



Carson City Planning Division

108 E. Proctor Street
Carson City, Nevada 89701

(775) 887-2180

www.carson.org
www.carson.org/planning

MEMORANDUM

TO: Planning Commission **ITEM:** H-1

FROM: Jennifer Pruitt, Principal Planner

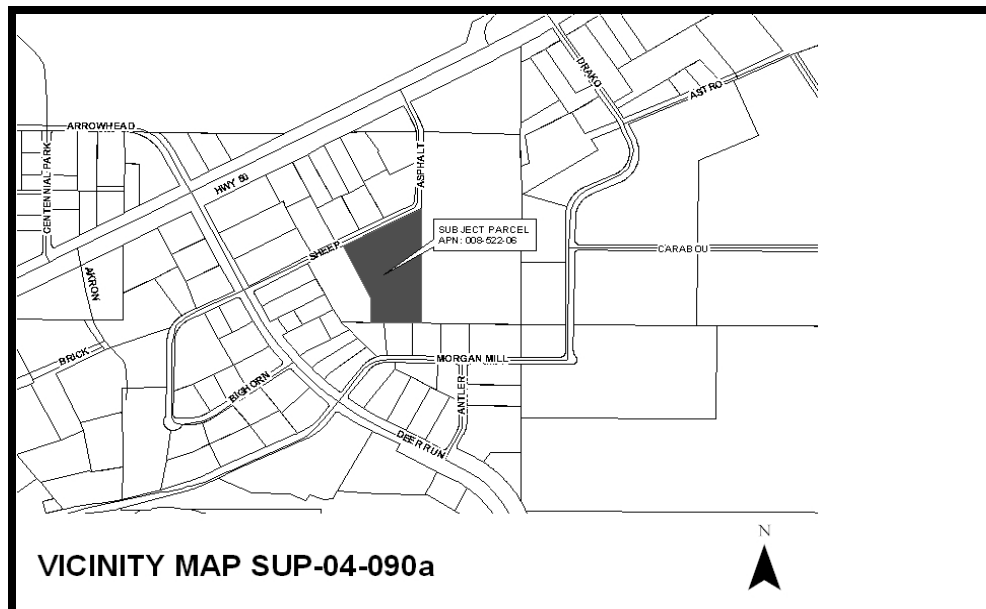
MEETING DATE: July 27, 2011

SUBJECT: Granite Construction SUP-04-090(a) extension request

LEGAL REQUIREMENTS:

CCMC 18.02.080 (Special Use Permits). Pursuant to the Carson City Municipal Code (CCMC) 18.02.080(8c):

- In the event that circumstances beyond the control of the applicant result in a failure to complete applicable Special Use Permit (SUP) conditions and construct or commence the use prior to the expiration date, the applicant may, in writing, request an extension of the expiration date. The Commission may approve additional extensions of time subject to the consideration of the continued appropriateness of the Special Use Permit (SUP) and may be subject to the imposition of additional conditions by the Commission to ensure that the activity permitted by the Special Use Permit does not adversely impact other properties in the area or the public interest.



DISCUSSION:

The applicant has requested to extend the expiration date of the previously approved Special Use Permit SUP-04-090(a) for a batch plant from July 25, 2011 to July 25, 2014, to allow additional time for the existing construction market to become stable. As noted by the applicant, concrete material is related to construction in general and due to an unforeseen downturn in the construction industry, Granite Construction has not been able to erect and operate the concrete batch plant on the subject site.

Granite Construction previously operated a concrete batch plant located less than one-half mile to the southwest of the subject site (at 5520 Sheep Drive, APN 008-541-67). This older facility was closed as a result of the approval of SUP-04-090(a).

