

STAFF REPORT FOR PLANNING COMMISSION MEETING OF OCTOBER 28, 2015

FILE NO: SUP-15-094

AGENDA ITEM: F-1

STAFF AUTHOR: Kathe Green, Assistant Planner

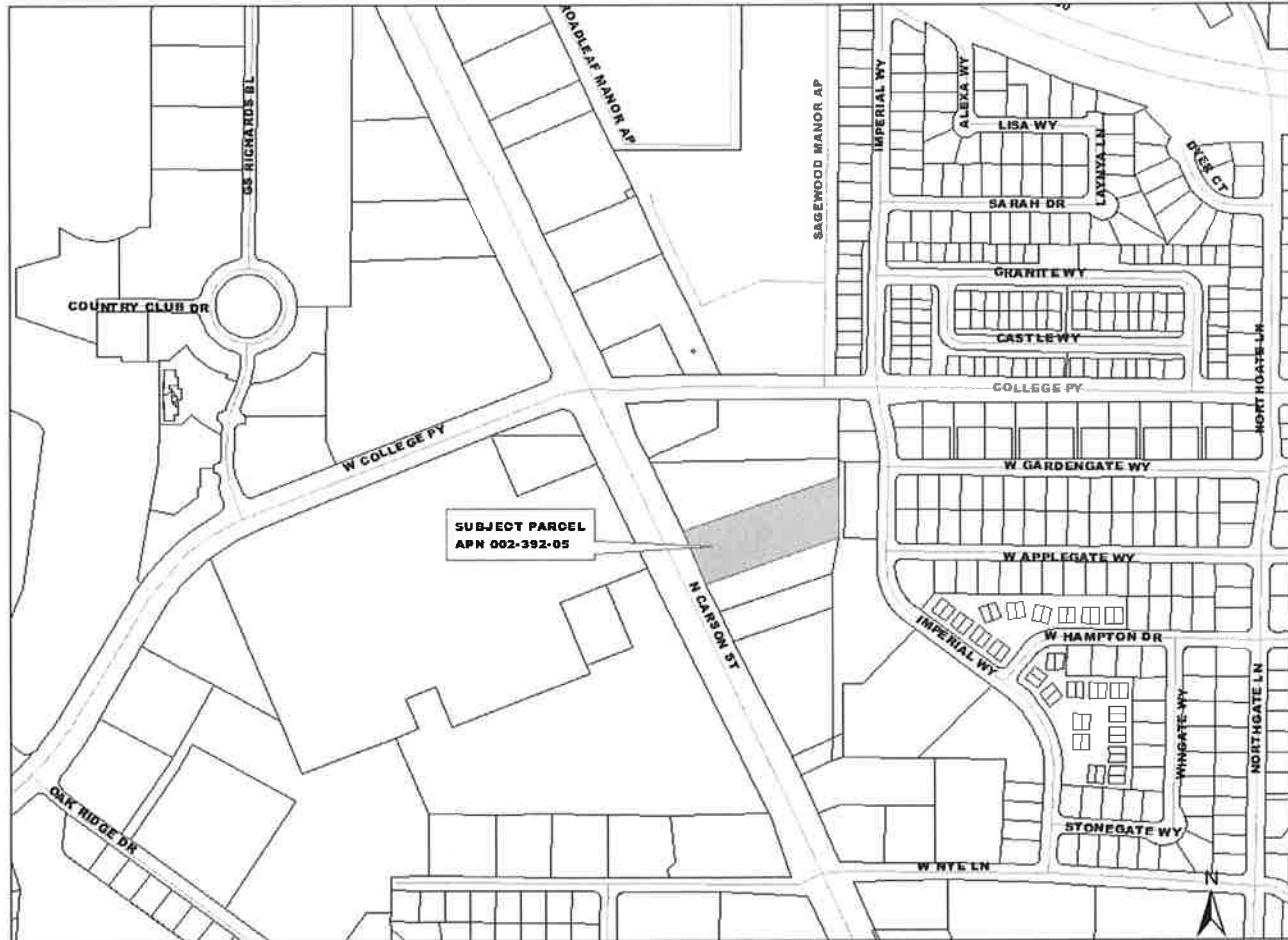
REQUEST: Five-year review of a previously approved Special Use Permit for three metal storage containers in the Retail Commercial (RC) zoning district.

