



# STAFF REPORT

**Report To:** Board of Supervisors

**Meeting Date:** January 3, 2019

**Staff Contact:** Hope Sullivan, AICP, Planning Manager

**Agenda Title:** For Possible Action: To adopt Bill No. 124, on second reading, an ordinance approving a change of zoning from Retail Commercial and Single Family One Acre to Retail Commercial, on properties located at 4530 and 4580 Cochise Street, APN 009-265-01, -02, -03 and 009-267-06, and -07. (Hope Sullivan, hsullivan@carson.org)

**Staff Summary:** The Board introduced the subject ordinance at its meeting of December 20, 2018. The subject properties have a zoning designation of split zoned Retail Commercial and Single Family One Acre, and Single Family One Acre, and a Master Plan designation of Community / Regional Commercial. The proposed zoning map amendment will result in all properties being entirely zoned Retail Commercial, thus consistent with the Master Plan designation. The Board of Supervisors has the authority to amend the zoning map.

**Agenda Action:** Ordinance - Second Reading

**Time Requested:** 5 minutes

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## **Proposed Motion**

I move to adopt Bill No. 124, Ordinance\_\_\_ on second reading.

## **Board's Strategic Goal**

Quality of Life

## **Previous Action**

At its meeting of December 20, 2018, the Board introduced the subject Ordinance by a vote of 4 - 1.

At its meeting of November 28, 2018, the Planning Commission conducted a public hearing on the subject request, and voted to recommend that the Board of Supervisors amend the Zoning Map as requested. The vote of the Planning Commission was 5-0, 2 absent.

## **Background/Issues & Analysis**

The Board of Supervisors is authorized to amend the Zoning Map. The Planning Commission makes a recommendation to the Board. Please see the attached staff report to the Planning Commission for further information.

## **Applicable Statute, Code, Policy, Rule or Regulation**

CCMC 18.02.075 (Zoning Map Amendments and Zoning Code Amendments); NRS Chapter 244; Article 2 of the Carson City Charter.

## **Financial Information**

Is there a fiscal impact?  Yes  No

If yes, account name/number:

Is it currently budgeted?  Yes  No

Explanation of Fiscal Impact:

**Alternatives**

Deny the request based on an inability to make the required findings, noting what finding cannot be made.

**Board Action Taken:**

Motion: \_\_\_\_\_

1) \_\_\_\_\_

2) \_\_\_\_\_

Aye/Nay

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
(Vote Recorded By)

SUMMARY – An ordinance amending the Carson City zoning map.

BILL NO. 124  
ORDINANCE NO. 2019-\_\_

AN ORDINANCE TO CHANGE THE ZONING FROM SINGLE FAMILY – 1 ACRE AND RETAIL COMMERCIAL TO RETAIL COMMERCIAL ON PROPERTIES LOCATED AT 4530 and 4580 COCHISE STREET, APNs 009-265-01, -02, -03 and 009-267-06, -07.

The Board of Supervisors of Carson City do ordain:

SECTION I:

An application for a Zoning Map Amendment on Assessor's Parcel Number 009-265-01, -02, -03 and 009-267-06, -07, property located at 4530 AND 4580 Cochise Street, Carson City, Nevada, was duly submitted by the Carson City Planning Division in accordance with Section 18.02.075, et seq. of the Carson City Municipal Code (CCMC). The request will result in the zoning designation of the subject parcels APN 009-265-01, -02, -03 and 009-267-06, -07 changing from Single Family – 1 Acre and Retail Commercial to Retail Commercial. After proper noticing pursuant to NRS 278 and CCMC Title 18, on November 28, 2018, the Planning Commission, during a public hearing, reviewed the Planning Division staff report, took public comment and voted 5 ayes, 0 nays and 2 absent 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 substantial compliance with the goals, policies and action programs of the Master Plan, that the Amendment will provide for land uses compatible with existing adjacent land uses and will not have detrimental impacts to other properties in the vicinity; that the Amendment will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare; 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 of APNs 009-265-01, -02, -03 and 009-267-06, -07 from Single Family – 1 Acre and Retail Commercial to Retail Commercial as shown on Attachment A.

