

**City of Carson City  
Agenda Report**

**Date Submitted:** September 6, 2011

**Agenda Date Requested:** September 15, 2011

**Time Requested:** 30 minutes

**To:** Mayor and Board of Supervisors

**From:** Public Works - Planning Division

**Subject Title:** For Possible Action: To consider an appeal of the Planning Commission's decision to allow a multi-family apartment on property zoned Residential Office (RO), located at 812 N. Division Street, APN 001-191-06. (SUP-11-042) (Lee Plemel)

**Staff Summary:** The Planning Commission approved a Special Use Permit to allow a multi-family apartment consisting of two, two-story, four-plex buildings (eight total units) in a Bungalow/Craftsman style, on property zoned Residential. Decisions of the Planning Commission may be appealed to the Board of Supervisors. The Board of Supervisors may uphold, modify or reverse the Planning Commission's decision.

**Type of Action Requested:**

Resolution

Formal Action/Motion

Ordinance

Other (Specify)

**Does This Action Require A Business Impact Statement:** ( ) Yes (X) No

**Planning Commission Action:** Approved the Special Use Permit on July 27, 2011, by a vote of 3 ayes, 2 nays, and 2 absent.

**Recommended Board Action:** I move to uphold the Planning Commission's decision to allow a multi-family apartment on property zoned Residential Office, located at 812 N. Division Street, APN 001-191-06, based upon the findings for approval and with the recommended conditions contained within the staff report to the Planning Commission.

**Explanation for Recommended Board Action:** See the attached staff memo and Planning Commission staff report for more explanation on the proposed action.

**Applicable Statute, Code, Policy, Rule or Regulation:** CCMC 18.02.060 (Appeals), 18.02.080 (Special Use Permits)

**Fiscal Impact:** N/A

**Explanation of Impact:** N/A

**Funding Source:** N/A

**Alternatives:**


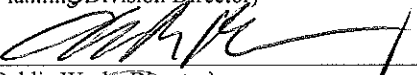

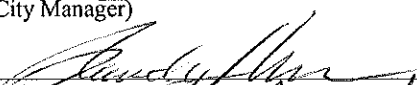
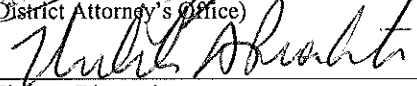
- 1) If the Board of Supervisors finds that the Planning Commission erred in approving SUP-11-042, reverse the Planning Commission's decision and deny the Special Use Permit based upon findings for denial; or modify the approval.
  
- 2) If additional information is submitted to the Board of Supervisors that the Board believes warrants further review and consideration on the application by the Planning Commission, refer the matter back to the Planning Commission.

**Supporting Material:**

- 1) Staff Memo to Board of Supervisors
- 2) Appellant's letter of appeal and justification
- 3) Planning Commission Case Record
- 4) Planning Commission packet

**Prepared By:** Janice Brod, Grants Program Coordinator

**Reviewed By:**

 _____ (Planning Division Director)	Date: <u>9-6-11</u>
 _____ (Public Works Director)	Date: <u>9-6-11</u>
 _____ (City Manager)	Date: <u>9/6/11</u>
 _____ (District Attorney's Office)	Date: <u>9/6/11</u>
 _____ (Finance Director)	Date: <u>9/6/11</u>

**Board Action Taken:**

Motion: \_\_\_\_\_ 1) \_\_\_\_\_ Aye/Nay  
2) \_\_\_\_\_ \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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



# Carson City Planning Division

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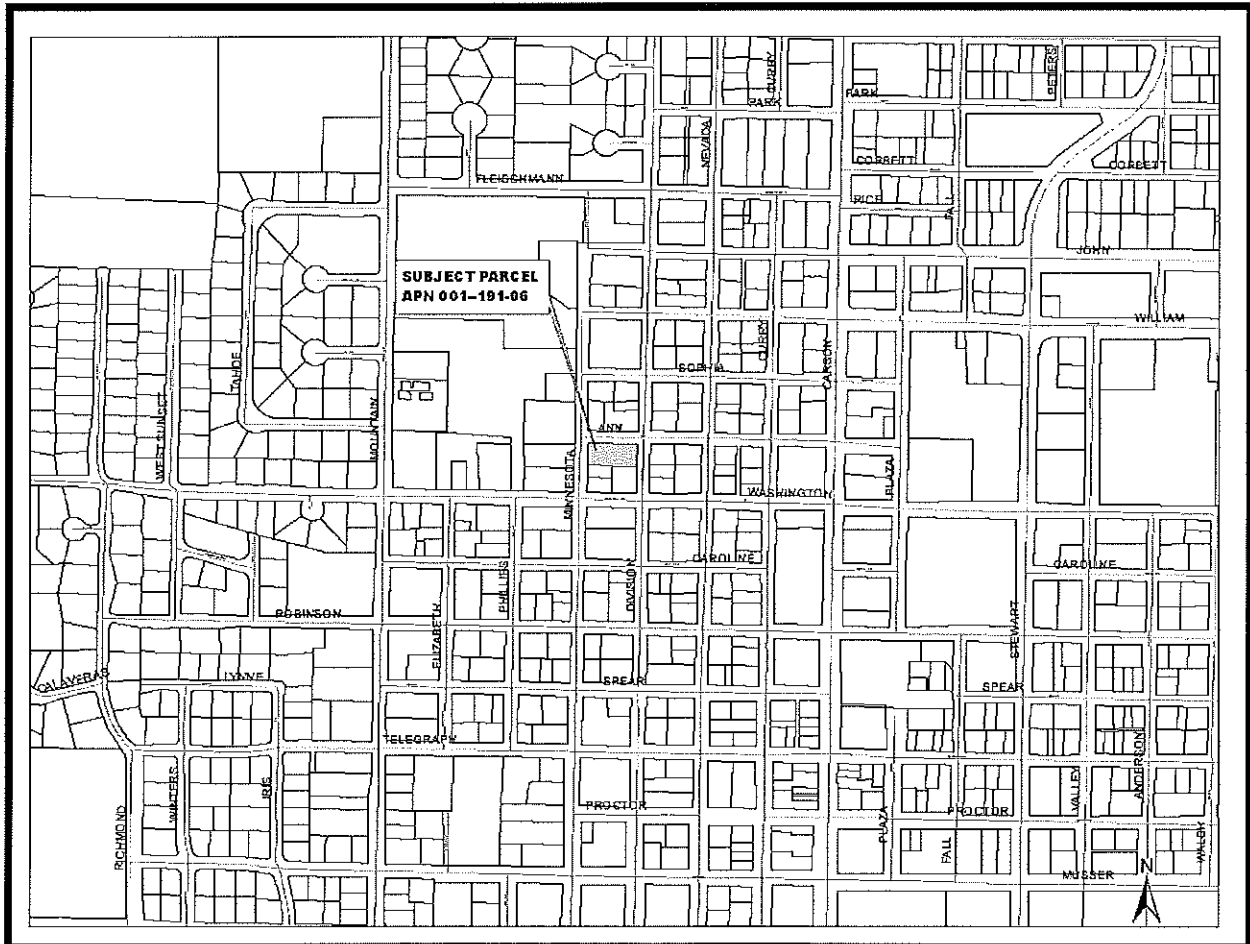
## MEMORANDUM

