

City of Carson City
Agenda Report

Item # 7A

Date Submitted: November 6, 2007

Agenda Date Requested: November 15, 2007
Time Requested: 5 minutes

To: Mayor and Board of Supervisors

From: Development Services - Planning Division

Subject Title: Action to introduce, on first reading, Bill No. _____, an ordinance to change the zoning of APN 003-283-05 from Downtown Mixed Use (DT-MU) to Public (P) located on North Carson Street, north of W. Robinson Street and east of N. Curry Street and west of N. Carson Street. (File ZMA 07-141)

Staff Summary: The subject site is approximately 26,320 square feet in overall size and is centrally located within downtown Carson City. A pedestrian plaza is currently located on site. The subject parcel is owned by the State of Nevada and is adjacent to the Nevada State Museum, which is zoned Public. As part of the Nevada State Museum expansion project, the applicant is required to change zoning of the subject parcel from Downtown Mixed Use (DT-MU) to Public (P). The intent is ultimately to combine the two lots owned by the State of Nevada and for the newly created lot to have a consistent zoning designation of Public.

Type of Action Requested

- Resolution Ordinance - First Reading
 Formal Action/Motion Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Planning Commission Action: Recommended approval October 24, 2007 by a vote of 6:0:1.

Recommended Board Action: I move to introduce, on First Reading, Bill No. _____, an ordinance to change the zoning of APN 003-283-05 from Downtown Mixed Use (DT-MU) to Public (P) located on North Carson Street, north of W. Robinson Street and east of N. Curry Street and west of N. Carson Street, based on the findings contained in the staff report.

Explanation for Recommended Board Action: The Board of Supervisors, pursuant to the Carson City Municipal Code, is required to take final action on all zoning map amendments. This is the first of two readings to amend the Title 18 City Zoning Map by ordinance. See the attached staff report to the Planning Commission for more information.

Applicable Statute, Code, Policy, Rule or Regulation: CCMC 18.02.075 (Zoning Map Amendments).

Fiscal Impact: N/A

Explanation of Impact: N/A

Funding Source: N/A

Alternatives: 1) Refer the matter back to Planning Commission for further review.
2) Deny

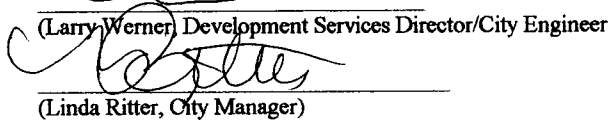
Supporting Material: 1) Ordinance
2) Planning Commission Case Record
3) Staff Report to Planning Commission

Prepared By: Donna Fuller, Administrative Services Manager

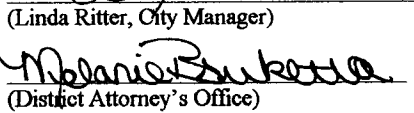
Reviewed By:


(Walter Sullivan, Planning Director)

Date: 11-05-07


(Larry Werner, Development Services Director/City Engineer)

Date: 11-6-07


(Linda Ritter, City Manager)

Date: 11-6-07


(District Attorney's Office)

Date: 11-6-07

Board Action Taken:

Motion: _____

1) _____
2) _____

Aye/Nay

(Vote Recorded By)

ORDINANCE NO. 2007-__

BILL NO. __

AN ORDINANCE TO CHANGE THE ZONING OF APN 003-283-05 FROM DOWNTOWN MIXED USE (DT-MU) TO PUBLIC (P) LOCATED ON NORTH CARSON STREET, NORTH OF W. ROBINSON STREET AND EAST OF N. CURRY STREET AND WEST OF N. CARSON STREET.