The height of the proposed batch plant/silo will be approximately 67.5 feet, plus approximately four additional feet for some safety railings. The height of the previous asphalt plant was 65 feet, according to city records. The north/south elevations are 11.7 feet wide and the east/ west elevations are about 33 feet wide at the maximum width, giving the structure an unobtrusive profile. A rising conveyor belt would move aggregate from the storage mounds to near the top of the silo. Concrete trucks will load under the batch plant apparatus. Concrete aggregate storage bins will also be added along the north property line, and settling, storm and washout ponds would be situated at the southern property line.

It is important to note the reason we have expiration dates for Special Use Permits in Carson City, which is to allow for accountability of proposed projects. In most instances the typical SUP project can be initiated within a two-year period of time. Initiation means the submittal of a building permit application or commencing the use approved by the SUP. A building permit application was previously submitted, but was ultimately rejected, due to inactivity and at that time the permit was deemed expired. (See attached history).

In Carson City, it is not the intent of a Special Use Permit to have an open-ended approval, for the simple reason the SUP approval is based on specific codes and regulations at the time of the approval, which in many cases are reflected in the conditions of approval. Open-ended approvals could fall victim to code regulations that are not relevant or not in keeping with current code requirements at the time of building permit or commencement of the use. The applicable codes regarding the proposed batch plant have not changed since the last approval of SUP-04-090(a).

The applicant has noted that circumstances beyond their control have resulted in their inability to complete the applicable SUP conditions and construct or commence the use prior to the expiration date. The applicant has confirmed that no improvements have been made to the site to date and the site has been utilized for minor stockpiling and storage, which are allowed in the General Industrial zoning district. Staff conducted a site visit on July 12, 2011, and can confirm that the current site's condition is as noted by the applicant above.

The Planning Division staff believes the applicant has submitted the justification to grant the requested three-year extension. Therefore, staff recommends that the Planning Commission approve the extension request for SUP-04-090(a) based on the justification provided by the applicant.

PUBLIC COMMENTS: Public notices were mailed to 30 adjacent property owners within 700 feet of the subject site. At the writing of this memorandum, no written comments have been received either in favor of or in opposition to the requested extension. Any comments that are received after this memorandum is completed will be submitted to the Planning Commission

prior to or at the meeting on July 27, 2011, depending on the date of submission of the comments to the Planning Division.

OTHER CITY DEPARTMENT COMMENTS: The following comments were received from various city departments.

Engineering Division:

- The Engineering Division has no preference or objection to the Special Use Permit. Conditions from the previous Special Use Permits still apply to this permit.

Building & Safety Division:

- The Building Division has no objections to the requested three-year extension for the noted project.

Health Department:

- Carson City Health and Human Services has no comments on this project.

Fire Department:

- The Fire Department has no concerns with the applicant's request.

RECOMMENDED MOTION TO APPROVE AN EXTENSION FROM THE DATE OF SUP EXPIRATION: "I move to approve a three-year extension for Special Use Permit SUP-04-090(a) from July 27, 2011 to July 27, 2014 to allow the applicant additional time to commence the approved use and subject to the amended conditions of approval."

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 will be rescheduled for the next Planning Commission meeting for further consideration.
 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. The applicant shall meet all the conditions of approval and commence the use for which this permit is granted within three years of the date of final approval. Should this permit not be initiated within three years and no extension granted, the permit shall become null and void.
 5. ~~All development shall be substantially in accordance with the development plans approved with this application, except as otherwise modified by the conditions of approval herein.~~
-

6. A Growth Management review must be approved in regard to the overall water usage of the site prior to commencement of the use for average daily water usage of more than 7500 gallons per day.

The following shall be submitted with a building permit application:

7. The applicant shall submit a copy of the signed Notice of Decision and conditions of approval with the building permit application.
8. Dust shall be controlled throughout construction.
9. A six-foot landscape buffer shall be provided along the Sheep Drive right-of-way and a landscaping plan shall be submitted for review and approval by the Planning Division. The landscaping must be in place at the time of final inspection of the principal building permit, unless a time-extension is approved by the Planning Director.

