

Late Material
F-4

July 25, 2017

Carson City Planning Commission:



My name is Lynda Bashor (formerly known as Lynda Martina) and my husband's name is Michael Bashor, we are the homeowners at 821 Tonka Lane, Carson City, Nevada (APN 009-072-08) directly behind 806 Randell Drive, APN 009-072-01. We are reaching out to you today about our concerns to the **July 26, 2017, Agenda Item# PUD-17-099 for Possible Action** – please **NOTE** that this was originally brought to the Planning Commission on May 24, 2017 as Action Item# ZMA-17-049 (see attachment #1a). This action item confused us to the point that upon our research we realized the potential impact that it would have on not only our property, property value and our neighborhood that we did extensive research to find the original document **Resolution No. 2001-R-43** (see attachment #1) so that we could understand the ramifications of what would happen if ZMA-17-049 were to be amended. We are thankful to the Board of Supervisors and Aaron West of BAWN for the opportunity to come to a conclusion to the desire of the best outcome for the zoning of our small residential neighborhood.

As noted in the agenda, the Board of Supervisors remanded this item to the Planning Commission to consider limiting the uses for the Neighborhood Business (NB) zoning district, plus Aaron West with BAWN has been working with us on a Resolution of Intent which limits the allowable uses on the site located at 806 Randell Drive, APN 009-072-001. Mr. West sent us a proposed NB allowable uses list via email on July 5, 2017 (see attachment #1b). We then had a face-to-face sit down on July 17, 2017 that he proposed the signage would remain the same as it is today, plus no structure changes with regards to building height changes (i.e. second story).

Although, Mr. West has been transparent with the desires of BAWN to not only the neighborhood but both the Planning Commission and Board of Supervisors with placing a childcare facility in the existing property at 806 Randell Drive, APN 009-072-01 we are at an impasse and feel this is not a viable use for Neighborhood Business (NB) zoning district for the reasons that are in line with our neighbors that have been heard in this and previous meetings. In addition, we feel that the decisions that BAWN is now faced with appealing to the Board of Supervisors set for August 17, 2017 from the initial Planning Commission public hearing on May 24, 2017 that were addressed and justified from hours of operation (6am to 8pm; Monday – Saturday), with up to 36 children and the parking issue that again deems this as not a viable use for NB zoning (see attachment #1a – SUP-17-050 and VAR-17-054).

Also, during the face-to-face with Mr. West we discussed restoring the subject property back to Mobile Home 6,000 (MH6000) as per the original document **Resolution No. 2001-R-43** that was recorded on August 16, 2001 by Carson City Board of Supervisors should BAWN wish to sell and Mr. West didn't seem to be in disagreement from this. We even discussed that we are not stating that the subject dwelling would need to be converted back to a home but for the actual subject property back to Mobile Home 6,000 (MH6000) as agreed upon by BAWN and the Board of Supervisor back in 2001. Please see our original letter sent to Board of Supervisors on June 13, 2017 (see attachment #1c).

As before, our hope is that once again this letter and documents will remind everyone of the reasons why the decisions were made on behalf of our neighborhood and agreed upon by BAWN on August 16, 2001 and that as you review everything to make your decision on **Agenda Item# PUD-17-099** the best interest of all parties concerned for the future is considered. Thank you for your time and consideration.

Respectfully,
Lynda and Michael Bashor

RESOLUTION NO. 2001-R-43

A RESOLUTION OF INTENT EFFECTING A CHANGE OF LAND USE (Z-00/01-4) ON ONE PARCEL, FROM MOBILE HOME 6,000 (MH6000) TO NEIGHBORHOOD BUSINESS (NB) ON PROPERTY LOCATED AT 806 RANDELL DRIVE, APN 009-072-01, CARSON CITY, NEVADA.