OWNER: Conaliz, LLC

APPLICANT: Jeff Herman

LOCATION/APN: 3333 North Carson Street/002-392-05

RECOMMENDED MOTION: "I move to approve SUP-15-094, a Special Use Permit request from Jeff Herman (property owner: Conaliz, LLC), for a five-year review of a previously approved Special Use Permit for three metal storage containers in the Retail Commercial zoning district, located at 3333 North Carson Street, APN 002-392-05, 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 with neutral exterior paint color. 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 October 2020.

LEGAL REQUIREMENTS: CCMC 18.02.080 (Special Use Permits), 18.04.130 Retail Commercial (RC) Conditional Uses, and Development Standards 1.10.9 Personal Storage and Metal Storage Containers

MASTER PLAN DESIGNATION: Mixed Use Commercial (MUC)

PRESENT ZONING: Retail Commercial (RC)

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 three 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: Retail Commercial/Office
SOUTH: Retail Commercial/Veterinary Office
EAST: Multi-Family Apartment/Apartments

WEST: Retail Commercial-Planned Unit Development (RC-P)/former K-mart shopping center

ENVIRONMENTAL INFORMATION:

1. FLOOD ZONE: Zone X (Areas of minimal flooding)
2. EARTHQUAKE FAULT: Beyond 500 feet, Zone I
3. SLOPE/DRAINAGE: Flat
4. SOILS: 12, Dalzell fine sandy loam, deep water table

SITE DEVELOPMENT INFORMATION:

1. LOT SIZE: 1.82 acres/79,279 square feet
2. EXISTING LAND USE: Furniture store
3. STRUCTURE HEIGHT: Storage containers approximately 8.5 feet tall
4. PARKING: Existing. Containers located at rear of lot, in front of warehouse building
5. SETBACKS: None required
6. VARIANCES REQUESTED: None

HISTORY:

- 10/27/10: Storage containers reviewed and approved again under the original number, SUP-05-187 by the Planning Commission.
- 10/26/05: Storage containers initially approved under SUP-05-187 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 a site after approval of a Special Use Permit. A review for continued placement on the site is required each five years for verification of compliance with requirements of the code.

The containers were approved by the Planning Commission initially on October 25, 2005 for placement on the lot in support of the J. M. Furniture store. The site and containers are in compliance with the conditions of approval of the original Special Use Permit. The building is an "L" shape, with the bottom of the "L" on the east. One of the containers was placed on the north portion of the lot, south of the building, while the other two were placed at the rear (east) of the lot, in front of the warehouse building. The containers are visible from the front of the property, but the view of them is shielded by the parking areas and distance to the rear of the property. The containers were placed and painted to blend with the rest of the site. Their appearance is lessened by vehicles parking in front of the business. The containers are in good condition, with no graffiti, advertising signs or noted deterioration. The containers have been painted tan, a neutral color. The rest of the asphalted area is used for customer and employee parking and the occasional outside sale. The containers are well kept and well maintained. The containers do not block any drive aisle, parking areas or landscaping. The containers have been on the site for at least fifteen years, according to the applicant. The applicant stated in a previous application that the containers had been on the lot at least five years when the original application was submitted for approval in September 2005.

The containers are necessary for storage of materials required by J. M. Furniture for this active business. The nature of a furniture store is to have large bulky materials and merchandise

available for sale and stored when not needed. The containers are kept locked when not in use. The location of the containers has been designed to minimize the appearance from the street, as the view of the containers is blocked by vehicles parking in the front of the lot.