Conditions required by the Engineering Division:

10. New water and sewer connection fees are required for the proposed concrete batch plant operation at 5855 Sheep Drive. City policy does not allow transfer of existing usage from one site to another. A copy of the Commercial/Industrial Water and Sewer Connection Fee Worksheet can be obtained from the Engineering Division by calling 887-2300. Based on water meter records obtained from Public Works Utilities, the existing concrete batch plant at 5520 Sheep Drive used as average of 8,731 gallons per day since December of 2005. The water usage, if applicable to the new site, would amount to approximately \$72,000.00 in new water connection fees due at the time of issuance of building permit for the new facilities.
11. Street improvements along the 5855 Sheep Drive frontage are required in accordance with Carson City Municipal Code (CCMC) 11.12.081. These improvements shall consist of curbs, gutters and tie-in paving.
12. Cement concrete commercial driveway approaches at 5855 Sheep Drive are required in accordance with Carson City Development Standards (CCDS) 12.12.3.

The following conditions apply over the life of this Special Use Permit:

13. The concrete batch plant shall be painted in an earth-tone color to blend in with the surrounding natural terrain. The color shall be reviewed by the Planning Division during the building permit process; no final inspection will be approved until the Planning Division has approved the color. No textual markings (except required safety information), logos or advertising shall be allowed above the 45-foot level.
 14. The approved height of the concrete batch plant is 67.5 feet (plus four additional feet for the height of safety railings).
 15. All open storage must be screened from view from the public right-of-way by a maintained 100% sight-obscuring fence or wall 6 feet in height.
 16. Dust, aggregates, concrete mud and trails must be confined to the subject site through best management practices.
-

17. This special use permit shall be reviewed in ~~two years (July 2011)~~ **three years (July 2014)** for compliance with the conditions of approval enumerated herein.

Attachments: Special Use Permit history
Extension request
Building Division comments
Fire Department comments
Engineering Division comments
Environmental Control comments

Special Use Permit history for 5855 Sheep Drive

June 25, 2009, the Planning Commission approved a two-year extension to commence the use described in SUP-04-090(a) from July 25, 2009 to July 25, 2011.

December 31, 2008 the Building Division rejected the building permit due to inactivity. At that time the permit was deemed expired.

June 17, 2008 Granite Construction obtained a one-year extension for SUP-04-090(a) from July 25, 2008 to July 25, 2009 from the Planning Director, Lee Plemel.

November 15, 2007, Granite Construction Company submitted building permit plans to the Building Division for a concrete batch plant.

July 25, 2007, the Planning Commission approved an amended Special Use Permit SUP-04-090(a) to allow the operation of a concrete batch plant on this site. The height of the batch plant/silo would be approximately 67.5 feet, plus approximately four additional feet for some safety railings.

June 30, 2004, Planning Commission approved renewal of the existing Special Use Permit (renumbered from U-79-6 to SUP-04-090) that allowed an asphalt batch plant on the subject site for a three-year period (2007). Granite construction continued operation of the asphalt plant until late 2005 when this aspect of the operation was discontinued. The site continued to be used for aggregate and recycled asphalt storage and distribution as well as for an equipment maintenance building. The site also contains two commercial office coaches.

In March 2002, the Planning Division received a Notice of Intent to resume asphalt batch plant operations regarding Special Use Permit U-79-6. The applicant understood that they must comply with all conditions of approval identified in the original Special Use Permit. Plant operations began in May 2002. In August 2003 a second asphalt storage silo was approved for the site.

In 1999 Granite Construction requested a continuation of the Special Use Permit in a suspended status for an indefinite period of time. It was noted in the staff report that the conditions of approval during the suspended period of time had been complied with by the applicant and would still be in effect. The Planning Commission approved a motion on July 28, 1999, granting Granite Construction Company a continuance in their suspension of their Special Use Permit, U-79-6, for a batch plant operated at 5855 Sheep Drive, not to exceed five years and with the understanding that all conditions of the original Special Use Permit would be maintained.

