

STAFF REPORT FOR PLANNING COMMISSION MEETING OF JUNE 26, 2013

FILE NO: SUP-13-039

AGENDA ITEM: G-2

STAFF AUTHOR: Susan Dorr Pansky, Principal Planner

REQUEST: Approval of a Special Use Permit to allow the Nevada Performance Academy, a state-sponsored public charter school, to operate in an existing building within a Residential Office (RO) zoning district located at 223 S. Division Street.

APPLICANT: Nevada Performance Academy/Darrin Berger, Berger Hannafin Architecture, LLP

OWNER: N.B.G. Investments, LLC

LOCATION: 223 S. Division Street

APN: 003-123-01

RECOMMENDED MOTION: "I move to approve SUP-13-039, a Special Use Permit to allow the Nevada Performance Academy, a state-sponsored public charter school, to operate in an existing building within a Residential Office zoning district located at 223 S. Division Street based on the findings and subject to the conditions of approval outlined 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 within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, the item may be rescheduled for the next Planning Commission meeting for further consideration.
2. The applicant shall meet all of the conditions of approval and commence the use (obtain and maintain a valid building permit) 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 Division 30 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. The applicant shall create a school loitering policy that addresses student loitering at the charter school when they are not scheduled to attend classes. This loitering policy shall be posted and enforced by the Nevada Performance Academy at all times.
4. The applicant shall designate a neighborhood liaison for this project. The liaison shall delivery to all property owners within 100 feet of the project perimeter boundaries and the Planning Division, a letter containing information regarding the project. The letter shall also include the liaison's name, phone number, fax number and email address, and request that any comments, concerns or requests be directed to the liaison. The letter shall also include a copy of the Notice of Decision including conditions of approval.
5. The applicant shall obtain a Building Permit from the Carson City Building Division for the proposed improvements. Contact the Building Division for approximate fees, design criteria, number of plans to submit and general assistance in the City's Building Permit process.
6. The applicant shall obtain approval from the Historic Resources Commission for any proposed exterior modifications or improvements prior to application for a Building Permit.
7. Any project signage requires an application for a Sign Permit.

The following shall be incorporated into the proposed development plan:

8. 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.
9. All on and off-site improvements shall conform to City standards and requirements.
10. The project shall comply with the 2006 International Fire Code. Any plans submitted after September 1, 2013 shall comply with 2012 International Fire Code.
11. The project requires a fire alarm system complying with International Fire Code Section 907.2.3.

12. The project requires a Knox Box. The applicant shall coordinate with the Fire Department on ordering and location of the Knox Box (International Fire Code Section 506.1).
13. The project shall be designed in accordance with Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC) Chapter 444, specifically NRS 444.335 and NAC 444.568 – 444.56862.
14. If the facility will be preparing food on site, a properly sized grease interceptor shall be required per CCMC 12.06.245 and the Carson City Development Standards, Division 15.5.2 (a) through (d).
15. Garbage disposals are not allowed per CCMC 12.06.226.
16. Depending on the amount and type of chemicals (i.e. photo developing chemicals for a photography class), if applicable, secondary containment of these chemicals may be required per CCMC 12.06.248.

The following shall be submitted with or included as part of a Building Permit application:

17. The applicant shall submit a copy of the Notice of Decision from the Planning Commission for the Special Use Permit, signed by the applicant and owner as a part of the Building Permit submittal.
18. The applicant shall submit a copy of the Notice of Decision from the Historic Resources Commission approving exterior improvements, signed by the applicant and owner as a part of the Building Permit submittal.
19. If changes to exterior lighting fixtures are proposed, lighting fixture details and “cut sheets” shall be submitted with the Building Permit application in compliance with Carson City Development Standards, Division 1.3 (Lighting).
20. The plans submitted for review shall comply with the prescriptive requirements found in the Carson City Building Division handout titled *COMMERCIAL PLAN SUBMITTAL REQUIREMENTS*. This handout may also be found online at www.carson.org/building.
21. If any demolition or renovation proposed at this facility will disturb greater than 160 square surface feet, 260 linear feet or one cubic meter of asbestos containing material, then the following requirements shall apply per CCMC 12.12.065:
 - a. Submit an asbestos assessment on all material being disturbed.
 - b. Submit a City of Carson City Acknowledgment of Asbestos Assessment Form.
 - c. Depending on assessment results, an EPA 10-Day Notification may also be required.

