

STAFF REPORT FOR PLANNING COMMISSION MEETING OF AUGUST 26, 2015

FILE NO: SUP-15-063

AGENDA ITEM: F-2

STAFF AUTHOR: Kathe Green, Assistant Planner

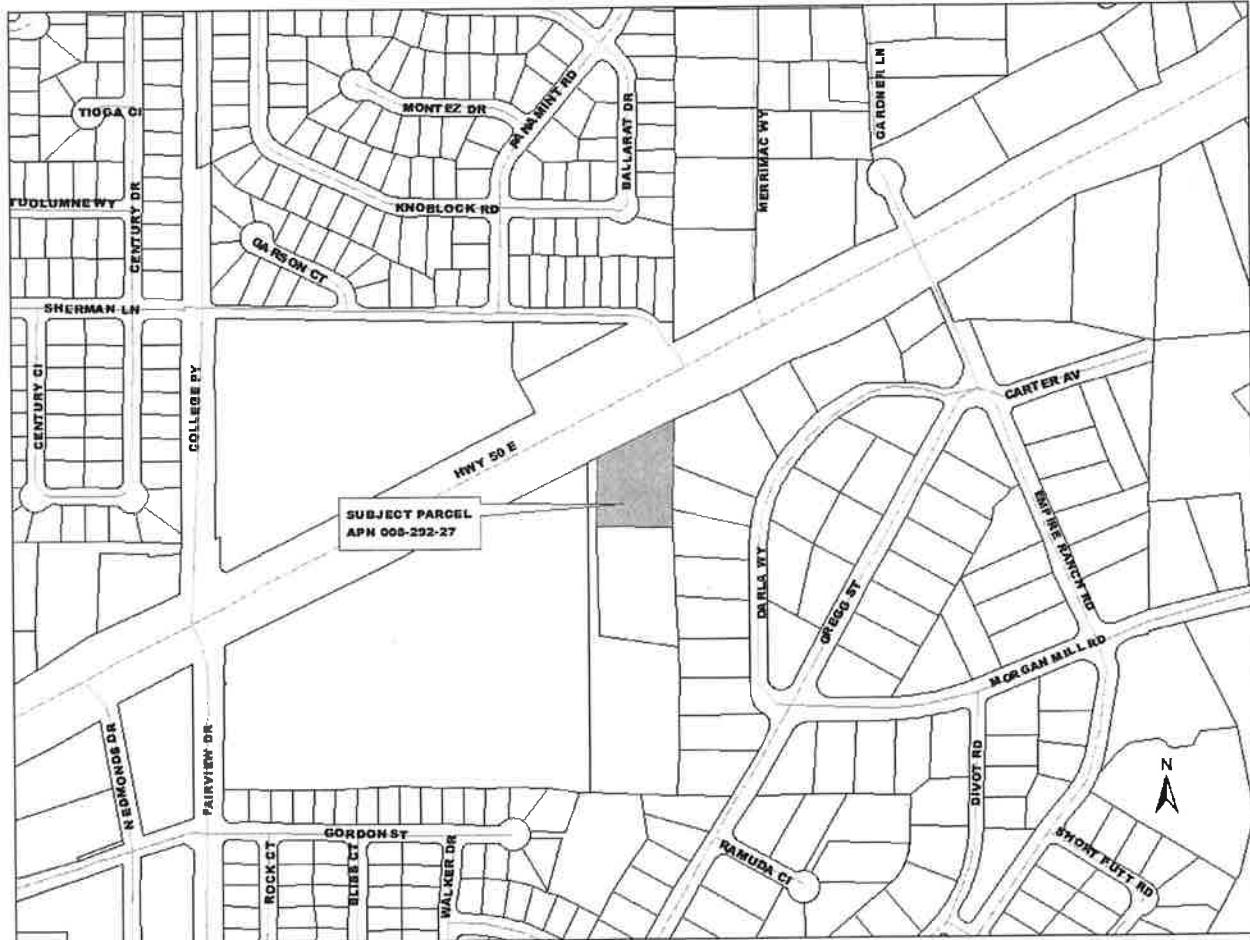
REQUEST: Special Use Permit for a five-year review of four existing storage containers in the General Commercial (GC) zoning district.