In August of 1994, the Planning Commission approved a request for suspension and keeping the Special Use Permit valid for a period of five years.

In June of 1994, correspondence was received from Granite Construction advising the City that they would be temporarily suspending their batch plant operations. The suspension of the batch plant operations was implemented; however the site has been continually used for truck parking and office functions.

In May 1991 Granite Construction took over the operation of the asphalt batch plant on site.

March 23, 1979 a Special Use Permit was granted by the Board of Supervisors to Eagle Valley Construction for an asphalt batch plant on the subject property.

February 27, 1979 a Special Use Permit was approved by the Planning Commission to allow Eagle Valley Construction an asphalt batch plant on the subject property.

RECEIVED

JUN 22 2011

CARSON CITY
PLANNING DIVISION



June 22, 2011

Carson City Planning Division
2621 Northgate Lane, Suite 62
Carson City, Nevada 89706

**RE: Request for Three-Year Extension of Time
Concrete Batch Plant
Special Use Permit SUP-04-090a
Granite Construction Company
5855 Sheep Drive, APN #008-522-06**

To The Carson City Planning Commission:

In conjunction with Section 18.02.080, Granite Construction Company would like to ask for a three-year extension of time to commence operations of our concrete batch plant to be located at 5855 Sheep Drive in Carson City, Nevada.

The site was traditionally used as a hot mix asphalt plant for Granite Construction. In 2007 we applied to change the use to a concrete batch plant. This is a conforming use with a SUP in industrial zoned property. Concrete is directly related to construction and due to the downturn in the construction industry, Granite Construction has not been financially able to erect and operate a concrete batch plant on this property.

Originally in 2009 we requested a 2 year extension due to the downturn in the market, but due to the unprecedented market recession (unforeseen in 2009's request) we are requesting with this renewal the extension of our SUP. We are now forecasting the growth in the current market in both public and private work not meeting market demands warranting operation of the facility until 2014 to 2015. However, it is worth mentioning there is always a possible strategic project which may be identified where the establishment of the facility and the implementation of the conditional improvements will prove financially feasible prior to 2015. This may occur within the next three years prior to the market demands meeting the necessary level to establish the operation facility.

No improvements have been made to date and the yard is utilized for minor stockpiling and storage as allowed in industrial zoned sites. To date no building permits have been applied for to erect the batch plant facility to produce concrete. We will notify the city when we are ready to apply for the building permit to erect the concrete plant and provide the SUP conditional site improvements.

Nevada Operations

Reply to the following office

Northern Nevada Operations
1900 Glendale • P.O. Box 2087
Sparks, NV 89432-2087
(775) 358-8792 • FAX (775) 358-0372

Southern Nevada Operations
4675 West Teco Avenue, Suite 140
Las Vegas, NV 89118
(702) 696-1090 • FAX (702) 696-1091

The site remains a strategic location for our future operations and we look forward to the market recovery to utilize our facility as intended. We understand and agree to comply with all of the conditions identified in the original Use Permit.

If you have any questions regarding this notification, please feel free to contact me at (775) 352-1935.

Sincerely,



Patrick Rucker
Project Engineer - Environmental

cc: Matt Franz, Plants Manager, Granite Construction
Brian McClure, Plants Manager, Granite Construction
Capitol City file



CARSON CITY, NEVADA

CONSOLIDATED MUNICIPALITY AND STATE CAPITAL
RECEIVED GRANITE CONSTRUCTION DEVELOPMENT SERVICES

AUG 13 2009

CARSON CITY
PLANNING DIVISION

AUG 11 2009

SPARKS BRANCH

★ CLERK ★
FILED
Time 1:52

AUG - 5 2009

By K. King
Deputy
Carson City, Nevada

PLANNING COMMISSION
JULY 29, 2009

NOTICE OF DECISION

A request to review a Special Use Permit, SUP-04-090a, was received from Granite Construction Company, to extend the expiration date of an approved Special Use Permit from July 25, 2009 to July 25, 2011 to allow additional time for the commencement of the concrete batch plant operations, to be located at 5855 Sheep Drive, APN 008-522-06, pursuant to the requirements of the Carson City Municipal Code

