

STAFF REPORT FOR PLANNING COMMISSION MEETING OF JUNE 25, 2014

FILE NO: SUP-14-034

AGENDA ITEM: F-3

STAFF AUTHOR: Kathe Green, Assistant Planner

REQUEST: Special Use Permit request to allow the placement of a bar on property zoned Retail Commercial (RC).

OWNER: Jeet Hotels, LLC

APPLICANT: Barcade

LOCATION: 1930 North Carson Street (address corrected)

APN: 001-091-04

RECOMMENDED MOTION: "I move to approve SUP-14-034, a Special Use Permit request to allow the placement of a bar on property zoned Retail Commercial, on a parcel located at 1930 North Carson Street, APN 001-091-04, 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 shall 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 may 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 12 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.

The following shall be submitted with any Building Permit application:

5. The applicant shall submit a copy of the Notice of Decision and conditions of approval with any Building Permit application.
6. Any exterior light fixtures shall be reviewed and approved by the Planning Division for compliance with Development Standards Division 1.3 Light and Glare, including directing light downward, not outward or upward. Provide manufacturer's specification detail sheets.
7. The motel and bar must be readdressed as 1930 North Carson Street.
8. Notify the Carson City Building Division regarding any renovation or repair work that may be needed to reopen the business, as permits and inspections may be required.
9. Any new signage must comply with Carson City Development Standards Division 4 and a sign permit shall be required.

LEGAL REQUIREMENTS: CCMC 18.02.080 (Special Use Permits), 18.04.130 (Retail Commercial)

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

PRESENT ZONING: Retail Commercial (RC)

KEY ISSUES: Would the proposed bar have an adverse impact on the adjacent neighborhood? Would it be in compliance with the purposes of the Retail Commercial zoning district?

SURROUNDING ZONING AND LAND USE INFORMATION

NORTH: Retail Commercial (RC)/Commercial-Office
EAST: Retail Commercial (RC)/Commercial-Shopping Center
SOUTH: Retail Commercial (RC)/Commercial-Motel

WEST: Retail Commercial (RC)/Commercial-Mobile Home and Recreational Vehicle Park

ENVIRONMENTAL INFORMATION

FLOOD ZONE: XS Areas of minimal flooding

EARTHQUAKE FAULT: Severe, Zone I, beyond 500 feet

SLOPE/DRAINAGE: The parcel is flat

SOILS: 71 Urban Land

SITE DEVELOPMENT INFORMATION

LOT SIZE: .85 acre or 37,123 square feet

PROPOSED STRUCTURE SIZE: No change

PROPOSED STRUCTURE HEIGHT: No change

PARKING: No change

SETBACKS: No change

VARIANCES REQUESTED: None

PREVIOUS REVIEWS

None

HISTORY

This site functioned as a motel with a bar for many years, since at least the early 1970s. The bar use on this site was terminated several years ago. As this site has relinquished non-conforming status by being closed more than 12 months, a Special Use Permit is now required to resume the use. At one time, the motel, bar and restaurant on an adjacent property to the north all functioned as a symbiotic unit. However, the restaurant was changed to office space several years ago and the bar use was terminated.

DISCUSSION

A bar is a conditional use in the Retail Commercial zoning district, requiring approval of a Special Use Permit by the Planning Commission. No exterior changes to the building or site are proposed. Minor interior tenant improvements and changes to signage are anticipated if this permit is approved. The bar would face north toward a business which is closed at night and be adjacent to Carson Street on the east. East of Carson Street is a shopping center which is also closed at night. It is assumed any objectionable conditions related to noise or other impacts to peaceful enjoyment would create objections from clients and customers of the motel before extending outward to the neighborhood. A quick resolution of any problems would be more likely as the motel is on the same site and in the same building as the proposed bar, and would have customers who would also be impacted by any negative effects. It is noted the address is shown on the application in error as 1914 North Carson Street. The address must be shown as 1930 North Carson Street.

PUBLIC COMMENTS

Public notices were mailed on June 6, 2014 to 30 adjacent property owners and 198 tenants of mobile home parks within 400 feet of the subject site. As of the writing of this report no comments have been received in favor or 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 Wednesday, June 25, 2014 depending on the date of submission of the comments to the Planning Division.