**TO:** Mayor and Board of Supervisors

**FROM:** Planning Division

**DATE:** September 15, 2011

**SUBJECT:** MISC-11-053 (SUP-11-042) – Appeal of the Planning Commission’s decision to approve a multi-family dwelling project of eight units, on property zoned Residential Office, located at 812 N. Division Street, Assessor’s Parcel Number 001-191-06, based on the specific staff findings of the staff report.



## **BACKGROUND:**

- On July 27, 2011, the Planning Commission conditionally approved the proposed project by a vote of 3-2.
- On July 21, 2011, the HRC conditionally approved the proposed project by a vote of 5-0, subject to specific amendments.
- On May 12, 2011, the HRC conditionally approved the proposed project, subject to plan amendments. Unfortunately, there was a noticing error and the item was required to return to the HRC for proper noticing and reconsideration of the proposed project.
- April 05, 2011, a required Major Project Review, MPR-11-020, was conducted in the Planning Division. At the meeting, City staff provided the applicant with comments related to the proposed project. The HRC Chairman, Mike Drews, also attended the MPR meeting.
- December 09, 2010, the HRC reviewed and approved the demolition of the existing single family dwelling unit and accessory structures and approved the conceptual plan with the stipulation that the applicant provides more detail on possible covered parking alternatives and materials for the proposed apartment complex.
- August 19, 2010, the Board of Supervisors approved AB-10-038.
- July 28, 2010, the Planning Commission reviewed and recommended approval to the Board of Supervisors AB-10-038. The request allowed the abandonment of an eight foot wide portion of N. Minnesota Street, W. Ann Street and N. Division Street, totaling a 3,814-square-foot area, more or less, adjacent to properties located at 803 N. Minnesota Street, 444 W. Washington Street and 812 N. Division Streets, APNs 001-191-02, 001-191-05 and 001-191-06.

The applicant, AL Salzano of Al Salzano Architect, is proposing two two-story four-plex buildings on a Residential Office zoning district site. The subject site of 13,929 square feet currently has a 688 square foot single-family dwelling unit slated for demolition. Demolition is also proposed for the existing carriage house and sheds on site.

## **DISCUSSION:**

The application noted above was reviewed and approved conditionally by the Planning Commission based on the required findings for approval. At the July 27, 2011 meeting, public testimony was also solicited by the Planning Commission and there were several comments related to the proposed project, identifying concerns and opposition from property owners in the immediate area and the historic district.

Please refer to the attached Staff Report which was presented to the Planning Commission on July 27, 2011 and the original application packet for more information on the proposed project.

The basis for appeal is pursuant to the submittal requirements of CCMC 18.02.160 (Appeals).

The applicant's letter of appeal is attached. The applicant has provided a reply to the letter of appeal, which is also attached. The following are staff responses to the appellant's basis for appeal.

1. The proposed project would not conform to the zoning requirements for a property zoned Residential Office (RO) without approval of a Special Use Permit.

*Staff response:*

*The applicant is correct; a multi family dwelling use requires Special Use Permit approval. However, the non-conforming statement is incorrect, Multi-family uses are conditional uses in the RO zoning district. For clarification, the definition of a multi family dwelling use is as follows:*

- *Dwelling, Multi-Family means a building designed and/or used to house **three (3)** or more families, living independently of each other.*
2. According to Paragraph 5 of the staff report of SUP-11-042 for the Planning Commission meeting of July 27, 2011:
    - *This project is subject to Historic District 18.06.010 Purpose-Applicability. The purpose of the Historic District code is to promote the educational, cultural and economic values of Carson City, and the health, safety and general welfare of the public through the preservation, maintenance and protection of districts, sites, buildings, and objects of significant historical, archaeological and cultural interest within Carson City. (emphasis added)*

*The proposed project would not conform to the architectural style, scale, and usable open space standards of the Carson City Historic District and would not comply with the objectives of the Carson City Historic District Development Standards 5.27- Guidelines for New Construction. The proposed project would not be compatible and respectful of the historic building stock and existing open space that surrounds it or with the majority of existing historic buildings and areas in the Carson City Historic District and the proposed West Side National Register District, to become part of the federal government's National Register of Historic Places. It certainly would not satisfy any of the purposes of the Historic District code (identified above)*

