

STAFF REPORT FOR PLANNING COMMISSION MEETING OF SEPTEMBER 28, 2011

FILE NO: SUP-06-166

AGENDA ITEM: H-1

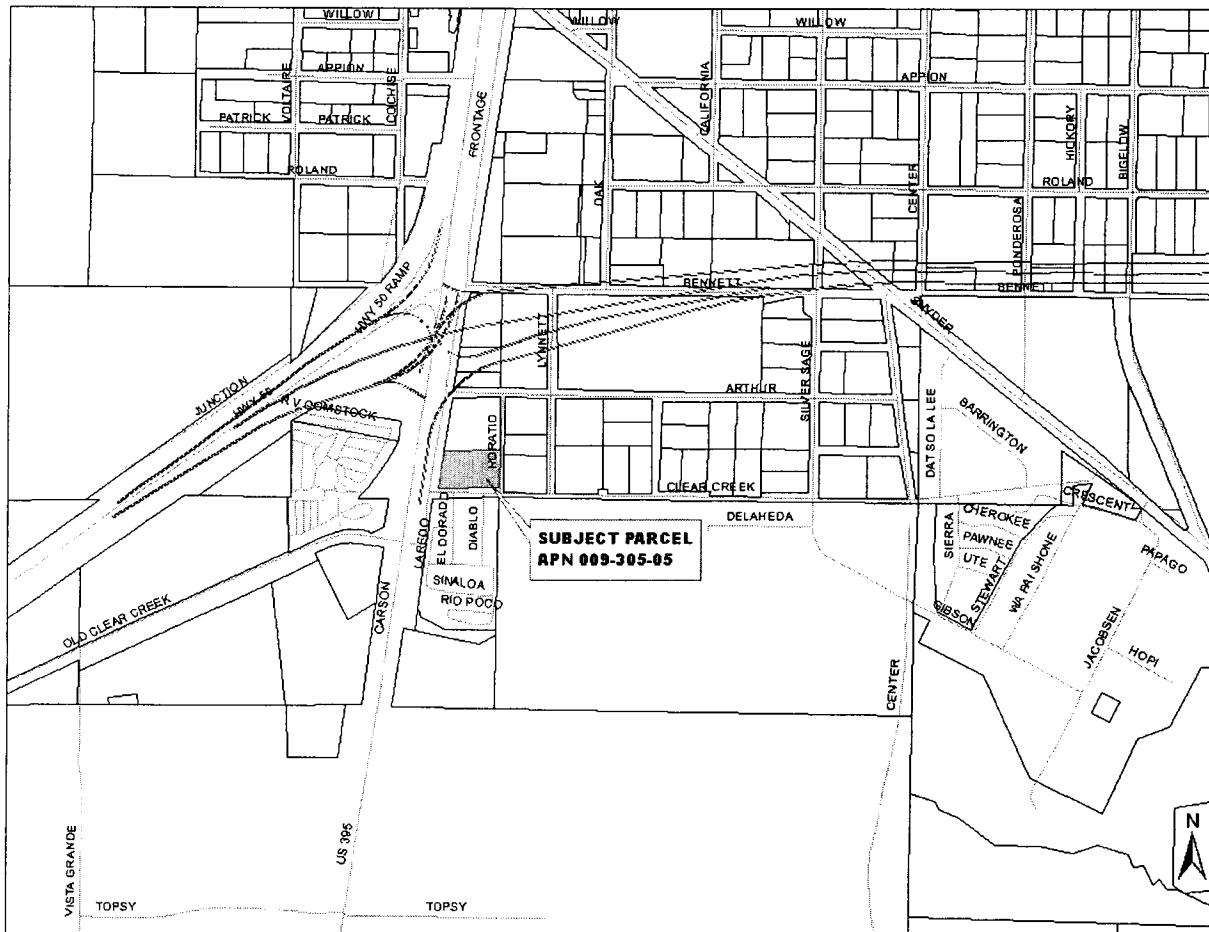
STAFF AUTHOR: Kathe Green, Assistant Planner