The following conditions are applicable throughout the life of the project:

22. A maximum of 24 students and seven staff members may be present at the charter school facility at any given time.

23. The applicant shall maintain existing landscaping on the subject property in conformance with the standards outlined in the Carson City Development Standards, Divisions 3.13.1 and 3.13.2.

LEGAL REQUIREMENTS: CCMC 18.02.050 (Review); 18.02.080 (Special Use Permits); and 18.04.110 (Residential Office)

MASTER PLAN DESIGNATION: Mixed Use Residential (MUR)

ZONING DISTRICT: Residential Office (RO)

KEY ISSUES: Will the anticipated charter school operation in the location proposed be compatible with surrounding land uses and properties? Will the proposed charter school use be detrimental or cause material damage to surrounding properties in the vicinity?

SURROUNDING ZONING AND LAND USE INFORMATION:

NORTH: Residential Office (RO)/office and single family uses
SOUTH: Residential Office/office use
EAST: Residential Office (RO)/vacant land
WEST: Residential Office (RO)/office use and single family uses

ENVIRONMENTAL INFORMATION:

- FLOOD ZONE: X-Shaded (areas of 1% annual chance of flood less than 1 ft. depth)
- SLOPE/DRAINAGE: The site has been developed as an office building since 1982 and has no significant slope or drainage issues.
- EARTHQUAKE: There is an earthquake fault zone within 500 feet of the subject site. Earthquake potential is moderate.

SITE DEVELOPMENT INFORMATION:

- PARCEL AREA: 6,819 square feet or .16 acres
- EXISTING LAND USE: Office Building
- EXISTING BUILDING FOOTPRINT: 1,784 square feet
- EXISTING BUILDING TOTAL AREA: 3,044 square feet
- EXISTING BUILDING HEIGHT: 25 feet
- EXISTING SETBACKS:
 - Front: 13.5 feet Rear: 35.5 feet Side: 14.75 feet Street Side: 8.5 feet
- PARKING REQUIRED: 11 spaces
- PARKING PROPOSED: 14 spaces total; 8 off-street spaces and 6 on-street spaces
- VARIANCES REQUIRED: None

SITE HISTORY:

- Demolition of existing structures on the subject property and new construction of the office building was approved by the Historic District Architectural Review Committee in 1982.
- A variance for office building to encroach into the front and street side setback was approved in 1982.
- The existing office building and asphalt parking area were constructed in 1982.
- An appeal to the Board of Supervisors regarding the Historic District Architectural Review Committee's denial of a Certificate of Appropriateness related to the exterior brick façade was granted in 1984.

- A non-illuminated double-faced business sign was approved by the Historic Resources Commission in 2006.

DISCUSSION:

Per Carson City Municipal Code (CCMC) Section 18.04.110 (Residential Office), a K-12 school may be allowed within the Residential Office zoning district as a conditional use with the approval of a Special Use Permit.

Charter schools are independent public schools designed and operated by parents, educators, community leaders, education entrepreneurs and others with a contract, or charter, from a public agency, such as a local or state education agency or an institution of higher education. CCMC does not differentiate charter schools from traditional public schools at the K-12 level, therefore the provisions for middle and high schools shall apply for this application.

The Nevada Performance Academy (NPA) is a state-sponsored free public charter school that will serve grades 7-12 and allow students the opportunity to receive their middle and high school education while pursuing their passion in the arts. Students will have the benefit of schedule flexibility through either a blended education program (combination of online and on-site instruction) or a complete online education program. Enrollment in NPA's blended program is limited to 24 students per grade level to ensure a high quality learning environment and to restrict the number of students on-site at any given time. The NPA has an online curriculum approved by the State of Nevada and is partnered with the Brewery Arts Center, Western Nevada College and the Carson City Library's @Two Digital Resource Center to integrate arts and performance for all students. Classes provided in partnership with the Brewery Arts Center are on stage and behind the scenes, and include the digital and visual arts. Classes taken at Western Nevada College while enrolled at NPA can be used as credit towards a high school diploma and a future college diploma. The Carson City Library's @Two Digital Resource Center provides digital access for NPA students to complete their online courses.

