity.
- Does the development contain a mix of housing types that is appropriate to its scale, locations and land use category? As noted in the Carson City Master Plan, residential uses are encouraged in Mixed-Use Commercial areas.
- Does the development achieve at least the minimum density range for the applicable land use category? The proposed development as proposed will not result an excess of the maximum density allowed on site.

If this SUP is approved, the applicant shall meet all the conditions of approval and commence the use for which this permit is granted within 45 days of the SUP approval date. All work related to the required building permit shall be completed and signed off through the inspection process within 90 days of building permit issuance. If this SUP is not approved, the applicant will be required to submit the required plans to the Building Division for the subject property to be incompliance with Nevada State law for commercial properties as related to the occupancy classification. The applicant is aware that with approval or denial the subject Building 2 will be required to obtain the required building permit(s) to address the occupancy of the structure.

With the recommended conditions of approval, the findings to grant approval have been met. The Planning Division staff is in support of the SUP and VAR applications. Therefore, it is recommended that the Planning Commission approve SUP-09-096 and VAR-09-097 based on the required findings as noted on the following pages.

PUBLIC COMMENTS: Public notices were mailed to 31 adjacent property owners within 600 feet of the subject site. At the writing of this report, one letter has been received in favor of 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 January 27, 2010, depending on the date of submission of the comments to the Planning Division.

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.

Engineering Division:

The Engineering Division has no preference or objection to the special use request. If the request is approved, then the following conditions of approval are recommended.

1. All water services (domestic and fire) shall have reduced pressure type backflow prevention devices as required by NAC 445A.67195.
 2. Water connection fees were apparently never paid for these apartments, but research shows that significant amounts have been paid over time for water. It appears that the water paid for would cover the amount being used presently based on the last two years, but that is assuming all three apartments were in use. This will have to be reviewed again as more information comes in. If fees are required, they will be collected at the time the permit is issued, and probably will cost about \$865.00. This is an estimate only.
 3. Adequate sewer connection fees have been paid for this property.
 4. Please show water and sewer mains in the streets and services to the building on the plan submittal for permit.
 5. A fire flow analysis is required with building permit submittal.
 6. According to Robb Fellows, P.E., our flood plain manager, any work in the building will require the submittal of an elevation certificate showing that the lowest elevation including crawl space is at or above the base flood elevation (BFE) of the area. If this elevation is not at or above the BFE, other requirements may apply. The FEMA maps updated 1/16/09 show this building is in an "A" flood zone. The required vertical datum is NAVD 1988.
- Development Engineering has no preference or objection to the variance request, and no recommended conditions of approval.

Fire Department:

- This building shall be re-modeled to meet the codes and ordinances currently adopted by the City of Carson City.

Health Department:

- 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.

Parks and Recreation Department:

- No comments.

Building Division:

NOTE: These comments are based on a review of the limited information provided.

SCOPE OF APPLICATION:

Change of Occupancy for what is currently a mixed use building from Group B/S-1 to a 3- unit apartment on the second story, with commercial storage on the first floor. The new mixed use occupancy will be Group R-2/S-1, as regulated by the International Building Code.

GENERAL PLAN SUBMITTAL COMMENTS:

1. Project requires application for a Building Permit, issued through the Carson City Building Division. This will necessitate a complete review of the project to verify compliance with all adopted construction codes and municipal ordinances applicable to the scope of the project.
2. The plans submitted for review shall comply with the prescriptive requirements found in the Carson City Building Division handout titled: *Commercial Submittal Requirements*. This handout may also be found online at: www.carson-city.nv.us/Index.aspx?page=181
3. Effective January 1, 2008, all new commercial submittals shall show compliance with the following codes, and adopted amendments:
 - 2007 Northern Nevada Amendments*
 - 2006 International Building Code
 - 2006 International Energy Conservation Code
 - 2006 International Existing Building Code
 - 2006 International Fire Code
 - 2006 Uniform Mechanical Code
 - 2006 Uniform Plumbing Code
 - 2005 National Electrical Code
 - 2003 ICC/ANSI A117.1 (For accessible design)

*- Carson City has adopted the 2007 Northern Nevada Amendments, which are available online at both the Carson City Building Division website and the Northern Nevada Chapter of the International Code Council (NNICC) at www.nnicc.org. With the adoption of the amendments, the snow and wind loads have increased within Carson City.

4. If the owner wishes to proceed with the proposed three (03) dwelling units, he will fall below the threshold that requires that the dwelling units must be accessible. As such, an elevator will not be necessary to access the dwelling units on the second story. ('06 *IBC 1104.4 Exception #2 & 1107.6.2.1*)
5. As a part of the submittal, include a complete "Architectural Design Analysis" for the whole building, indicating all proposed uses (occupancies). The "Architectural Design Analysis" shall include a **complete** break down of the **allowable area and height versus the actual area and height**. The analysis shall **indicate separated or non-separated uses for mixed occupancies**, with a complete itemized breakdown of the assigned Occupancy types (uses) within the various areas of the structure. ('06 *IBC Section 508*)

NOTE: If the registered design professional chooses to design the structure with "separated uses" (Occupancy separations), ALL uses shall be clearly shown on the plans, and the plans shall clearly indicate the location and type of the rated separation between uses. ('06 *IBC 508.3.3 & Table 508.3.3*)

6. The West facing wall line, due to its proximity to the property line, shall have a minimum of 1-hour fire resistance rating. In addition, please be aware that the wall line, which is located at 5'-0" to the property line, shall have a fire resistance rating designed for fire exposure on both sides of the wall. ('06 *IBC Table 602 & 704.5*)
7. Assuming that the building is equipped throughout with a full NFPA 13 sprinkler system, the glazing in the West wall line, due to their proximity to the property line, shall have either fire-protection-rated glazing, or an approved water curtain. ('06 *IBC 704.8, Table 704.8, 704.8.1, 704.12 Exception, & 715.5*)

SPECIAL USE PERMIT FINDINGS: Staff's recommendation is based upon the findings as required by CCMC Section 18.02.080 (Special Use Permits) enumerated below and substantiated in the public record for the project.

1. Will be consistent with the master plan elements.

The proposed development is in keeping with the following elements of the Carson City Master Plan.

CHAPTER 3: A BALANCED LAND USE PATTERN

GUIDING PRINCIPLE 1: A COMPACT AND EFFICIENT PATTERN OF GROWTH

Carson City will have a compact pattern that makes efficient use of the limited land area and water

resources it has available for urban growth, that fosters the provision of infrastructure and services in a cost-effective manner, and that balances development with conservation of the natural environment—particularly where public lands abut the urban interface. The City will utilize its existing redevelopment areas and other tools to promote the reuse and revitalization of established but underutilized areas of the community, such as its major gateway corridors and Downtown.

The Carson City Master Plan seeks to establish a balance of land uses within the community by providing employment opportunities, a diverse choice of housing, recreational opportunities, and retail services.

GOAL 1.1—PROMOTE THE EFFICIENT USE OF AVAILABLE LAND AND RESOURCES

1.1a—Balanced Land Use Plan

Ensure that the City's Land Use Map represents a level of growth that may be accommodated with available water resources and sewer capacity. The City should monitor growth trends and conduct periodic reviews of the City's growth capacity to ensure the Master Plan is consistent with the recommendations of the City's Water and Wastewater Master Plans.

1.1b—Urban Service Area

Discourage growth in locations not currently served by urban services or not planned to be served by the city's water and wastewater infrastructure by prohibiting the rezoning of lands for urban development intensities in locations not served or planned to be served by urban services, as identified in the City's Water and Wastewater Master Plan.

1.1d—Growth Management Ordinance

The City shall continue to review applications for proposed residential development in accordance with the Carson City 1988 Growth Management Ordinance, as contained in Chapter 18.12 of the City's Municipal Code.

GUIDING PRINCIPLE 2: **BALANCED LAND USE MIX**

The City will work to broaden and diversify its mix of land uses in targeted areas as well as citywide. Particular emphasis will be placed on expanding housing, retail, and service options to better serve both existing residents and the City's large non-resident workforce—achieving a better balance as a place to live as well as work.