OWNER: Atkins Family Trust 10/7/94, Richard and Doris Atkins Trustees

APPLICANT: Richard and Doris Atkins

LOCATION/APN: 4261 Highway 50 East/008-292-27

RECOMMENDED MOTION: "I move to approve SUP-15-063, a Special Use Permit request from Richard and Doris Atkins (property owner: Atkins Family Trust 10/7/94), for a five-year review of four existing storage containers in the General Commercial zoning district, located at 4261 Highway 50 East, APN 008-292-27, based on findings and subject to conditions of approval contained in the staff report."



RECOMMENDED CONDITIONS OF APPROVAL:

The following shall be completed prior to commencement of the use:

1. The applicant must sign and return the Notice of Decision for conditions for approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, then the item may 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.

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

4. Metal storage containers are 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 containers.
5. No hazardous materials will be stored within the containers.
6. The storage containers will be maintained to match the existing building color on site. Graffiti shall be removed in accordance with the City's graffiti ordinance. The containers must be maintained free of rust, peeling paint or other forms of deterioration.
7. Advertising is prohibited on the exterior of the containers.
8. The placement of the containers shall be reviewed in five year increments or at any time the principal property use changes, with a \$50.00 administrative service charge and noticing costs paid by the applicant. The next scheduled review date will be the Planning Commission meeting of August 2020.
9. The exterior of all of the containers shall be repainted with a similar color or a color to match the existing building with a rust inhibiting product prior to the next review in August 2020.

LEGAL REQUIREMENTS: CCMC 18.02.080 (Special Use Permits), 18.04.135 General Commercial (GC) Conditional Uses

MASTER PLAN DESIGNATION: Mixed Use Commercial (MUC)

PRESENT ZONING: General Commercial (GC)

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

SURROUNDING ZONING AND LAND USE INFORMATION:

NORTH: Right-of-Way then General Commercial/Vacant then residential
SOUTH: General Commercial/Multi-tenant commercial-industrial
EAST: General Commercial and Single Family 21,000/Auto sales, vacant and residential
WEST: General Commercial/Vacant commercial

ENVIRONMENTAL INFORMATION:

1. FLOOD ZONE: Zone C (areas of minimal flooding)
2. EARTHQUAKE FAULT: Zone II (moderate shaking potential) with fault over 500 feet to the west
3. SLOPE/DRAINAGE: Flat
4. SOILS: 12 Dazell Fire Sandy Loam, deep water table

SITE DEVELOPMENT INFORMATION:

1. LOT SIZE: 1.21 acres (52,554 square feet)
2. EXISTING LAND USE: Retail store for carpet and flooring sales
3. STRUCTURE HEIGHT: Storage containers, approximately 8.5 feet tall
4. PARKING: Ample on site. Containers placed at rear of building
5. SETBACKS: None required
6. VARIANCES REQUESTED: None

HISTORY:

- 8/25/10: Storage containers reviewed and approved again under SUP-05-132 by the Planning Commission.
- 8/31/05: Storage containers initially approved under SUP-05-132 by the Planning Commission.

DISCUSSION:

A Special Use Permit is required for the following reason:

- According to CCMC Section Development Standards 1.10.9, storage containers may be permanently located on site after approval of a Special Use Permit, but a review for continued placement on the site is required each five years for verification of compliance with requirements of the code.

Four storage containers were placed at the Atkins House of Carpet site after approval of a Special Use Permit in August 2005. The Special Use Permit was reviewed after five years in August 2010 for compliance with conditions of approval. The containers have remained in the same location. They have been maintained and no changes are proposed. The containers continue to be used for storage of materials such as rolls of carpet, carpet cushion and laminate underlayment, related cushion materials, and large, bulky items that need to be stored when not needed immediately by the business. There have been no complaints or concerns registered with the Planning Division regarding the storage containers during the last ten years. The applicant has submitted an application to renew the placement, along with several pictures showing the condition of the containers and the location of the containers in relation to the site. It is noted there is some rusting on the exterior of the containers which will need to be addressed prior to the next review in five years. Personal Storage is regulated by the provision of the Carson City Development Standards, Division 1 (Land Use and Site Design), Section 1.10 (Personal Storage and Metal Storage Containers).