The subject property is a 6,819 square foot corner lot with an existing 3,044 square foot office building and on-site asphalt parking lot with eight spaces located at 223 N. Division St. Staff notes that the Brewery Arts Center is located one block to the northwest. The applicant intends to operate the NPA charter school in the existing building with classroom space located on the first floor and staff offices located on the second floor. Proposed plans include an interior remodel to accommodate ADA accessibility and E-use requirements including expansion of the main floor restrooms, doorway modifications, door handle replacements, etc. In addition, the applicant plans to remove and replace the existing exterior ramp at the east side of the building and provide handicap parking to accommodate current ADA requirements.

According to the applicant, the school will be open Monday through Friday from 8am to 5pm and student instruction will take place from 9am to 3pm on those days. No more than 24 students and seven staff members may be on-site at any given time. NPA has an online scheduler that students will use to reserve their on-site class time, and this tool will help the staff to monitor and control student access to the school site. Through its partnership with the Brewery Arts Center, NPA has also created the "Green Room," a fully supervised student lounge and study area located at the Brewery Arts Center. This will provide a space for students to go during breaks, to study or to wait for rides when they are not in scheduled classes. Both the online scheduler and the student lounge will reduce student loitering on NPA property when students do not have scheduled classes. Staff has recommended a condition approval that would require the school to create, post and enforce a "no loitering" policy to further minimize student loitering.

Per Carson City Development Standards, Division 2.2, Junior High Schools and High Schools have separate parking requirements. As NPA proposes to have students in grades 7-12, staff has determined that the parking requirement shall be the higher of the two requirements. In the case of NPA's proposed operation, the parking calculation for each type of school results in the same number of spaces as outlined in the table below.

Staff acknowledges that the applicant's parking calculations on the site plan provided are based on a maximum of four employees on site at any given time. However, staff feels that limiting employee access to the site could be problematic and suggests that the total number of employees (seven) be used in the parking calculations. The applicant has been made aware of this concern and agrees with staff's recommendation to use the total number of employees.

	Parking Requirement	Calculation
Junior High Schools	1.5 spaces for each employee or faculty member plus one space for every 20 square feet of auditorium or assembly area.	$1.5 \times 7 \text{ employees} = 10.5$, rounded to 11 Spaces Required: 11
High Schools	Two spaces for every three employees or faculty members plus one space for every four students.	$(7 \text{ employees} \times 2/3 = 4.7) + (24 \text{ students}/4 = 6) = 10.7$, rounded to 11 Spaces Required: 11

The applicant proposes a total of 14 parking spaces for the subject property, which provides three more spaces than required in the calculations above. Eight of these spaces are located on-site and considered off-street parking, and six of the spaces are located adjacent to the site and considered on-street parking.

Carson City Development Standards, Division 2.3.13 states that when an existing building within the Residential Office zoning district is converted to a use requiring more parking than the existing use, on-street curb parking may be considered as part of the required parking, provided all of the following are met:

- a. Adequate off-street space is not available, or the Commission determines that strict compliance with requirements would adversely affect the character of the neighborhood;
- b. At least 50% of the required parking shall be provided off street;
- c. Allowable on-street parking shall be restricted to 50% curb parking space adjacent to the exterior boundaries of the subject property;
- d. On-street parking may not be deducted from the total off-street parking requirement for car, truck or trailer rental agencies or property zoned air industrial park;
- e. Allowable on-street parking may not be located upon streets which are designated as arterials in the Master Plan;
- f. All required parking for new construction must be located off street.

The applicant's proposal does meet the criteria outlined above to allow up to 50% of the required parking, or five spaces, as on-street curb parking adjacent to the subject property. As eight off-street parking spaces provided, only three on-street spaces would need to be utilized to

meet the requirement.

Adequate landscaping exists on the site in the form of mature trees, shrubs and turf as shown in the site photos included with this report. Staff does not propose modification to the existing landscaping to accommodate the proposed charter school use.

The subject property is located within the Carson City Historic District, therefore, review and approval of the proposed exterior modifications by the Historic Resources Commission is required prior to submittal for a Building Permit. Staff has provided a condition approval addressing this requirement.

In reviewing the information provided by the applicant and the required findings as identified below, the findings to grant approval of this Special Use Permit can be made. Therefore, it is recommended that the Planning Commission approve this Special Use Permit application with the conditions outlined by staff.