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

OWNER/APPLICANT: Three R's LLC/Western Nevada Supply/George Mahe of Resource Concepts, Inc

LOCATION/APN: 5445 S Carson St/009-305-05

RECOMMENDED MOTION: "I move to approve SUP-06-166, a Special Use Permit request from Three R's LLC/Western Nevada Supply and Resource Concepts, Inc, for a five year review of one metal storage container permanently placed on property in the General Commercial zoning district, located at 5445 S Carson Street, APN 009-305-05, based on 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 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 container 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 container.
7. The storage container will be maintained to match the existing building color on site. Graffiti shall be removed in accordance with the City's graffiti ordinance. The container must be maintained free of rust, peeling paint or other forms of deterioration.
8. Advertising is prohibited on the exterior of the container.
9. The placement of the container 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 to be paid by the applicant. The next review will be September 2016. 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.
10. The storage container shall not impede drainage, encroach into any easements, occupy any required parking spaces, nor block access ways.

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: Community/Community Regional (C/RC)

PRESENT ZONING: General Commercial (GC)

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

SURROUNDING ZONING AND LAND USE INFORMATION

NORTH: General Commercial (GC)/ Undeveloped- Nevada Dept of Transportation

SOUTH: General Commercial (GC)/ Mobile Home Park

EAST: General Commercial (GC)/ Undeveloped and home/business

WEST: General Commercial (GC)/ Highway, then RV park

ENVIRONMENTAL INFORMATION

- 1 FLOOD ZONE: Zone C (100 year flood plain)
- 2 EARTHQUAKE FAULT: Zone II (moderate shaking potential); no faults within 500 feet of the property
- 3 SLOPE/DRAINAGE: Site has a slight slope, with a steeper drop adjacent to Clear Creek Avenue.
- 4 SOILS: 61: surprise gravelly, sandy loam, 0-2% slopes

SITE DEVELOPMENT INFORMATION

- 1 LOT SIZE: 2.0 acres
- 2 EXISTING LAND USE: Retail plumbing supply warehouse
- 3 STRUCTURE HEIGHT: Standard storage container, which is approximately eight feet in height, eight feet in width and forty feet in length.
- 4 PARKING: Adequate on site.
- 5 SETBACKS: Placed at the center of the storage area to the rear (east) of the building.
- 6 VARIANCES REQUESTED: None

SITE HISTORY

1. 1/4/05: Major Project Review conducted (MPR-04-223) for placement of a proposed plumbing supply store.
2. 2/23/05: Special Use Permit (SUP-05-011) approved to allow outside storage in conjunction with a plumbing supply store.
3. 12/22/05: Approval of Special Use Permit Amendment (SUP-05-011a) to allow additional outside storage yard area and revisions to the approved site plan.
4. 6/7/06: Building Permit #05-1169 was completed for construction of the building on site. A Certificate of Occupancy was issued.
5. 9/27/06: Approval of a Special Use Permit (SUP-06-166) to allow permanent placement of a metal storage container.

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 container was approved by the Planning Commission on September 27, 2006, to remain on the lot in support of Western Nevada Supply. The site and container are in compliance with the conditions of approval of the original special use permit. The container was placed so that is it not visible from off the site, with the exception of the vacant lot to the southwest of the Western Nevada supply property. From this lot only the top of the container can be seen from off the site, over the top of the six foot tall chain link fence with slats which surrounds the rear of the property. The container was placed and painted in accordance with the conditions of approval. It was painted to match the color of the building which is the corporate color of Western Nevada Supply, a bright blue color. This color was reviewed for compliance and has been approved for this site. The appearance of the container is lessened by the fact that the areas surrounding the rear of the property to the east and south are lower than the business location. The container is in good condition, with no graffiti, advertising signs or noted deterioration. The container is used for the storage of valuable materials and is locked. The placement of the container is intermixed with storage of other products for the business on the site. The site is well maintained, with a gated entrance to the rear for customers or clients to use to access the storage area of the business. The container does not block any drive aisle, parking area or landscaping.

