

STAFF REPORT FOR PLANNING COMMISSION MEETING OF DECEMBER 15, 2010

FILE NO: SUP-05-221

AGENDA ITEM: G-1

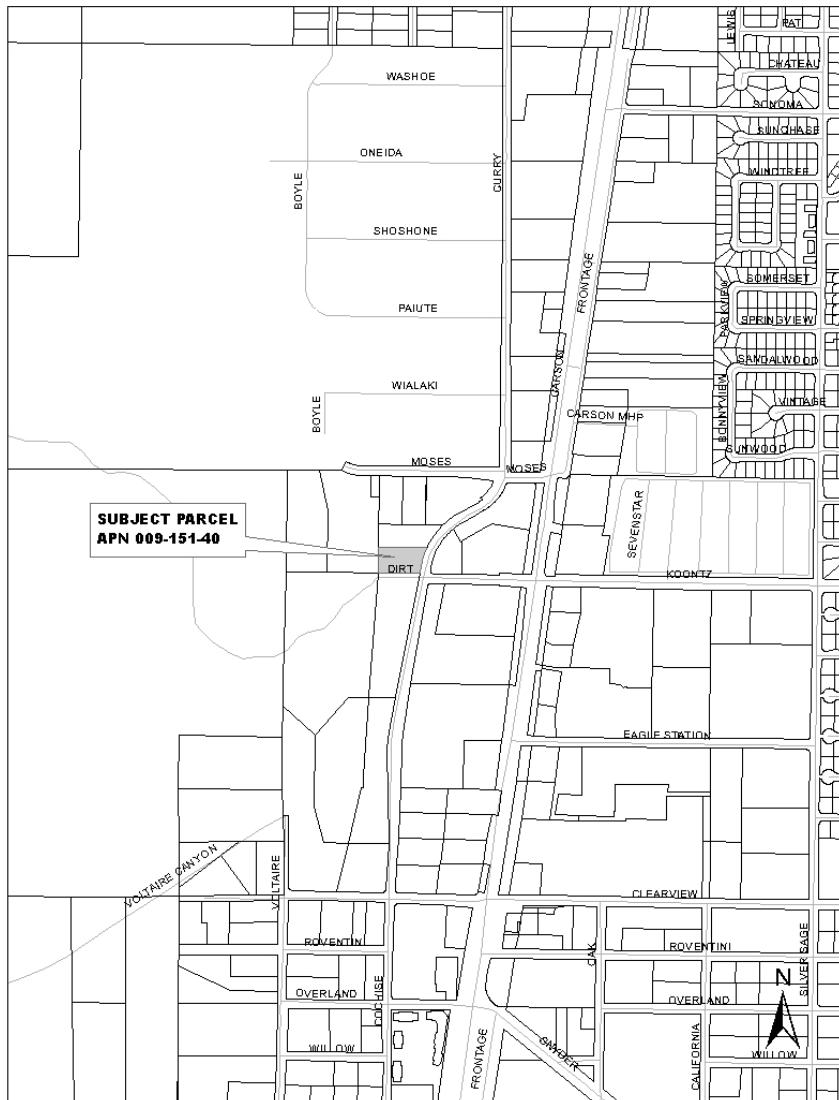
STAFF AUTHOR: Kathe Green, Assistant Planner

REQUEST: Five year review of Special Use Permit to allow permanent placement of four metal storage containers in the General Commercial (GC) zoning district.

OWNER/APPLICANT: Curry Street Property LLC/Rick Correlli (Rick's Floor Covering)

LOCATION/APN: 3640 S Curry Street/009-151-40

RECOMMENDED MOTION: "I move to approve SUP-05-221, a Special Use Permit request from Rick Correlli of Rick's Floor Covering, for a five year review of four metal storage containers permanently placed on property in the General Commercial zoning district, located at 3640 S Curry Street, APN 009-151-40, based on findings and subject to 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 considerations.
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 submit a copy of the Notice of Decision and conditions of approval, signed by the applicant and owner, with any building permit application.

The following applies to the life of the placement of the container:

5. Metal storage containers to be used for storage only. No human habitation is allowed. No addition of utilities is allowed without prior review and approval. No storage shall be placed upon or above the container.
6. No hazardous materials will be stored within the containers.
7. The storage containers will be maintained to match the existing building color on site. Graffiti shall be removed in accordance with the City's graffiti ordinance. The containers must be maintained free of rust, peeling paint or other forms of deterioration.
8. Advertising is prohibited on the exterior of the containers.
9. The placement of the containers shall be reviewed in five year increments or at any time the principal property use changes, with a \$50.00 administrative service charge and noticing costs paid by the applicant. The next review will be December 2015. This review may be administrative and handled by City Staff, or if deemed necessary by Staff, may be referred to the Planning Commission for additional review.