WHEREAS, a Resolution of Intent effecting a Change of Lane Use on Assessor's Parcel Number 009-072-01, said parcel located at 806 Randell Drive, Carson City, Nevada, was duly submitted by Builders Association of Western Nevada (BAWN)/Agent Ron Kipp (property owner: Builders Association of Western Nevada); and

WHEREAS, the Builders Association of Western Nevada (BAWN) business office location shall be zoned for Neighborhood Business (NB) with this Resolution of Intent tied to APN 009-072-01, otherwise known as 806 Randell Drive; and that the only use allowed in the Neighborhood Business zoning, either primary permitted uses, accessory uses, or conditional uses, shall be for an office (business) for the Builders Association of Western Nevada (BAWN). In the future, should BAWN wish to sell the property, BAWN is responsible for filing a Change of Lane Use to rezone the subject property at 806 Randell Drive, APN 009-072-01, back to Mobile Home 6,000 (MH6000), a residential zoning district, and only then could the structure be sold as a residence.

WHEREAS, the Builders Association of Western Nevada (BAWN) must construct a modified standard plan of a residential unit as offered by Richard Homes and Development, which will serve as BAWN's office. The structure must have the same architectural style, materials, and colors as does the rest of the residential units in the residential subdivision. BAWN has indicated that the subject lot is 80 feet wide, however, in a Neighborhood Business zoning district, there shall be a 30 foot setback requirement from the adjacent residential lots to the east, therefore, they are limited to a 45 foot building width. Therefore, BAWN will submit to the City a modified standard residential plan by adding additional depth to the residential building to meet their needs of approximately 2,000 square feet of office space.

WHEREAS, the structure must be one single story in height.

1 WHEREAS, a landscaping and fence plan is required to be submitted to the
 2 Planning and Community Development Department for review and approval. City staff will
 3 require that French Lilacs and Arrowwood Viburnum (Snowball shrub), be planted along
 4 the 6-foot wooden fence along the eastern and northern property lines. If the plants are
 5 15 gallon size, they can be planted 8 feet on center, or if they are 5 gallon size, they are
 6 to be planted 6 feet on center. An automatic irrigation system will be required as well as
 7 front yard irrigated turf.

8 WHEREAS, one wooden sign, 2 feet x 3 feet, is allowed to denote the BAWN
 9 offices. Said sign will be placed within the front yard, adjacent to the structure.

10 WHEREAS, no parking of BAWN member vehicles will occur in the residential area
 11 of the subdivision.

12 NOW, THEREFORE BE IT RESOLVED, that the Carson City Board of Supervisors
 13 does hereby accept this Resolution of Intent effecting a Change of Land Use on
 14 Assessor's Parcel Number 009-072-01, said parcel located at 806 Randell Drive, Carson
 15 City, Nevada, submitted by Builders Association of Western Nevada (BAWN)/Agent Ron
 16 Kipp (property owner: Builders Association of Western Nevada), in association with Bill
 17 No. 110 of the Carson City Board of Supervisors.

18 ADOPTED this 16th of August, 2001.

19 AYES: Supervisors Robin Williamson

20 Jon Plank

21 Pete Livermore

22 Richard S. Staub

23 Ray Masayko, Mayor

24 NAYES: Supervisors None

25 ABSENT: Supervisors None

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27 Ray Masayko, Mayor
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CARSON CITY
ATTEST: CLERK'S *
OFFICE
Alan Glover
Alan Glover, Clerk-Recorder

FILED FOR RECORD
AT THE REQUEST OF
CARSON CITY CLERK TO
THE BOARD
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FILE NO. 265649
ALAN GLOVER
CARSON CITY RECORDER
FEE \$10.00 DEP. PA

265649

OFFICIAL NOTICE OF PUBLIC HEARING

You are hereby notified that the Carson City Planning Commission will conduct a public hearing on WEDNESDAY, MAY 24, 2017, regarding the item noted below. The meeting will commence at 9 a.m. The meeting will be held in the Carson City Community Center, Sierra Room, 851 East William Street, Carson City, Nevada.

SUBJECT: Zoning Map Amendment

FILE NO. ZMA-17-049

ZMA-17-049 For Possible Action: To make a recommendation to the Board of Supervisors regarding a request from Nevada Builders Alliance (property owner: Builders Association of Western Nevada) for a Zoning Map Amendment (ZMA) to remove a resolution of intent, on property zoned Neighborhood Business (NB), located at 806 Randell Drive, APN 009-072-01. (Hope Sullivan)

Summary: On June 21 2001, the Board of Supervisors adopted Resolution 2001-R-43 to change the zoning of subject property from Mobile Home 6000 to Neighborhood Business with the limitation that the use could only be as an office for the Builders Association of Western Nevada. The request is to remove the limitation so as to allow any uses in the Neighborhood Business zoning district to be allowed consistent with Title 18. The Planning Commission will make a recommendation to the Board of Supervisors on this request.