Fiscal Effect: None

THE CARSON CITY BOARD OF SUPERVISORS HEREBY ORDAINS:

SECTION I:

An application for a Zoning Map Amendment on Assessor's Parcel Number 003-283-05, on property located on the north of Carson Street, north of West Robinson Street, east of North Curry Street and west of North Carson Street, Carson City, Nevada, was duly submitted by the Carson City Planning Division in accordance with Section 18.02.075, of the Carson City Municipal Code (CCMC). The request will result in the zoning designation of APN 003-283-05 changing from Downtown Mixed Use (DT-MU) to Public (P). After proper noticing pursuant to Nevada Revised Statutes 278 and CCMC Title 18, on October 24, 2007, the Planning Commission, during a public hearing, reviewed the Planning Division staff report, took public comment and voted 6 ayes, 0 nays to recommend to the Board of Supervisors approval of the Zoning Map Amendment.

SECTION II:

Based on the findings that the Zoning Map Amendment would be in keeping with the objectives of the Master Plan, that the Amendment would be beneficial and not detrimental to the immediate vicinity, that the community as a whole would receive merit and value from the change, that adequate consideration for surrounding properties has been made, and that the request satisfied all other requirements for findings of fact enumerated in CCMC Section 18.02.075(5), the zoning map of Carson City is amended changing the zoning designation of APN 003-283-05 from Downtown Mixed Use (DT-MU) to Public (P), with existing zoning shown on Exhibit "A" and the resulting zoning shown on Exhibit "B," on property located on North

EXHIBIT "A" Existing Zoning
 ZMA-07-141 Zoning Map Amendment from Downtown Mixed Use (DT-MU) to Public (P)

3 28

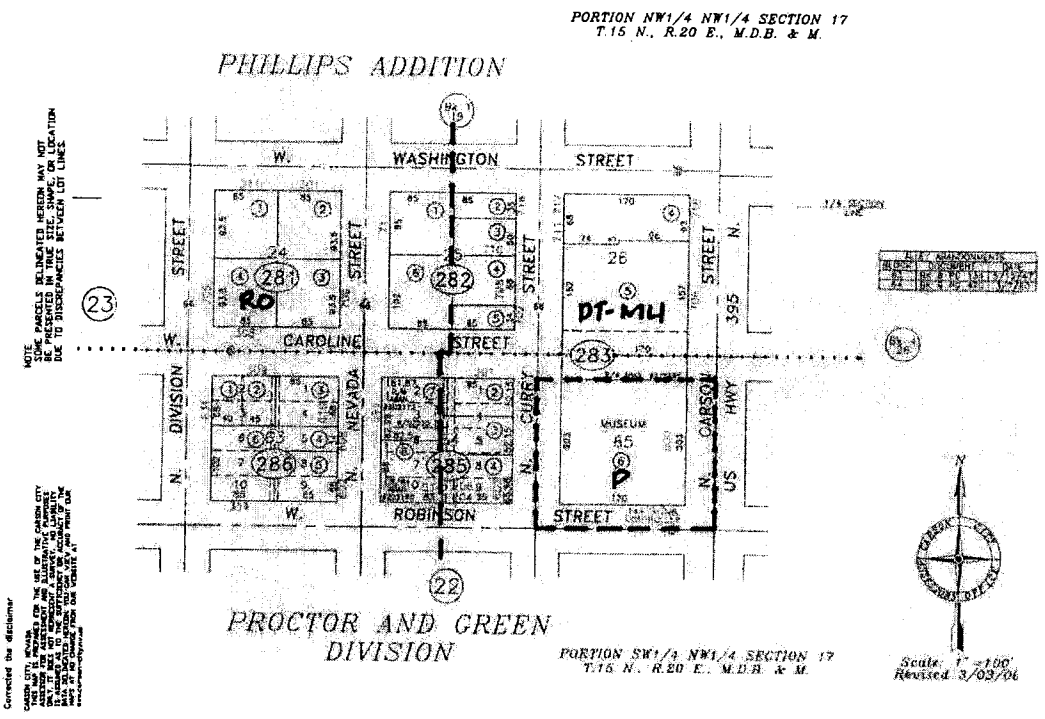
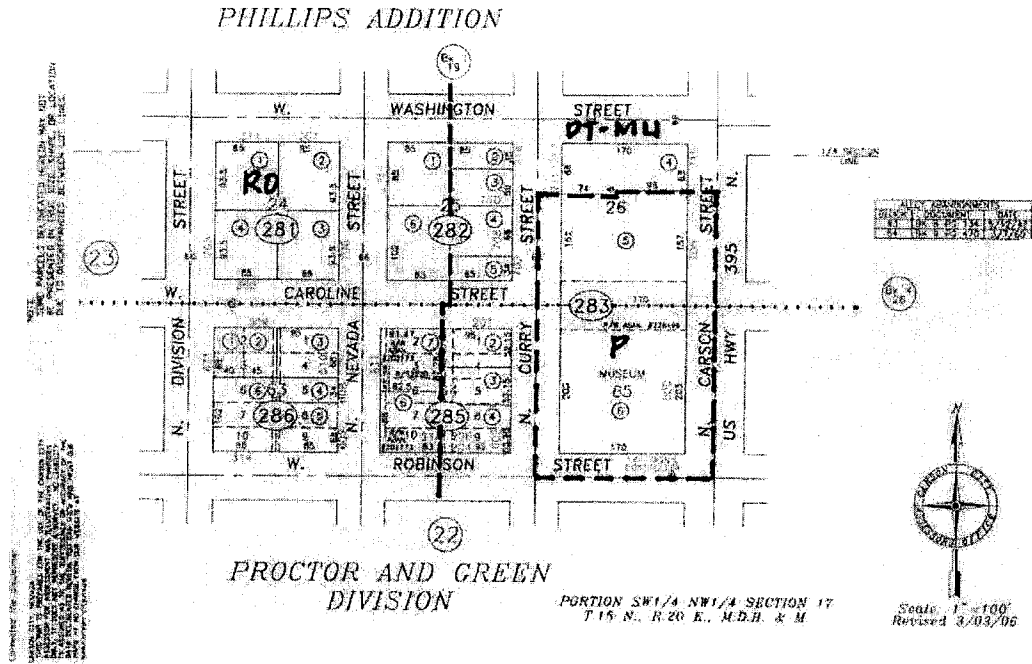