PROPOSED this \_\_\_\_ day of \_\_\_\_\_, 2018.

PROPOSED BY Supervisor \_\_\_\_\_

PASSED on the \_\_\_\_ day of \_\_\_\_\_, 2018.

VOTE:

AYES: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

\_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
ROBERT L. CROWELL, Mayor

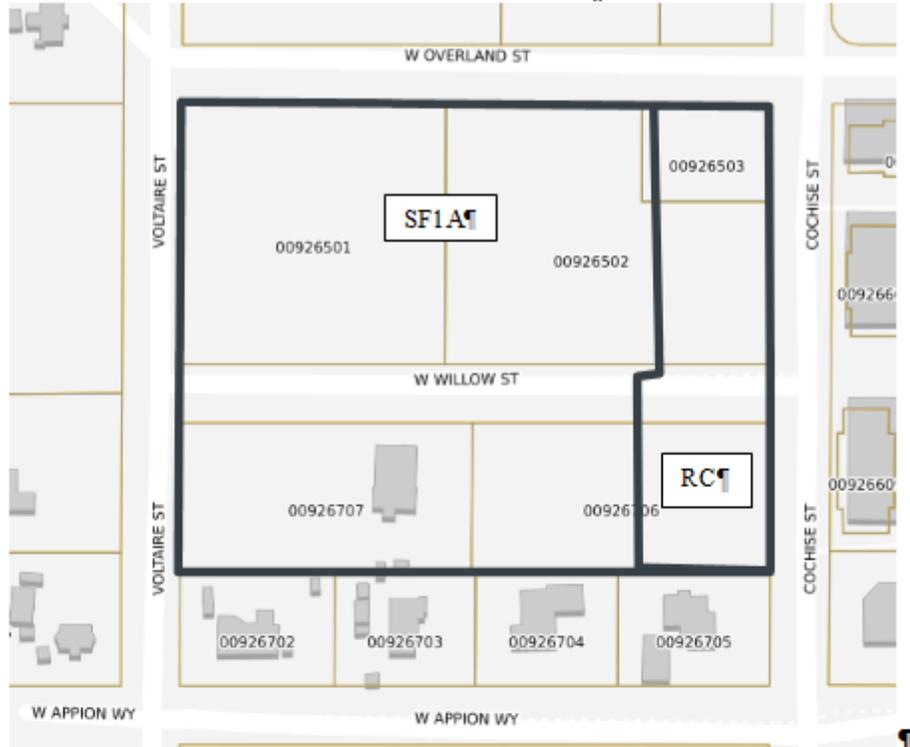
ATTEST:

\_\_\_\_\_  
SUSAN MERRIWETHER, Clerk-Recorder

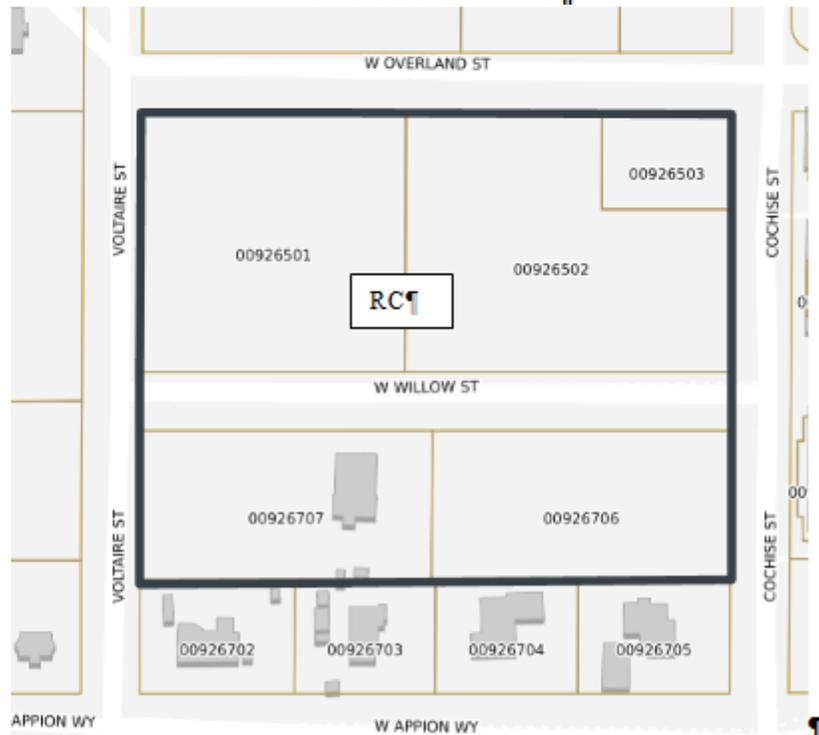
This ordinance shall be in force and effect from and after the \_\_\_\_ of \_\_\_\_\_, 2018.