The Planning Commission conducted a public hearing on July 29, 2009, in conformance with City and State legal requirements, and approved SUP-04-090a to extend the expiration date of an approved Special Use Permit from July 25, 2009 to July 25, 2011, based on the findings contained in the staff report and subject to the following conditions of approval:

CONDITIONS OF APPROVAL:

1. The applicant must sign and return the Notice of Decision for conditions of approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days the item will be rescheduled for the next Planning Commission meeting for further consideration.
2. All developments shall be substantially in accord 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. The applicant shall meet all the conditions of approval and commence the use for which this permit is granted within twelve months of the date of final approval. A single, one-year extension of time may be granted if requested in writing to the Planning Division thirty days prior to the one-year expiration date. Should this permit not be initiated within one year and no extension granted, the permit shall become null and void.

PLANNING DIVISION • 2621 Northgate Lane, Suite 62 • Carson City, Nevada 89706
Phone: (775) 887-2180 Fax: (775) 887-2278 E-mail: plandiv@ci.carson-city.nv.us

5. All development shall be substantially in accordance with the development plans approved with this application, except as otherwise modified by the conditions of approval herein.
6. A Growth Management review must be approved in regard to the overall water usage of the site prior to commencement of the use for average daily water usage of more than 7500 gallons per day.

The following shall be submitted with a building permit application:

7. The applicant shall submit a copy of the signed Notice of Decision and conditions of approval with the building permit application.
8. Dust shall be controlled throughout construction.
9. A six-foot landscape buffer shall be provided along the Sheep Drive right-of-way and a landscape plan shall be submitted for review and approval by the Planning Division. The landscaping must be in place at the time of final inspection of the principal building permit, unless a time-extension is approved by the Planning Director.

Conditions required by the Engineering Division:

10. New water and sewer connection fees are required for the proposed concrete batch plant operation at 5855 Sheep Drive. City policy does not allow transfer of existing usage from one site to another. A copy of the Commercial/Industrial Water and Sewer Connection Fee Worksheet can be obtained from the Engineering Division by calling 887-2300. Based on water meter records obtained from Public Works Utilities, the existing concrete batch plant at 5520 Sheep Drive used an average of 8,731 gallons per day since December of 2005. This water usage, if applied to the new site, would amount to approximately \$72,000 in new water connection fees due at the time of issuance of building permit for the new facilities.
11. Street improvements along the 5855 Sheep Drive frontage are required in accordance with Carson City Municipal Code (CCMC) 11.12.081. These improvements shall consist of curbs, gutters, and tie-in street paving.
12. Cement concrete commercial driveway approaches at 5855 Sheep Drive are required in accordance with Carson City Development Standards (CCDS) 12.12.3.

The following conditions apply over the life of this Special Use Permit:

13. The concrete batch plant shall be painted in an earth-tone color to blend in with the surrounding natural terrain. The color shall be reviewed by the Planning Division during the building permit process; no final inspection will be approved until the Planning Division has approved the color. No textual markings (except required safety information), logos or advertising shall be allowed above the 45-foot level.
14. The approved height of the concrete batch plant is 67.5 feet (plus four additional feet for the height of safety railings).
15. All open storage must be screened from view from the public right-of-way by a maintained 100% sight-obscuring fence or wall 6 feet in height.
16. Dust, aggregates, concrete mud and trails must be confined to the subject site through best management practices.
17. This special use permit shall be reviewed in two years (July 2011) for compliance with the conditions of approval enumerated herein.

This decision was made on a vote of 6 ayes, 0 nays, and 1 absent.