AGENCY COMMENTS

All comments from various city departments and agencies which were received as of June 10, 2014 are included in this report. Recommendations have been incorporated into the recommended

conditions of approval, where applicable.

Engineering: The Engineering Division has no preference or objection to the Special Use request.

Fire: Project (motel and bar) must be readdressed as 1930 North Carson Street.

Building: Notify Carson City Building Division regarding any renovation or repair work that may be needed to reopen the business, as permits and inspections may be required.

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.

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.

1. Will be consistent with the master plan elements.

GOAL 5.2—Promote Expansion of Retail Service Base

5.2b—Encourage Reuse/Redevelopment of Underused Retail Spaces

GOAL 5.6—Promote Downtown Revitalization

5.6b—Business Retention and Expansion

This proposal is to resume the use of a bar, which was on this site for many years. The motel use is in the same building as the proposed bar and is still valid. The proposed use of a bar is in a location within the building which is vacant and is therefore an underused space. The property is on Carson Street, where the traffic volume is high. An active business provides support to the community where it is located, and promotes revitalization of the downtown, as opposed to an empty 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.

There will be moderate noise during construction for the interior modification of the building, but the construction will be of short duration. Once the modification of the interior of the site is complete, the bar is not expected to cause objectionable noise, vibrations, fumes, odors, dust, glare or physical activity which would be detrimental to the surrounding properties or general neighborhood. This site is adjacent to Carson Street, a busy arterial, which has traffic which creates noise, fumes, odors, dust, glare and physical activity on a full-time basis.

This proposal is to resume a previously allowed use on the site. It is in the best interest of the proposed bar owner as well as the motel also located within this building, to avoid noise, vibrations, fumes, odors, dust, glare or physical activity which would be created by the bar, to rise to a level where it would become objectionable to the customers of the motel which is adjacent to the bar, or to the people who live in the adjacent mobile home and recreational vehicle park, which is approximately 175 feet west of the proposed bar.

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

No adverse effect is anticipated on vehicular or pedestrian traffic if the use of a bar were allowed to

resume. Parking is available on site on the north and south sides of the building. Traffic is expected to increase if the bar use resumes on the site. Carson Street is a well-traveled arterial which has an adequate width to allow turn-in and turn-out from this business location without negatively impacting traffic.

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.

This proposal is to resume a use which was terminated more than 12 months ago. No new use of existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public improvements is anticipated if this business were allowed to resume at this location. The location of the business on Carson Street allows easy access to the site if it were necessary for any public entity to contact the business in person. Business and liquor licenses are required to be maintained if the bar use is allowed on this site.

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.

This parcel is located in the Retail Commercial zoning district. The purpose of the Retail Commercial (RC) zoning district is to preserve a commercial district limited primarily to offices and retail sale of new merchandise and excluding all uses in the General Commercial and Industrial Districts, except for some service uses which are compatible with the zone. All uses within the RC zoning district shall be conducted within a building, and aside from display windows, be screened from view.

A bar is a conditional use in this zoning district, requiring prior approval of a Special Use Permit by the Planning Commission.

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

It is not expected that the resumption of a bar in a building which had one for many years will have any detrimental impact on the public health, safety, convenience and welfare.

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

The resumption of the use of a bar on this site is not expected to adversely impact the neighborhood or surrounding properties.

Attachments

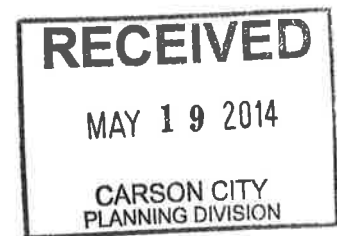
Site Photo
Building Division comments
Engineering Division comments
Fire Department comments
Application SUP-14-034

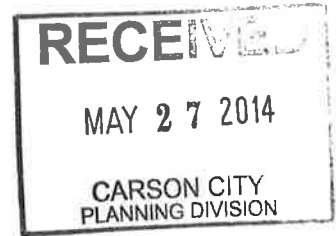


File # (Ex: MPR #07-111)	<i>Sup-14-034</i>
Brief Description	<i>Reopen Bar/Tavern</i>
Project Address or APN	<i>APN 001-091-04</i>
Bldg Div Plans Examiner	<i>Kevin Gattis</i>
Review Date	<i>05-19-14</i>
Total Spent on Review	

BUILDING DIVISION COMMENTS:

Please notify the Carson City Building Division regarding any renovation or repair work that may be needed to reopen the business as permits and inspections may be required.