GOAL 2.1—ENCOURAGE DIVERSITY IN CITYWIDE LAND USE MIX

2.1b—Mixed-Use Development

Encourage mixed-use development patterns (both vertically and horizontally mixed-use as appropriate given the surrounding development context) along major gateway corridors, in designated activity centers, downtown, and in other locations as identified on the Land Use Map.

GOAL 2.2—EXPAND HOUSING VARIETY

2.2a—Variety of Housing Types

Encourage a mix of housing models and densities for projects within the urbanized area based

upon their size, location, surrounding neighborhood context, and applicable land use policies, as contained in Chapter 3. In general, larger neighborhoods should incorporate the largest variety while a smaller site surrounded by existing housing may be more limited by required transitions, etc.

2.2b—Mixed-Use Development

Encourage the incorporation of complementary attached housing types in conjunction with employment and commercial uses, as supported by the policies for the Mixed-Use Employment, Mixed-Use Residential Neighborhood, Mixed-Use Commercial, and Downtown Mixed-Use land use categories contained in Chapter 3.

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.

Per the applicant, even though the property is currently zoned as General Commercial; there are three multi dwelling units on the second story of Building 2. The multi dwelling units did not obtain the proper approvals/permits for the use. At this time the property owner is going through the proper process to make the project comply with current codes.

There is no anticipated detrimental response to surrounding properties or the general neighborhood as a result of the proposed multi family use. The proposed project will not result in any additional building height, change in existing setbacks or increase of building square footage.

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

Per the information provided by the Engineering Division this proposal will have little effect on traffic or pedestrian facilities.

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.

Per the applicant the proposed project will not have a significant impact on the school district that is already in existence.

Currently water services are available in the immediate vicinity and servicing the subject site.

Currently sewer services are available in the immediate vicinity and servicing the subject site.

Per the information provided by Development Engineering Division this proposal will not impact existing public services further. The request is not in conflict with any Engineering Master Plans for streets or storm drainage. The proposal will not impact traffic or pedestrian facilities further, since people have already been living there.

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 of the GC District is to preserve a commercial district limited primarily to retail and wholesale sales of new and used material, repair and service 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).

Multi Family is allowed in accordance Development Standards 1.18 and is identified in the Conditional uses within the General Commercial zoning District and requires approval of a Special Use Permit.

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

From the information obtained in this Special Use Permit submittal and the staff site visits conducted, there is no indication that the proposed project will be detrimental to the public health, safety, convenience and welfare of the immediate vicinity or Carson City.

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

Per the applicant, if allowed to proceed with the proposed project, all that are involved from the local business community, families and the City of Carson will see better opportunities arise in the long and short range. Affordable, safe, housing offered to the public with an abundance of access to all that Carson City offers, is nothing short of a plus for everyone.

The required six parking spaces on site will be reserved for the occupants of the proposed multi dwelling units. The parking of inoperative vehicles will be prohibited.

The Engineering Division finds that the granting of the application will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons residing or working in the neighborhood of the subject property and will not be materially detrimental to public welfare or materially injurious to property or improvements in the neighborhood of the subject if the conditions of approval are met.

VARIANCE FINDINGS: Staff's recommendation of approval is based upon the findings as required by CCMC Section 18.02.085 (Variances) enumerated below and substantiated in the public record for the project.

1. That because of special circumstances applicable to the subject property, including shape, size, topography, and location of surroundings, the strict application of the zoning ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity or under identical zone classifications.

The applicant has noted the "as built" set back for the building in question is seven feet six inches. Per the current zoning this building would require a 30 foot setback. As researched by the Planning Division staff the Planning Division codes of the 1980's as they relate to setbacks were similar to today's requirements in this instance. Building 2 was built in 1985 and the proposed project will not result in an increase in building height or increase of building square footage. The

intent of the applications submitted is to utilize the existing structure (Building 2) as it has been used since prior to 2003 as a mixed use structure, and bring the structure into current day compliance as it relates to the code requirements.

The properties to the west are zoned Limited Industrial and Single Family 12,000. Both parcels are owned by the same property owner, the parcel directly behind Building 2 is .75 acres and is vacant with miscellaneous items stored on site and the parcel to the southeast is developed with a 3,317 square foot, single family dwelling unit built in 1973.

2. That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the applicant.

The current property owner purchased the site in 2003 with the expectations that it could function as a mixed use project, as the previous owner has done so. If the subject Variance is approved, the property owner will still be required to be re-modeled to meet the codes and ordinances currently adopted by the City of Carson City and obtain the required permits.

3. That the granting of the application will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons residing or working in the neighborhood of the subject property and will be materially detrimental to the public welfare or materially injurious to property or improvements in the neighborhood of the subject property.

The applicant noted Building 2 was originally constructed over 25 years ago, and one would think if damage to adjacent properties in the area were to occur it would of happen by now.

It should also be noted, other commercial properties in the vicinity have the same opportunities with SUP approval to convert or develop residential uses on site, subject to the requirements of the CCMC.

The granting of the application will not, under the circumstances of this particular case, adversely affect to a material degree the health or safety of persons residing or working in the neighborhood of the subject property and will be materially detrimental to the public welfare or materially injurious to property or improvements in the neighborhood of the subject property.

Respectfully submitted,

PUBLIC WORKS DEPARTMENT, PLANNING DIVISION

Jennifer Pruitt

Jennifer Pruitt, AICP, LEED AP
Principal Planner

Attachments:

Application (SUP-09-096)

Application (VAR-09-097)

Carson City Engineering Division comments

Carson City Fire Department comments

Carson City Building Division
Carson City Health Department comments
Parks and Recreation Department
Public comments

H:\PlngDept\PC\PC\2010\Staff Reports\SUP-09-096 Anderson MFA.doc

RECEIVED

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

FILE # SUP - 09 - 096

PROPERTY OWNER Anderson Veverka Family Trust

MAILING ADDRESS, CITY, STATE, ZIP

3321 Dog Leg Dr. Minden NV

PHONE # (775) 267-1203 **FAX #** (775) 882-0363

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

Darrin Berger Architect (H.D.A.)

MAILING ADDRESS, CITY, STATE ZIP

318 N Carson St. #202 Carson City NV 89701

PHONE # (775) 882-6455 **FAX #** (775) 882-1444

E-MAIL ADDRESS darrin@hdarchitects.com

FOR OFFICE USE ONLY:

CCMC 18.02

SPECIAL USE PERMIT **CARSON CITY
PLANNING DIVISION**

FEES: \$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.

Project's Assessor Parcel Number(s): 09-031-21	Street Address 291 Rhodes Street Carson City NV 89703	ZIP Code
Project's Master Plan Designation MUC	Project's Current Zoning GC	Nearest Major Cross Street(s) Curry and Rhodes

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: _____, or Development Standards, Division _____, Section _____, a request to allow as a conditional use is as follows:

This application is in response to the letter received from Johnnie Tuttle Building Inspector dated June 6th 2009. This application is in an effort to respond and comply with the concerns expressed. The SUP request is to allow an existing residential use to remain in a commercial zone

PROPERTY OWNER'S AFFIDAVIT

I, Dean Anderson, 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.

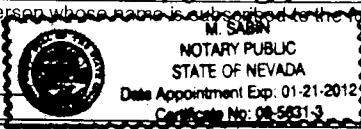
Dean 2578 S. Curry #8, Carson City, NV 12-31-09
 Signature Address Date

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

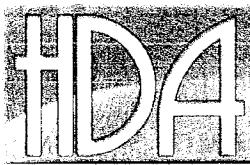
STATE OF NEVADA
 COUNTY of Carson City

On Dec. 31, 2009, Dean Anderson, 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.

Dean
 Notary Public



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.