SUBJECT: Special Use Permit

FILE NO. SUP-17-050

SUP-17-050 For Possible Action: To consider a request for a Special Use Permit from Nevada Builders Alliance (property owner: Builders Association of Western Nevada) to allow a child care facility, on property zoned Neighborhood Business (NB), located at 806 Randell Drive, APN 009-072-01. (Hope Sullivan)

Summary: The applicant is seeking to establish a child care facility for up to 36 children on the subject property. Proposed hours of operation are limited to 6:00 a.m. to 8:00 p.m. As a child care facility is a conditional use in the Neighborhood Business zoning district, the use may only be established upon obtaining a Special Use Permit.

SUBJECT: Variance

FILE NO. VAR-17-054

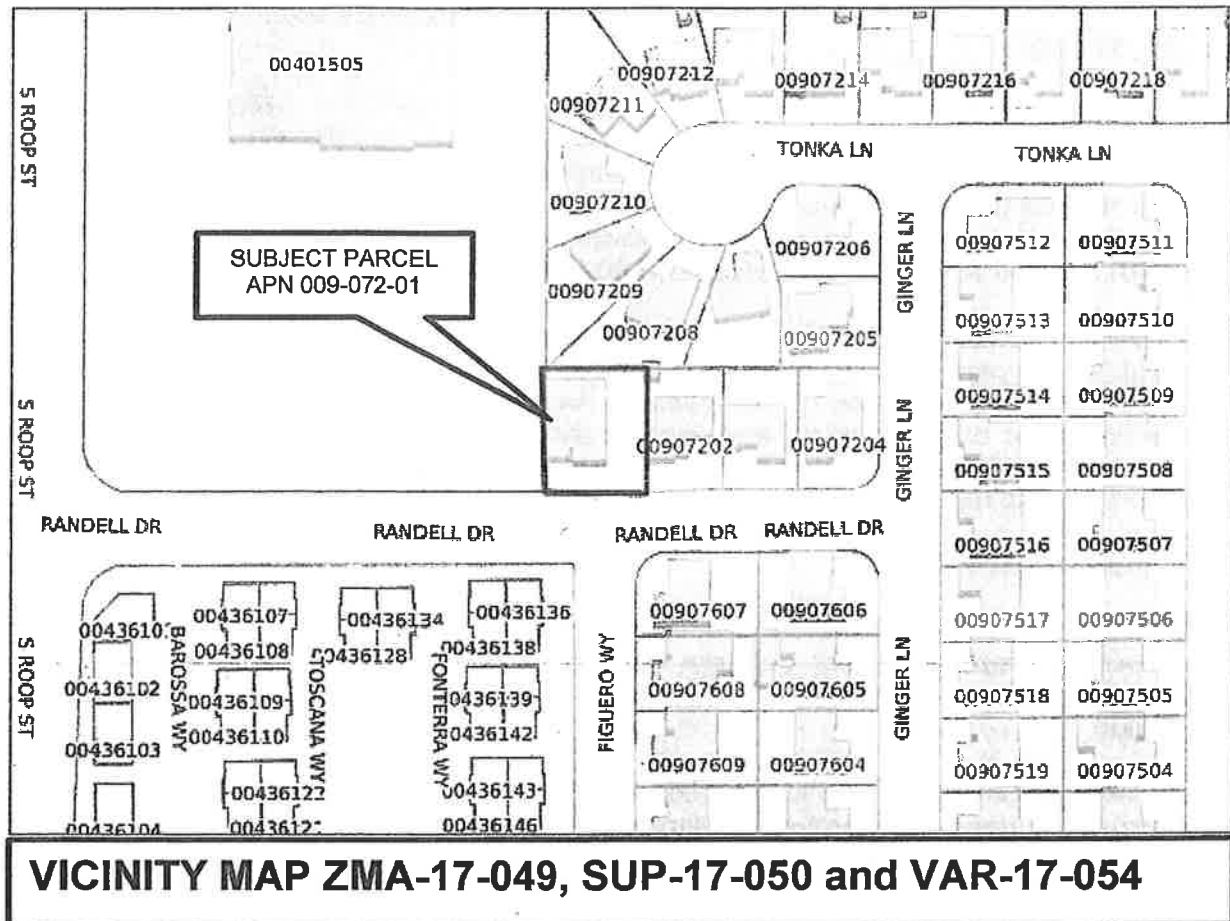
VAR-17-054 For Possible Action: To consider a request for a Variance from Nevada Builders Alliance (property owner: Builders Association of Western Nevada) to allow for a reduction from four on-site parking spaces to one on-site parking space for a child care facility, on property zoned Neighborhood Business (NB), located at 806 Randell Drive, APN 009-072-01. (Hope Sullivan)