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 a letter requesting extension of the approval of the placement of the containers. Personal Storage, including Metal Storage Containers, is regulated by the provisions 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 Carson Street, and is 1.82 acres or 79,279 square feet in size. It is primarily flat and continues as a furniture business that has been located here for many years. A Special Use Permit review is required for storage containers each five years to verify they are still meeting the requirements of Development Standards Division 1.10.9. The containers were placed on the site at the rear of the lot in front of the warehouse portion of the business with the containers placed beyond the desirable parking area for customers and employees. The containers were placed with the long sides running east to west. The containers were placed with the door facing west. They have been painted a tan color. No advertising signage has been placed on the containers. A site map and pictures of the containers are included with this staff report.

PUBLIC COMMENTS: Public notices were mailed to 31 adjacent property owners in 365 feet of the subject site on October 9, 2015 per the requirements of the Carson City Municipal Code and NRS. As of the writing of this report on October 15, 2015 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 October 28, 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 Department: No concerns

Fire Department: No concerns

Engineering Department: No concerns

Environment Control Authority: No concerns

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.

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

defining features.

The metal storage containers are constructed of steel. They are painted tan, a neutral color. The containers are placed in front of the warehouse in support of the business, with two placed to the east and one north of the customer and employee parking area. They do not use any water or utilities and are therefore a source of energy conservation.

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 stored in the containers are used to support the existing furniture store, a business that traditionally has large, bulky items for sale, and can therefore benefit from placement of additional materials in storage when not needed. The location of the units at the rear of the property was designed to minimize the appearance of the units from the front of the property and the street. They are well maintained.

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 existing 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. No noise, vibrations, fumes, odors, dust and physical activity are anticipated as a result of the continuation of the storage containers in this location.

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

The site is located on Carson Street and is shown by the Carson roadway functional classification as a major arterial. The placement of the containers at the rear of the site in support of the business minimizes the appearance of the containers from the street. The site is served by an adequate existing street network. Vehicular and pedestrian movements are 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 containers 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 Retail Commercial 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. This site is an existing furniture business that has been in this location for many years and

meets the purpose statement of the Retail Commercial zoning district. The continued placement of three storage containers on the site in support of the business is an appropriate continuing use.