HANNAFIN DESIGN ASSOCIATES
PLANNING ARCHITECTURE INTERIOR DESIGN

318 N. CARSON STREET, SUITE 202
CARSON CITY, NEVADA, 89701
EMAIL: ahannafin@hdarchitects.com
TEL: (775) 882-6455
FAX: (775) 882-1444

ARTHUR A. HANNAFIN
ARCHITECT - NV, CA, PA

12.17.09

Jennifer Pruitt, AICP, LEED AP - Principal Planner
Carson City Development Services - Planning Division
2621 Northgate Lane
Carson City, NV 89706

Re: 291 Rhodes Street
Carson City NV 89703
HDA PROJECT #: 0938

Dear Ms. Pruitt:

This letter is in response to the above captioned project on behalf of our client Dean Anderson. The purpose of this letter is to support our application for a Special Use Permit. Below are the questions required by the application followed by our answers. The Master Plan Policy Check List is also addressed

Question 1:

How will the proposed development further and be in keeping with, and not contrary to, the goals of the Master Plan Elements?

Answer:

A. The project is a corner lot located in a Mixed Use Commercial Zone. Immediately adjacent to the west of the site is a High Density Residential Zone. Both zones allow for a residential function designed to create a higher density neighborhood. The existing building configuration includes storage on the first floor with apartment units above. This project is consistent with the desire to allow for a vertical mix of uses on sites, including some higher-density residential. The project site is located along Curry Street which can be considered as an arterial street.

Question 2:

Will the effect of the proposed development be detrimental to the immediate vicinity? To the general neighborhood?

Answer:

- A. As mentioned the property is located on a corner lot in a Mixed Use Commercial Zone adjacent to a High Density Residential Zone to the west.
- B. Nearby adjacent land uses range from commercial to residential. Across the street is a nursery while new auto dealerships are being developed nearby. To the south and west of the site are single family homes. The residential use is appropriate for its location based on existing land usage.
- C. The residential use within the context of the commercial zone has no detrimental effects on the peaceful enjoyment or development of surrounding properties or the general neighborhood.
- D. Based on current use traffic is light. No additional traffic lights are required. Traffic impacts are negligible. Emergency vehicle response time is not effected.

- E. Explain any short-range and long-range benefit to the people of Carson City that will occur if your project is approved.

Question 3.

Has sufficient consideration been exercised by the applicant in adapting the project to existing improvements in the vicinity?

Answer:

- A. There is no significant impact to the school district. One could argue that the presence of people throughout the night may denture someone from vandalizing the storage areas.
- B. Surface drainage ties to the storm drain.
- C. Existing water supplied to the site is adequate to meet the need.
- D. Existing sewage capacity is adequate to serve the project.
- E. No road improvements are proposed or needed to accommodate the project.
- F. This project has existed as a mixed use since prior to 2003.
- G. If outdoor lighting is to be a part of the project, please indicate how it will be shielded from adjoining property and the type of lighting (wattage/height/placement) provided.
- H. The existing landscaping includes a planter area and several trees. See site plan.
- I. Provided parking adequately meets the needs of the project. See site plan for parking provided.

Master Plan Policy Check List

Guiding Principle 1: A Compact and Efficient Pattern of Growth

Goal: Promote the efficient use of available land and resources

1.1a—Balanced Land Use Plan

The project blends into the fabric of the existing context. The two story structure retains a compact footprint thus maintaining open space and natural resources.

1.1b—Urban Service Area

Project site is within the urban service area for all utilities

1.1d—Growth Management Ordinance

Allowing residential use above commercial storage space mitigates unnecessary growth through the efficient utilization of the available land.

Special Use Permit
291 Rhodes Street
Carson City NV 89703

Guiding Principle 2: Balanced Land Use Mix

Goal: Encourage diversity in city wide land use mix.

2.1b—Mixed-Use Development

The project supports a mixed-use development pattern.

2.1d—Land Use Friction Zones

The mixed use project is compatible with adjacent lands uses.

Goal: Expand housing variety.

2.2a—Variety of Housing Types

These housing models lend to the variety of housing types offered within the city.

2.2b—Mixed-Use Development

Incorporation of attached housing types in conjunction with the adjacent commercial uses is consistent with the sites Mixed-Use Commercial zoning designation.

2.2c—Accessory Dwellings

Dwelling units provide a means of affordable housing and an opportunity for citywide housing diversity.

Sincerely,

HANNAFIN DESIGN ASSOCIATES, LLP

Darrin Berger, Architect

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

Date



Carson City

NEVADA

[Treasurer Home](#)[Assessor Data Inquiry](#)[Back to Last Page](#)

Secured Tax Inquiry Detail for Parcel # 009-031-21

Property Location: 291 RHODES ST

Roll #: 000403

Billed to: ANDERSON/EVERKA FAMILY TRUST
% D ANDERSON & M EVERKA, TT
3321 DOG LEG DR

Tax Year: 2010

District: 1.7

Tax Service:

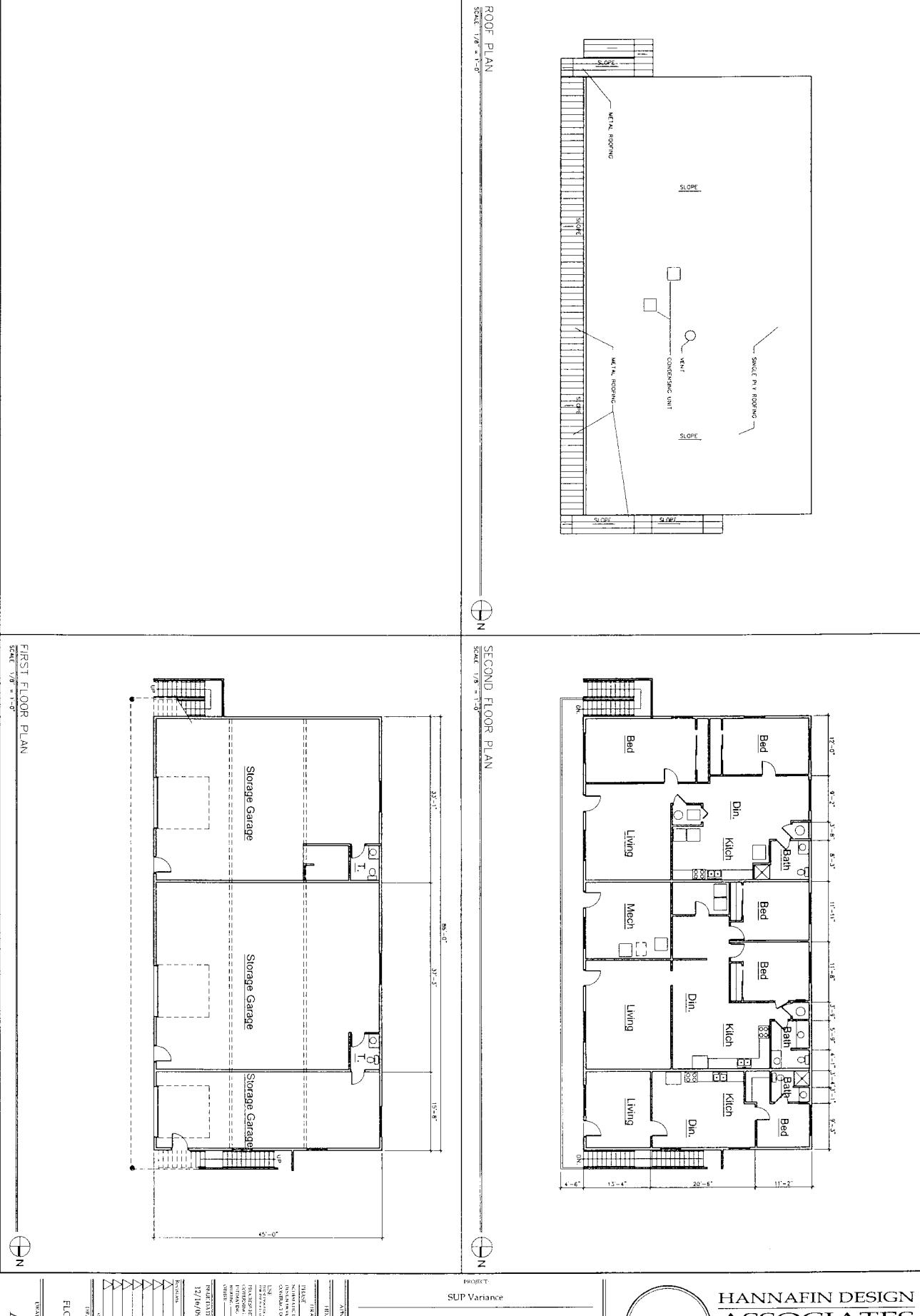
Land Use Code: 400

Outstanding Taxes:

Prior Year	Tax Penalty/Interest	Total	Amount Paid	Total Due
2009	4,203.74	4,203.74	4,203.74	.00

Current Year			No Taxes Owing	
08/17	1,135.62	1,135.62	1,135.62	.00
10/05	1,132.00	1,132.00	1,132.00	.00
01/04	1,132.00	1,132.00	1,132.00	.00
03/01	1,132.00	1,132.00	1,132.00	.00
Totals:	4,531.62	.00	4,531.62	4,531.62

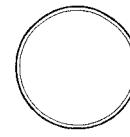
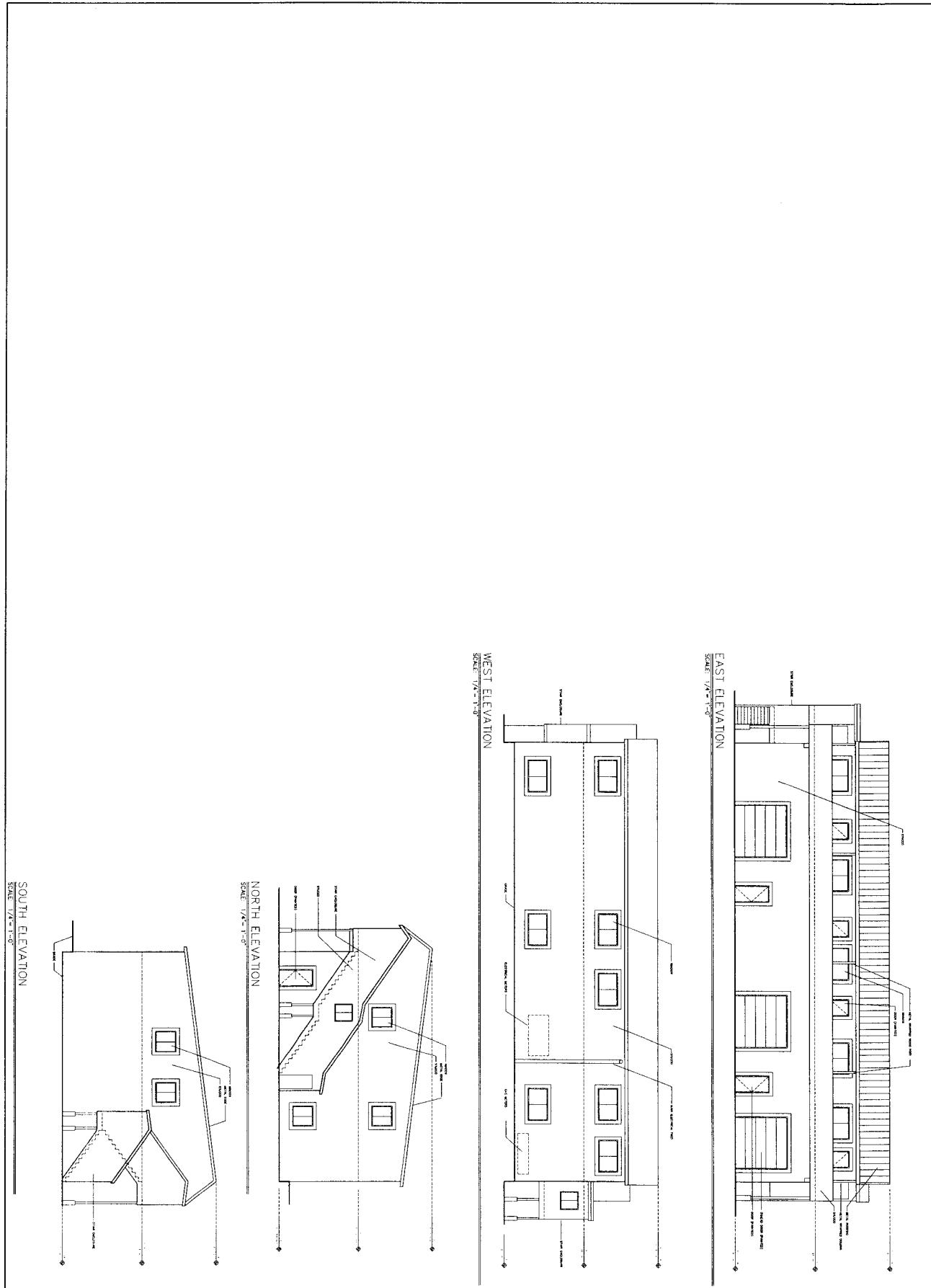
[History](#)



291 Rhodes Street

Carson City, NV 89703

**HANNAFIN DESIGN
ASSOCIATES**
ARCHITECTURE PLANNING INTERIORS
318 N. CARSON STREET, SUITE 202, CARSON CITY, NV 89701
PHONE: (775)882-6155 FAX: 882-1444
E-MAIL: ahannafin@hdclarchitects.com



HANNAFIN DESIGN
ASSOCIATES
ARCHITECTURE PLANNING INTERIORS
318 N. CARSON STREET, SUITE 302 CARSON CITY, NV 89701
PHONE: (775)882-6455 FAX: 882-1444
E-MAIL: ahannafin@hdarchitects.com

RECEIVED

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

FILE # VAR - 09 - 097**FOR OFFICE USE ONLY:**

CCMC 18.02

DEC 31 2009

**CARSON CITY
PLANNING DIVISION****PROPERTY OWNER**

Anderson Veverka Family Trust

MAILING ADDRESS, CITY, STATE, ZIP

3321 Dog Leg Dr. Minden NV

PHONE #

(775) 267-1203

FAX #

(775) 882-0363

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

Darrin Berger Architect (H.D.A.)

MAILING ADDRESS, CITY, STATE ZIP

318 N. Carson St. Carson City NV 89701

PHONE #

(775) 882-6455

FAX #

(775) 882-1444

E-MAIL ADDRESS

darrin@hdarchitects.com

Project's Assessor Parcel Number(s):

09-031-21

Street Address

291 Rhodes St. Carson City NV 89703

ZIP Code**Project's Master Plan Designation**

MUC

Project's Current Zoning

GC

Nearest Major Cross Street(s)

Curry and Rhodes

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: _____, or Development Standards, Division _____, Section _____, a request to allow a variance as follows:

This application is in response to the letter received from Johnnie Tuttle, Building Inspector dated June 6th 2009. This application is an effort to respond and comply with the concerns expressed.

The Request for Variance is to allow a reduced setback along the west edge of the property.

PROPERTY OWNER'S AFFIDAVIT

I, Dean Anderson, 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.

Signature

Address

2578 S. Curry #8, Carson City, NV

Date

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

STATE OF NEVADA
 COUNTY of Carson City

On Dec. 31, 2009, Dean Anderson, personally appeared before me, a notary public, personally known (or proved) to me to be the person whose signature is affixed hereto, to the foregoing document and who acknowledged to me that he/she executed the foregoing document.

Notary Public



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 Division personnel can help you make the above determination.



HANNAFIN DESIGN ASSOCIATES
PLANNING ARCHITECTURE INTERIOR DESIGN
318 N. CARSON STREET, SUITE 202
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ARTHUR A. HANNAFIN
ARCHITECT - NV, CA, PA

12.17.09

Jennifer Pruitt, AICP, LEED AP - Principal Planner
Carson City Development Services - Planning Division
2621 Northgate Lane
Carson City, NV 89706

Re: 291 Rhodes Street
Carson City NV 89703
HDA PROJECT #: 0938

Dear Ms. Pruitt:

This letter is in response to the above captioned project on behalf of our client Dean Anderson. The purpose of this letter is to support our request for Variance. Below are the questions required by the application followed by our answers.