Summary: The applicant is seeking to use on-street parking as opposed to making on-site parking improvements that would require the removal of landscaping. The Planning Commission is authorized to issue a variance.

The application materials are available for public review at the Planning Division, 108 E. Proctor St., Carson City, Nevada, 89701. If you have questions related to this application, you may contact Hope Sullivan, Planning Manager, at 775-283-7922 (hsullivan@carson.org). Staff reports are available approximately six days prior to the Planning Commission meeting or online at www.carson.org/pc under Agendas with Supporting Materials.

You are invited to submit comments relative to this matter to the Planning Commission, either in writing or at the Planning Commission meeting. Written comments should be sent to the Carson City Planning Division at the above-noted address, via fax at 775-887-2278, or via e-mail at planning@carson.org. Written comments received at least seven days prior to the Planning Commission meeting will be forwarded to the Commissioners for their review prior to the meeting; written comments received after that but by noon on the day of the meeting will be given to the Commissioners at the meeting.

Attachment 1a



Attachment #1b

PLEASE NOTE: Aaron West emailed the list below as a proposal for all the potential NB zoning district uses to Lynda Bashor on 7/5/17 and then discussed the list again on 7/17/17 in person with both Mr. & Mrs. Bashor

Antiques, retail;

Art store;

Barber shop;

Bookstore;

Cameras and film, retail;

Child care facility; **PLEASE NOTE:** The Bashor's are NOT in agreement with this as a viable NB zoning use

Clothing sales/dress shop;

Fabric store;

Florist;

Health food products, retail;

Interior decorator;

Jewelry store, retail;

Knit shop;

Locksmith;

Office;

Sewing machine, retail and repair;

Shoe repair;

Single-family dwelling;

Stationery store;

Tailoring;

Travel agency;

Watch repair;

Yarn shop.

Attachment 1c

June 13, 2017

Carson City Board of Supervisors:

My name is Lynda Bashor (formerly known as Lynda Martina) and my husband's name is Michael Bashor, we are the homeowners at 821 Tonka Lane, Carson City, Nevada (APN 009-072-08) directly behind 806 Randell Drive, APN 009-072-01 (ZMA-17-049). We are reaching out to you today about our opposition to the **June 15, 2017, Agenda Item# 26B for Possible Action**: for rescinding a Resolution of Intent affecting property zoned Neighborhood Business. The subject property is zoned Neighborhood Business with a Resolution of Intent that limits land use, the building height and signage with the applicant Builders Association of Western Nevada (BAWN) seeking to have the Resolution of Intent rescinded so that the land is subject to the regulation associated with the Neighborhood Business zoning district only.

Upon our research, we found the submissions to both the Carson City Public Commission's packet for the May 24, 2017 meeting and the Carson City Board of Supervisor June 15, 2017 meeting (see below Resolution No. 2001-R-43) plus information from Carson City Municipal Code / CCMC 18.04.120. We are opposed to the Resolution of Intent from changing the subject property to Neighborhood Business because of the original document **Resolution No. 2001-R-43** that was recorded on August 16, 2001 by the Carson City Board of Supervisors that would limit the use of the subject property, rezoning the subject property back to Mobile Home 6,000 (MH6000) upon the wish to sell and conditions to keep the subject property looking like a residential structure and not any Neighborhood Business as listed under CCMC 18.04.120 but "*shall be for an office (business) for the Builders Association of Western Nevada (BAWN)*".