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

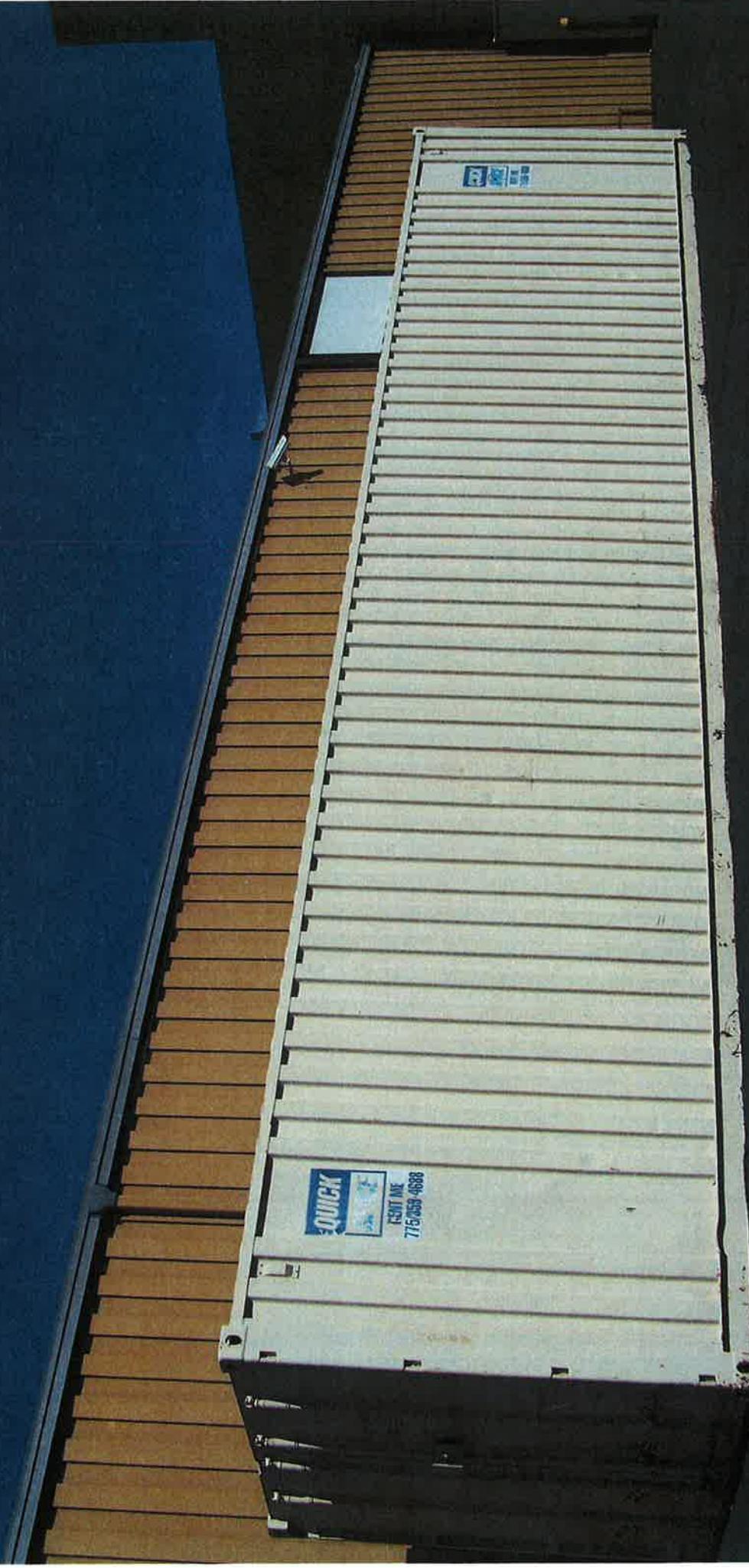
Continuation of the existing storage containers at the site in support of the furniture business will not be detrimental to the public health, safety, convenience or welfare. No concerns or complaints have been registered with the Planning Division during the last ten years during continued placement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

