

STAFF REPORT FOR PLANNING COMMISSION MEETING OF FEBRUARY 22, 2023

FILE NO: LU-2023-0019

AGENDA ITEM: 6.B

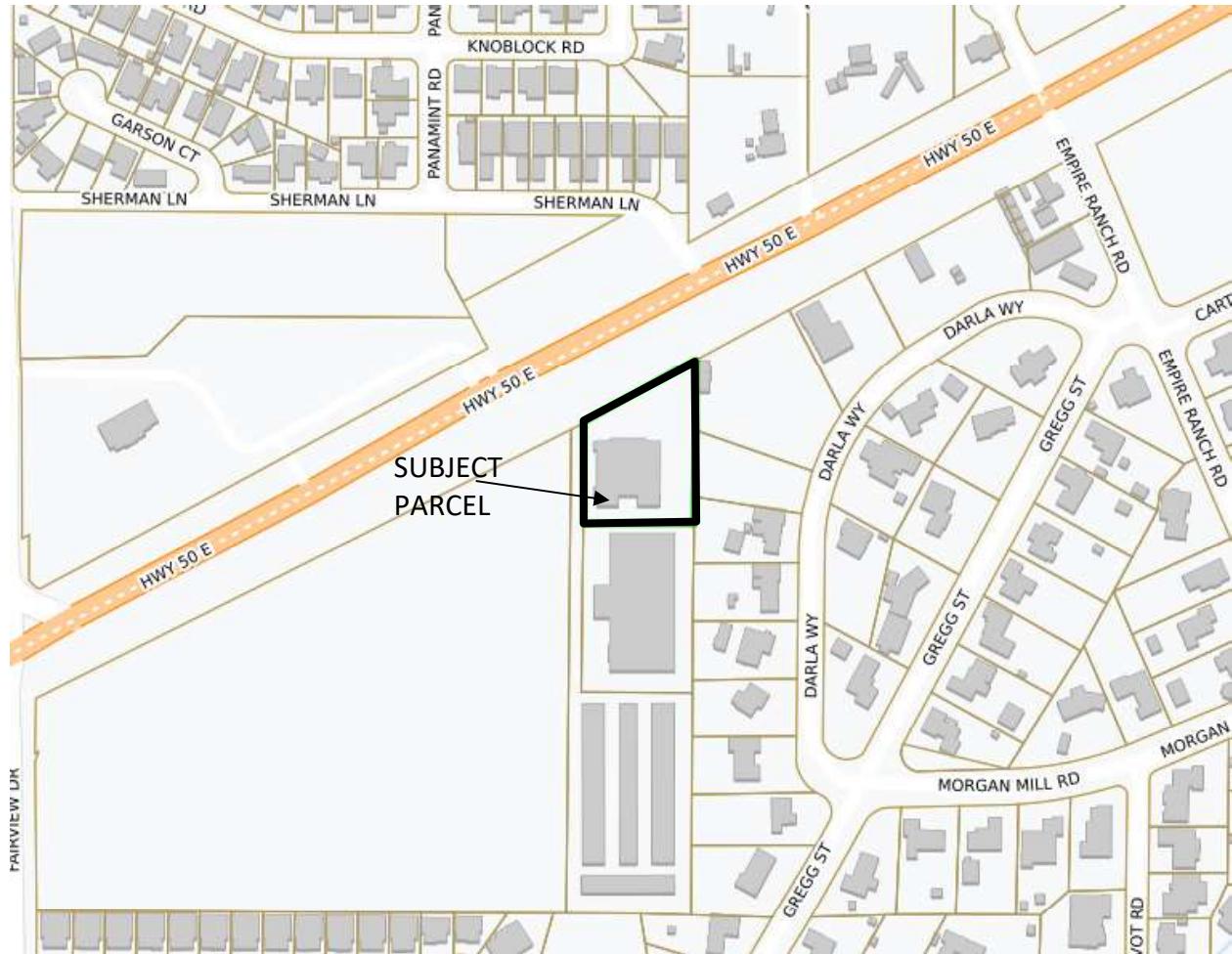
STAFF AUTHOR: Heather Ferris, Planning Manager

AGENDA TITLE: For Possible Action: Discussion and possible action regarding a request from Richard Atkins ("Application") for a review of the special use permit ("SUP") for four metal storage containers on property zoned General Commercial ("GC") located at 4261 Hwy 50 E, Assessor's Parcel Number ("APN") 008-292-27. (Heather Ferris, h ferris@carson.org)

Staff Summary: The Applicant is requesting to retain the existing containers. A five-year review of approvals of storage containers is required per Carson City Development Standards ("CCDS") 1.10.9.