*Staff response:*

*The project was before the Carson City Historic Resources Commission (HRC) on three individual meeting dates; see page two of this report. The HRC reviewed and conditionally approved the proposed project, subject to architectural alterations and site amendments. The HRC found that the proposed development was compatible with scale and massing, shape, materials and design with surrounding structures.*

*This project is subject to the Historic District Development Standards 5.27 Guidelines for New Construction. New construction which is appropriately designed is encouraged by the Carson City Historic Resources Commission. The Historic District should be an active and vital part of the city. New construction should look new and reflect the technology, building materials and design ideas of the present era. The design of new construction needs to be compatible and respectful of the historic building stock that surrounds it so that visual conflict and confusion are avoided. There is no formula that will guarantee "good design." There are specific elements of building design, which can be identified, and therefore, addressed in a review process so that consistency can be achieved. As noted previously in the staff reports, the project has been*

*designed in a Craftsman/Bungalow style per the Carson City Historic District Design Guidelines.*

3. Since the time that the Carson City Historic District was created in May 1982 by the Carson City Board of Supervisors, with the sole exception of the proposed project, we are not aware of any approvals for new construction or "in-fill" construction of multi-family residents of ANY size in the Historic District. Approving the special use of this land requested in SUP-11-042 and allowing the construction of this project in the Historic District would set an undesirable and deleterious precedent for the District and possibly prejudice its proposed inclusion on the National Register of Historic Places.

*Staff response:*

*The HRC found that the proposed development was compatible with scale and massing, shape, materials and design with surrounding structures.*

*The West Side Historic District National Register Nomination currently under review by Nevada State Historic Preservation Office took into account infill construction within the current Carson City Historic District boundary. Those properties were either excluded from the proposed district delineation, or evaluated as non-contributing elements within the district. APN 001-191-06 was considered as a contributing element of the West Side Historic District. National Register designation places no restrictions on what a property owner may do with their property. The West Side National Register District boundary can be adjusted or the property can be designated as a non-contributing element of the District.*

*There are multiple properties within the Historic District that are considered multi-family residential. The properties were constructed prior to the adoption of the Carson City Historic District. These existing properties may not conform to the architectural styles that are predominately within the District. Historic district guidelines (5.27) require that:*

*"... New construction should look new and reflect the technology, building materials and design ideas of the present era. The design of new construction needs to be compatible and respectful of the historic building stock that surrounds it so that visual conflict and confusion are avoided. There is no formula that will guarantee "good design". There are specific elements of building design which can be identified, and therefore, addressed in a review process so that consistency can be achieved."*

4. Although the applicant provided a brief letter stating that "the residential market rates are holding very steady," he provided no documentation to support this claim. There was no quantitative rationale or economic analysis presented to merit the approval of a Special Use Permit which would justify altering the current zoning for this parcel of land from RO to allow Multi-family housing construction on this land.

In a one-page November 3, 2010 letter, a local realtor provided the applicant with anecdotal statements that a multi-family apartment would have a lower vacancy rate than a building intended for residential-office or commercial use. Also, the November 3, 2011, letter's focus was general, and not specific to properties located in the Historic District. The office environment in the Historic District commands higher rents than Carson City in general and has a much higher density of professional offices (attorneys, physicians, dentists, real estate offices, escrow companies, medical labs, hospital annexes, ect.) than other locations in the city. In our recent investigation of economic conditions and vacancies in and adjacent to the Historic District, residential and commercial/office vacancy rates are comparable – while both vacancy rates are very high, construction of office space could promote a viable enterprise.

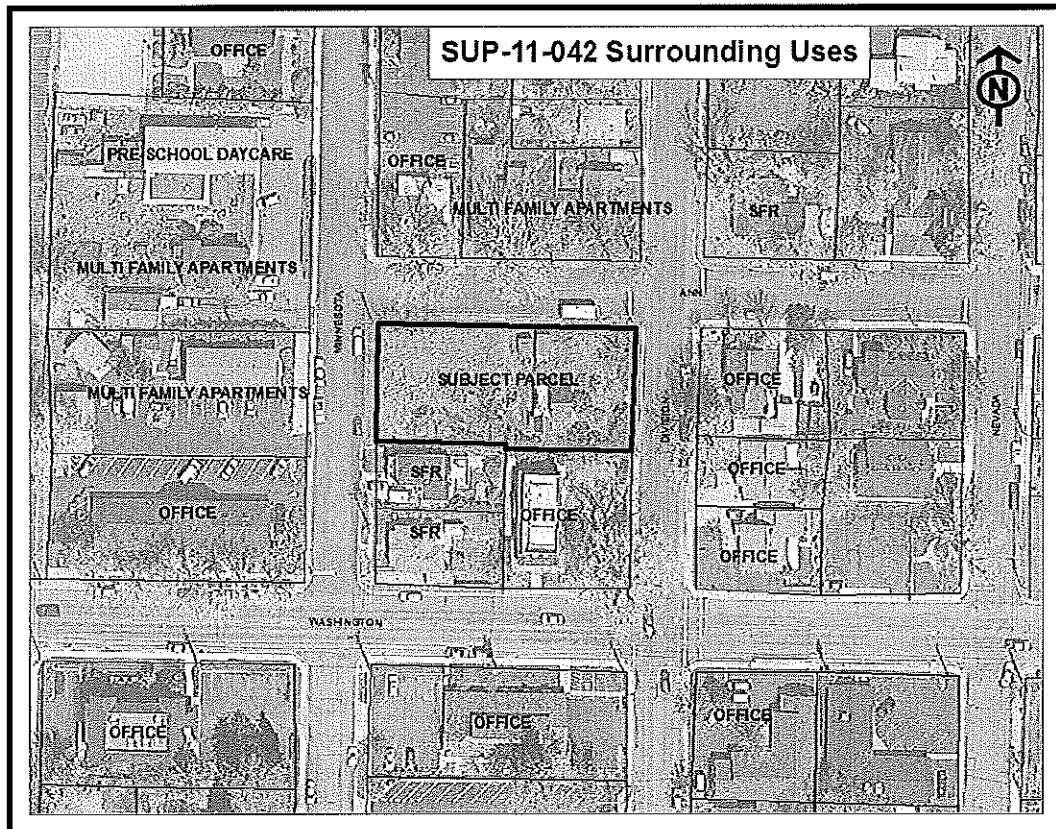
The closest multi-family apartment complex to the proposed project is located at 222 Fleischmann Way (four blocks north and one east, just outside of the Historic District) to the proposed project has six(6) long-term vacancies in a 22-unit complex. Rental rate for the 1 BR units in this complex for the previous (5) years has been \$535.00/month; the rate was recently reduced to \$500.00/month (a negative trend) to compete with declining rental rates in the area.