PUBLIC COMMENTS: Public notices were mailed to 71 adjacent property owners within 300 feet of the subject site on September 13, 2011 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 container 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 September 28, 2011, 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 concerns

Engineering Division:

1. The storage container shall not impede drainage.
2. The storage container shall not encroach into any easements.
3. The storage container shall not occupy any required parking spaces.
4. The storage container shall not block access ways.

Parks and Recreation: No comments received

Health Department: No comments received

Environmental Control: No concerns

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.d: Meets the provisions of the Growth Management Ordinance. Provides for levels of services (i.e. water, sewer, road improvements, sidewalks, etc) consistent with the Land Use Designation and adequate for the proposed development (Land Use table descriptions).

The metal storage container is made out of steel. It uses no utilities or services once placed on the site and it therefore a source of energy conservation. It is painted the same blue as the building, which blends in with the business appearance on the site.

6.1.a Durable, long-lasting building materials.

6.2.1, 9.3b, 9.4a. Provides appropriate height, density and setback transitions and connectivity to surrounding development to ensure compatibility with surrounding development for infill projects or adjacent to existing rural neighborhoods.

The container is necessary for the plumbing business which is the use on the site. The container is kept locked when not in use and is opened by employees when needed. The location of the container has been designed to minimize the appearance from the street and surrounding property owners as the view of the container is minimized due to the fact that the rear of the site, where the container is located, is surrounded by a six foot tall chain link fence with slats. The rear of the site is also higher than surrounding roadway areas, which provides additional screening. The exterior color of the unit is blue which matches the primary building.

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 container has been located at this site for five years without any reported

problems. 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 container. 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 container 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 Carson Street and is served by an adequate existing street network. Vehicular and pedestrian movement has not been affected by placement of the storage container.

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 container was placed in this location five years ago and has 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 plumbing business and storage container in support of this business meet the specific standards of this zoning district as 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 container 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 container as placed in this location. No negative concerns have been noted since the metal storage container was placed here originally five years ago. No detrimental concerns are anticipated by continuing the use.

Respectfully submitted,

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

Kathe Green

Kathe Green, Assistant Planner

Attachments
Application
Building Division comments
Environmental Control comments
Engineering Division comments
Fire Department comments

Kathe Green - Re: SUP 06-166

From: Kathe Green
To: Gattis, Kevin
Subject: Re: SUP 06-166

>>> Kevin Gattis 9/13/2011 3:48 pm >>>
Kathe,
The building Division has no issues with the container.

Kevin Gattis, C.B.O.
Building Official
Carson City Building & Safety
108 E. Proctor St.
Carson City, NV 89701
(775) 887-2310 Office
(775) 887-2202 Fax

>>> Kathe Green 9/13/2011 10:17 AM >>>
Can you please forward comments for my item, the review of the storage container at Western Nevada Supply, for the Planning Commission? Or, if you have no comments, can you send me that as a comment? I'm trying to finish my staff report. Thanks. Kathe

RECEIVED

8/23/11

AUG 23 2011

Major Project Review Committee

**CARSON CITY
PLANNING DIVISION**

Re: # SUP – 06-166

Dear Kathe,

After initial plan review the Carson City Environmental Control Authority (ECA), a Division of Carson City Public Works Department (CCPW), has the following requirements per the Carson City Municipal Code (CCMC) and the Uniform Plumbing Code (UPC) for the SUP -06-166 @ 5445 S. Carson project:

1. ECA has no requirements for this request.

Please notify Mark Irwin if you have any questions regarding these comments, I can be reached at 775-283-7380.

Sincerely;

Mark Irwin
Environmental Control Officer 3

c: Kelly Hale, Environmental Control Supervisor
Ken Arnold, Public Works Environmental Manager

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SEP 1 2011

**Carson City Development Engineering
Planning Commission Report
File Number SUP-06-166 - renewal**

CARSON CITY
PLANNING DIVISION

TO: Planning Commission

FROM: Rory Hogen, E.I.