The subject parcel is located on Highway 50 East, and is 1.21 acres in size. It is primarily flat and has been developed as a retail store for sales of carpet and flooring materials. This is a required five year review of the storage containers to verify they are still meeting the requirements set out in the code. They were placed on the site at the rear of the building on a concrete pad with the containers placed with the long sides running east to west, just south of the building. The containers are adjacent to a drive aisle which runs next to the containers to the south. A site map and pictures of the containers are included with the application and with this staff report. The containers were placed with the doors facing east and west. They have been painted a gray color. No advertising signage has been placed on the containers.

It is noted there is some deterioration of the units, with areas of rust, as shown on pictures of the containers. The containers will need to be painted with a rust inhibiting product prior to the next review in 2020. This recommendation is included in the conditions of approval.

PUBLIC COMMENTS: Public notices were mailed to 30 adjacent property owners within 460 feet of the subject site on August 7, 2015 per the requirements of the Carson City Municipal Code and NRS. 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 August 26, 2015, depending on the date of submittal of the comments to the Planning Division.

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

Building and Safety: No comments

Fire Department: No comments

Engineering Division: No preference or objection

Environment Control Authority: No comments

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

The metal storage containers are made out of steel. They are painted gray, a neutral color, while the building is painted white. They do not use any water or utilities and are therefore a source of energy conservation.

1.4c Protect existing site features, as appropriate, including mature trees or other character-defining features.

The containers utilize and maintain the existing land resources. They do not block any views or vistas. No advertising signage has been or will be placed on the containers. Supplies are stored within the containers which are used to support the existing business on site. The applicant states the containers are used for the storage of rolls of carpet, carpet cushion and laminate underlayment. The placement of the units was designed to minimize the appearance of the units from the front of the property.

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

The storage containers have been located at this site for more than ten years without difficulty or problems. This review of the permit is to allow the storage containers to continue in the same location. There has not been any reported detriment to the surrounding properties or general neighborhood as a result of this placement. The retail business of carpet and flooring sales may create noise, vibrations, fumes, odors, dust and physical activity, but the storage containers in support of this use are not detrimental.

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

The site is located on Highway 50 East and is served by an adequate existing street network. Vehicular and pedestrian movement is not affected by the storage containers.

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

The storage containers were placed in this location ten years ago, and have not had a detrimental effect on the existing public services and facilities. The project is adequately served by the existing police and fire protection, public water, public sewer system, public roads, storm drainage and other public improvements. No change or detriment is anticipated by allowing the units to continue at this location.

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 used merchandise and material, repair and service facilities, and offices. The existing carpet and flooring retail sales business meets the specific standard of this zoning district. The continued placement of four storage containers on the site in support of the business is an appropriate accessory use.

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

Continuation of the existing storage containers at the site in support of the business will not be detrimental to the public health, safety, convenience or welfare. No concerns or complaints have been registered with the Planning Division during the last ten years during continued placement

of the units at this location.