PUBLIC COMMENTS:

Public notices were mailed to on June 7, 2013 to 35 adjacent property owners within 300 feet of the subject site pursuant to the provisions of NRS and CCMC. As of the date of this report was completed, the following comments were received by the Planning Division:

- Phone call received on June 12, 2013 from Scott Baker, property owner at 312 W. 3rd St. (adjacent to the subject property on the south side), expressing concern about on-street parking for the school. Mr. Baker indicated that on-street parking is heavily used in the neighborhood and expressed concern for clients of his law office as they are often injured and unable to walk long distances.

Any comments that are received after this report is complete will be submitted prior to or at the Planning Commission meeting, depending on their submittal date to the Planning Division.

OTHER CITY DEPARTMENT OR OUTSIDE AGENCY COMMENTS:

The following comments were received from various city departments. Recommendations have been incorporated into the recommended conditions of approval, where applicable.

Building Division Comments:

1. The 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 PLAN SUBMITTAL REQUIREMENTS*. This handout may also be found online at www.carson.org/building.
3. The current adopted codes will be in effect until September 1, 2013.

Engineering Division Comments:

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

Fire Department Comments:

1. The project must comply with the 2006 International Fire Code and current CCMC. Effective September 1, 2013, we will begin enforcing the 2012 International Fire Code.
2. The project will require a fire alarm system complying with IFC 907.2.3.
3. The project will require a Knox Box. The applicant shall coordinate with the Fire Department on ordering and location of the Knox Box (IFC 506.1).

Health Department Comments:

This project will need to be designed in accordance with Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC) Chapter 444, specifically NRS 444.335 and NAC 444.568 – 444.56862.

Public Works, Environmental Control Comments:

1. If this facility will be preparing food on site, a properly sized grease interceptor will need to be installed per CCMC 12.06.245 and Appendix 18 Division 15.5.2 (a) through (d).
2. Garbage disposals are not allowed per CCMC 12.06.226.
3. Depending on the amount and type of chemicals (i.e. photo developing chemicals for a photography class), secondary containment of these chemicals may be required per CCMC 12.06.248.
4. If there will be any demolition or renovation at this facility that will disturb greater than 160 square surface feet, 260 linear feet or one cubic meter of asbestos containing material, then the following requirements will apply per CCMC 12.12.065.
 - a. Submit an asbestos assessment on all material being disturbed.
 - b. Submit a City of Carson City Acknowledgment of Asbestos Assessment Form.
 - c. Depending on assessment results, an EPA 10-Day Notification may also be required.

FINDINGS: Staff recommends approval of the Special Use Permit based on the findings outlined below, pursuant to CCMC 18.02.080 (Special Use Permits), subject to the recommended conditions of approval, and further substantiated by the applicant's written justification.

1. The use will be consistent with the objectives of the Master Plan elements.

The proposed project is consistent with the following applicable goals of the Master Plan in accordance with the seven findings (in bold) required for approval of a Special Use Permit:

Goal 1.1 – Promote the Efficient Use of Available Land and Resources.

The location proposed for NPA promotes the efficient use of available land and resources by occupying an existing building. This is consistent with the goal to discourage growth in locations not currently served by urban services. While there are

other suitable locations outside the downtown area, the site was chose due, in part, to its central city location. It is within walking distance to the downtown core and a key NPA partner. The Brewery Arts Center is one block to the northwest of the proposed charter school location.

Goal 2.1 – Encourage Diversity in Citywide Land Use Mix

The NPA charter school proposes to locate within an identified mixed use area near downtown and near the Brewery Arts Center which furthers the goal of encouraging mixed use development patterns that are compatible with their surrounding development context.

Goal 5.1 – Maintain and Enhance Primary Job Base

NPA proposes to give students the opportunity to explore career options in the arts in northern Nevada with the goal that local, working artists will help students select a career path and, ultimately, find careers once their secondary and post-secondary education is complete. This supports the master plan goal to maintain and enhance the primary job base by encouraging students to pursue their artistic careers in northern Nevada rather than relocating out of the area.

Goal 6.2 – Promote Compatible Infill and Redevelopment

The proposed project supports the Master Plan goal that redevelopment be completed in a manner that is compatible with and enhances the surrounding area. Placing a performing arts charter school in close proximity to a major arts facility such as the Brewery Arts Center provides a compatible and complimentary use that will promote the success NPA, the Brewery Arts Center and the surrounding area.