DATE: September 1, 2011

MEETING DATE: September 28, 2011

SUBJECT TITLE:

Action to consider the renewal of SUP 06-166 for the continued use of one permanent storage structure on property zoned Commercial (C) at 5445 S. Carson St., apn 09-305-05.

RECOMMENDATION:

Development Engineering has no objection to this special use request and one condition of approval.

1. The storage container shall not impede drainage.
2. The storage container shall not encroach into any easements.
3. The storage container shall not occupy any required parking spaces.
4. The storage container shall not block access ways.

DISCUSSION:

Development Engineering has reviewed the request within our areas of purview relative to adopted standards and practices and to the provisions of C.C.M.C. 18.05.030.2, Conditional Uses.

C.C.M.C. 18.02.080(2a) - Adequate Plans

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

C.C.M.C. 18.02.080 (5a) - Master Plan

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

C.C.M.C. 18.02.080 (5c) - Traffic/Pedestrians

The proposal will have no effect on traffic and pedestrian facilities.

C.C.M.C. 18.02.080 (5d) - Public Services

Existing utility facilities will not be impacted by this project.



CARSON CITY FIRE DEPARTMENT

"Service with Pride. Commitment. Compassion"

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MEMORANDUM

SEP 12 2011

CARSON CITY
PLANNING DIVISION

TO: Community Development

FROM: Duane Lemons, Fire Inspector

DATE: September 12, 2011

SUBJECT: AGENDA ITEMS FOR SEPTEMBER 28, 2011 PLANNING COMMISSION MEETING.

We reviewed the agenda items for the September 28, 2011 Planning Commission Meeting and have the following comments:

- SUP-06-166 Resource Concepts, Inc., 5445 S. Carson St We have no concern with this request.
- SUP-10-115 Robert Matthews, 8013 Hwy 50 East Fire Department access shall be provided. If a building is built for human occupancy at this location, then there may be fire flow requirements.

DL/llb

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**Response to Performance Standards for Renewal of
SPECIAL USE PERMIT #06-166
FOR
WESTERN NEVADA SUPPLY
FOR USE OF A METAL STORAGE CONTAINER**

AUG 17 2011

CARSON CITY
PLANNING DIVISION

Carson City Development Standards-Land Use and Site Design Division 1 Section 10.9 States that Metal Storage Containers, as defined in CCMC 18.03 must be fully enclosed units, excluding semi-truck trailers, that house storage items, and may be utilized in any industrial, public or commercial zoning district, excluding the Neighborhood Business (NB) zoning district, in conjunction with a permitted primary use of the property subject to the following use performance standards:

a. Metal storage containers may be utilized on a temporary basis for a maximum of 90 days, once in any calendar year, subject to the approval of the Director.

See Item (c.) below.

b. Within any industrial zoning district, the use of metal storage containers on a permanent basis is subject to the approval of the Director.

See Item (c.) below.

c. Within the commercial or public zoning districts, excluding the Neighborhood Business (NB) zoning district, the use of metal storage containers on a permanent basis beyond 90 days requires approval of a Special Use Permit. No metal storage containers are allowed in the Neighborhood Business (NB) zoning district.

A Special Use Permit was approved for the existing metal storage container for a five year period in 2006 as allowed under this performance standard. A renewal of the Special Use Permit is being requested with this submittal.

d. The use of metal storage containers within the Downtown Commercial (DC) zoning district also requires approval of a Special Use Permit and Downtown Design Review approval pursuant to 18.07 and Development Standards Division 6.

NA.

e. Metal storage containers shall be used for storage purposes only and no human occupation shall occur. No alterations shall be made or allowed to the metal storage container including to but not limited to doors, windows, electrical, plumbing, or connection

of multiple containers unless factory built with those improvements. No storage shall be placed upon or above the metal storage container. Storage containers shall not be stacked upon each other.