**Engineering Division
Planning Commission Report
File Number SUP 14-034**

TO: Planning Commission

FROM: Rory Hogen, E.I.

DATE: May 26, 2014 **MEETING DATE:** June 25, 2014

SUBJECT TITLE:

Action to consider a special use permit for minor interior improvements at 1914 N Carson St, apn 01-091-04.

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.

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.



SUP-14-034

Fire has the following comments:

1. Project must be readdressed to 1930 N. Carson.

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

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

FILE # SUP - 14 - **SUP - 14 - 034**

Barcade 691-1238

APPLICANT PHONE #

504 East Musser St. C.C. NV. 89701

MAILING ADDRESS, CITY, STATE, ZIP

mikefmi@charter.net

EMAIL ADDRESS

Jeet Hotels, LLC 291-2627

PROPERTY OWNER PHONE #

1718 North Carson St. C.C. NV. 89701

MAILING ADDRESS, CITY, STATE, ZIP

EMAIL ADDRESS

Mike Richardson 691-1238

APPLICANT AGENT/REPRESENTATIVE PHONE #

504 East Musser St.

MAILING ADDRESS, CITY, STATE, ZIP

mikefmi@charter.net

EMAIL ADDRESS

FOR OFFICE USE ONLY:

CCMC 18.02

SPECIAL USE PERMIT
FEE: \$2,450.00 MAJOR
\$2,200.00 MINOR (Residential zoning districts)
+ noticing fee and CD containing application digital data (all to be submitted once the application is deemed complete by staff)

SUBMITTAL PACKET

- ☐ 8 Completed Application Packets (1 Original + 7 Copies) including:
 - ☐ Application Form
 - ☐ Written Project Description
 - ☐ 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):

001-091-04

Street Address ZIP Code

1914 N. Carson St. 89701

Project's Master Plan Designation

C/Rc

Project's Current Zoning

Rc

Nearest Major Cross Street(s)

Winnie Lane

Briefly describe your proposed project: (Use additional sheets or attachments if necessary). In addition to the brief description of your project and proposed use, provide additional page(s) to show a more detailed summary of your project and proposal. In accordance with Carson City Municipal Code (CCMC) Section: 18.04.130.3 or Development Standards, Division _____, Section _____, a request to allow as a conditional use is as follows:

Continue the current use of the property as a Bar/Tavern

Continue the current use of the property as a Bar/Tavern

PROPERTY OWNER'S AFFIDAVIT

VERONICA RODRIGUEZ being duly depose, 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 Veronica Rodriguez Address 244 - Sacramento Dr. Reno NV 89502 Date 05/08/14

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

STATE OF NEVADA ^{VR} California
COUNTY Sacramento

On May 8 2014, Veronica Rodriguez personally appeared before me, a notary public, personally known (or proved) to me to be the person whose name is subscribed to the foregoing document and who acknowledged to me that he/she executed the foregoing document.

Notary Public V. Rodriguez

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.



MS Rafter, LLC
504 East Musser St.
Carson City, NV. 89701
(775) 691-1238
(775) 562-2651 fax
mikefmi@charter.net

May 13, 2014

RE: Special Use Permit Written Description
1914 North Carson St.

I plan to re-open the existing bar (The Lamplighter) in the same location and condition that it is currently in. Interior paint and light repairs/maintenance are the only issues at hand with the property.

This is consistent with the overall property improvements that are slated for the Carson City Hotel in the future, which is under new ownership.

Video games, pool tables, shuffle board, and darts will be offered for entertainment. No food preparation shall occur on site.



Applicant

5/14/14
Date

MS Rafter, LLC
504 East Musser St.
Carson City, NV. 89701
(775) 691-1238
(775) 562-2651 fax
mikefmi@charter.net

May 13, 2014

RE: Special Use Permit Questionnaire

Q1: How will the proposed development further and be in keeping with, and not contrary to, the goals of the Master Plan Elements?