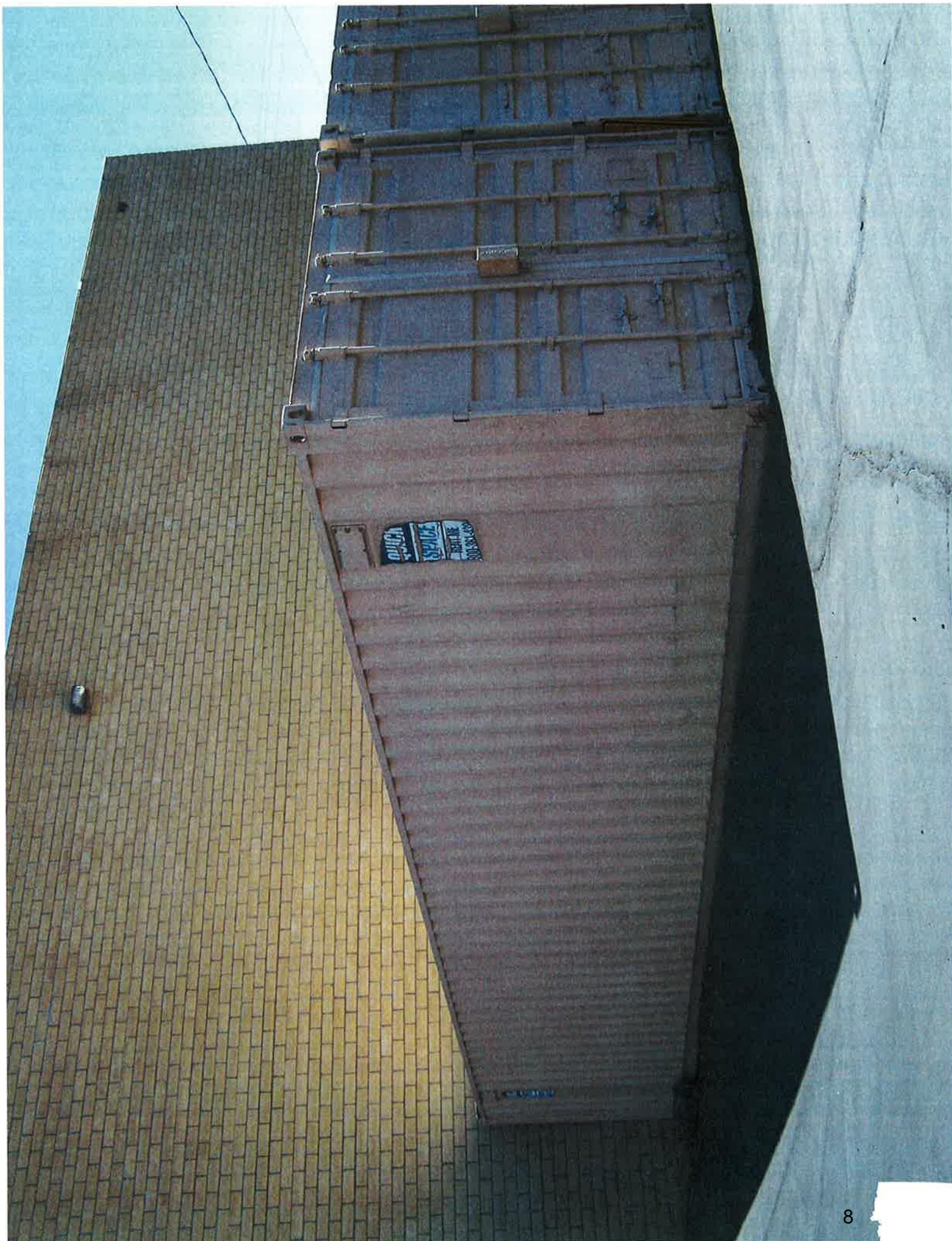
7. Will not result in material damage or prejudice to other property in the vicinity.