The storage container is in compliance with this performance standard.

f. No hazardous materials shall be stored in metal storage containers. Metal storage containers shall not be sited in a manner to be detrimental to the public's health and safety.

No hazardous material will be stored in the storage container. It is used to store copper pipe and will continue to be used for this purpose. The container is located in the existing materials storage yard and is in the same location approved five years ago.

g. Metal storage containers shall be at building grade and located at the side or rear of the primary structure. Metal storage containers shall not occupy any required parking spaces, landscape areas, drive-aisles, firelanes, drainage courses, drainage easements, detention basins, or vehicular or pedestrian access ways. Metal storage containers shall not be permitted on vacant property.

The placement and location of the storage container is in compliance with this performance standard.

h. All metal storage containers shall be painted either to blend with the primary or adjacent structures or painted earth-tone colors to minimize visual impacts. Graffiti shall be removed in accordance with the City's graffiti ordinance. All metal storage containers in use shall be in a condition free from rust, peeling paint, or other visible forms of deterioration. Metal storage containers shall be screened with chain link fencing with slats, concrete masonry unit (CMU) block walls and/or landscaping as approved by planning staff. Metal storage containers and their screening and landscaping shall be maintained in good repair. Any metal storage containers that are not maintained in good repair or that are dilapidated or dangerous, shall be repaired or removed, following an order to comply from the Director.

The existing storage container is in compliance with this performance standard. No changes are proposed with the renewal of the Special Use Permit and the container will be maintained in good condition.

i. Advertising is prohibited on the exterior of all metal storage containers.

The existing storage container is in compliance with this performance standard and will continue to comply.

j. The use of semi-truck trailers as storage containers is prohibited in all zoning districts.

N/A

k. The number of metal storage containers allowed for a business is dependent upon the following list of factors:

- (1) Overall site placement*
- (2) Screening provisions*
- (3) Square footage of store or building*
- (4) Square footage of parcel*
- (5) Adjacency to residential zoning districts*
- (6) Length of stay of metal storage container*
- (7) Applicants justification/need for extra on-site storage for their business.*

The location and use of the storage container will not be changed with this renewal. It is in compliance with this performance standard and no changes are proposed.

l. A metal storage container Special Use Permit shall be reviewed in five year increments or at any time the principal property use changes, with a \$50 administrative service charge and noticing costs paid by applicant.

This renewal request is to allow the storage container to remain in-place for another five years.

m. Special Use Permit fees for metal storage containers as adopted by resolution of the Board, shall be charged, collected and deposited with the Planning and Community Development Department.

Fees will be paid in accordance with city requirements.