Another example of the residential rental market – further from the proposed project but located in the Historic District – is a grandfathered 10-unit apartment complex (old construction) located at 207 West King Street. This complex currently has two (2) vacancies despite a recent monthly rental decrease from \$575.00/month to \$475.00/month.

*Staff response:*

*Market rates or economic feasibility rates are not part of the criteria for SUP approval. The proposed project is not considered an altering of the current zoning for the subject parcel.*

*There is a diverse mix of uses in this area of Carson City, which includes office uses, commercial uses, single-family dwelling units and multi-family dwelling units. This parcel, in particular, has been vacant for years and has a single-family dwelling unit and accessory structures on site. The subject site is in close proximity to three multi-family projects (two of which are in the Historic District) see the map below.*



5. There are no calculations or diagrams on the preliminary submitted plans to clearly demonstrate that open space, public safety, and property setback requirements on all sides of this project have been met. In addition, the project specifically does not meet the requirements of the Carson City Municipal Code (CCMC) 18.03 open space, as defined on page 28:
- **Open Space** means any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public use or enjoyment or for the private use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

The site plan and submitted documents do not identify where the project's required open spaces would be located – one can only guess where the proposed open space areas of “1415 square feet”, stated on page C1 of the applicant's Site Plan, are located. Because setback areas and improved parking lots cannot be counted as open space according to the CCMC, the only possible “open space” in the proposed project mostly consists of two paved (“improved”), narrow walkways located between the project's large parking lot and the two apartment structures and possibly four distinct 12' x 6' areas located at the outside corners of the two buildings. Per the architect's drawing, these small disjunct areas may also be part of the project's water detention zones, which are also located at the outside corners of the two buildings. The proposed open space cannot be construed as usable “open space” per the definition of CCMC section 18.03.

*Staff response: The applicant provided a site plan in the Planning Commission (PC) packet which clearly notes the required setbacks in relation to the proposed structures. The Planning Division requested a diagram from the architect, noting the landscaped areas and the open space areas per the CCMC which can be counted towards satisfying the open space requirements of the project. The project as proposed exceeds the opens space requirement pursuant to the CCMC.*

*A copy of the diagram is attached to this report and was provided to the appellant on August 22, 2011. The open space noted is a combination of private open space (decks/patios) and common open space. The areas noted on the street frontages are not included in the required open space calculations. Pursuant to the Carson City Municipal Code Title 18, Zoning, Chapter 18.16, Development Standards, Division 1, Land Use and Site Design, Section 1.18 Residential Development Standards in Non-Residential Districts, Subsection 6:*

*Open Space.*

*a. A minimum of 150 square feet per dwelling unit of common open space must be provided. For projects of 10 or more units, areas of common open space may only include contiguous landscaped areas with no dimension less than 15 feet, and a minimum of 100 square feet per unit of the common open space area must be designed for recreation, which may include but not be limited to picnic areas, sports courts, a softscape surface covered with turf, sand or similar materials acceptable for use by young children, including play equipment and trees, with no dimension less than 25 feet. (As proposed the project is less than 10 units and the 25 foot dimensional requirement is not applicable).*

*b. A minimum of 100 square feet of additional open space must be provided for each unit either as private open space or included in the common open space area.*

*c. Front and street side yard setback areas may not be included toward meeting the open-space requirements. These areas are not counted towards the open space required.*



6. At the recent public meetings held by the HRC and by the Planning Commission, five Historic District residents verbally expressed concerns about the lack of usable open space and the poor quality of the proposed open space for this project. When two residents (who attended the July 27, 2011 PC meeting) visited the Planning Division Office on August 01, 2011 to obtain additional mathematical details and drawings on the project's open space, it was revealed that the applicant had never provided the required quantitative information or detailed drawings that clearly depicted where the proposed open space was located. Planning Division personnel stated they would have to request these drawings and quantitative information from the applicant. As of noon on the date of this filing (8/8/2011), none of the requested information has apparently been provided to the Planning Division.

The Planning Commission based its July 27, 2011, approval for this project, at least in part, on a faulty Planning Division Staff Report, dated July 27, 2011. On pages 5 and 7, the Staff report stated that the project satisfies the applicable open space requirements for the project, providing "1415 square feet of open space." We would like to know the location(s) of said open space.

Furthermore, the Staff Report's recommendation for the project approval is apparently based on the architect's unsupported statement that the project would provide 1,415 square feet on open space (Page C1 of the Preliminary Site Plan, dated 4/22/11). On Page A1.0 of the Preliminary Site Plan, however, the architect states that the project would provide 2,536 square feet of open space. Which calculation of open space is correct, and why?

Because there are no separate drawings or explanatory cross-hatching on the drawings showing the location of the required open space on either Page C1 or A10 or in any file maintained by the Planning Division, neither the Planning Commission, the Planning Division staff, the Historic Resources Commission, nor the public could of made an accurate determination of the common open space provided by the proposed project.