ATTACHMENT A

**EXISTING ZONING**



**PROPOSED ZONING**



**Key**  
SF1A: Single Family -- 1 Acre  
RC: Retail Commercial

**STAFF REPORT FOR PLANNING COMMISSION MEETING OF NOVEMBER 28, 2018**

**FILE: ZMA-18-156**

**AGENDA ITEM: E-9**

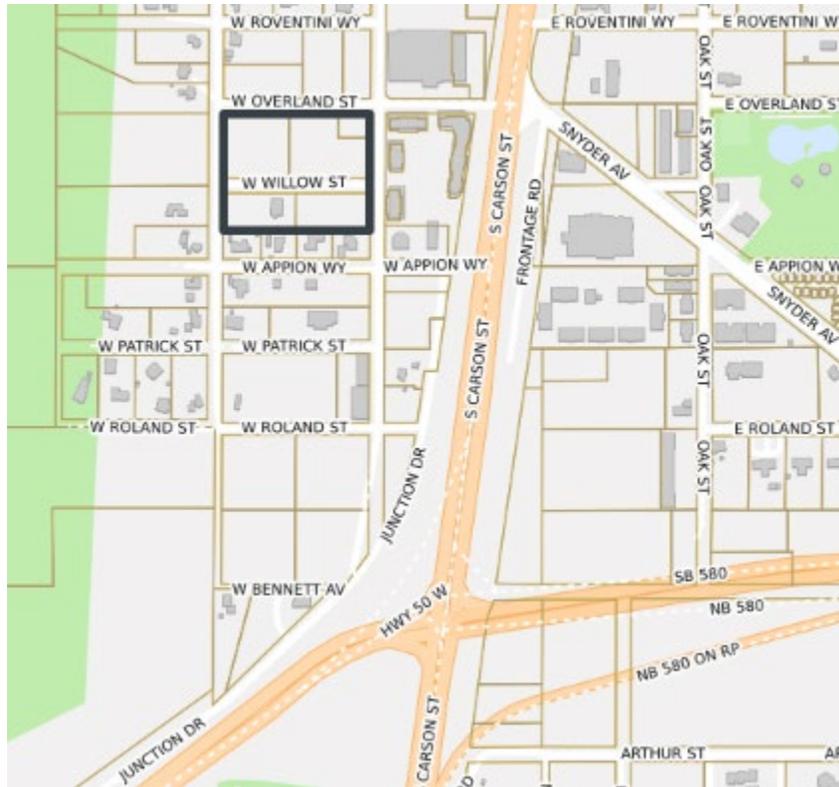
**STAFF CONTACT:** Hope Sullivan, Planning Manager

**AGENDA TITLE:** For Possible Action: To consider a request for a Zoning Map Amendment to change the zoning of five properties, three that are split zoned Retail Commercial (RC) and Single Family 1 Acre (SF1A) and two that are zoned Single Family 1 Acre (SF1A) to Retail Commercial (RC), located at 4530 and 4580 Cochise Street, APNs 009-265-01, -02, -03 and 009-267-06, -07. (Hope Sullivan, [hsullivan@carson.org](mailto:hsullivan@carson.org))