Jennifer Pruitt, AICP, LEED AP
Principal Planner

JP:jmb

Mailed by: RMT

By: Aug 10, 2009

**PLEASE SIGN AND RETURN THIS NOTICE OF DECISION WITHIN
TEN DAYS OF RECEIPT**

This is to acknowledge that I have read and will comply with the Conditions of Approval as approved by the Carson City Planning Commission.



OWNER/APPLICANT SIGNATURE

8-12-09
DATE

Jessica Rash
PLEASE PRINT YOUR NAME HERE

RETURN TO:

Planning Division
2621 Northgate Lane, Suite 62, Carson City, NV 89706

- Enclosures: 1. Planning Commission Notice of Decision (2 copies)-Please sign and return only one. The second one is for your records.
2. Self-addressed stamped envelope

From: Kathe Green
To: Pruitt, Jennifer
Date: 7/18/2011 8:21 AM
Subject: Fwd: Re: PC July 27

>>> Dustin Boothe 7/14/2011 5:36 pm >>>
Kathe:

Please see below:

SUP-04-090a

Carson City Health and Human Services has no comments on this project.

SUP-11-042

Carson City Health and Human Services has no comments on this project.

AB-11-043

Carson City Health and Human Services has no comments on this project.

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

***Please Note I have a new E-Mail address.
dboothe@carson.org***

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message is not the intended recipient, any unauthorized review, dissemination, distribution, or copying of this email message is strictly prohibited. If you have received and/or are viewing this email in error, please notify the sender immediately by reply email and delete this email from your system.

>>> *Kathe Green 7/14/2011 11:59 AM >>>*

Can you please send comments for the Planning Commission items, even if it's just a comment that you have no comment? They were due on Monday. Thanks, Kathe

*Kathe Green
Assistant Planner
Carson City Planning Division
108 E Proctor St
Carson City, NV 89701
(775) 283 7071
kgreen@carson.org*

**Engineering Division
Planning Commission Report
File Number SUP 04-090a**

TO: Planning Commission

FROM: Rory Hogen, E.I.

DATE: June 28, 2011

MEETING DATE: July 27, 2011

SUBJECT TITLE:

Action to consider an extension for Special Use Permit 04-090a for the conversion of an asphalt production plant to a concrete production plant at 5855 Sheep Dr., apn 08-522-06 from Patrick Rucker of Granite Construction.

RECOMMENDATION:

The Engineering Division has no preference or objection to the special use request. Conditions from previous special use permits still apply to this permit.

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

The information submitted by the applicant is adequate for this analysis. More detailed plans must be submitted for the construction permit.

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 have an effect on traffic and pedestrian access.

CCMC 18.02.080 (5d) - Public Services

Existing facilities appear to be adequate for this project.

File # (Ex: MPR #07-111)	<i>SUP-04-090a</i>
Brief Description	<i>Concrete Batch Plant</i>
Project Address or APN	<i>APN #008-522-06</i>
Bldg Div Plans Examiner	<i>Kevin Gattis</i>
Review Date	<i>July 1, 2011</i>
Total Spent on Review	

BUILDING DIVISION COMMENTS:

The Building Division has no objections to the requested three extension for the above noted project.



CARSON CITY FIRE DEPARTMENT

"Service with Pride. Commitment. Compassion"

MEMORANDUM

TO: Community Development

FROM: Duane Lemons, Fire Inspector

DATE: June 22, 2011

SUBJECT: AGENDA ITEMS FOR JULY 27, 2011 PLANNING COMMISSION MEETING.

We reviewed the agenda items for the Planning Commission Meeting and have the following comments:

- ZCA-08-127 Carson City Planning We have no concern with the applicant's request.
- SUP-04-090a Granite Construction Co. We have no concern with the applicant's request.
- SUP-11-042 Herman Bauer The applicant must meet all codes and ordinances as they relate to this request.
- AB-11-043 Robert Morris & Kay Ellen Armstrong, Nancy & Kurt Grange We have no concern with the applicant's request.

DL/llb