*Staff response:*

*Planning Division staff performed the standard review of the proposed open space as typically completed for multi-family apartment projects. On August 02, 2011 the Planning Division staff was in contact with the project Architect and requested additional information as noted by the appellant. The Architect provided the additional information on August 16, 2011 via email and it was the intention of staff once we had the "site distance" information also requested by the appellant, to provide both diagrams to the appellant. On August 22, 2011 the "site distance information" was obtained and reviewed by city staff; see memo dated August 22, 2011, from the Engineering Division. On August 23, 2011 the information was provided to the appellant at the requested meeting by the appellant.*

7. Only two of the four effected property owners on this city block have signed property abandonment documents associated with this project. When made aware of this project's design details, I (Alexander Kirsch) formally retracted my previous approval of the city property abandonment. My reason for retraction is based on my public statements and those of my neighbors before the HRC on July 21, 2011 and before the PC on July 27, 2011, that the design and scale of the proposed project is inconsistent and incompatible with the stated objectives and design goals for buildings in the Historic District and in the newly-proposed West Side National Register District addition to the National Register of Historic Places. The entire city block on which this project would be located is currently included in both of these areas and new construction should meet the applicable standards (which are much stricter than those for other areas of Carson City).

*Staff response:*

*Mr. Kirsch is correct, he formally retracted his previous approval (signed and notarized on April 06, 2010) of the Right-of Way abandonment (AB-10-038) on August 08, 2011, which was also signed and notarized. The appellant is also correct in that he provided public statements as well as his neighbors before the HRC on July 21, 2011 and before the PC on July 27, 2011, that the design and scale of the proposed project is inconsistent and incompatible with the stated objectives and design goals for buildings in the Historic District and in the newly-proposed West Side National Register District addition to the National Register of Historic Places. However, the status of the abandonment for Mr. Kirsch's property does not affect the proposed project.*

8. The subject property is located at the northern edge of Carson City's Historic District and is located just to the west of the District's busiest north-south conduit (Division Street). It is located on the same block as Caron City's Bicentennial Tree and is on the edge of the Blue Line walking tour (across Washington Street). As such, the proposed project would be the first buildings that many southbound tourists in cars would see, and would also be visible by tourists walking along the Blue Line on the south side of Washington Street. As discussed at several public meetings, this out-of-scale apartment complex and monolithic asphalt parking lot (with 16 or more cars, trailers, motorcycles, and kids' bicycles and tricycles on it) would not encourage tourism or photography of the area.

*Staff response:*

*The actual northern edge of the contiguous Carson City Historic District "west side" is just north of John Street and south of Fleishmann Street (approximately 890 feet north the subject parcel). The northern most property in the Carson City Historic District is actually located at 5400 N. Carson Street (approximately 3.3 miles northwest of the subject parcel). The appellant is correct the proposed project is located in the same block as the Carson City Bicentennial Tree. If the proposed project is constructed it is possible that tourists visiting Carson City will see the site.*

*The HRC determined that the proposed development was compatible with scale and massing, shape, materials and design with surrounding structures. The HRC conditions of approval require that the Architect incorporate screening measures (fencing and landscaping) into the site design to assist in the screening of the parking lot from the W. Ann Street frontage.*

9. Although there were some procedural errors in the notification of nearby property owners for the required meeting to discuss the Special Use Permit, the Planning Division staff made a good faith effort to eventually notify affected property owners and reschedule some meetings. Nonetheless, we believe that those actions restricted public awareness and knowledge of this project and consequently limited the number of written and verbal comments received by the Planning Commission. Some of the people signing the appeal for the SUP (and opposing the proposed project) were at the July 27, 2011, Planning Commission meeting only because they had been notified of other agenda items (e.g., to discuss the Nomination of the West Side Historic District for the National Register).

*Staff response:*

*There was an error in the noticing for the May 12, 2011, HRC meeting, not the Planning Commission meeting as noted above. Mr. Kirsch informed the Planning Division staff on June 09, 2011, via email, that as an adjacent property owner he was not noticed for the May 12, 2011, HRC Meeting. Mr. Kirsch attended the June 09, 2011, HRC meeting and noted the error. The Planning Division confirmed the error at the June 09, 2011, HRC meeting and noted that the item would return to the HRC for review in July 2011, with public apologies to Mr. Kirsch and the HRC. As a result of the error, the item had to be re-agendized and properly noticed for another HRC meeting, which was held July 21, 2011. The error of the HRC noticing did not effect the noticing for the Planning Commission item, which was noticed in full compliance with Carson City Municipal Code requirements.*

10. The application for SUP-11-042 contains a number of erroneous or misleading answers to the Interim Mixed-Use Evaluation Criteria/Questionnaire and misrepresents some important facts of the proposed project. In the public meetings, residents highlighted the following problems in the applicant's submission:

a. The architect's perspective drawing distorts the project's entrance area and fails to show the trash enclosure/fencing at the south edge of the parking lot or the minimal 10-foot setback on the property's 170.75-foot width south side boundary. Also not shown on this drawing are the existing chain link and wooden fences that separate and divide the subject property from the adjacent Kirsch and Bangham-Nail properties to the south. Instead of showing the immediately adjacent fencing and trash enclosure located on the southern boundary of the property, the drawing depicts a large lawn and mature tree area that appears to extend all the way to C Hill - in fact, the area would extend only a few feet to the previously-described fences.

b. Questions 12 - the project's and adjacent properties' pedestrian ways being logical and convenient question (i.e., proposed new sidewalks being consistent with the neighborhood) - was answered "Yes." Because not all 4 property owners on the block had agreed to the 2010 property abandonment request at the time of the applicant's SUP filing, this should have been answered "No." The applicant should have known that there was one resident of the block who had previously refused to sign the abandonment proceedings and that I (Mr. Kirsch), the adjacent property owner, was strongly opposed to the proposed project. As the most affected adjacent property owner, I (Mr. Kirsch) have now formally retracted my previous approval of the requested abandonment, in part because a new sidewalk in front of my property would have required removal of two old trees in my front yard.