Goal 8.1 – Promote Downtown Revitalization

The Master Plan encourages the revitalization of downtown through the integration of a broader mix of uses in the downtown area. The placement of a charter school specializing in performing arts integrates a complimentary school use into an area of downtown already heavily enriched with the arts.

Additionally, as NPA is open to enrollment for students statewide, it is likely that students from regions outside Carson City will attend to take advantage of this specialized education opportunity. Students attending from outside the region will often rely on their parents for transportation, which creates more visitors (both students and parents) to the restaurants, retail and service shops in the downtown vicinity.

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

The surrounding area is a mixture of uses including professional offices, single family residences and public facilities (Brewery Arts Center). The proposed charter school will function much like a professional office, with hours from 8am to 5pm Monday through Friday, accommodating students with scheduled classes arriving and departing throughout the day. On-site instruction will be limited to 24 students at any given time

and the maximum number of staff members on-site will be seven. Due to the varying schedules for proposed classes, it is not anticipated that all 24 students would arrive or depart the school at the same time.

To minimize student loitering at the school, the Nevada Performance Academy has recently created the “Green Room”, a fully supervised student lounge and study area at the Brewery Arts Center. Students will have the ability to use this space if they have breaks between classes or performances, to study, wait for rides, etc. Additionally, staff has proposed the school create, post and enforce a “no loitering” policy to further minimize student loitering.

All on-site classroom activities will be contained within the building therefore, the proposed charter school will not generate objectionable noise, vibrations, fumes, odors, dust, glare or physical activity. The limited nature of this on-site instruction and the creation of a supervised student lounge approximately one block away will ensure that the proposed charter school will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties.

3. The project will have little or no detrimental effect on vehicular or pedestrian traffic.

The proposed charter school will have little or not detrimental effect on vehicular or pedestrian traffic. Because attendance at the school’s on-site location is limited to 24 students at any specific time, additional traffic generated by the proposed use will be minimal and served by an adequate existing street network. Pedestrian traffic will likely increase slightly as the students will have the ability to walk to the Brewery Arts Center for classes or to use the Green Room student lounge.

4. The project 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.

School, police and fire protection levels will not be affected by the proposed project. As this is a new charter school for grades 7-12, it will not overburden the existing school system. The proposed use is limited in both activity and capacity, therefore, the impact to police and fire protection will be minimal. The charter school will be located in an existing building with adequate site improvements, and will not impact water, sanitary sewer, public roads, storm drainage or other public improvements.

5. The project meets the definition and specific standards set forth elsewhere in this Title 18 for such particular use and meets the purpose statement of that district.

A school is a conditional use in the Residential Office zoning district. Upon approval of the Special Use Permit with the recommended conditions of approval, the proposed project will be in conformance with the requirements of the Carson City Municipal Code.

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

The proposed project will not be detrimental to the health, safety, convenience and welfare of the general public or surrounding neighborhood. The proposed charter school use, because of its limited size, is compatible with the adjoining residential office area,

and will operate in a similar manner as that of a typical professional office. All City standards and requirements must be met in association with any site and building improvements.

7. The project will not result in material damage or prejudice to other property in the vicinity.

The proposed charter school will be located within an existing building, will limit its class instruction to within the building during the hours of 9am and 3pm, will limit its capacity to 24 students and seven staff members at one time, and has provided an off-site student lounge at the Brewery Arts Center to discourage lingering students. Within the parameters provided, the charter school will be compatible with the surrounding Residential Office zoning district and will not result in material damage or prejudice to other property in the vicinity, nor will the project result in prejudice or infringe upon the property rights of the adjacent properties.

Attachments:

City Comments
Site Photos
Application (SUP-13-039)

File # (Ex: MPR #07-111)	SUP-13-039
Brief Description	Change in use to allow for E Occupancy
Project Address or APN	003-123-01
Bldg Div Plans Examiner	Kevin Gattis
Review Date	June 26, 2013
Total Spent on Review	RECEIVED

MAY 31 2013

BUILDING DIVISION COMMENTS:

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

CARSON CITY
PLANNING DEPARTMENT

General

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 PLAN SUBMITTAL REQUIREMENTS**: This handout may also be found online at: www.carson.org/building.
3. The current adopted codes will be in effect until September 1, 2013.