Question 1.

Describe the special circumstances or conditions applying to the property under consideration which exist making compliance with the provisions of this title difficult and a cause of hardship to, and abridgment of a property right of the owner of the property; and describe how such circumstances or conditions do not apply generally to other properties in the same land use district and explain how they are not self-imposed.

Answer:

The "as built" building set back is 7'-6". Per current zoning this building would require a 30' setback. Clearly the building can not be moved. However this variance request is based upon the requirements of the IBC with regard to side yard setbacks. In response to life safety concerns the owner plans to install a fire sprinkler system throughout including deluge heads located above windows adjacent to the property line.

Question 2.

Explain how granting of the variance is necessary to do justice to the applicant or owner of the property without extending any special privilege to them.

Answer:

The current owner purchased this property in 2003 with the expectation that it could function as a mixed use project, as the prior owner used the building in this capacity. Granting of this variance will not be harmful to the public health, safety and general welfare as these concerns are addressed through the application of fire sprinklers and other improvements.



Variance Request
291 Rhodes Street
Carson City NV 89703

Question 3.

Explain how the granting of the variance will not result in material damage or prejudice to the other properties in the vicinity nor be detrimental to the public health, safety and general welfare.

Answer:

This building was originally constructed over 20 years ago if damage to adjacent property owners was to occur it would have by now. Granting of this variance will not be harmful to the public health, safety and general welfare as these concerns are addressed through the application of fire sprinklers.

Sincerely,

HANNAFIN DESIGN ASSOCIATES, LLP

Darrin Berger, Architect

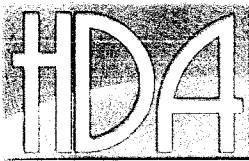
Cc: File

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

Date

**HANNAFIN DESIGN ASSOCIATES**

PLANNING ARCHITECTURE

INTERIOR DESIGN

318 N. CARSON STREET, SUITE 202
CARSON CITY, NEVADA, 89701
EMAIL: ahannafin@hdarchitects.com
TEL: (775) 882-6455
FAX: (775) 882-1444

ARTHUR A. HANNAFIN

ARCHITECT - NV, CA, PA

12.28.09

Jennifer Pruitt, AICP, LEED AP - Principal Planner
Carson City Development Services - Planning Division
2621 Northgate Lane
Carson City, NV 89706

Re: 291 Rhodes Street
Carson City NV 89703
Applications: **SUP 09-096 and VAR 09-097**
HDA PROJECT #: 0938

Dear Ms. Pruitt:

The following information is in response to your letter Dated 12.22.09 in which our application was deemed incomplete pending additional information. Below is additional back up information regarding the reasons for this application:

- This property was identified by Community Development as a non conforming/ non permitted use
- See attached letter from Johnnie Tuttle.
- The property owner wishes to maintain the current use of the property which includes three residential apartment units above commercial storage. The owner notes that the property has existed in this capacity since it was constructed in the 1980's with the exception of a brief period of time when the property was occupied by a tanning salon.
- At the time the property was purchased by the current owner he assumed that the apartment units were an acceptable occupancy along with the expectation that this would be a viable means of generating a return on his investment.
- The property owner realizes that if he maintains the current use of this property he is obligated to upgrade the property to meet current zoning and building codes. Planned upgrades include the addition of a fire sprinkler system and electrical improvements.

Please let me know if you have any further concerns or questions

Sincerely,

HANNAFIN DESIGN ASSOCIATES, LLP

Darrin Berger
Architect

Encl. Tuttle Letter

Cc: File



Call Darren Berger
882-1444

CARSON CITY, NEVADA
CONSOLIDATED MUNICIPALITY AND STATE CAPITAL

October 23, 2009

Anderson/Voverka Family Trust
% D Anderson & M Veverka, TTEES
3321 Dog Leg Dr.
Mindon, NV 89423

Subject: 291 Rhodes Street, Carson City, NV 89703

Dear Dean,

A letter was sent to you dated June 9, 2009 regarding a change of use and remodel work that was done at the above noted property without required city approvals. As of this date, the Carson City Permit Center has not received submittal documents for review and approval. Listed below are time frames for submittal of required plans, issuance of permits and a completion date to bring the subject property into compliance:

- Plans shall be submitted to the permit center for review within 30 days of receipt of this letter.
- The plan review shall be completed and a permit issued within 45 days of the submittal date.
- All work shall be completed and signed off as approved by this office within 90 days of permit issuance date.

If the subject property is not your permanent residence, all of the above requirements shall be completed in compliance with Nevada State law for commercial properties.

Failure to comply with any of the above requirements may result in a citation being issued.

If you have any questions please call me at 775-887-2310.

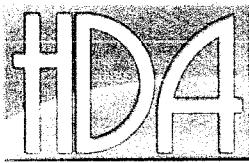
Sincerely,

Johnnie Tuttle
Building Inspector

cc: Kevin Gattis, Chief Building Official
Joel Benton, District Attorney's Office

CERTIFIED MAIL # 7007 2560 0000 5997 7257

BUILDING DEPARTMENT • 2621 Northgate Lane, Suite #8 • 89706-1619 • (775) 887-2810



HANNAFIN DESIGN ASSOCIATES

PLANNING ARCHITECTURE

INTERIOR DESIGN

318 N. CARSON STREET, SUITE 202
CARSON CITY, NEVADA, 89701
EMAIL: ahannafin@hdarchitects.com
TEL: (775) 882-6455
FAX: (775) 882-1444

ARTHUR A. HANNAFIN

ARCHITECT - NV, CA, PA

12.28.09

Jennifer Pruitt, AICP, LEED AP - Principal Planner
Carson City Development Services - Planning Division
2621 Northgate Lane
Carson City, NV 89706

Re: 291 Rhodes Street
Carson City NV 89703
Applications: **SUP 09-096 and VAR 09-097**
HDA PROJECT #: 0938

Dear Ms. Pruitt:

The following information is in response to your letter Dated 12.22.09 in which our application was deemed incomplete pending additional information. The following is provided in support of meeting Development Standard 1.18.

1. Permitted Uses:

Single Family, Two Family and Multi Family are Conditional Uses in a GC district which require a special use permit.

2. Setbacks:

	Allowed	Actual
Front:	0'-0"	232'-6"
Side:	0'-0"	77'-0"
Side Street:	10'-0"	17'-2"
Rear:	30'-0"	7'-6"

3. Maximum Building Height:

The subject building is below the allowable building height of 45'

	Allowed	Actual
Height:	45'-0"	30'-2"

4. Setbacks:

a. **Minimum Setbacks: Adjacent to residential zoning. 20 feet is required plus 10 feet for each additional story therefore 30' is required.** Subject building has a 7'-6" setback along the west edge of the property which does not comply with the current zoning requirements. The property improvements were done before the current zoning setbacks were established.

b. **10' setback from ROW of arterial streets:**

Subject building meets this criterion. Subject building is set back 232'-6" from the main artery Curry Street and 17'-2" from Rhodes Street.

5. Parking Requirements:

Currently 16 parking stalls are provided.

- 6 stalls are required for the 3 dwelling units.
- 4 stalls are required for the Storage Areas (1/1000 SF).
- 6 remaining stalls serve the 4000 SF office/warehouse building.
 - Business Office: 1 stall per 325SF @ 1,000 SF = 3 Stalls required.
 - Warehouse: 1 stall per 1000SF @ 3,000 SF = 3 Stalls required.

Table 2.2

All single-family, two family, and multiple family residential dwellings	2 spaces per dwelling unit.*
Business and professional offices	1 space for each 325 square feet of gross floor area. If the office space utilizes partitions rather than separate spaces or rooms, then 1 space for each 200 square feet of gross floor area.
Warehouse, storage building, wholesale operations	1 space for each 1,000 square feet of gross floor area plus 1 space for each employee.