c. Question 13 was not answered formally - "Not Applicable" was written in with no supporting information - but the correct is a clear "No." The evaluation criterion was whether or not the proposed project's increased automobile density (16 cars up from the two (2) cars for the property's SFR) had a variety of access points; the proposed project would only provide a single in/out driveway that the parking lot was too big and poorly designed to fit in with the Historic District, and some (as well as some members of the HRC publicly) questioned why several smaller parking areas and different access routes were not proposed for this project.

d. Question 16 was answered "N/A." Because the evaluation criterion was whether or not larger parking lots were organized as a series of smaller lots, the correct answer should have been "No." As stated above, the size and scale of the project's single large parking lot was criticized for not being consistent with the design and aesthetic principles of the Historic District.

e. Question 17 was answered "Yes." It should have been answered "No." because the architect's perspective drawing submitted to the Planning Division on July 5, 2011, shows that the large-surfaces parking lot would not be screened from the surrounding neighborhoods and pedestrian walkways as the criterion requires. There were many public complaints about this design in both the HRC and PC meetings. On the July 21, 2011, the HRC board required some additional screening of the parking lot with more landscaping and built-up earth/berms. In my view (Mr. Kirsch), and that of many who spoke at the HRC and the PC meetings, that is at best a "band-aid" solution to a poor design that should not be allowed in the Historic District.

f. Question 21 was answered "Yes." It should have been answered "No." The evaluation criterion for this question is whether or not the proposed development is integrated into the

surrounding neighborhood, rather than "walled off." While the fanciful perspective drawing of the proposed project shows a large lawn and mature tree area separating this property from the two adjacent properties, the limited south property line setback of 10 feet and the location of the large trash dumpster dictate that a 170.75 foot fence of considerable height be used to separate the three properties. In fact, there are existing fences of this length (approximately 6 feet high) separating the properties, the developer plans to retain these fences for reasons of privacy and because of the limited property setback on both sides of the fence line.

*Staff response:*

*The implementation of numerous policies contained within the Master Plan hinges on the creation of three mixed-use zoning districts to align with the Mixed-Use Commercial (MUC), Mixed-Use Employment (MUE), and Mixed-Use Residential (MUR) land use categories. Recognizing that mixed-use development proposals have already been and will continue to be submitted within these areas prior to the completion and adoption of the future mixed-use zoning districts, a set of Interim Mixed-Use Evaluation Criteria have been developed to:*

- Facilitate higher intensity, mixed-use development in locations designated on the Land Use Plan for mixed-use development, but where mixed-use zoning is not currently in place;*
- Encourage the incremental transition of existing uses in locations designated on the Land Use Plan for mixed-use development, recognizing that in some locations, mixed-use development may be perceived as incompatible with existing adjacent uses in the short term;*
- Establish a consistent method for reviewing mixed-use development projects until mixed-use zone districts can be established; and*
- Ensure that mixed-use development is consistent with the General Mixed-Use policies contained in the Master Plan, as well as with specific MUC, MUE, and MUR policies, as applicable.*

*The Interim Mixed-Use Evaluation Criteria has been used as a tool to review mixed-use development proposals until mixed-use zone districts can be established. The proposed project is relatively small compared to larger-scale mixed-use development contemplated in the Master Plan.*

*The appellant addressed the Architect's perspective drawing and the "distortion" of the project. Staff evaluated the project on the information identified on the required site plan. Typically Architect's/Designer's perspectives are an artist's rendition of a project. Staff's evaluation is not based on artists' renditions.*

*The appellant is correct the HRC did request site alterations related to the screening of the parking lot from W. Ann Street. These requirements are noted in the conditions of approval for HRC-10-102. The parking lot screening will be evaluated with the required amended landscaping plan as typical, if the SUP approval is upheld by the BOS.*

*As part of the proposed project the applicant is required to install sidewalks on all street frontages of the subject site pursuant to the CCMC. However, Mr. Kirsch would not be required to install a new side walk in front of his property or eliminate any trees.*

- 11. While the applicant/developer was "given" approximately 2,503 square feet of Historic District open space as a result of the 2010 abandonment initiative, he (Mr. Bauer) has proposed to use this additional area only for his own purposes, i.e., merely to increase the size of his rental apartment buildings. The developer has proposed to expand the*

external walls of his two apartment buildings such that the new buildings would be directly above the original North, East and West property lines of the land he purchased in 2010. He could not increase the project's available open space beyond the bare minimum required by CCMC, and would not provide the proposed project's residents with a usable common area or any storage space for bicycles, kids' outdoor toys, ect. The donated Carson City public land would be primarily for private gain.

*Staff Response:*

*The Right-of-Way Abandonment was not a result of Carson City "giving-up" 2,503 square feet of Historic District Open Space. A right-of-way (ROW) is a strip of land that is granted, through an easement or other mechanism, for transportation purposes, such as for a trail, street, driveway, rail line or highway. A right-of-way is reserved for the purposes of maintenance or expansion of existing services with the right-of-way. In this case, Carson City determined a portion of the ROW may revert to its adjacent owners, subject to specific conditions, as in AB-10-038. In many instances the result of a Right-of Way abandonment is for personal gain. A majority of the ROW Abandonments applications that are processed by the Planning Division and approved by the Board of Supervisors have resulted in projects of personal gain to private property owners.*

- 2. The plan submitted to staff in November 2010 and presented to the HRC in December 2010 had incorporated carports over all 16 parking spaces and had storage areas incorporated into the carport structures. The HRC determined that the carports were too bulky (massive) for the site and requested the applicant evaluate the plan for the alteration of carport structures or elimination of carports to assist with the scale of the project. The redesign included the removal of half of the carports and the elimination of some of the massing of the carports, which resulted in the elimination of the storage areas.*

**STAFF RECOMMENDATION:**

Per the Carson City Municipal Code Section 18.02.060(2), the Board of Supervisors may affirm, modify or reverse the decision of the Planning Commission. Staff recommends that the Board of Supervisors uphold the Planning Commission decision to approve Special Use Permit, SUP-11-042, based on the required findings and subject to the conditions of approval in the staff report.