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

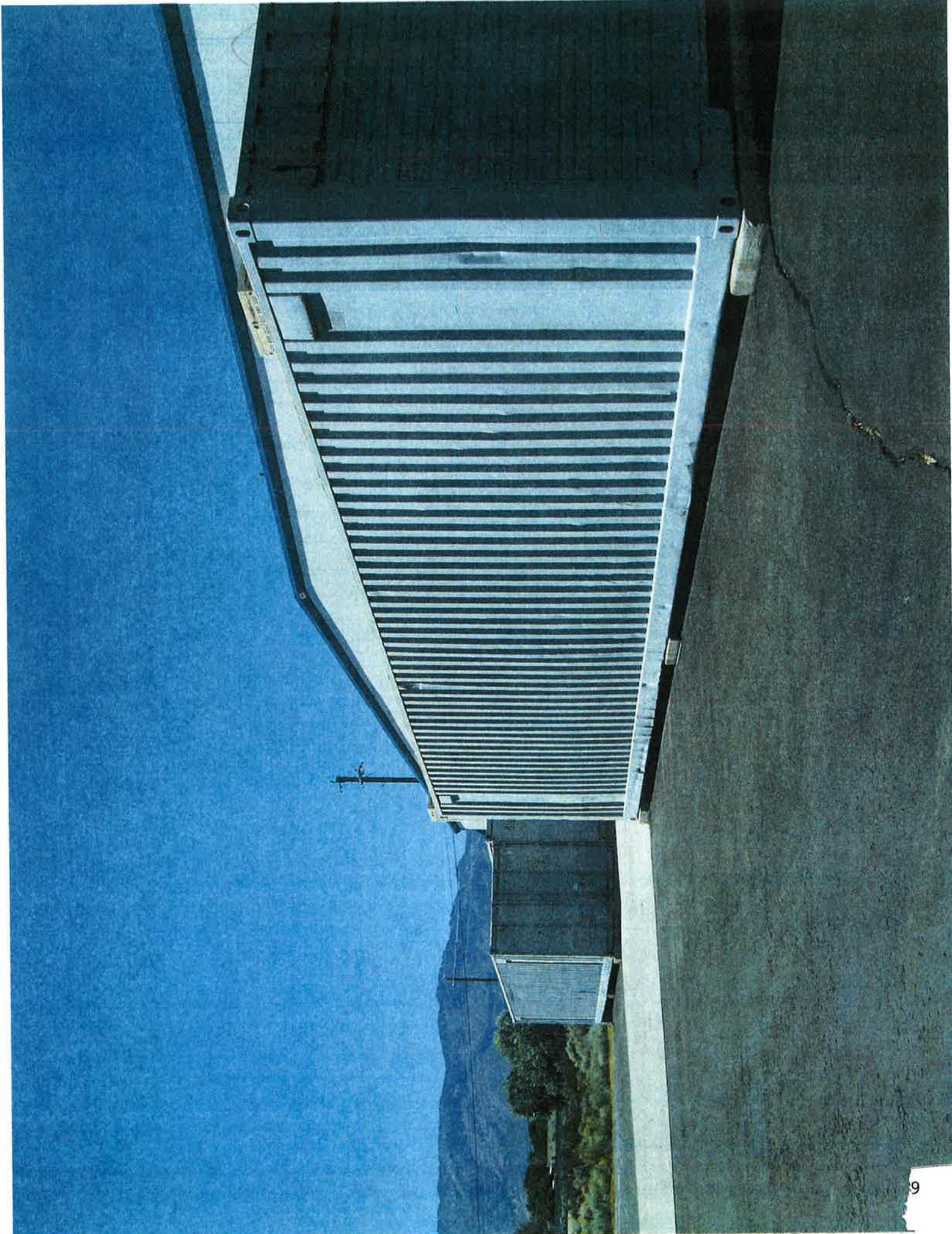
No material damage or prejudice to other properties in the vicinity has been noted and no negative concerns have been received by the Planning Division since the metal storage containers were placed in this location ten years ago. No detrimental concerns are anticipated by continuing the use of the storage containers at this location.

Attachments:

Site Photos
Building Department comment
Fire Department comment
Engineering Department comment
Environmental Control Authority comment
Health Department comment
Application (SUP-15-063)









RECEIVED

July 21, 2015

SUP-15-063:

JUL 21 2015

CARSON CITY
PLANNING DIVISION

1. Building has no comments at this time. The containers have been there for five years, and the terms are set per Mr. Atkins letter.

Shawn Keating

Chief Building Official
Carson City Community Development
108 E. Proctor Street
Carson City, NV 89701

Main 775-887-2310
FAX 775-887-2202

RECEIVED

JUL 23 2015

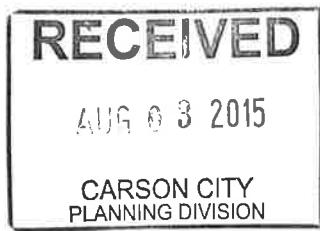
CARSON CITY
PLANNING DIVISION

July 23, 2015

Fire has no comment for SUP 15-063

Dave Ruben
Fire Marshal
Carson City Fire Department
777 S. Stewart Street
Carson City, NV 89701

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



**Engineering Division
Planning Commission Report
File Number SUP 15-063**

SUBJECT TITLE:

Action to consider an application for a Special Use Permit from Richard Atkins for the renewal of storage containers at 4261 Hwy 50 E, apn 08-292-27.