LEGAL REQUIREMENTS: CCMC 18.02.080 (Special Use Permits), 18.04.135 General Commercial (GC) Permitted Uses, and Development Standards 1.10.9 Personal Storage and Metal Storage Containers.

MASTER PLAN DESIGNATION: Mixed-Use Commercial (MUC)

PRESENT ZONING: General Commercial (GC)

KEY ISSUES: Does the application meet the Development Standards regulations for metal storage containers, and does the application continue to meet the required findings for approval of a special use permit? Is the proposed continuation of metal storage containers in this location still compatible with surrounding properties? Have there been any problems with the permanent placement of the storage containers?

SURROUNDING ZONING AND LAND USE INFORMATION

NORTH: General Commercial/ Auto body/detail shop

SOUTH: General Commercial/ Vacant

EAST: General Commercial/ Automobile Dealership

WEST: General Office/ Vacant

ENVIRONMENTAL INFORMATION

- 1 FLOOD ZONE: Zone C areas of minimal flooding
- 2 EARTHQUAKE FAULT: Zone III (moderate shaking potential); a questionable fault is on site
- 3 SLOPE/DRAINAGE: Developed portion of property drains to the east, while the western portion of the property is hillside.
- 4 SOILS: 61: surprise gravelly, sandy loam, 0-2% slopes

SITE DEVELOPMENT INFORMATION

- 1 LOT SIZE: 1.00 acre
- 2 EXISTING LAND USE: Floor covering sales
- 3 STRUCTURE HEIGHT: Four storage containers presently located on site are approximately 8.5 feet in height and are 8 x 40 feet each for a total of 1,280 square feet of outside storage.
- 4 PARKING: Adequate on site.
- 5 SETBACKS: No change required
- 6 VARIANCES REQUESTED: None
- 7 SPECIAL DISTRICT/AREA: South Carson Street Redevelopment District

DISCUSSION:

A Special Use Permit is required for the following reason:

- According to CCMC Section Development Standards 1.10.9, a storage container may be located on site for a maximum of five years after approval of a Special Use Permit. A review of the project is required each five years.

The containers were approved by the Planning Commission on December 22, 2005, to remain on the lot in support of Rick's Flood Covering store. The site and containers are in compliance with the conditions of approval of the original special use permit. The containers are placed at the rear of the building and are not visible from the street. The containers were originally stacked with on top of each other and needed to be painted a neutral, matching color. An additional review was conducted by the Planning Commission on January 31, 2007 to review these concerns. These conditions were rectified by May 1,

2007. The review date remained the same, however. The containers were placed and painted in accordance with the conditions of approval and now blend with the site. Their appearance is lessened by the rising slope on the southern portion of the lot between the roadway and the containers. The containers are in good condition, with no graffiti, advertising signs or noted deterioration. The placement of the containers at the back of the lot, adjacent to the hillside, diminishes their appearance from off-site. The containers have been painted tan, a neutral color. The containers are well kept and well maintained. The containers do not block any drive aisle, parking area or landscaping.

PUBLIC COMMENTS: Public notices were mailed to 204 adjacent property owners within 1,100 feet of the subject site on November 24, 2010 per the requirements of the Carson City Municipal Code and NRS. No complaints have been registered by the public regarding the placement or location of the containers during the last five years. At the writing of this report no comments have been received either in favor of or in opposition to the proposal. Any comments that are received after this report is completed will be submitted to the Planning Commission prior to or at the meeting on December 15, 2010, depending on the date of submittal of the comments to the Planning and Community Development Department.

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

Building and Safety: No concerns.

Fire Department: No comments received

Engineering Division: No concerns

Parks and Recreation: No concerns

Health Department: No comments received

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

1. Will be consistent with the master plan elements.

Chapter 3: A Balanced Land Use Pattern

1.1.e,f Municipal Code 18.12: Use sustainable building materials and construction techniques to promote water and energy conservation.

The metal storage containers are made out of steel. They are painted tan, a neutral color, which blends in with the business appearance on the site. They do not use any utilities and are a source of energy conservation.