EXHIBIT "B" Resulting Zoning
 ZMA-07-141 Zoning Map Amendment from Downtown Mixed Use (DT-MU) to Public (P)

PORTION NW1/4 NW1/4 SECTION 17
 T.15 N., R.20 E., M.D.B. & M.

3-28



CARSON CITY PLANNING COMMISSION

CASE RECORD

MEETING DATE: October 24, 2009

AGENDA ITEM NO.: H-4

APPLICANT(s) NAME: Robbie Oxoby, Project Manager

FILE NO. ZMA-07-141

PROPERTY OWNER(s): State of Nevada

ASSESSOR PARCEL NO(s): 003-283-05

ADDRESS: 706 N. Carson St.

APPLICANT'S REQUEST: To change the zoning from Downtown-Mixed Use (DT-MU) to Public (P).

COMMISSIONERS PRESENT: REYNOLDS VANCE BISBEE

MULLET PEERY KIMBROUGH WENDELL

STAFF REPORT PRESENTED BY: Jennifer Pruitt

REPORT ATTACHED

STAFF RECOMMENDATION: APPROVAL

DENIAL

APPLICANT REPRESENTED BY: Robert Oxoby

APPLICANT/AGENT
PRESENT

APPLICANT/AGENT
SPOKE

APPLICANT/AGENT
NOT PRESENT

APPLICANT/AGENT
DID NOT SPEAK

APPLICANT/AGENT INDICATED THAT HE HAS READ THE STAFF REPORT, AGREES AND UNDERSTANDS THE FINDINGS, RECOMMENDATIONS, AND CONDITIONS, AND AGREES TO CONFORM TO THE REQUIREMENTS THEREOF.