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. All construction and improvements must meet the requirements of Carson City and State of Nevada Codes and Development Standards.

CCMC 18.02.080 (2a) - Adequate Plans

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

CCMC 18.02.080 (5a) - Master Plan

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

CCMC 18.02.080 (5c) - Traffic/Pedestrians

The proposal will not affect traffic or pedestrian facilities.

CCMC 18.02.080 (5d) - Public Services

Existing facilities will not be affected by this project.

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JUL 29 2015

CARSON CITY
PLANNING DIVISION

July 29, 2015

Major Project Review Committee

Re: # SUP – 15- 063

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 15 – 063 @ 4261 Hwy 50 East request:

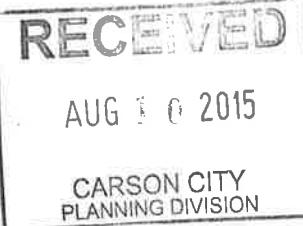
1. ECA has no requirements for this project.

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



August 7, 2015

SUP-15-063

Health and Human Services

No concerns

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

dbooth@carson.org

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

FILE # SUP - 15 - 063

APPLICANT

Richard & Doris Atkins 775-882-6400

MAILING ADDRESS, CITY, STATE, ZIP

4261 Hwy 50 E, Carson City, NV 89701

EMAIL ADDRESS

contact@atkinscarpet.net

PROPERTY OWNER

Richard Atkins 775-882-6400

MAILING ADDRESS, CITY, STATE, ZIP

4261 Hwy 50 E, Carson City, NV 89701

EMAIL ADDRESS

contact@atkinscarpet.net

APPLICANT AGENT/REPRESENTATIVE

Cynthia Porcello 775-882-6400

MAILING ADDRESS, CITY STATE, ZIP

4261 Hwy 50 East Carson City, NV 89701

EMAIL ADDRESS

contact@atkinscarpet.net

Project's Assessor Parcel Number(s):

008-292-27

Street Address

ZIP Code

4261 Hwy 50 E. Carson City, NV 89701

Project's Master Plan Designation

C

Project's Current Zoning

C

Nearest Major Cross Street(s)

College Parkway

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:

Storage containers in back of building

PROPERTY OWNER'S AFFIDAVIT

I, RICHARD W. ATKINS, 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

Richard W. Atkins Address 25 River Vista Dr. Dayton NV, 89403 Date 7-2-15

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

STATE OF NEVADA
COUNTY

On July 2nd, 2015, Richard W. Atkins, 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.

Casey A. Gracey
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.

FOR OFFICE USE ONLY:

CCMC 18.02

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JUL 20 2015

CARSON CITY
PLANNING DIVISION

~~\$50.00 Review Storage~~

FEE: ~~\$2,450.00 MAJOR~~ ~~Containers~~
~~\$2,200.00 MINOR (Residential~~
~~zoning districts)~~

+ noticing fee

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)
- CD containing application digital data (to be submitted once the application is deemed complete by staff)

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.



Atkins House of Carpet, Inc.
4261 HWY 50 EAST
CARSON CITY, NV 89701
775-882-6400 phone
775-882-3897 fax