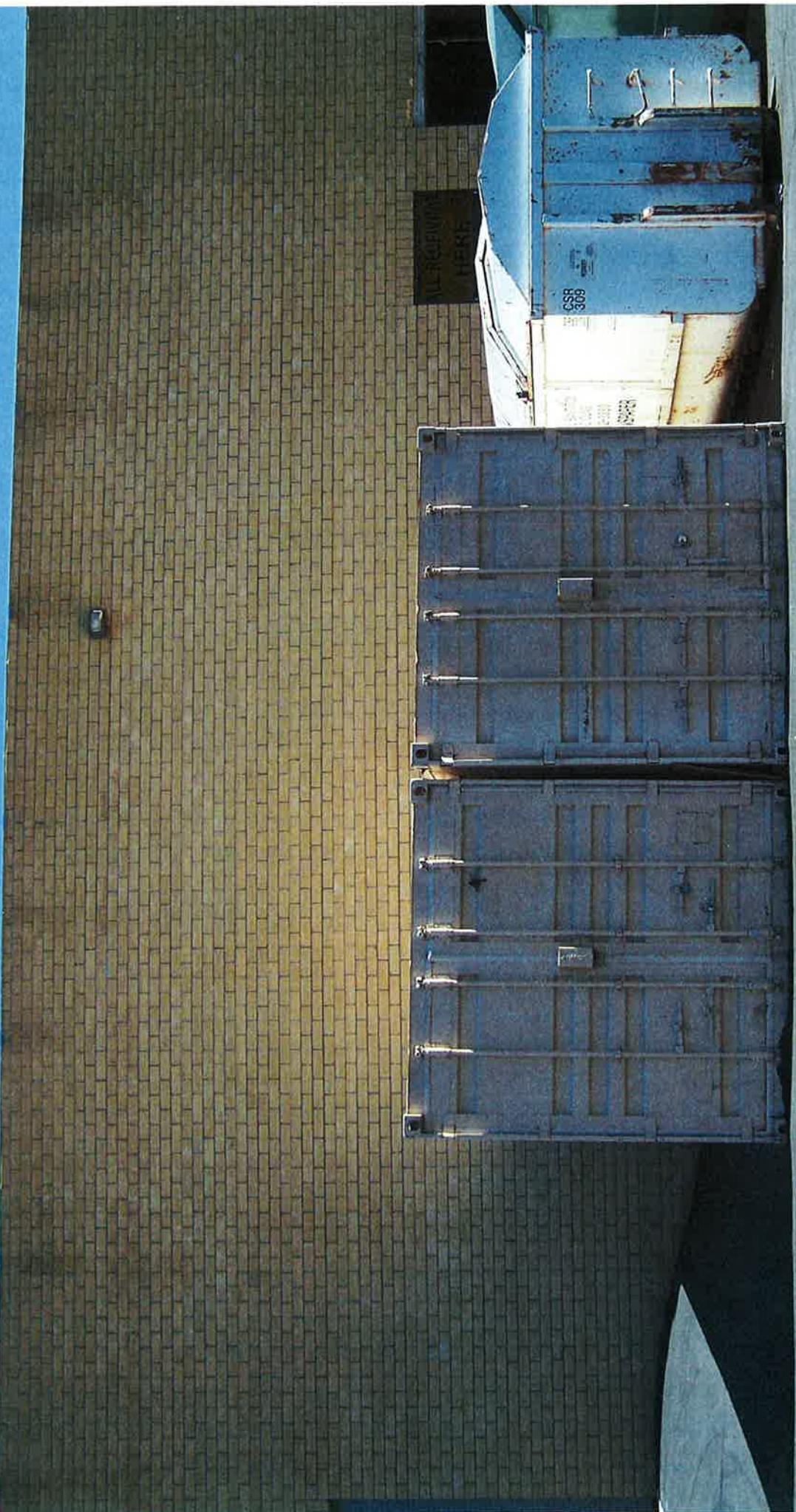
No material damage or prejudice to other properties in the vicinity has been noted and no negative concerns have been received by the Planning Division since the metal storage containers were placed in this location ten years ago. No detrimental concerns are anticipated by continuing the use of the storage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

Attachments:

- Site Photos
- Building Department comment
- Engineering Department comment
- Fire Department comment
- Environmental Control Department comment
- Health Department comment
- Application (SUP-15-094)







RECEIVED

OCT 02 2015

CARSON CITY
PLANNING DIVISION

October 2, 2015

SUP-15-094

Building has no Comments at this time

Shawn Keating CBO
Building Official
Carson City Community Development Department
Web page <http://www.carson.org/index.aspx?page=172>
skeating@carson.org
Office 775-887-2310 X 7052
Fax 775-887-2202
Cell 775-230-6623

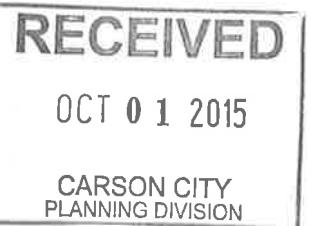
October 1, 2015

Fire has no comment for SUP 15-094.

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



RECEIVED

SEP 30 2015

CARSON CITY
PLANNING DIVISION

**Engineering Division Planning
Commission Report File
Number SUP 15-094**

TO: Planning Commission

FROM: Stephen Pottéy, P. E.