As stated in the original Resolution No. 2001-R-43 document submitted from August 16, 2001:

"WHEREAS, the Builders Association of Western Nevada (BAWN) business office location shall be zoned for Neighborhood (NB) with this Resolution of Intent tied to APN 009-072-01, otherwise known as 806 Randell Drive; and that the only use allowed in the Neighborhood zoning, either primary permitted uses, accessory uses, or conditional uses, shall be for an office (business) for the Builders Association of Western Nevada (BAWN). In the future, should BAWN wish to sell the property, BAWN is responsible for filing a Change of Land Use to rezone the subject property at 806 Randell Drive, APN 009-072-01, back to Mobile Home 6,000 (MH6000), a residential zoning district, and only then could the structure be sold as a residence".

Our concerns are that if Agenda Item# 26-B for Possible Action is Adopted at 806 Randell Drive, APN 009-072-01 (ZMA-17-049) this would allow BAWN to potentially place **ANY** of the listed Neighborhood Business that are deemed appropriate under the CCMC 18.04.120 and/or any of the additional listings with the Special Use Permits which could include but not limited to: **Childcare Facility, Bar, Restaurant with Outdoor Seating, Liquor Store, Gaming (Limited), Music Studio and Business Operating Continually between 8pm and 6am or on a 24hr a day basis** (see below 18.04.120 – Neighborhood Business (NB)). This would also **REMOVE** the responsibility from BAWN to file a Change of Land Use to rezone the subject property at 806 Randell Drive, APN 009-072-01 back to Mobile Home 6,000 (MH6000), a residential zoning district, should BAWN wish to sell the property in the future. By Adopting this Resolution of Intent for 806 Randell Drive, APN 009-072-01 (ZMA-17-049) should in the future BAWN chose to sell the property, the next owner would have **NO** restrictions on the current dwelling or land to include removal of "*limits land use, the building height and signage*" which then allows the new owner the ability to remove/replace the structure, remove/replace landscaping and again have the freedom to place any of the listed Neighborhood Business listed under CCMC 18.04.120.


Attachment 1c

In closing, 806 Randell Drive, APN 009-072-01 (ZMA-17-049) property location is **NOT** on the immediate corner of Randell Drive and Roop Street nor a Thoroughfare, Street, Drive, etc. that runs through or has an exit out of our neighborhood but only one major Street entrance Roop Street. It is located behind the U.S. Post Office almost five (5) parcels down Randell Drive that then dead ends three (3) parcels/homes down at Ginger Lane and into the subdivision/neighborhood. Having any one of the deemed appropriate Neighborhood Businesses would cause undo foot, bicycle and vehicle traffic that is just **NOT** sustainable for the peaceful enjoyment of our beautiful, small neighborhood of 80 single family homes and 48 townhouses for a total of 128 dwellings which includes the BAWN dwelling.

Our hope is that this document will remind everyone of the reasons why the decisions were made on behalf of our neighborhood and agreed upon by BAWN on August 16, 2001 and that as you review everything to make your decision on Agenda Item# 26-B the best interest of all parties concerned for the future is considered. Thank you for your time and consideration.

Respectfully,

Lynda and Michael Bashor
821 Tonka Lane, Carson City, NV 89701

 Redacted by Lynda Bashor
llb
7/25/17

RESOLUTION NO. 2001-R-43

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4 the 6-foot wooden fence along the eastern and northern property lines. If the plants are
5 15 gallon size, they can be planted 8 feet on center, or if they are 5 gallon size, they are
6 to be planted 6 feet on center. An automatic irrigation system will be required as well as
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15 City, Nevada, submitted by Builders Association of Western Nevada (BAWN)/Agent Ron
16 Kipp (property owner: Builders Association of Western Nevada), in association with Bill
17 No. 110 of the Carson City Board of Supervisors.