 0 PERSONS SPOKE IN FAVOR OF THE PROPOSAL

 0 PERSONS SPOKE IN OPPOSITION OF THE PROPOSAL

DISCUSSION, NOTES, COMMENTS FOR THE RECORD:

APPEAL PROCESS MENTIONED AS PART OF THE RECORD

MOTION WAS MADE TO RECOMMEND APPROVAL

WITH THE FINDINGS AND CONDITIONS AS ENUMERATED ON THE STAFF REPORT

MOVED: Kimbrough SECOND: Wendell PASSED: 6/AYE 0/NO 0/DQ 1/AB

SCHEDULED FOR THE BOARD OF SUPERVISORS

DATE: November 15, 2007

STAFF REPORT FOR PLANNING COMMISSION MEETING OF OCTOBER 24, 2007

FILE NO: ZMA-07-141

AGENDA ITEM: *H-4*

STAFF AUTHOR: Jennifer Pruitt, AICP, Senior Planner

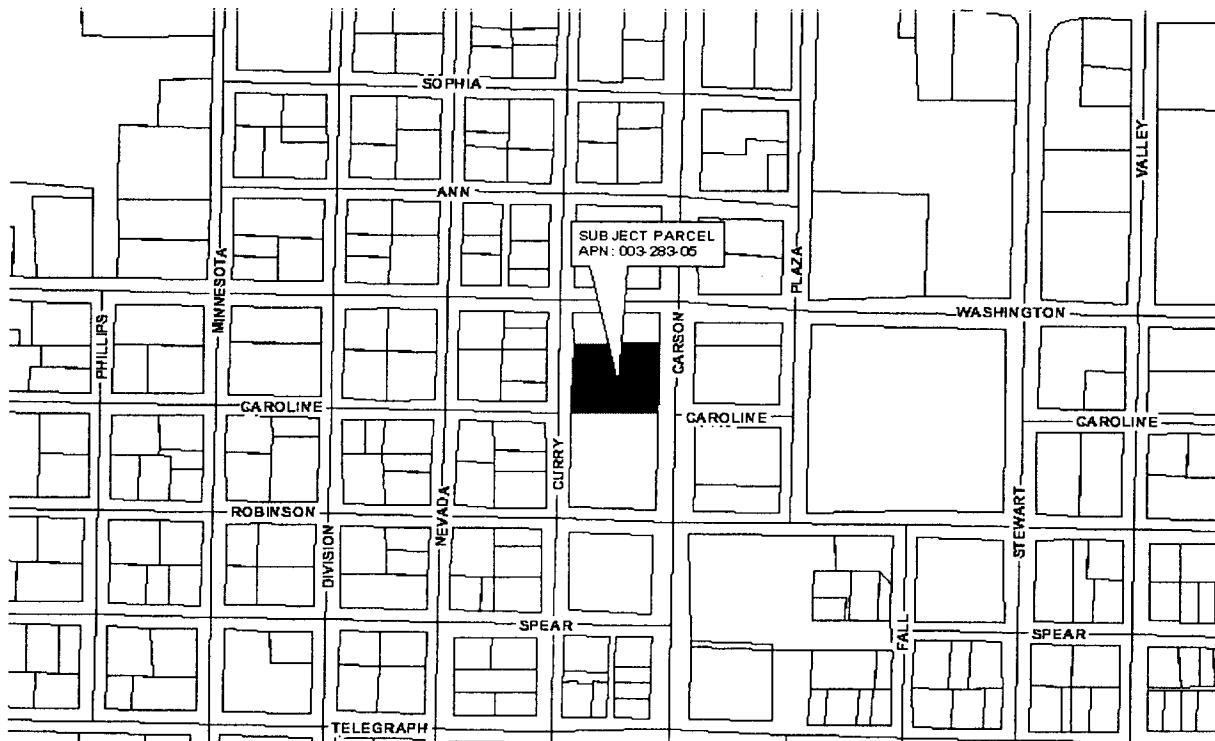
REQUEST: A Zoning Map Amendment to change the zoning of the subject parcel from Downtown Mixed Use (DT-MU) to Public (P).