A1: The use of this property has been the same and consistent for over 27 years. No changes or modifications to either the structure or the business model are planned.

Q2: Will the effect of the proposed development be detrimental to the immediate vicinity? To the general neighborhood?

A2: The use of this particular business site has been continuously used for this same purpose for over 27 years.

Q3: Has sufficient consideration been exercised by the applicant in adapting the project to existing improvements in the vicinity?

A3: No changes are planned to this business or structure. No adapting is required.

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

May 20, 2014

SUP-14-034 Addendum

Questionnaire:


Question 2:

- A. Describe general types of land uses surrounding this property:
North: Retail Commercial/Title loan business
East: across Carson Street: Retail Commercial/Shopping Center
South: Retail Commercial/Motel
West: Retail Commercial/ Mobile Home and Recreational Vehicle Park
- B. This location has been the current bar over 35 years, but has been closed for 14 months, and is therefore considered a non-conforming site, and will require approval a Special Use Permit to resume the use as a bar. No structural or architectural changes are proposed to the exterior or interior the site. The building will continue to appear as it has for 35 years. No impact is assumed to the neighbors by the reopening of this location to the former use.
- C. No changes are planned which would impact the surrounding properties.
- D. There adequate parking on site. No significant changes are proposed for traffic patterns. Carson Street is an active arterial, so there would be no traffic changes if this business were to resume.
- E. Carson City has many bar or other locations that sell liquor. This not an unusual request at an existing location.

Question 3:

- A. No impact is expected to the school district, as the patrons at this location will over 21 years of age.
- B. No changes to existing site.
- C. No change to existing use of water in this building, with the same use being resumed.

- D. No change to existing use of sewer in this building, with the same use being resumed.
- E. No change to existing road surfaces, with the same use being resumed.
- F. Personal opinion, based on no changes to the existing building.
- G. No changes to exterior lighting are proposed.
- H. No changes to existing landscaping is proposed.
- I. Parking on site is adequate for the proposed use. Historically, there has not been any issue with parking on site.



N CARSON ST

This is a black and white aerial photograph of a commercial district. A large, light-colored, rectangular building with a flat roof is the central feature. To its left is a long, narrow parking lot filled with cars. To its right is another parking lot, also filled with cars, and a smaller, darker building. A wide street, labeled 'N CARSON ST', runs horizontally across the middle of the image. Below the street is a large parking lot with many cars parked in rows. The background shows more buildings and trees. The text 'N CARSON ST' is printed in the center of the street.





Master Plan Policy Checklist

Special Use Permit, Major Project Review & Administrative Permits

PURPOSE

The purpose of a development checklist is to provide a list of questions that address whether a development proposal is in conformance with the goals and objectives of the 2006 Carson City Master Plan that are related to non-residential and multi-family residential development. This checklist is designed for developers, staff, and decision-makers and is intended to be used as a guide only.

Development Name: Bar in Retail Commercial zoning

Reviewed By: Kathy Green

Date of Review: 5/19/14

DEVELOPMENT CHECKLIST

The following five themes are those themes that appear in the Carson City Master Plan and which reflect the community's vision at a broad policy level. Each theme looks at how a proposed development can help achieve the goals of the Carson City Master Plan. A check mark indicates that the proposed development meets the applicable Master Plan policy. The Policy Number is indicated at the end of each policy statement summary. Refer to the Comprehensive Master Plan for complete policy language.

CHAPTER 3: A BALANCED LAND USE PATTERN



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.

Is or does the proposed development:

- ☐ Meet the provisions of the Growth Management Ordinance (1.1d, Municipal Code 18.12)?
- ☐ Use sustainable building materials and construction techniques to promote water and energy conservation (1.1e, f)?
- ☐ Located in a priority infill development area (1.2a)?
- ☐ Provide pathway connections and easements consistent with the adopted Unified Pathways Master Plan and maintain access to adjacent public lands (1.4a)?
- ☐ Protect existing site features, as appropriate, including mature trees or other character-defining features (1.4c)?