- SUP - 06 - 166

RECEIVED

Western Nevada Supply

AUG 17 2011

CARSON CITY
PLANNING DIVISION



Photo 1. East view of front of Storage Container



Photo 2. South View of Storage Container

Western Nevada Supply



Photo 3 Northeast view of Storage Container



Photo 4. South view of site from vacant lot on north side of property

Western Nevada Supply



Photo 5. Northwest view of site from Clear Creek Avenue



Photo 6. West view of site from Horatio Street

Western Nevada Supply



Photo 7. West view of site from Horatio Street

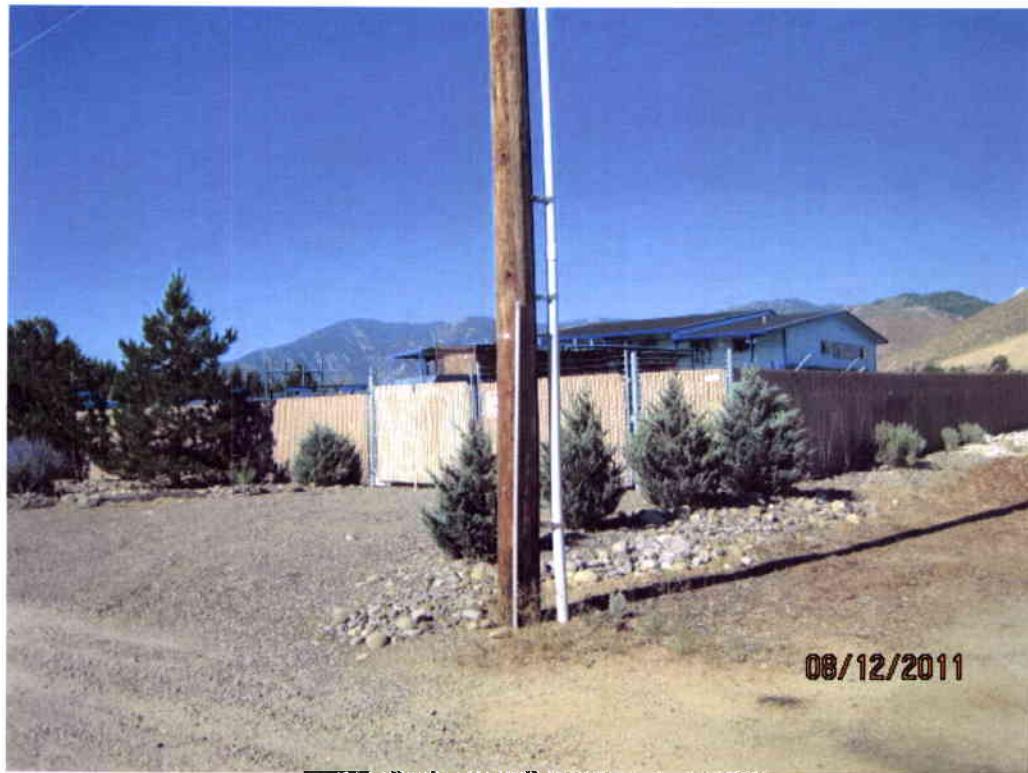


Photo 8 Southwest view of site from Horatio Street at the North East corner of property

Western Nevada Supply



Photo 9. Southwest view of site from vacant lot



Photo 10. South view of site from vacant lot

**DEVELOPMENT
SERVICES
DEPARTMENT**

ADMINISTRATION
3505 Butti Way
Carson City, NV 89701-3498
Ph: 775-887-2355
Fx: 775-887-2112

**BUILDING and
SAFETY DIVISION
PERMIT CENTER**
2621 Northgate Lane, Suite 6
Carson City, NV 89706-1319
Ph: 775-887-2310
Fx: 775-887-2202

CAPITAL PROJECTS
3505 Butti Way
Carson City, NV 89701-3498
Ph: 775-887-2355
Fx: 775-887-2112

CONTRACTS
3505 Butti Way
Carson City, NV 89701-3498
Ph: 775-887-2355
Fx: 775-887-2112

ENGINEERING DIVISION
2621 Northgate Lane, Suite 54
Carson City, NV 89706-1319
Ph: 775-887-2300
Fx: 775-887-2283

FLEET SERVICES
3303 Butti Way, Building 2
Carson City, NV 89701-3498
Ph: 775-887-2356
Fx: 775-887-2258

PLANNING DIVISION
2621 Northgate Lane, Suite 62
Carson City, NV 89706-1319
Ph: 775-887-2180
Fx: 775-887-2278

PUBLIC WORKS OPERATION
(Water, Sewer, Wastewater,
Streets, Landfill, Environmental)
3505 Butti Way
Carson City, NV 89701-3498
Ph: 775-887-2355
Fx: 775-887-2112

TRANSPORTATION
3505 Butti Way
Carson City, NV 89701-3498
Ph: 775-887-2355
Fx: 775-887-2112