APPLICANT: Robert Oxoby, Project Manager

OWNER(s): State of Nevada

LOCATION(s): 706 North Carson Street; APN 003-283-05

RECOMMENDED MOTION: "I move to recommend to the Board of Supervisors approval of ZMA-07-141, a Zoning Map Amendment to change the zoning of APN 003-283-05 from Downtown Mixed Use to Public, property located at 706 North Carson Street, based on the findings contained in the staff report."



LEGAL REQUIREMENTS: CCMC 18.02.050 (Review); 18.02.075 (Zoning Map Amendments).

MASTER PLAN DESIGNATION: Downtown Mixed Use (DT-MU)

CURRENT ZONING: Downtown Mixed Use (DT-MU)

PROPOSED ZONING: Public (P)

SURROUNDING ZONING AND LAND USE INFORMATION

North: Downtown Mixed Use (DT-MU) /Commercial

West: Downtown Mixed Use (DT-MU) /Commercial

South: Public (P) /Commercial/ Nevada Museum

East: Downtown Mixed Use (DT-MU) /Commercial

KEY ISSUES:

- Would the Zoning Map Amendment be consistent with the Carson City Master Plan?
- Would the Amendment provide for zoning and uses consistent with surrounding zoning and uses?

DISCUSSION:

The applicant, Robert Oxoby, Project Manager submitted a Zoning Map Amendment request regarding APN 003-283-05 on September 12, 2007. The subject site is approximately 26,320 square feet in overall size and is centrally located within downtown Carson City. A pedestrian plaza is currently located on site which was built within the past few years. The subject parcel is owned by the State of Nevada and is adjacent to the Nevada State Museum, which is zoned Public.

As part of the Nevada State Museum expansion, the applicant is required to change zoning of the subject parcel from Downtown Mixed Use (DT-MU) to Public (P). This expansion project was previously approved by the HRC on September 13, 2007 and April 13, 2006, and a Special Use Permit was approved by the Planning Commission on May 31, 2006. The previous approvals, unfortunately, expired and the applicant at this time is requesting approval of the identical project from 2006. See SUP-07-127 Special Use Permit application.

The applicant requests approval of this ZMA request to allow the proposed project of an approximate 3,000-square foot ADA entrance and gallery structure that will connect the existing Calhoun Building to the south with the old First Interstate Building (FIB) building to the north. In addition, the existing mine exit structure will be removed and a new

underground exit tunnel will be connected to the proposed entrance structure. This project has also been reviewed and approved the State Historic Preservation Office. The addition of the new building will be complimentary to the existing Historic State Museum on the site. The applicant has provided a description of the proposed development (see attached application), including site plans of the complex, elevations and floor plans. The proposed ADA entrance and gallery is designed to simulate an old mine head frame inside a completely enclosed glass structure. The intent of the new building is to provide ADA approved accessibility to the museum as well into the underground mine.

The purpose of the Public zoning district pursuant to CCMC 18.04.170 is as follows:

1. To accommodate the wide range of public institutional and auxiliary uses which are established in response to the health, safety, cultural and welfare needs of the citizens of the City.
2. To organize the assemblage of specific, nonprofit and profit public facilities into efficient functionally compatible and attractively planned administrative centers in conformance with the master plan;
3. To establish site plan approval for many uses thereby ensuring compatibility with adjacent more restrictive districts.

Master Plan Consistency

The subject parcel is designated Downtown Mixed Use (DT-MU) on the adopted Master Plan Land Use Map. The Master Plan describes the characteristics of the DT-MU designation as follows:

- Downtown serves as the largest, most intense activity center and the "heart" of the community. It also contains many of the City's most significant historic resources, including the State Capitol building and grounds. The DT-MU designation is intended to allow for and encourage a broader mix of uses than exist today in Downtown, while respecting its historic context and creating an inviting, pedestrian-friendly environment.