**ALTERNATIVE**

The Board of Supervisors may consider the following alternative actions in deciding the appeal of the Planning Commission's decision to Approve the installation a multi family dwelling project of eight units, on property zoned Residential Office, located at 812 N. Division Street, Assessor's Parcel Number 001-1291-06, based on the specific staff findings of the staff report.

1. The Board of Supervisors refer SUP-11-042 back to the Planning Commission for re-evaluation of the installation a multi-family dwelling project of eight units, and the re-evaluation of the required standards pursuant to Carson City Municipal Code Title 18, Zoning, Chapter 18.16, Development Standards, Division 1, Land Use and Site Design, Section 1.18 Residential Development Standards in Non-Residential Districts.
2. If the Board of Supervisors finds that the Planning Commission erred in approving SUP-11-042, the BOS may reverse the Planning Commission's decision and DENY the Special Use Permit, SUP-11-042.

**RECEIVED**

AUG 08 2011

MISC-11-053

CARSON CITY  
PLANNING DIVISION

Alexander Kirsch  
803 N. Minnesota Street  
Carson City, NV 89703

775-883-5589

August 8, 2011

Mr. Lee Plemel, AICP  
Planning Division Director  
108 E. Proctor St.  
Carson City, NV 89701

Subject: Appeal of Decision on Special Use Permit Application SUP-11-042

Dear Mr. Plemel,

With this letter, I am appealing the decision by the Carson City Planning Commission on July 27, 2011, to approve a Special Use Permit (SUP-11-042) for APN-001-191-006 (812 N. Division Street) which would allow development of two 2-story four-plex apartment buildings on a small lot in the Carson City Historic District. A number of my neighbors have supported me in the development of this appeal and have signed this appeal document. We ask that the initial decision be overturned and the project, as proposed, be denied.

We have a number of reasons for appeal, most of which were presented verbally by several of us to the Historic Resources Commission in public meetings and to the Planning Commission in its July 27, 2011, public hearing. It will become evident that the points made herein opposing the proposed project refute most of the Planning Division's staff findings, which were the basis of the permit approval by the Planning Commission (*see* page 10 of the July 27, 2011, Staff Report). We oppose the proposed project identified in Application SUP-11-042 for the following reasons:

1. The proposed project would not conform to the zoning requirements for a property zoned RO without the approval of a Special Use Permit.
2. According to Paragraph 5 of the Staff Report on SUP-11-042 for the Planning Commission meeting of July 27, 2011:

*The project is subject to Historic District 18.06.010 Purpose-Applicability. The purpose of the Historic District code is to promote the educational, cultural and economic values of Carson City, and the health, safety and general welfare of the*

*public through the preservation, maintenance and protection of districts, sites, building, and objects of significant historical, archaeological and cultural interest with Carson City. (emphasis added)*

The proposed project would not conform to the architectural style, scale, and usable open space standards of the Carson City Historic District and would not comply with the objectives of the Carson City Historic District Development Standards 5.27 - Guidelines for New Construction. The proposed project would not be compatible and respectful of the historic building stock and existing open space that surrounds it or with the majority of existing historic buildings and areas in the Carson City Historic District and the proposed West Side National Register District, to become part of the federal government's National Register of Historic Places. It certainly would not satisfy any of the purposes of the Historic District code (identified above).

3. Since the time that the Carson City Historic District was created in May 1982 by the Carson City Board of Supervisors, with the sole exception of the proposed project, we are not aware of any approvals for the new construction or "in-fill" construction of multi-family residents of ANY size in the Historic District. Approving the special use of this land requested in SUP-11-042 and allowing the construction of this project in the Historic District would set an undesirable and deleterious precedent for the District and possibly prejudice its proposed inclusion on the National Register of Historic Places.

4. Although the applicant provided a brief letter stating that "the residential market rates are holding very steady," he provided no documentation to support this claim. There was no quantitative rationale or economic analysis presented to merit the approval of a Special Use Permit which would justify altering the current zoning for this parcel of land from RO (Residential-Office) to allow Multi-family housing construction on this land.

In a one-page November 3, 2010 letter, a local realtor provided the applicant with anecdotal statements that a multi-family apartment would have a lower vacancy rate than a building intended for residential-office or commercial use. Also, the November 3 letter's focus was general, and not specific to properties located in the Historic District. The office environment in the Historic District commands higher rents than Carson City in general and has a much higher density of professional offices (attorneys, physicians, dentists, real estate offices, escrow companies, medical labs, hospital annexes, etc.) than other locations in the city. In our recent investigation of economic conditions and vacancies in and adjacent to the Historic District, residential and commercial/office vacancy rates are comparable – while both vacancy rates are very high, construction of office space could promote a viable enterprise.

The closest multi-unit apartment complex to the proposed project is located at 222 Fleischmann Way (four blocks north and one east, just outside of the Historic District) to

the proposed project has six (6) long-term vacancies in a 22-unit complex. Rental rate for the 1 BR units in this complex for the previous five (5) years has been \$535/month; the rate was recently reduced to \$500/month (a negative trend) to compete with declining rental rates in the area.

Another example of the residential rental market – further from the proposed project but located in the Historic District – is a grandfathered 10-unit apartment complex (old construction) located at 207 West King Street. This complex currently has two (2) vacancies despite a recent monthly rental decrease from \$575/month to \$475/month.