18 ADOPTED this 16th of August, 2001.

19 AYES: Supervisors Robin Williamson
20 Jon Plank
21 Pete Livermore
22 Richard S. Staub
23 Ray Masayko, Mayor

24 NAYES: Supervisors None

25 ABSENT: Supervisors None

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27 Ray Masayko, Mayor
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FILED FOR RECORD
AT THE REQUEST OF
CARSON CITY CLERK TO
THE BOARD
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265649
FILE NO. 265649
ALAN GLOVER
CARSON CITY RECORDER
FEE \$10.00 DEP. PA

265649

18.04.120 - Neighborhood business (NB).

The purpose of the NB District is to provide services for the larger neighborhood, within walking or bicycling distance, and limited primarily to offices and retail sale of new merchandise. Unless expressly permitted otherwise by this section, all uses within the NB District shall be conducted with a building with no outside storage. Temporary outdoor display and sale of merchandise for a period not to exceed thirty (30) days within a calendar year may be authorized by the Director subject to Title 18.02.115.8 (Outdoor Sales and Activities).

1.

The Primary Permitted Uses in the NB District are this list plus other uses of a similar nature and those uses allowed in Section 18.04.115 General Office, except those uses appearing in Section 18.04.120.3 Neighborhood Business as Conditional uses which require a Special Use Permit:

Antiques, retail;

Architect and engineering supplies;

Art store;

Automobile service (automobile gas, with minor maintenance and repair service, no body repair);

Automobile wash (full and self service);

Bakery;

Bank;

Barber shop;

Bicycle shop, retail (repair, accessory);

Bookstore;

Cameras and film, retail (photo finishing, accessory);

Clothing sales/dress shop;

Coffee shop;

Coin store;

Convenience store;

Delicatessen;

Drugstore and pharmacy;

Dry cleaning;

Fabric store;

Attachment 1c

Antiques, retail;
Art store;
Barber shop;
Bookstore;
Cameras and film, retail;
Child care facility;
Clothing sales/dress shop;
Fabric store;
Florist;
Health food products, retail;
Interior decorator;
Jewelry store, retail;
Knit shop;
Locksmith;
Office;
Sewing machine, retail and repair;
Shoe repair;
Single-family dwelling;
Stationery store;
Tailoring;
Travel agency;
Watch repair;
Yarn shop.

Attachment 1c

Florist;

Gaming (limited);

Gift shop and souvenirs;

Green house;

Handyman repair shop;

Hardware store;

Health food products, retail;

Hobbies and crafts, retail;

Ice cream parlor;

Interior decorator;

Jewelry store, retail;

Knit shop;

Launderette (coin operated);

Liquor and alcoholic beverages, retail;

Locksmith;

Perfumery;

Photographer's studio;

Post office;

Sewing machine, retail and repair;

Shoe repair;

Shoe store;

Shoeshine stand;

Sporting goods store;

Stationery store;

Tailoring;

Tobacco shop;

Toys, retail;

Travel agency;

Variety store;

Video rental and sales;

Watch repair;

Yarn shop.

2.

Accessory Permitted Uses, Incidental to Primary Permitted Uses, in the NB District are:

Automobile parking lot or garage (commercial or public);

Home occupation;

Park.

3.

The Conditional Uses in the NB District which require approval of a Special Use Permit are:

Automobile parts, tires and accessories;

Bar;

Business operating continually between 8:00 p.m. and 6:00 a.m. or on a twenty-four-hour a day basis;

Child care facility;

Church;

Congregate care housing/senior citizen home;

Equipment rental (within a building);

Funeral home, mortuary;

Health and fitness club;

Municipal well facility;

Music studio;

Personal storage retail/office complex subject to Division 1 and 1.10 personal storage of the development standards;

Pet grooming;

Attachment 1c

Pet shop;

Restaurant, with or without outdoor seating and cooking;

School, K—12;

Single-family, two-family and multi-family dwelling;

Temporary tract sales office;

Utility substation;

Veterinary clinic;

Wallpaper and interior decorating supplies.

(Ord. 2007-23 § 1 (part), 2007: Ord. 2006-4 § 10 (part), 2006: Ord. 2002-27 § 1, 2002: Ord. 2001-23 § 2 (part), 2001).

(Ord. No. 2008-33, § III, 9-4-2008)