Compatibility with Existing Land Uses

Staff believes that the proposed zoning Public (P) is compatible with existing commercial uses on surrounding properties. The surrounding properties Master Plan designation was changed from Downtown Commercial (DC) to Downtown Mixed Use in August of 2007, as part of the Carson City Master Plan update. With this zoning map amendment the subject parcel will have a zoning designation that is consistent with the adjacent parcel to the south, which is currently under review for a Lot Line Deletion as well as a Special Use Permit.

PUBLIC COMMENTS: Public notices were mailed to 31 adjacent property owners within 370 feet of the subject parcel in accordance with the provisions of NRS and CCMC 18.02.045. As of October 12, 2007, no written comments have been received either in

support or opposition of this application. Any comments that are received after this report is completed will be submitted prior to or at the Planning Commission meeting, depending on their submittal date to the Planning Division.

OTHER CITY DEPARTMENT OR OUTSIDE AGENCY COMMENTS:

The Fire Department submitted written comments with no specific concerns regarding the proposed amendment. The Engineering Division submitted written comments, attached. Engineering comments would be addressed at the time of development of the parcels. The Building Division comments were discussed with the applicant during the Major Project Review process. No other City department comments were received.

FINDINGS: Staff recommends the following findings for approval pursuant to the Carson City Municipal Code Section 18.02.075(5), Zoning Map Amendments, and further substantiated in the applicant's written justification.

- 1. The proposed amendment is in substantial compliance with the goals, policies and action programs of the Master Plan.**

Rationale: The proposed ZMA is in compliance with and supports the following goals and policies of the Master Plan:

GOAL 5.2—PROMOTE EXPNSION OF RETAIL SERVICE BASE

5.2a- Encourage Regional Retail

Encourage the development of regional retail developments consisting of shops, restaurants, entertainment venues, offices, hotels, premium amenities and upscale gaming venues in the City to allow residents access to a variety of retail service and entertainment needs close to home, and to attract patrons from surrounding growth areas. Work with local and regional economic development organizations, such as the Carson City Retail Recruitment Team and the Chamber of Commerce, on the development of a marketing strategy designed to attract national retailers to the community, particularly within the Downtown CBD and where access can be provided from the Carson City Freeway.

Goal 5.6—Promote Downtown Revitalization

5.6- Downtown Revitalization

Encourage the redevelopment of underutilized properties, and the renovation and re-use of vacant buildings in the Downtown core. Establish additional incentives (e.g., density bonuses, an expanded range of permitted uses, or reduced parking requirements) that complement existing redevelopment tools.

Rationale: *The proposed ZMA is in compliance with and supports the following goals and policies of the Master Plan: The proposed ADA Entrance Structure and Gallery space is intended to facilitate easier and safer access to the Nevada State Museum. It is also intended to connect the Mint/Calhoun Buildings to the south with the North Annex (Old FIB Building) thereby creating a single entry point into the Museum Complex while at the same*

time ensuring all areas of the Museum are accessible without having to go outside. The design of the proposed structure is intended to replicate a mine head frame which is particularly appropriate because this new entry structure will serve as the new entrance and exit for the underground mine exhibit. The proposed building structure consists of steel beams with glass curtain walls. This design intent is to provide a transparent structure that will allow exhibits to be seen from the outside while at the same time providing an architectural style that will not try to mimic or compete with the distinctive historic architectural style and massing of the Mint Building.

This project will be a significant improvement to the Museum Complex that will make the Museum more user friendly and accessible thereby affording more of its residents and guests the luxury of touring a first-class Museum in comfort and safety.

This project and the subsequent zoning change will result in a significant investment into the Nevada State Museum which will only help the downtown revitalization effort. This project will clearly provide a unique architectural infill solution to addressing the current lack of connection between museum facilities. It will provide a pleasant and eye catching modern architectural design solution that people will recognize as a positive statement and commitment by the State of Nevada in supporting and maintaining its historical heritage.