DATE: September 30, 2015 **MEETING DATE:** October 28, 2015

SUBJECT TITLE:

Action to consider an application for a special use permit for the renewal of the permit for existing metal storage containers at 3333 N. Carson St, apn 002-392-05. The original permit number is SUP 05-187.

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

Drawings are adequate for this SUP.

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.

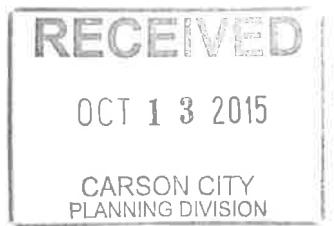
CCMC 18.02.080 (5d) - Public Services

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

October 12, 2015

Major Project Review Committee

Re: # SUP – 15 - 094



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 approval of SUP-15-094 review:

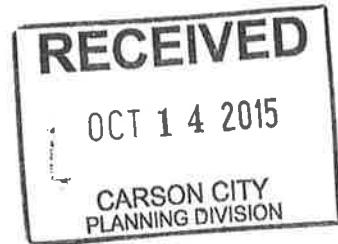
1. ECA has no comments concerning this request.

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



October 14, 2015

Sup-15-094

Carson City Health and Human Services has no concerns with this project.

Dustin Boothe

Health and Human Services

COPY

JM FURNITURE

3333 N. Carson St.

Carson City, Nevada 89706

September 16, 2015

Carson City Planning Division

108 E. Proctor St.

Carson City, Nevada 89701

SUP-15-094

Re: Sup-05-187 metal storage container 5yr review

APN 008-081-06002-392-05

Att: Kathe Green, Assistant Planner

Dear Ms. Green

In response to you letter of September 14th 2015, the storage containers continue to add to the competitiveness of JM Furniture. No alterations have been made affecting their continued compliance with the special use permit. In response to the review of required conditions from Development Standards Division 1.10.9, I would offer the following:

1. The containers are located in the R/C zone and were approved by the Planning Commission in October of 2005 and again in October of 2010.

TWO. The storage containers are used for storage. There is no human occupation.

No alterations of any type have been made to the containers. There is no storage above, or between, and they are not stacked.

THREE. There are no hazardous materials stored. They are not detrimental to the public health or safety.

FOUR. They are at building grade, and are located at the rear portion of the property.

They do not occupy any parking spaces, drive-aisles, firelanes, drainage courses, easements, detention basins, or vehicular or pedestrian access ways.

FIVE. They are of corrugated metal similar to the primary building. They are painted in an earth-tone color, free of graffiti, and well maintained. They are blocked from view by the building and fencing on three sides. They are set back 220' and 270' from the curb and obscured by delivery trucks, and customer parking.

SIX. They are not used for advertising

SEVEN. During the last review, one supervisor asked about the condition of the wooden barn. The barn has now been removed, leaving us with only the 3 storage containers for our flexible storage needs.

All of the reasons for obtaining the special use permit in 2005 continue to be relevant. The following are submitted for additional review: The Site plan and current pictures.

Please let me know of any further requirements for a successful review.

Kind regards as always.