RECOMMENDED MOTION: "I move to approve LU-2023-0019, based on the ability to make the required findings and subject to the conditions of approval contained in the staff report."

VICINITY MAP:



RECOMMENDED CONDITIONS OF APPROVAL:

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 will 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.
4. Metal storage container 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 container.
5. No hazardous materials will be stored within the container.
6. The storage container will be maintained with a neutral exterior paint color. Graffiti shall be removed in accordance with the City's graffiti ordinance. The container must be maintained free of rust, peeling paint or other forms of deterioration.
7. Advertising is prohibited on the exterior of the container.
8. Any further review that may be required by the code shall be administrative, although the Community Development Director may refer the review to the Planning Commission.

LEGAL REQUIREMENTS: Carson City Municipal Code 18.04.130 Retail Commercial (RC) Conditional Uses, Development Standards Division 1.10.9 Metal Storage Containers

MASTER PLAN DESIGNATION: Mixed-Use Commercial

PRESENT ZONING: General Commercial (GC)

KEY ISSUES: Does the application meet the Development Standards regulations for a metal storage container, and does it continue to meet the required findings for review of a metal storage container? Is the proposed continuation of a metal storage container in this location still compatible with surrounding properties?

SURROUNDING ZONING AND LAND USE INFORMATION:

NORTH: General Commercial / Hwy 50E
SOUTH: General Commercial / autobody repair
EAST: Single-Family 21,000 & General Commercial / single-family residence & used car sales
WEST: General Commercial / vacant

ENVIRONMENTAL INFORMATION:

FLOOD ZONE: Zone X

EARTHQUAKE FAULT: Zone II, Beyond 500 feet

SLOPE/DRAINAGE: Flat

SITE DEVELOPMENT INFORMATION:

LOT SIZE: 1.21 acres

EXISTING LAND USE: Flooring store.

STRUCTURE HEIGHT: Existing storage containers are approximately 8.5 feet

SETBACKS: None required

HISTORY:

August 26, 2015- Planning Commission reviewed and approved the special use permit for the continued use of the containers.

August 25, 2010- Planning Commission reviewed and approved the special use permit for the continued use of the containers.

August 31, 2002- Planning Commission approved the initial placement and use of the storage containers.

BACKGROUND & DISCUSSION:

Per Division 1.10.9 of the Carson City Development Standards, metal storage containers may be permanently located on a parcel in the General Commercial zoning district subject to approval of a Special Use Permit. A review for compliance and continued use is required every five years for verification of compliance with requirements of the Special Use Permit and municipal code.

The Planning Commission approved a Special Use Permit, SUP-05-132, for the placement of the 4 metal storage containers on the subject property in August of 2005. The SUP was last reviewed for compliance in September 2015. The SUP should have been reviewed in 2020; however, it was overlooked by staff and was not reviewed. The containers have remained in the same location, in the southern portion of the property behind the building since the original approval. The containers are well maintained, and no changes are proposed. The containers continue to be used for excess storage associated with the flooring store.

The Planning Division has not received any complaints regarding the storage container since the Special Use Permit was approved in 2005. The applicant has submitted a letter requesting the continued use of the placement of the containers.

Included in the recommended conditions of approval is the proposal that if future review is required by the Municipal Code, the review will be administrative, although the Community Development Director may refer the review to the Planning Commission

PUBLIC COMMENTS: Public notices were mailed on February 8, 2023 to 49 property owners within 600 feet of the subject property pursuant to the provisions of NRS and CCMC for the review of the Special Use Permit. As of the completion of this report, no letters from property owners in the vicinity of the proposed project have been received. Any comments that are received after this report is completed will be submitted to the Planning Commission prior to or at the meeting on February 22, 2023, depending on the date of submission of the comments to the Planning Division.