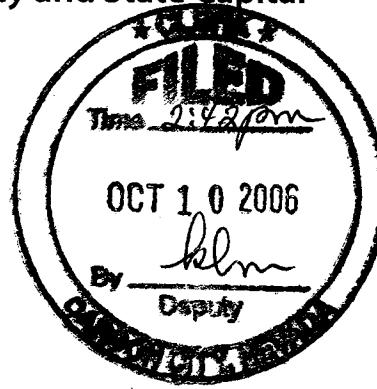
CARSON CITY NEVADA

RECEIVED

Consolidated Municipality and State Capital

OCT 16 2006

CARSON CITY
COMMUNITY DEVELOPMENT



PLANNING COMMISSION September 27, 2006 NOTICE OF DECISION

A request for a Special Use Permit, SUP-06-166, was received from Resource Concepts, Inc. (property owner: Three R's, LLC), to allow a permanent 8 foot by 40 foot metal storage container, on property zoned General Commercial (GC), located at Western Nevada Supply at 5445 South Carson Street, APN 009-305-05, pursuant to the requirements of the Carson City Municipal Code.

The Planning Commission conducted a public hearing on September 27, 2006, in conformance with City and State legal requirements, and approved SUP-06-166, based on the findings contained in the staff report and subject to the following conditions of approval.

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 / conditions of approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, the item will be rescheduled for the next Planning Commission meeting for further consideration.
2. The applicant shall meet all the conditions of approval and commence the use for which this permit is granted within twelve months of the date of final approval. A single, one-year extension of time may be granted if requested in writing to the Planning and Community Development Division thirty days prior to the one-year expiration date. Should this permit not be initiated within one year and no extension granted, the permit shall become null and void.
3. All development shall be substantially in accordance with the development plans approved with this application, except as otherwise modified by the conditions of approval herein.
4. All improvements shall conform to City standards and requirements.
5. The container is subject to review by the Building Division.

The following conditions apply over the life of this Special Use Permit:

6. The container must be maintained in good condition, kept graffiti-free, and remain painted in the same color as the primary building or existing screening on the site. Advertising on the container is prohibited at all times.
7. The metal storage container must not be used for any commercial use other than storage. Storage above or outside the container is prohibited.
8. No storage of hazardous materials or other materials which might create a hazardous condition.
9. The storage container must not impede drainage, nor encroach into the right-of-way, nor encroach into any easements, nor encroach into any access ways or required parking spaces, as required by the Development Services Engineering Division.
10. This Special Use Permit shall be reviewed in five years (September 2011), unless the use has been discontinued or the primary use of the site changes. The applicant/owner shall be responsible to pay the review fee in effect at the time of review.

This decision was made on a vote of 6 ayes, 0 nays and 1 absent.



Walter A. Sullivan
Planning Division Director

WAS/kk

Mailed: 10/11/06 By: RMT

**PLEASE SIGN AND RETURN THIS NOTICE OF DECISION
WITHIN TEN DAYS OF RECEIPT**

This is to acknowledge that I have read and will comply with the Conditions of Approval as approved by the Carson City Planning Commission.

John T. Dossell
OWNER/APPLICANT SIGNATURE

DATE

10/13/06

DANIEL T. Dossell, Cfo
PLEASE PRINT YOUR NAME HERE

RETURN TO:
Planning Division
2621 Northgate Lane, Suite 62, Carson City, NV 89706

Enclosures:

1. Planning Commission Notice of Decision (2 copies - Please sign and return only one; the second copy is for your records.)
2. Self-Addressed Stamped Envelope

**PLEASE SIGN AND RETURN THIS NOTICE OF DECISION
WITHIN TEN DAYS OF RECEIPT**

This is to acknowledge that I have read and will comply with the Conditions of Approval as approved by the Carson City Planning Commission.


OWNER/APPLICANT SIGNATURE

10.17.2006
DATE

Richard J. Reviglio
PLEASE PRINT YOUR NAME HERE

RETURN TO:
Planning Division
2621 Northgate Lane, Suite 62, Carson City, NV 89706

Enclosures: 1. Planning Commission Notice of Decision (2 copies - Please sign and return only one; the second copy is for your records.)
2. Self-Addressed Stamped Envelope