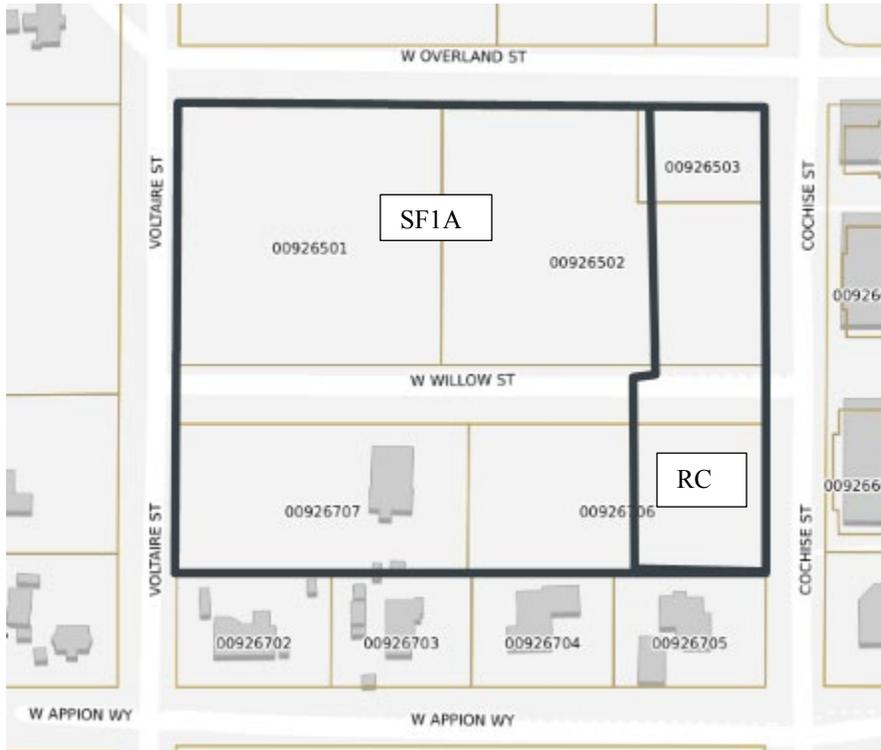
**STAFF SUMMARY:** The applicant is seeking to amend the Zoning Map so that the zoning on the subject property is Retail Commercial. Per Carson City Municipal Code, the Planning Commission reviews requests for zoning map amendments, and makes a recommendation to the Board of Supervisors. The Board of Supervisors is authorized to amend the zoning map.

**RECOMMENDED MOTION:** “I move to recommend to the Board of Supervisors approval of ZMA-18-156, a Zoning Map Amendment to change the zoning from split zoned Single Family 1 Acre and Retail Commercial and from Single Family 1 Acre to Retail Commercial, on property located at 4530 and 4580 Cochise Street, APNs 009-265-01, -02, -03 and 009-267-06, -07, based on the findings contained in the staff report.”