Based on the aforementioned parking requirements the project is adequately parked. If the upstairs residential use were changed to a business or professional office a parking short fall would occur.

6. Open space:

On the east side of the building 1,365 SF of landscaped (grass and trees) open space is provided. 250 SF per unit is required. For the 3 residential units 750 SF of open space is needed.

7. Landscaping:

The site is 1.18 acres with approximate coverage areas as follows:

Building One	4,000	(8%)	15%
Building Two	3,870	(7%)	14%
Hardscape (Impervious)	16,615	(32%)	59%
Landscape (Pervious)	1,365	(3%)	5% (4 trees and grass)
Unimproved gravel	23,545	(46%)	12 trees
<u>Other (Side yards-Pervious)</u>	<u>2,006</u>	<u>(4%)</u>	<u>7%</u>
Total:	51,109	(100%)	

3.5 Landscape Design Standards.

Ref: 3.5.2 Impervious vs pervious coverage
 $1,365 + 2,006/16,615 = 20\%$

3.7 Trees.

Ref: 3.7.1 Minimum Number of Trees.
 $1365/400 = 3$ trees required

Note: Analysis excludes the unimproved portion of the site.

8. SUP Standards:

- Subject building is set to the back of the site 232'-6" from the main artery Curry Street.
- Development includes residential and commercial uses.
- Generally speaking the project meets the mixed use criteria and standards including Density, Location and Mixed use. Please note a portion of the site has yet to be developed.

Please let me know if you have any further concerns or questions

Sincerely,
HANNAFIN DESIGN ASSOCIATES, LLP

Darrin Berger
 Architect

Cc: File

Appendix C: Interim Mixed-Use Evaluation Criteria

PURPOSE:

The implementation of numerous policies contained within the Master Plan hinges on the creation of three mixed-use zoning districts to align with the Mixed-Use Commercial (MUC), Mixed-Use Employment (MUE), and Mixed-Use Residential (MUR) land use categories. Recognizing that mixed-use development proposals have already been and will continue to be submitted within these areas prior to the completion and adoption of the future mixed-use zoning districts, a set of Interim Mixed-Use Evaluation Criteria have been developed to:

- Facilitate higher intensity, mixed-use development in locations designated on the Land Use Plan for mixed-use development, but where mixed-use zoning is not currently in place;
- Encourage the incremental transition of existing uses in locations designated on the Land Use Plan for mixed-use development, recognizing that in some locations, mixed-use development may be perceived as incompatible with existing adjacent uses in the short term;
- Establish a consistent method for reviewing mixed-use development projects until mixed-use zone districts can be established; and
- Ensure that mixed-use development is consistent with the General Mixed-Use policies contained in the Master Plan, as well as with specific MUC, MUE, and MUR policies, as applicable.

The Interim Mixed-Use Evaluation Criteria will continue to be used as a tool to review mixed-use development proposals until mixed-use zone districts can be established.

MIXED-USE EVALUATION CRITERIA:

APPLICABILITY

The following Interim Mixed-Use Evaluation Criteria shall apply to all development proposed within the Mixed-Use Residential (MUR), Mixed-Use Commercial (MUC), and Mixed-Use Employment (MUE) land use categories. The application of these Criteria shall be triggered in one of the following ways:

- *Existing Zoning/Special Use Permit*—Development is proposed within a mixed-use land use category where the underlying zoning may permit the types and mix of uses proposed using

the Special Use Permit process as outlined in Section 18.02.80 of the City's Municipal Code. The Interim Mixed-Use Evaluation Criteria are applied in addition to the standard list of Findings outlined in the Code.

Example: If a mixed-use project (commercial/residential) were proposed within the Mixed-Use Commercial land use category on a property that is currently zoned for General Commercial, the residential portion of the project would be considered using the Special Use Permit process under the existing Code. Once the Master Plan is adopted, the project would also be subject to the Interim Mixed-Use Evaluation Criteria as part of the Special Use Permit Process.

- **Re-Zoning/Special Use Permit**—Development is proposed within a mixed-use land use category where the underlying zoning does not permit the types and mix of uses proposed. In this instance, the subject property would need to be re-zoned to the most appropriate zoning district and then followed for the project and combined with a Special Use Permit or Planned Unit Development request to allow the mix of uses desired and to trigger the application of the Interim Mixed-Use Evaluation Criteria.

Example: If a mixed-use project (commercial/residential) were proposed within the Mixed-Use Commercial land use category on a property that is currently zoned for Light Industrial, the residential portion of the project would not be eligible for consideration using the Special Use Permit process under the existing Code. Therefore, the subject property would need to be rezoned to General Commercial prior to beginning the Special Use Permit Process that would allow the residential portion of the project to be considered under the Interim Mixed-Use Evaluation Criteria.

- **Planned Unit Development (PUD)**—Development is proposed within a mixed-use land use category where the underlying zoning does not permit the types and mix of uses proposed. As an alternative to the Re-Zoning/Special Use Permit process outlined above, a Planned Unit Development request could be submitted for the subject property, within which it could be re-zoned to the most appropriate zoning district(s) for the project. As part of the PUD process, the Interim Mixed-Use Evaluation Criteria would be applicable all other conditions of approval outlined in the City's Municipal Code.

GENERAL INTENT

The Mixed-Use Evaluation Criteria provide an overview of key mixed-use development features that should be addressed by proposed mixed-use developments occurring to ensure they are consistent with Master Plan policies. They are intended to be used in conjunction with the land use specific review criteria that follow this section based on the applicable mixed-use land use designation.

MIX OF USES

Background and Intent:

Mixed-use developments should incorporate a variety of uses in a compact, pedestrian-friendly environment. Uses are encouraged to be mixed vertically ("stacked"), but may also be integrated horizontally. Recommended types and proportions of uses vary by mixed-use land use category and will also vary according to a project's location, size, and the surrounding development context. For example, a MUC development located on an individual parcel away from a primary street frontage may reasonably contain a higher percentage of residential development than one that is located with direct access and visibility from the primary street frontage. On some smaller parcels, integrating multiple uses may not be feasible at all, therefore, the consolidation of properties to create larger, mixed-use activity centers is encouraged. These factors should be considered and weighed in conjunction with the evaluation criteria listed below.

Evaluation Criteria:

CRITERIA	CRITERIA SATISFIED?	COMMENTS
1. Are the types of uses and percentages of different uses consistent with the relevant Master Plan policies listed below? (MUC 1.6, MUR 1.5, MUE 1.5)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Of the developed portion of the site 66% is commercial and 33% is residential.
2. Are activity generating uses (e.g., retail/commercial) concentrated along primary street frontages and in other locations where they may be easily accessed and may be readily served by transit in the future?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
3. Are large activity generating uses (e.g., retail/commercial) located so as to minimize impacts of loading areas and other facilities on existing neighborhoods?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
4. Are residential uses well-integrated with non-residential uses (either horizontally or vertically) and the surrounding development context?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Residential use is located above the commercial storage spaces.

5. Do the proposed housing types and densities promote activity and support non-residential uses in the development or in close proximity to the development, as applicable?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Relevant Master Plan Policies:

- Chapter 3: 2.1b, 2.3b, GMU 1.1, GMU 1.2, MUC 1.56, MUR 1.5, MUE 1.5
- Chapter 6: 7.2a, 7.2b

MIX OF HOUSING TYPES

Background and Intent:

Each of the mixed-use land use categories allow for the incorporation of a variety of housing as a part of a broader mix of uses. Although a mix of housing types and densities is encouraged within each category, the scale, size, type, and location of each development should play a significant role in determining what makes sense. For example, a 200 acre MUR development on a vacant parcel should generally contain a broader mix of housing types and densities than a 10 acre MUR development working within an established development context. However, the MUR development will likely have higher average densities due to its proximity to a primary street frontage and its more urban context. Given the range of scenarios that may emerge, the evaluation criteria listed below are intentionally broad to allow for maximum flexibility.