CITY DEPARTMENTS OR OUTSIDE AGENCY COMMENTS: No concerns were received by other Carson City Departments.

FINDINGS: Staff's recommendation is based upon the findings as required by CCMC 18.02.062 (Special Use Permits) enumerated below and substantiated in the public record for the project. Future reviews will be handled administratively.

1. Will be consistent with the master plan elements.

The subject property has a Master Plan designation of Mixed-Use Commercial. The primary uses identified in the Master Plan for this land use designation are a mix of retail commercial uses with secondary uses being higher density residential. The property is currently developed as a retail flooring store. The containers are accessory to the primary use as they provide additional storage for the store. The containers are consistent with the current use, which is consistent with the Master Plan land use designation.

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 containers have been located on this property to the rear of the building for nearly 18 years without issue. The containers provide for storage associated with the flooring store church and will not create noise, vibrations, fumes, odors, dust, or glare. The containers are painted a neutral color and is screened from the residences to the east with the existing fence and landscaping.

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

The site is located on Highway 50 E and is served by the 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 nearly 18 years ago and are used for storage associated with the flooring store. The storage use does not create an impact on schools, police, or fire services. The storage container does not utilize water, sanitary sewer, or roads and the impacts to storm drainage is negligible.

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.

Upon approval of the SUP in August 2005, the use and placement of the metal storage container was determined to comply with the requirements outlined in Division 1.10.9 of the Development Standards. The use continues to comply with the approved SUP and Development Standards.

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

welfare.

The continued use of the existing storage containers at the site in support of the flooring store will not be detrimental to the public health, safety, convenience, or welfare. The Planning Department has not received any complaints regarding this container since the Special Use Permit was approved in 2005.

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

The continued use of the containers will not result in material damage or prejudice to other property in the vicinity. The containers provide for storage associated with the flooring store

Attachments:

Application- LU-20223-0019

ADMINISTRATIVE REVIEW
METAL STORAGE CONTAINERS
Development Standards Division 1.10)
FILE #

APPLICANT	PHONE #
Richard Atkins	775-882-6400
MAILING ADDRESS, CITY, STATE, ZIP	
4261 U.S. HWY 50 E, Carson City, NV 89701	
EMAIL ADDRESS	
contact@atkinshouseofcarpet.com	
PROPERTY OWNER	PHONE #
Richard Atkins	775-882-6400
MAILING ADDRESS, CITY, STATE, ZIP	
4261 U.S. HWY 50 E, Carson City, NV 89701	
MAIL ADDRESS	
Cynthia Pettipas	775-720-9186
APPLICANT AGENT/REPRESENTATIVE	PHONE #
300 Cambridge Ct, Carson City, NV 89701	
MAILING ADDRESS, CITY, STATE, ZIP	
4261 U.S. HWY 50 E, Carson City, NV 89701	
MAIL ADDRESS	
contact@atkinshouseofcarpet.com	

PROJECT'S ASSESSOR PARCEL NUMBER(S): STREET ADDRESS

008-292-27

4261 U.S. HWY 50 East Carson City, NV 89701

Please provide a description of your proposed project below.

4 steel, metal containers to remain on our property

PROPERTY OWNER'S AFFIDAVIT

Richard Atkins being duly deposed, do hereby affirm that I am the record owner of the subject property, and I have knowledge of, and I agree to, the filing of this application.

Richard Atkins
Signature

25 River Vista Dr, Dayton, NV 89403
Address Date
1-13-23

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 staff report and/or Hearings Examiner. I am aware that this permit becomes null and void if the use is initiated within one year of the date of the Planning Director'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 requirements.

Richard Atkins
Applicant's Signature

Richard Atkins
Print Name

1-13-23
Date



108 E. Proctor Street, Carson City, NV 89701
Phone: (775) 887-2180
Email: planning@carson.org

FEE: \$50 plus noticing fee

SUBMITTAL PACKET – Email completed packet to planning@carson.org or submit one unbound original and a CD or USB drive with complete application in PDF:

- Application Form
- Site Plan showing location of containers

Note: Submittals must be of sufficient clarity and detail for all departments to adequately review the request. Additional information may be required.

Review Date: _____