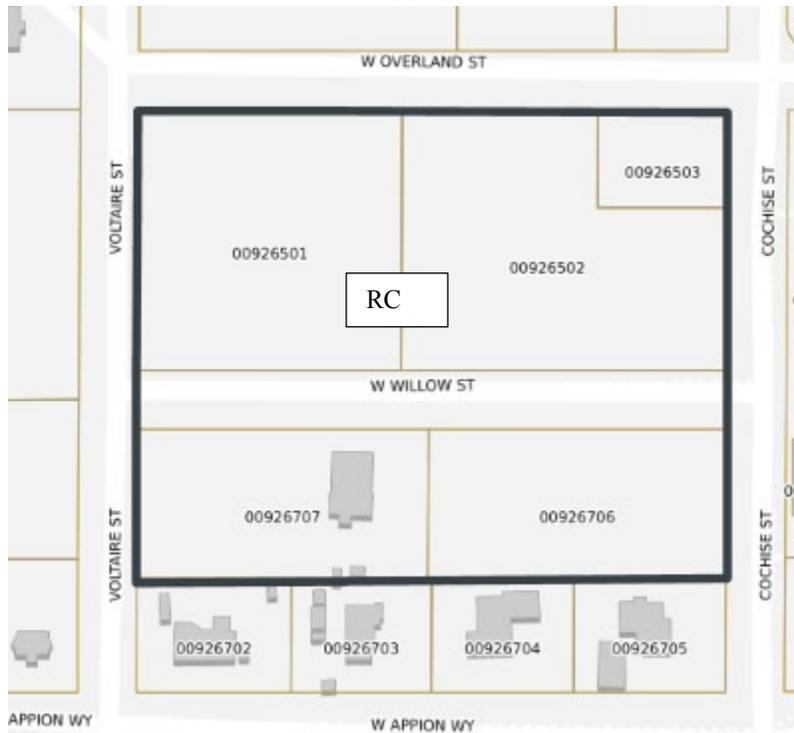
**VICINITY MAP:**



### EXISTING ZONING



### PROPOSED ZONING



Key  
SF1A: Single Family – 1 Acre  
RC: Retail Commercial

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

**MASTER PLAN DESIGNATION:** Community / Regional Commercial (C/RC)

**ZONING DESIGNATION:** Single Family 1 Acre (SF1A) and Retail Commercial (RC)

**PROPOSED ZONING DESIGNATION:** Retail Commercial (RC)

**BACKGROUND:**

The subject properties have a combination of Single Family 1 Acre and Retail Commercial zoning. The request is to amend the zoning map so that the entire property is zoned for Retail Commercial. The current zoning designation of the property is not consistent with the Master Plan designation. The requested zoning map amendment would create consistency between the Master Plan designation and the zoning map.

**DISCUSSION:**

The Master Plan is a policy document that outlines the City's vision and goals for the future, and provides guidance for making choices regarding the long-range needs of the community. The Zoning Map is a tool to implement the Master Plan. Given the function of the two documents, the zoning map designation should be consistent with the Master Plan designation.

The subject property is currently improved with a house on one parcel, and the balance is vacant. A single family home is a conditional use in the Retail Commercial zoning district. As the home is lawfully established, its use may continue.

The subject properties are designated Community / Regional Commercial on the Master Plan map. Per the Master Plan, the characteristics of the Community / Regional Commercial designation is to provide a mix of retail services in a concentrated setting that serves the local community, but may also include larger retail centers with unique stores or characteristics that provide a regional draw. Properties to the south and east are all designated on the Master Plan as Community / Regional Commercial. Properties to the west of Voltaire Street are designated for low density residential, and property to the north is designated as Mixed Use Residential.

The applicant has indicated an intent to construct a 143 unit multi-family development on the subject property. The Multi-family Dwelling use is a conditional use in the Retail Commercial zoning district. So, if the property were rezoned, such a use would be allowed only upon approval of a Special Use Permit. No application for a Special Use Permit for Multi-Family Dwelling has been submitted to the City.

**PUBLIC COMMENTS:** Public notices were mailed to 36 property owners within 600 feet of the subject parcel in accordance with the provisions of NRS and CCMC 18.02.045 on November 9, 2018. As of the writing of this report, two letters opposing the application has been received. Any additional 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**

### **Engineering Division:**

The Engineering Division has no preference or objection to the zoning change requested. Information submitted with the application has demonstrated that infrastructure can support the request within standard development practices and is not in conflict with any engineering related master plans.

### **DISCUSSION:**

The Engineering Division has reviewed the request within our areas of purview relative to adopted standards and practices and to the provisions of CCMC 18.02.075 Zoning map amendments and zoning code amendments. The following discussion is offered.

#### **CCMC 18.02.075 (5.b.1) – Compliance with Master Plan**

The zoning map amendment is not in conflict with the intent of master plan elements for water, sewer, transportation, or storm water. Any project will need to meet Carson City Development Standards which will include extension of mains and street improvements and/or abandonment. It should be noted that the transportation master plan includes a signalized intersection at Snyder Avenue and S. Carson Street and may be required for any development, and is dependent on the findings of a traffic impact study.