RECEIVED

JUN 04 2013

CARSON CITY
PLANNING DIVISION

**Engineering Division
Planning Commission Report
File Number SUP 13-039**

TO: Planning Commission
FROM: Rory Hogen, E.I.
DATE: June 5, 2013 **MEETING DATE:** June 26, 2013

SUBJECT TITLE:

Action to consider the remodel of an existing structure to house the Nevada Performance Academy at 223 S. Division St., apn 03-123-01.

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 plans are adequate for this review.

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 request is not in conflict with pedestrian or traffic movements.

CCMC 18.02.080 (5d) - Public Services

No new City water, sewer or access services will be needed for this project.

RECEIVED

MAY 22 2013

**CARSON CITY
PLANNING DIVISION**

May 22, 2013

SUP-13-039

I have reviewed the application for SUP 13-39 and have the following comments:

1. Project must comply with the 2006 International Fire Code and current CCMC. Effective 9-1-13 we will begin enforcing the 2012 IFC.
2. Project will require a fire alarm system complying with IFC 907.2.3
3. Project will require a Knox Box. Applicant will coordinate with the Fire Department on ordering and location of Knox Box (IFC 506.1).

Dave Ruben

Captain – Fire Prevention
Carson City Fire Department
777 S. Stewart Street
Carson City, NV 89701

Direct 775-283-7153
Main 775-887-2210
FAX 775-887-2209

RECEIVED

June 11, 2013

JUN 11 2013

From: Dustin Boothe
Sent: Tuesday, June 11, 2013 8:26 AM
To: Susan Dorr Pansky
Subject: RE: Comments on SUP-13-039

CARSON CITY
PLANNING DIVISION

SUP-13-039

Carson City Health and Human Services has the following comments:
This project will need to be designed in accordance with Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC) Chapter 444, specifically NRS 444.335 and NAC 444.568-444.56862.

Dustin Boothe, MPH, REHS
Carson City Health and Human Services
900 E. Long St.
Carson City, NV 89706
(775) 887-2190 ext. 7220

dboothe@carson.org

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RECEIVED

JUN 11 2013

CARSON CITY
PLANNING DIVISION

June 11, 2013

Major Project Review Committee

Re: # SUP – 13 - 039

Dear Kathe,

After initial 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 – 13-039 @ 223 South Division St. project:

1. If this facility will be preparing food on site, a properly sized grease interceptor will need to be installed. Per 12.06.245, and Appendix 18 Division 15.5.2(a) (b) (c) (d) of the CCMC.
2. Garbage disposals not allowed per 12.06.226 of the CCMC.
3. Depending on the amount and type of chemicals i.e. photo developing chemicals for a photography class then secondary containment will need to be provided for these chemicals per 12.06.248 of the CCMC.
4. If there will be any demolition or renovation at this facility that will disturb greater than 160 square surface feet, 260 linear ft., or 1 cubic meter of asbestos containing material than the following requirements will apply per 12.12.065 of the CCMC
 - a. Submit and asbestos assessment on all material being disturbed
 - b. Submit a City of Carson City Acknowledgment of Asbestos Assessment Form.
 - c. Depending on assessment results an EPA 10 Day Notification may also be required.

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
David Bruketta, Utility Manager



Subject Property at 223 S. Division St.



Existing Parking Lot at 223 S. Division St.



Division St. looking south showing typical parking on a weekday.



Second St. looking west showing typical parking on a weekday.

Carson City Planning Division
108 E. Proctor Street • Carson City NV 89701
Phone: (775) 887-2180 • E-mail: planning@carson.org

FOR OFFICE USE ONLY:

CCMC 18.02

MAY 16 2013

CARSON CITY
PLANNING DIVISION

FILE # SUP - 13 - 039

N.B.G. Investments LLC

PROPERTY OWNER

223 S. Division C.C. Nevada 89703

MAILING ADDRESS, CITY, STATE, ZIP

775-772-9579

PHONE #

FAX #

Name of Person to Whom All Correspondence Should Be Sent

Darrin Benner

APPLICANT/AGENT

318 N. Carson St.
Apt. 1000 Carson City NV. 89701

MAILING ADDRESS, CITY, STATE ZIP

882-6455

882-1444

PHONE #

FAX #

darrin@barchitects.biz

E-MAIL ADDRESS

Project's Assessor Parcel Number(s):