Evaluation Criteria:

CRITERIA	CRITERIA SATISFIED?	COMMENTS
6. Does the development contain a mix of housing types that is compatible with the surrounding neighborhood and planned land use in terms of its scale and intensity?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	The two story structure is in scale with the surrounding buildings. the site is adjacent to HDR
7. Does the development contain a mix of housing types that is appropriate to its scale, location, and land use category?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	The apartments are appropriate to the MUC land use

Relevant Master Plan Policies:

- Chapter 3: 2.2a, 2.2b
- Chapter 6: 8.1a

DENSITY RANGE

Background and Intent:

Average densities within mixed-use developments are generally expected to be higher than those typically found within the City today. Recognizing the many factors that influence the ultimate density of a mixed-use development (e.g., location, type), the Master Plan provides a suggested range of floor area ratios (FAR) and dwelling units/acre for each of the mixed-use land use categories. For the purposes of the evaluation criteria listed below, densities that fall below the low end of a density range for a particular land use category will be strongly discouraged in order to promote the Plan's objective of creating a more compact pattern of development. The Plan also acknowledges that there may be instances where densities that exceed the suggested range are appropriate in some locations, such as within a mixed-use activity center, provided other land use policies are followed. These instances will be evaluated on a project-by-project basis.

Evaluation Criteria:

CRITERIA	CRITERIA SATISFIED?	COMMENTS
8. Does the development achieve at least the minimum density range for the applicable land use category?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	FAR Commercial to residential 2:1
9. Does the development exceed the maximum density range for the applicable land use category?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
10. If yes to #9 above, is the development located within a designated mixed-use activity center?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
11. If yes to #9 above, is the largest concentration of density concentrated away from primary street frontages and surrounding neighborhoods?	Yes <input type="checkbox"/> No <input type="checkbox"/>	

Relevant Master Plan Policies:

- Chapter 3: MUC 1.3, MURI 1.3, MUE 1.3

CIRCULATION AND ACCESS

Background and Intent:

Mixed-use developments should be designed using an interconnected network of streets to provide efficient connections between uses and to accommodate vehicular, bicycle, and pedestrian circulation, as well as existing or future transit service. Direct vehicular and pedestrian connections to adjacent neighborhoods, commercial, and civic uses should be provided, as should linkages to existing and planned trail systems.

Evaluation Criteria:

CRITERIA	CRITERIA SATISFIED?	COMMENTS
12. Do vehicular and pedestrian ways provide logical and convenient connections between proposed uses and to adjacent existing or proposed uses?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
13. Does the hierarchy of perimeter and internal streets disperse development generated vehicular traffic to a variety of access points, discourage through traffic in adjacent residential neighborhoods and provide neighborhood access to on site uses?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
14. If the development is located along a primary street frontage, have existing or proposed transit routes and stops been incorporated?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

Relevant Master Plan Policies:

Chapter 3: GMU 1.3, MUC 1.8

Chapter 7: 10.2b, 11.1a, 11.1c

PARKING LOCATION AND DESIGN

Background and Intent:

The visual and physical barriers created by surface parking areas should be minimized within mixed-use developments. To promote a more compact, pedestrian-friendly environment, off-street parking for mixed-use developments should be located behind buildings and away from primary street frontages. The use of on-street parking or shared parking to provide a portion of the required parking for mixed-use developments is strongly encouraged, where feasible, to make the most efficient use of each development site. In addition, structured parking is encouraged where viable, provided it is integrated into the design of the overall development.

Evaluation Criteria:

CRITERIA	CRITERIA SATISFIED?	COMMENTS
15. Is surface parking distributed between the side and rear of primary buildings and away from primary street frontages?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
16. Are larger parking lots organized as a series of smaller lots with clear pedestrian connections and landscape buffers as dividers?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
17. Is surface parking screened from surrounding neighborhoods and pedestrian walkways?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Screened by building and trees.
18. Is structured parking integrated with adjacent structures in terms of its design and architectural character?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
19. Are structured parking facilities "wrapped" with retail or residential uses at the street level to provide a more inviting pedestrian environment?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	

Relevant Master Plan Policies:

- Chapter 3: GMU 1.4, MUC 1.8

RELATIONSHIP TO SURROUNDING DEVELOPMENT

Background and Intent:

Many of the areas designated for mixed-use development are located within established areas of the City. As a result, much of the mixed-use development that occurs will occur through a combination of infill and redevelopment. Therefore, establishing a strong physical and visual relationship to adjacent neighborhoods and the community will be an important consideration.

Evaluation Criteria:

CRITERIA	CRITERIA SATISFIED?	COMMENTS
20. Are transitions in building massing and height provided to relate to surrounding development patterns?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
21. Is the new development well-integrated into the surrounding neighborhood, rather than "walled off", consistent with the mixed-use policies contained in the Master Plan?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
22. If applicable, are lower intensity uses (e.g., residential) located along the periphery of the site where it adjoins an existing residential neighborhood to provide a more gradual transition in scale and mass and to minimize potential impacts of non-residential uses (e.g., loading areas, surface parking)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	

Relevant Master Plan Policies:

- Chapter 3: MUC 1.7, MUR 1.7, MUE 1.6
- Chapter 6: 8.3b

PUBLIC SPACES, PARKS, OPEN SPACE, AND PATHWAYS

Background and Intent:

Mixed-use developments should be organized around a central gathering space or series of spaces, such as small urban plazas, pocket parks, or active open space areas. These types of public spaces

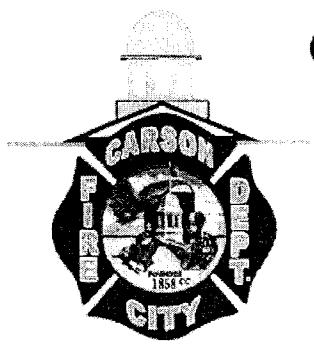
serve as urban recreational amenities for residents that may not have access to larger community parks or recreational amenities without getting in their cars and generally promote increased levels of pedestrian activity. Larger mixed-use developments, particularly within the MUR and MUE categories, may also need to incorporate more traditional recreational features, such as parks and trails, depending upon their size and location.

Evaluation Criteria:

CRITERIA	CRITERIA SATISFIED?	COMMENTS
23. Does the development provide public spaces to serve residents and the larger community?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
24. Are public spaces appropriate in terms of their size and active vs. passive features provided given the scale and location of the proposed development?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
25. Are public spaces easily accessible to pedestrians and the surrounding community, if applicable?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
26. Are parks and trails provided consistent with the Parks, Recreation, and Unified Pathways Master Plan?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	

Relevant Master Plan Policies:

- Chapter 3: MUC 1.6, MUR 1.8, MUE 1.7



CARSON CITY FIRE DEPARTMENT

Served with Pride, Commitment, Compassion

MEMORANDUM

TO: Community Development

FROM: Duane Lemons, Fire Inspector

DATE: January 4, 2010

SUBJECT: AGENDA ITEMS FOR JANUARY 27, 2010 PLANNING COMMISSION MEETING.

We reviewed the agenda items for the January 27, 2010 Planning Commission Meeting and have the following comments:

- SUP-09-094 CC Parks & Rec, Project One This project must meet all codes and ordinances as they relate to this request.
- SUP-05-258 Virginia Erskine We have no concern with the applicant's request.
- SUP-09-096 & VAR-09-097 Anderson/Verka Family Trust This building shall be re-modeled to meet the codes and ordinances currently adopted by the City of Carson City.

DL/lb

File # (Ex: MPR #07-111)	SUP 09-096...VAR 09-097
Brief Description	Change of Occupancy B/S-1 to R-2/S-1
Project Address or APN	APN 009-031-21
Bldg Div Plans Examiner	Kevin Gattis, Building Official
Review Date	December 22, 2009
Total Spent on Review	

BUILDING DIVISION COMMENTS:

1. NOTE: *These comments are based on a review of the limited information provided.*

SCOPE OF APPLICATION:

Change of Occupancy for what is currently a mixed use building from Group B/S-1 to a 3-unit apartment on the second story, with commercial storage on the first floor. The new mixed use occupancy will be Group R-2/S-1, as regulated by the International Building Code.