1.4c Protect existing site features, as appropriate, including mature trees or other

character-defining features:

The containers utilize and maintain the existing land resources. They do not block any views or vistas. No signage has been or will be placed on the containers. The business on the site is a floor covering store. The business has large and bulky items for sale which are stored in the containers until needed. The location of the units at the rear and side of the property was designed to minimize the appearance of the units from the front of the property and the street. They are well maintained.

5.2a Encourage the development of regional retail centers

5.6a Promote revitalization of the downtown core

The containers are necessary for storage of materials required by Rick's Floor Covering for this active business. The nature of a floor covering store is to have large bulky materials available for sale and stored when not needed. The containers are kept locked when not in use. The location of the containers has been designed to minimize the appearance from the street, as the view of the containers is blocked by the rising slope to the south and vehicles parking at the side of the building. The exterior color of the units is tan, a neutral color.

2. Will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and will cause no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity.

The storage containers have been located at this site for five years without problems, once the placement and painting were rectified after additional review by the Planning Commission in 2007. This permit is to review the previous approval to verify the use continues to be appropriate, as well as to verify the condition of the containers. There has not been any perceived detriment to the surrounding properties or general neighborhood as a result of this placement. The business may create noise, vibrations, fumes, odors, dust and physical activity, but the containers placed on site in support of this use is not detrimental.

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

The site is located on South Curry Street and is served by an adequate existing street network. Vehicular and pedestrian movement has not been affected by placement of the storage containers.

4. Will not overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public improvements.

The storage containers were placed in this location five years ago and have not had a

detrimental effect on the existing public services and facilities. The project is adequately served by the existing police and fire protection, public water, private septic system, public roads, storm drainage and other public improvements. No changes are anticipated.

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 General Commercial zoning district is to preserve a commercial district limited primarily to retail and wholesale sales of new and use materials, repair and service facilities, and offices. The floor covering store as a business meets the specific standards of this zoning district. Permanent placement of metal storage containers in support of the business is an appropriate accessory use.

6. The use will not be detrimental to the public health, safety, convenience and welfare.

Continuation of the placement of the metal storage containers on site in support of the business will not be detrimental to the public health, safety, convenience or welfare.

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

No material damage or prejudice to other properties in the vicinity is anticipated with the continuation of the metal storage containers as placed in this location. No negative concerns have been noted since the metal storage containers were placed here originally. No detrimental concerns are anticipated by continuing the use.

Respectfully submitted,

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

Kathe Green, Assistant Planner

Attachments
Application
Department comments

File # (Ex: MPR #07-111)	SUP-05-221
Brief Description	<i>Storage container</i>
Project Address or APN	APN #009-151-40
Bldg Div Plans Examiner	<i>Kevin Gattis</i>
Review Date	<i>December 15, 2010</i>
Total Spent on Review	

BUILDING DIVISION COMMENTS: No comments

**Engineering Division
Planning Commission Report
File Number SUP 05-221 renewal**

TO: Planning Commission

FROM: Rory Hogen, E. I.

DATE: November 9, 2010

MEETING DATE: December 15, 2010

SUBJECT TITLE:

Action to consider a renewal of application for a Special Use Permit from property owner Curry St. Property LLC at 3640 S. Curry St., apn 09-151-40 to continue the use of a metal storage container on the subject property zoned GC.

RECOMMENDATION:

The Engineering Division has no preference or objection to the special use request

DISCUSSION:

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

CCMC 18.02.080 (2a) - Adequate Plans

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

CCMC 18.02.080 (5a) - Master Plan

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

CCMC 18.02.080 (5c) - Traffic/Pedestrians

The proposal will not impact traffic or pedestrian facilities.

CCMC 18.02.080 (5d) - Public Services

The proposal will not impact existing public services.



CARSON CITY, NEVADA

CONSOLIDATED MUNICIPALITY AND STATE CAPITAL

MEMORANDUM

TO: Lee Plemel, Planning Director
Jennifer Pruitt, Senior Planner

FROM: Roger Moellendorf, Parks and Recreation Director
Vern L. Krahn, Park Planner

DATE: December 6, 2010

SUBJECT: Parks and Recreation Department's comments for the
Wednesday, December 15, 2010, Planning Commission meeting

[Handwritten signatures: RM, VK, and a signature that appears to be a stylized 'V' or 'K' over a signature.]