- ☐ At adjacent county boundaries or adjacent to public lands, coordinated with the applicable agency with regards to compatibility, access and amenities (1.5a, b)?
- ☒ In identified Mixed-Use areas, promote mixed-use development patterns as appropriate for the surrounding context consistent with the land use descriptions of the applicable Mixed-Use designation, and meet the intent of the Mixed-Use Evaluation Criteria (2.1b, 2.2b, 2.3b, Land Use Districts, Appendix C)?
- ☐ Meet adopted standards (e.g. setbacks) for transitions between non-residential and residential zoning districts (2.1d)?
- ☐ Protect environmentally sensitive areas through proper setbacks, dedication, or other mechanisms (3.1b)?
- ☐ Sited outside the primary floodplain and away from geologic hazard areas or follows the required setbacks or other mitigation measures (3.3d, e)?
- ☐ Provide 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)?
- ☐ If located within an identified Specific Plan Area (SPA), meet the applicable policies of that SPA (Land Use Map, Chapter 8)?

CHAPTER 4: EQUITABLE DISTRIBUTION OF RECREATIONAL OPPORTUNITIES



The Carson City Master Plan seeks to continue providing a diverse range of park and recreational opportunities to include facilities and programming for all ages and varying interests to serve both existing and future neighborhoods.

Is or does the proposed development:

- ☐ Provide park facilities commensurate with the demand created and consistent with the City's adopted standards (4.1b)?
- ☐ Consistent with the Open Space Master Plan and Carson River Master Plan (4.3a)?

CHAPTER 5: ECONOMIC VITALITY



The Carson City Master Plan seeks to maintain its strong diversified economic base by promoting principles which focus on retaining and enhancing the strong employment base, include a broader range of retail services in targeted areas, and include the roles of technology, tourism, recreational amenities, and other economic strengths vital to a successful community.

Is or does the proposed development:

- ☐ Encourage a citywide housing mix consistent with the labor force and non-labor force populations (5.1j)
- ☐ Encourage the development of regional retail centers (5.2a)
- ☒ Encourage reuse or redevelopment of underused retail spaces (5.2b)?
- ☐ Support heritage tourism activities, particularly those associated with historic resources, cultural institutions and the State Capitol (5.4a)?
- ☒ Promote revitalization of the Downtown core (5.6a)?

- ☐ Incorporate additional housing in and around Downtown, including lofts, condominiums, duplexes, live-work units (5.6c)?

CHAPTER 6: LIVABLE NEIGHBORHOODS AND ACTIVITY CENTERS



The Carson City Master Plan seeks to promote safe, attractive and diverse neighborhoods, compact mixed-use activity centers, and a vibrant, pedestrian-friendly Downtown.

Is or does the proposed development:

- ☐ Use durable, long-lasting building materials (6.1a)?
- ☐ Promote variety and visual interest through the incorporation of varied building styles and colors, garage orientation and other features (6.1b)?
- ☐ Provide variety and visual interest through the incorporation of well-articulated building facades, clearly identified entrances and pedestrian connections, landscaping and other features consistent with the Development Standards (6.1c)?
- ☐ Provide 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 (6.2a, 9.3b 9.4a)?
- ☐ If located in an identified Mixed-Use Activity Center area, contain the appropriate mix, size and density of land uses consistent with the Mixed-Use district policies (7.1a, b)?
- ☐ If located Downtown:
 - o Integrate an appropriate mix and density of uses (8.1a, e)?
 - o Include buildings at the appropriate scale for the applicable Downtown Character Area (8.1b)?
 - o Incorporate appropriate public spaces, plazas and other amenities (8.1d)?
- ☐ Incorporate a mix of housing models and densities appropriate for the project location and size (9.1a)?

CHAPTER 7: A CONNECTED CITY



The Carson City Master Plan seeks promote a sense of community by linking its many neighborhoods, employment areas, activity centers, parks, recreational amenities and schools with an extensive system of interconnected roadways, multi-use pathways, bicycle facilities, and sidewalks.

Is or does the proposed development:

- ☐ Promote transit-supportive development patterns (e.g. mixed-use, pedestrian-oriented, higher density) along major travel corridors to facilitate future transit (11.2b)?
- ☐ Maintain and enhance roadway connections and networks consistent with the Transportation Master Plan (11.2c)?
- ☐ Provide appropriate pathways through the development and to surrounding lands, including parks and public lands, consistent with the Unified Pathways Master Plan (12.1a, c)?