GENERAL PLAN SUBMITTAL COMMENTS:

1. Project requires application for a Building Permit, issued through the Carson City Building Division. This will necessitate a complete review of the project to verify compliance with all adopted construction codes and municipal ordinances applicable to the scope of the project.
2. The plans submitted for review shall comply with the prescriptive requirements found in the Carson City Building Division handout titled: *Commercial Submittal Requirements*. This handout may also be found online at: www.carson-city.nv.us/Index.aspx?page=181
3. Effective January 1, 2008, all new commercial submittals shall show compliance with the following codes, and adopted amendments:
 - 2007 Northern Nevada Amendments*
 - 2006 International Building Code
 - 2006 International Energy Conservation Code
 - 2006 International Existing Building Code
 - 2006 International Fire Code
 - 2006 Uniform Mechanical Code
 - 2006 Uniform Plumbing Code
 - 2005 National Electrical Code
 - 2003 ICC/ANSI A117.1 (For accessible design)

*- Carson City has adopted the 2007 Northern Nevada Amendments, which are available online at both the Carson City Building Division website and the Northern Nevada Chapter of the International Code Council (NNICC) at www.nnicc.org. With the adoption of the amendments, the snow and wind loads have increased within Carson City.

4. If the owner wishes to proceed with the proposed three (03) dwelling units, he will fall below the threshold that requires that the dwelling units must be accessible. As such, an elevator will not be necessary to access the dwelling units on the second story. ('06 IBC 1104.4 Exception #2 & 1107.6.2.1)
5. As a part of the submittal, include a complete "Architectural Design Analysis" for the whole building, indicating all proposed uses (occupancies). The "Architectural Design Analysis" shall include a **complete** break down of the **allowable area and height versus the actual area and height**. The analysis shall **indicate separated or non-separated uses for mixed occupancies**, with a complete itemized breakdown of the assigned Occupancy types (uses) within the various areas of the structure. ('06 IBC Section 508)

NOTE: If the registered design professional chooses to design the structure with "separated uses" (Occupancy separations), ALL uses shall be clearly shown on the plans, and the plans shall clearly indicate the location and type of the rated separation between uses. ('06 IBC 508.3.3 & Table 508.3.3)

6. The West facing wall line, due to its proximity to the property line, shall have a minimum of 1-hour fire resistance rating. In addition, please be aware that the wall line, which is located at 5'-0" to the property line, shall have a fire resistance rating designed for fire exposure on both sides of the wall. ('06 IBC Table 602 & 704.5)
7. Assuming that the building is equipped throughout with a full NFPA 13 sprinkler system, the glazing in the West wall line, due to their proximity to the property line, shall have either fire-protection-rated glazing, or an approved water curtain. ('06 IBC 704.8, Table 704.8, 704.8.1, 704.12 Exception, & 715.5)

**Engineering Division
Planning Commission Report
File Number SUP 09-096**

TO: Planning Commission

FROM: Rory Hogen – Assistant Engineer

DATE: January 13, 2010

MEETING DATE: January 27, 2010

SUBJECT TITLE:

Action to consider an application for a Special Use Permit from property owner Darren Burger of Anderson/Veverka Family trust to allow residential multi-family apartments on property zoned General Commercial at 291 Rhodes St., APN 09-031-21. The apartments already exist and were built without a permit.

RECOMMENDATION:

The Engineering Division has no preference or objection to the special use request. If the request is approved, then the following conditions of approval are recommended.

1. All water services (domestic and fire) shall have reduced pressure type backflow prevention devices as required by NAC 445A.67195.
2. Water connection fees were apparently never paid for these apartments, but research shows that significant amounts have been paid over time for water. It appears that the water paid for would cover the amount being used presently based on the last two years, but that is assuming all three apartments were in use. This will have to be reviewed again as more information comes in. If fees are required, they will be collected at the time the permit is issued, and probably will cost about \$865.00. This is an estimate only.
3. Adequate sewer connection fees have been paid for this property.
4. Please show water and sewer mains in the streets and services to the building on the plan submittal for permit.
5. A fire flow analysis is required with building permit submittal.
6. According to Robb Fellows, P.E., our flood plain manager, any work in the building will require the submittal of an elevation certificate showing that the lowest elevation including crawl space is at or above the base flood elevation (BFE) of the area. If this elevation is not at or above the BFE, other requirements may apply. The FEMA maps updated 1/16/09 show this building is in an "A" flood zone. The required vertical datum is NAVD 1988.

Engineering Division
Planning Commission Report
SUP 09-096 291 Rhodes Res. Multi-Family on General Commercial apn 09-031-21
Page 2

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 except as noted above.

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 not impact traffic or pedestrian facilities further, since people have already been living there.

CCMC 18.02.080 (5d) - Public Services

The proposal will not impact existing public services further, because people have already been living there.



CARSON CITY, NEVADA

CONSOLIDATED MUNICIPALITY AND STATE CAPITAL
DEVELOPMENT SERVICES

RECEIVED
JAN 13 2010
CARSON CITY
PLANNING DIVISION

Carson City Development Engineering Planning Commission Report

File Number VAR-09-097

TO: Planning Commission

FROM: Jeff Sharp, P.E. - City Engineer 

DATE: January 13, 2010

MEETING DATE: January 27, 2010

SUBJECT TITLE:

Action to consider a Variance application from Hannafin Design Associates on behalf of owner Anderson Veverka Family Trust to reduce the required setback to allow an existing residential use on property zoned GC, located at 291 Rhodes Street, APN 009-031-21.

RECOMMENDATION:

Development Engineering has no preference or objection to the variance request, and no recommended conditions of approval.

DISCUSSION:

Development Engineering has reviewed the request within our areas of purview relative to adopted standards and practices and to the provisions of CCMC 18.02.085, Variances:

CCMC 18.02.085 (2a) - Adequate Plans

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

CCMC 18.02.085 (5c) - Adverse Affects to the Public

The Engineering Division finds that the granting of the application will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons residing or working in the neighborhood of the subject property and will not be materially detrimental to public welfare or materially injurious to property or improvements in the neighborhood of the subject if the conditions of approval are met.

H:\EngDept\P&ESHARE\Engineering\Planning Commission Reports\Variances\VAR 09-097 setbacks, 291 Rhodes apn 009-031-21.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





CARSON CITY, NEVADA

CONSOLIDATED MUNICIPALITY AND STATE CAPITAL

RECEIVED

JAN 20 2010

CARSON CITY
PLANNING DIVISION

MEMORANDUM

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

FROM: Roger Moellendorf, Parks and Recreation Director
Scott Fahrenbruch, Director of Operations
Vern L. Krahm, Park Planner

DATE: January 20, 2010

SUBJECT: Parks and Recreation Department's comments for the Wednesday, January 27, 2010, Planning Commission meeting.

SUP-09-094	Our department supports the construction of an indoor pitching and batting practice facility at Governor's Field to support youth athletics in this community.
SUP-09-096	No Comments
VAR-09-097	No Comments

RECEIVED

JAN 20 2010

CARSON CITY
PLANNING DIVISION

Carson City Planning Commission
2621 Northgate Lane Suite 62
Carson City, Nv. 89706

January 19, 2010

Dear sirs,

This is in response to your letter concerning the property at 291 Rhodes Street and their request for a Special Use Permit. I have lived a block from this property at 2620 S. Curry St for the past 34 years Since this building was built I have not had any problem with the fact that there was living quarters in the building. It has not created any problem for residents in the area as far as I am aware.

I live between two businesses on Curry St. and both are glad that I am here in their off hours. I keep watch on their properties and would take action if any one is there that should not be. I am sure that is the case with this property also.

It seems to me that after the length of time the building has been there, it would be grandfathered in by now. If there was a problem with the building, why was it not addressed long before now?

In conclusion, I have no objection to the approval of the request.

Sincerely,

Jack M. Fralinger
Jack M. Fralinger