The proposed ZMA is consistent with the DT-MU Master Plan designation of the subject parcel.

- 2. The proposed amendment will provide for land uses compatible with existing adjacent land uses and will not have detrimental impacts to other properties in the vicinity.**

Rationale: The ADA Entrance Structure and Gallery space is proposed to be located between the current Museum buildings. It will connect the Mint/Calhoun Buildings to the south to the North Building Annex (Old FIB) to the north. To the west across Curry Street is a motel/hotel with Museum office buildings and public parking. Carson Street is to the East with commercial properties. All surrounding properties are zoned Commercial/Public. This zoning change should have no adverse effects on neighboring property owners.

Per the applicant this zone change application is really more a matter of housekeeping to bring the entire current Museum complex under the same zoning designation. The zoning change is prompted by the new ADA Connecting structure which will bridge between the two current zoning designations. This request, if approved, would clean up the zoning and ensure compatibility and a uniform zoning designation. This enhancement and investment by the State will only help the adjoining properties not detract.

- 3. The proposed amendment will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare.**

Rationale: The applicant states that is their belief that this project and the Zoning Map Amendment will have no detrimental effect on existing or planned public services. On the contrary, it will make the experience of visiting the Nevada State Museum a much more pleasant one by allowing a single point of entrance and the assurance that all exhibits in the State Museum Complex can be accessed from the inside without having to go outside to get from one building to another. It will also for the first time provide an ADA accessible route to the underground mine exhibit. This project will be a significant improvement to the Museum Complex and make the Museum more user friendly and more accessible to the general public. In addition, we are considering a new ADA accessible bus drop-off area which will greatly facilitate disabled access to the Museum complex and in turn provide a safe method of accommodating access for our physically challenged visitors.

This project will have no impact on current ingress and egress to the property. Traffic and pedestrian circulation patterns will remain unchanged except for the fact that on-site pedestrian traffic between buildings will now be accommodated inside the connecting structure (under one roof) without having to go outside.

Carson City will have a State Museum that will be much more user friendly and accessible thereby affording more of its residents and guests the luxury of touring a first-class Museum in comfort and safety.

- 4. That sufficient consideration has been exercised by the applicant in adapting the project to existing improvements in the area. Be sure to indicate the source of the information that you are providing (private engineer, development engineering, title report, or other sources). Describe how your proposed Zoning Map Amendment will not adversely impact drainage, sewer, water, traffic, schools, emergency services, roadways and other city services.**

Rationale: It is not unusual for local schools from all over Northern Nevada to tour the Museum. The ADA accessible entrance to the mine and the single point of access will ensure a greater level of security for students and visitors alike. This zoning change request will have no impact in terms of increased student enrollment in the school district, it will make the experience of visiting the Museum a more secure and fun filled experience for our school children and parents alike.

The proposed building will cover land already covered by concrete and asphalt walkways; therefore, additional site drainage is not an issue.

This zoning change and resultant ADA connecting structure project will have no impact on water usage. A fire sprinkler system will be installed and connected to the existing sprinkler system which has been adequately sized to accommodate the proposed addition, therefore increase water usage is not a concern but, the proposed fire protection system will greatly enhance the safety of the building and the museum visitors.

There will be no increased sewer capacity required to support this project. The sewer main running under the proposed ADA Entrance building will be replaced with a new line in accordance with Carson City Engineering requirements. This work is being coordinated by Palmer Engineering and Carson City Engineering staff.

There will be no road improvements required to accommodate this project and zoning change. Palmer Engineering has been working with the State of Nevada and Carson City Division staff evaluating the infrastructure impacts, if any, that this project will initiate. Outdoor lighting will be modified to the extent that some existing gas lamps will be relocated. No additional parking is anticipated. Current off-site parking will accommodate required parking. Emergency vehicle access to the site and response time is not affected by this project in any way.

Respectfully submitted,
PLANNING DIVISION



Jennifer Pruitt, AICP
Senior Planner