July 2, 2015

Carson City Planning Division
108 E. Proctor Street
Carson City, NV 89701

Re: SUP-05-132

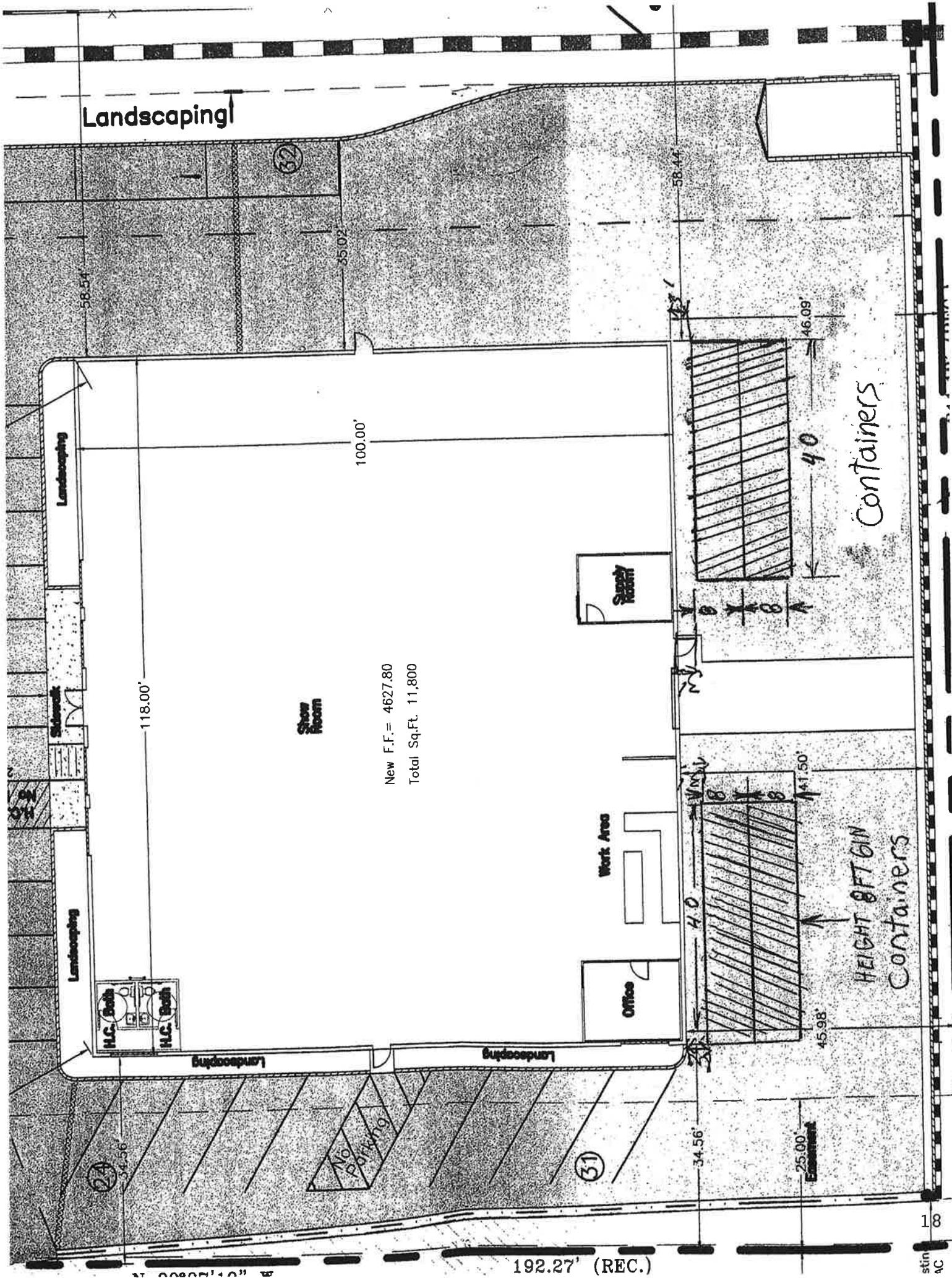
Metal Storage Containers Review
4261 Highway 50 East
APN 008-292-27

Dear Carson City Planning Division:

This letter is to continue use of 4 metal storage containers. There has been no changes as to their usage from 2010. The contents are still rolls of carpet, rolls of carpet cushion and laminate underlayment. 2 containers contain cushion only, 1 container contains carpet and cushion. The other container contains laminate underlayment and carpet. These containers are always kept locked securely when the business is closed, and also kept locked during business hours, when not in use.

- a. The containers are for storage only, with no human occupants, no doors, no windows, no electrical, and no plumbing. The containers are not stacked.
- b. The containers do not have any hazardous materials.
- c. The containers are a similar color tone to the primary structure. They have no graffiti and no visible form of deterioration. There are no forms of advertisement on these containers.
- d. The containers are located at the rear of the building, not on any parking spaces, not on landscape areas, not on drive-aisles, not on firelanes, not on drainage courses or easements or not on vehicular or pedestrian access ways,


Richard W. Atkins
President: Atkins House of Carpet, Inc.





7-2-15



West Side

East Side