SUP-05-221	No Comments
SUP-05-218	No Comments
SUP-10-090	Carson City owns a Hidden Meadows Subdivision Lot (APN 010-611-01) on the southeast corner of the School District property. This property was purchased to provide a possible trail connection from the adjacent subdivision to the middle school and potentially a small, passive neighborhood park. Our department takes no exception to this project provided the location and layout of the photovoltaic arrays on the southeast corner of the School District's property will not prohibit future trail development and connections to the middle school.
SUP-10-104	<p>Since 2005, the Parks and Recreation Department has been working with the applicant on a vision for the Brewery Arts Center's outdoor plaza and events area project. This idea for the project was identified in the Parks and Recreation Master Plan as an opportunity "to provide a passive urban recreation area that will have features that appeal to adults and seniors" (Refer to Exhibit A). In addition, this project will begin the process to address the lack of parks in this area of the community. Recently, our department staff has been working with the applicant's design team, including attendance at a public informational meeting on the project's conceptual design.</p> <p>Our department supports the project's overall vision as it is identified in the Parks and Recreation Master Plan and the conceptual site plan as presented to the Planning Commission. It is important for both the applicant and Planning Commission to realize that during these challenging budget times our department cannot make any commitments to provide maintenance for this project without corresponding funding and personnel resources. If in the future a funding source for the project's maintenance can be identified, our department will be willing to discuss this opportunity with the applicant.</p>



RICK'S FLOOR COVERING

RECEIVED

OCTOBER 28, 2010

OCT 28 2010

CARSON CITY
PLANNING DIVISION

CARSON CITY PLANNING DIVISION
108 E. PROCTOR ST.
CARSON CITY, NV. 89701

TO WHOM IT MAY CONCERN,

WE ARE WRITING TO CONTINUE THE USE OF OUR STORAGE CONTAINERS WHICH WERE APPROVED BY THE PLANNING DIVISION IN 2007. WE HAVE COMPLIED WITH THE CONDITIONS OF OUR SPECIAL USE PERMIT (AS FOLLOWS):

STANDARD CONDITIONS

- 1.) THE NOTICE OF DECISION WAS SIGNED AND RETURNED WITHIN THE 10 DAY PERIOD.
- 2.) THE CONDITIONS OF APPROVAL WERE MET WITHIN THE 12 MONTH FINAL APPROVAL.
- 3.) ALL DEVELOPMENT WAS DONE IN ACCORDANCE WITH DEVELOPMENT PLANS APPROVED WITH THE APPLICATION.
- 4.) ANY IMPROVEMENTS CONFORMED WITH CITY STANDARDS AND REQUIREMENTS.

CONDITIONS OVER LIFE OF SPECIAL USE PERMIT

- 5.) THE DOUBLE-STACKED CONFIGURATION WAS DISCONTINUED AND ALL CONTAINERS ARE LINED UP SIDE BY SIDE (PER PICTURES PROVIDED).
- 6.) THE CONTAINERS HAVE BEEN MAINTAINED AND ARE IN GREAT CONDITION, THEY ARE PAINTED TO MATCH OUR BUILDING IN AN EARTH TONE COLOR AND ARE GRAFFITI-FREE.

3640 SOUTH CURRY ST., CARSON CITY, NV. 89703

(775) 885-2355 / (775) 885-2387 -FAX

- 7.) THE STORAGE CONTAINERS ARE USED EXCLUSIVELY FOR STORING FLOORING MATERIALS! THEY ARE NOT BEING USED AS RESIDENCES AND THERE ARE NO ITEMS BEING STORED ABOVE OR ON THE OUTSIDE OF THE CONTAINERS.
- 8.) THERE ARE NO HAZARDOUS MATERIALS STORE INSIDE OR ANY ITEMS THAT MAY CAUSE HAZARDOUS CONDITIONS.
- 9.) THE STORAGE CONTAINERS DO NOT IMPEDE ANY DRAINAGE AREAS, ENCROACH INTO ANY EASEMENTS, ANY ACCESS WAYS OR PARKING SPACES.
- 10.) THE PROPERTY HAS NOT CHANGED ITS USE OF THE CONTAINERS IN THE LAST FIVE YEARS AND WOULD LIKE TO CONTINUE USE OF THE CONTAINERS.

WE APPRECIATE THE PLANNING DIVISIONS CONSIDERATION IN THE ABOVE MATTER.

THANK YOU,

RICK CORRELLI

3640 SOUTH CURRY ST., CARSON CITY, NV. 89703
(775) 885-2355 / (775) 885-2387 -FAX

Kustom Kreations

14R
REQD Review
(Admin)