003.123.01

Street Address

ZIP Code

223 DIVISION St.

Project's Master Plan Designation

MIXED USE RESIDENTIAL

Project's Current Zoning

RO

Nearest Major Cross Street(s)

2nd & DIVISION

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:

PROPERTY OWNER'S AFFIDAVIT

I, Mark Lopucko, 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

Date

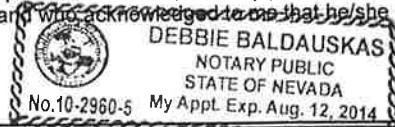
Use additional page(s) if necessary for other names.

STATE OF NEVADA
COUNTY Carson

)

On May 16th, 2013, Mark Lopucko, 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.

Debbie Baldauskas
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.



ARCHITECTURE

05.15.13

Carson City Building Department
108 East Proctor St
Carson City, NV 89701

Attn: Lee Plemel, AICP – Planning Director
Re: Special Use Permit – Nevada Performance Academy

Dear Mr. Plemel:

On behalf of our client the Nevada Performance Academy who wishes to occupy space located at 223 South Division Street, we are hereby submitting this special use permit application questionnaire response letter. Below are the questions as stated in the application followed by our response in bold italic text.

Question one:

How will the proposed development further and be in keeping with, and not contrary to, the goals of the master plan elements?

A balanced land use pattern

Answer: Locating in the downtown area ensures compact urban growth. While there are plenty of locations outside the downtown, this site was chosen due in part to its central city location. It is also worth noting that the flow inward supports goals for the revival of the downtown area as a commercial center for the city. That is, when parents come from outside the area including Minden/Gardnerville or even Winnemucca, they stay a bit, shop, eat, buy gas, etc.

Equitable distribution of recreational opportunities.

Answer: N/A

Economic vitality.

Answer: We believe that the Nevada Performance Academy will lend to and enhance the economic vitality of the neighborhood. This will be most evident in the growing relationship with the Brewery Arts Center whereby the Nevada Performance Academy anticipates utilizing Brewery Arts space and instructors. Another bonus is that students spend money. It is expected that there will be an uptick for snacks and meals for eateries in the area which includes the diner inside the BAC itself.

Describe the proposed landscaping.

Answer: N/A

Provide a parking plan for your project. If you are requesting approval for off street parking within 300 feet, provide site plans showing (1) parking on your site,(2) parking on the offsite parking lot, and (3) how much of the off- site parking area is required for any business other than your own.

Answer: An architectural site plan is attached and illustrates the proposed parking which includes curb-side and on- site parking. Additional parking is not needed.

Acknowledgement of applicant

I certify that the foregoing 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'm 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 Building Department
108 East Proctor St
Carson City, NV 89701

Attn: Lee Plemel, AICP – Planning Director

**Re: Special Use Permit – Nevada Performance Academy
Project Description**

Dear Mr. Plemel:

The Nevada Performance Academy (NPA) is a state-sponsored free public charter school serving grades 7-12. NPA operates with online classes, but students can visit their teachers by appointment at the school's academic support facility. The school is open for student visits from 9-3pm, five days per week. No more than 24 students can be on campus at any one time to receive directed instruction and support. The school uses an online scheduler to control and monitor student access to the school site.

The exact schedule of student visitation changes from day to day and week to week to allow for the greatest amount of academic support. Certain days may prioritize grade level instruction in all core subjects, while other days may emphasize cohort grouping or subject based grouping. Instructional slots may be as short as 30 minutes or as long as 2 hours, and they will overlap as necessary in the four instructional pods on the first floor of the building.

The school operates with four core teachers and three administrative staff. Offices for all employees are located on the second floor of the building. The remodeling project is based on complying with both ADA requirements and E-use requirements. These modifications include expanding main floor bathrooms, changing doorways, door handles, etc. Exterior modifications include expanded handicap parking and ramp access to the building. Traffic flow has been considered and is addressed by off-street access to the school.

NPA anticipates being a respectful neighbor and an asset to the Carson City community.

318 North Carson Street
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Darin Berger

Principal

Art Hannafin

Retired