#### **CCMC 18.02.075 (5.b.2&3) – Compatible Land Use**

Development Engineering has no comment on these findings.

#### **CCMC 18.02.075 (5.b.4) – Impact on Public Services, Facilities, Health and Welfare**

The capacities of the City sewer, water, storm drain, and transportation systems appear to be sufficient to meet the demand that may potentially be imposed by a project allowed by the proposed zoning. Any new project, however, must complete project impact reports to show that existing facilities can meet demands within the standards set by municipal code. Any given traffic impact study will need to include traffic projections that take into account entitled and permitted projects in the area. Any water main analysis will need to include demands from surrounding entitled and/or permitted developments at full build out, analysis of the water supply pump and installation of PRV's separating the different water pressure zones. Any project approved in the new zoning area that would cause impacts beyond those allowed by municipal code, would be required by municipal code to mitigate those impacts as part of the design of the new development. The applicant must coordinate with public works for the scope of impact analysis reports for sewer, water, and traffic, for any site improvement permit.

**Fire Department:** No comments

**Environmental Control:** No comments

**Assessor's Office:** No comments

**FINDINGS:** Per the provisions of CCMC Section 18.02.075.5.b, the Commission, in forwarding a recommendation to the Board for approval of a Zoning Map Amendment, shall make the following findings of fact:

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

Chapter 3 of the Master Plan addresses a balanced land use pattern. As part of the effort to achieve a balanced land use pattern, the Master Plan includes a Land Use Map. The Land Use Map identifies locations within the City where various land uses may occur during the next 10 to 20 years and where the City would support the development of these uses.

The Land Use Map designates the subject properties as Community / Regional Commercial. The zoning districts that correspond to that land use designation are General Commercial, Retail Commercial, Neighborhood Business, and Tourist Commercial. Therefore, the proposed zoning map amendment to Retail Commercial will create consistency with the Master Plan, and allow for implementation of the Master Plan.

**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.***

The area of the community where the rezoning is proposed has been partially developed with single family residential uses, but also includes a considerable amount of vacant land. Staff has analyzed the land uses bounded to the north by Clearview Drive, to the east by Cochise Street, to the west by Voltaire Street, and to the south by Highway 50 and found the following.

- 38 percent of the land is allocated to residential uses.
- 15 percent of the land is allocated to commercial uses.
- 47 percent of the land is vacant.

The area is undergoing a transition, particularly with the recent connection of Interstate 580 with Highway 395 just to the south. Property on the east of Cochise has submitted for building permit for commercial development, property to the north has site improvement permits pending for a seventy five unit zero lot line residential development, and property two blocks to the north is currently under construction with a 370 unit apartment complex.

Staff finds that this is an area that has been developed with low intensity development that can be served by septic. With the completion of the interchange, this area is more attractive, and developers are interested in extending sewer to allow for more intensive uses.

Staff finds that the proposed zoning map amendment will allow for commercial services to establish that will support this developing portion of the City.

Currently, adjacent land uses are as follows:

- North: Vacant (approved Clearview Ridge PUD for 75 units)
- South: Single Family Residential
- East: Commercial
- West: Single Family Residential

To the extent the proposed commercial zoning will be adjacent to the residential zoning districts to the south and west, increased setbacks will be required at the time of development consistent with Section 18.04.195 of the Municipal Code.

Given the location of the freeway vis-à-vis this property, particularly access to the freeway at South Carson Street, staff finds the single family residential uses currently in the Community / Regional Commercial land use designation will transition over time to more intensive uses.

**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.***

The proposed zoning map amendment will not allow for land uses that will negatively impact existing or planned public services or facilities. Any future project will constitute an infill project. The Engineering staff has reviewed the request, and found “the capacities of the City sewer, water, storm drain, and transportation systems appear to be sufficient to meet the demand that may potentially be imposed by a project allowed by the proposed zoning.”

Attachments:

Public Correspondence  
Draft Ordinance  
Application ZMA-18-156