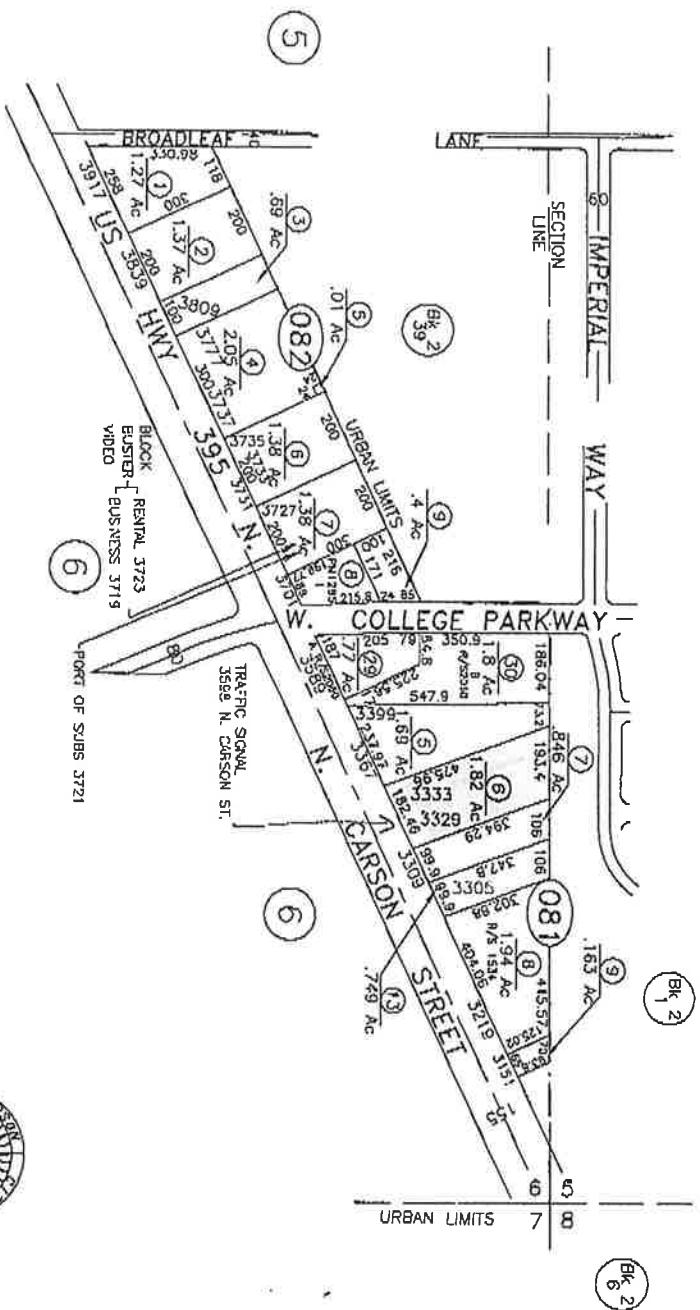

Jeff Herman

President, JM Furniture Inc.

New Ellipse 082

LARSEN LIT., NEWARK
THIS MAP IS PREPARED FOR THE USE OF THE CARSON CITY
ASSESSOR FOR ASSESSMENT AND ILLUSTRATIVE PURPOSES
ONLY, IT DOES NOT REPRESENT A SURVEY. NO LIABILITY
IS ASSUMED AS TO THE SUFFICIENCY OR ACCURACY OF
THE DATA DELINEATED HEREON.

PORTION SE¹/4 SECTION 6
T. 15 N., R. 20 E., M.D.B. & M.



Scale: 1" = 300'
Revised 5/5/99

JM FURNITURE
APN 008 081 06

APN 668 081 05

JS 395 NORTH

3333 N. CARSON

182' FRONTAGE

Hand-drawn site plan for APN 002-1861, showing property lines, dimensions, and structures. The plan includes a north arrow, property lines, and a shaded area for containers.

Key features and dimensions:

- Property Address: APN 002-1861
- Property Lines: North, East, South, West
- Dimensions: 34' x 50'
- Structures:
 - WHS (Warehouse) building
 - Employee parking area
 - Customer parking area
- Containers: Shaded area representing shipping containers.
- Shade: Shaded area representing shipping containers.
- Privacy fence: A fence line labeled "PRIVACY FENCE" is shown.
- Dimensions: 270' on the west side, 394' on the south side, and 107' on the east side.
- Notes:
 - CONTAINERS ARE SHADDED
 - REMOVED 2015
- Scale: 1 INCH = 68'

APN 0080

$$1 \text{ INCH} = 68^{\circ}$$

18



0102



2015