5. There are no calculations or diagrams on the preliminary submitted plans to clearly demonstrate that open space, public safety, and property setback requirements on all sides of this project have been met. In addition, the project specifically does not meet the requirements of Carson City Municipal Code (CCMC) section 18.03 for open space, as defined on page 28:

*Open Space means any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public use or enjoyment or for the private use and enjoyment of owners and occupants of land adjoining or neighboring such open space. (emphasis added)*

The site plans and submitted documents do not identify where the project's required open space would be located – one can only guess where the proposed open space areas of "1415 square feet", stated on page C1 of the applicant's Site Plan, are located. Because setback areas and improved parking lots cannot be counted as open space according to the CCMC, the only possible "open space" in the proposed project mostly consists of two paved ("improved"), narrow walkways located between the project's large parking lot and the two apartment structures and possibly four disjunct 12' x 6' areas located at the outside corners of the two buildings. Per the architect's drawings, these small disjunct areas may also be part of the project's water detention zones, which are also located at the outside corners of the two buildings. The proposed open space cannot be construed as usable "open space" per the requirements of the Historic District or "unimproved land area" per the definition of CCMC section 18.03.

6. At the recent public meetings held by the Historic Resources Commission and by the Planning Commission, five (5) Historic District residents verbally expressed concerns about the lack of usable open space and the poor quality of the proposed open space for this project. When two residents (who had attended the July 27 Planning Commission meeting) visited the Planning Division Office on August 1 to obtain additional mathematical details and drawings on the project's open space, it was revealed that the applicant had never provided the required quantitative information or detailed drawings that clearly depicted where the proposed open space was located. Planning Division



personnel stated that they would have to request these drawings and quantitative information from the applicant. As of noon on the date of this filing (8/8/11), none of the requested information has apparently been provided to the Planning Division.

The Planning Commission based its July 27, 2011, approval for this project, at least in part, on a faulty Planning Division Staff Report, dated July 27, 2011. On pages 5 and 7, the Staff Report stated that the project satisfies the applicable open space requirements for the project, providing "1415 square feet of open space." We would like to know the location(s) of said open space.

Furthermore, the Staff Report's recommendation for project approval is apparently based on the architect's unsupported statement that the project would provide 1,415 square feet of open space (Page C1 of the Preliminary Site Plan, dated 4/22/11). On Page A1.0 of the Preliminary Site Plan, however, the architect states that the project would provide 2,536 square feet of open space. Which calculation of open space is correct, and why?

Because there are no separate drawings or explanatory cross-hatching on the drawings showing the location of the required open space on either Page C1 or A1.0 or in any file maintained by the Planning Division, neither the Planning Commission, the Planning Division staff, the Historic Resources Commission, nor the public could have made an accurate determination of the common open space being provided by the proposed project.

7. Only two of the four affected property owners on this city block have signed property abandonment documents associated with this project. When made aware of this project's design details, I formally retracted my previous approval of city property abandonment. My reason for retraction is based on my public statements and those of my neighbors before the Historic Commission on July 21, 2011, and before the Planning Commission on July 27, 2011, that the design and scale of the proposed project is inconsistent and incompatible with the stated objectives and design goals for buildings in the Historic District and in the newly-proposed West Side National Register District addition to the National Register of Historic Places. The entire city block on which this project would be located is currently included in both of these areas and new construction should meet the applicable written standards (which are much stricter than those for other areas of Carson City).

8. The subject property is located at the northern edge of Carson's City's Historic District and is located just to the west of the District's busiest north-south conduit (Division Street). It is also located on the same block as Carson City's Bicentennial Tree and is on the edge of the Blue Line walking tour (across Washington Street). As such, the proposed project would be the first buildings that many southbound tourists in cars would see, and would also be visible by tourists walking along the Blue Line on the south

side of Washington Street. As discussed at several public meetings, this out-of-scale apartment complex and monolithic asphalt parking lot (with 16 or more cars, trailers, motorcycles, and kids' bicycles and tricycles on it) would not encourage tourism or photography of the area.

9. Although there were some procedural errors in the notification of nearby property owners for the required meeting to discuss the Special Use Permit, the Planning Division staff made a good faith effort to eventually notify affected property owners and reschedule some meetings. Nonetheless, we believe that those actions restricted public awareness and knowledge of this project and consequently limited the number of written and verbal comments received by the Planning Commission. Some of the people signing this appeal for the SUP (and opposing the proposed project) were at the July 27, 2011, Planning Commission meeting only because they had been notified of other agenda items (e.g., to discuss the Nomination of the West Side Historic District for the National Register).

10. The application for SUP-11-042 contains a number of erroneous or misleading answers to the Interim Mixed-Use Evaluation Criteria/Questionnaire and misrepresents some important facts of the proposed project. In the public meetings, residents highlighted the following problems in the applicant's submission:

a. The architect's perspective drawing distorts the project's entrance area and fails to show the trash enclosure/fencing at the south edge of the parking lot or the minimal 10-foot setback on the property's 170.75-foot width south side boundary. Also not shown on this drawing are the existing chain link and wooden fences that separate and divide the subject property from the adjacent Kirsch and Bangham-Nail properties to the south. Instead of showing the immediately adjacent fencing and trash enclosure located on the southern boundary of the property, the drawing depicts a large lawn and mature tree area that appears to extend all the way to C Hill – in fact, the area would extend only a few feet to the previously-described fences.

b. Question 12 – the project's and adjacent properties' pedestrian ways being logical and convenient question (i.e., proposed new sidewalks being consistent with the neighborhood) – was answered "Yes." Because not all 4 property owners on the block had agreed to the 2010 property abandonment request at the time of the applicant's SUP filing, this should have been answered "No.". The applicant should have known that there was one resident of the block who had previously refused to sign the abandonment proceedings and that I, the adjacent property owner, was strongly opposed to the proposed project. As the most affected adjacent property owner, I have now formally retracted my previous

approval of the requested abandonment, in part because a new sidewalk in front of my property would have required removal of two old trees in my front yard.

c. Question 13 was not answered formally – “Not Applicable” was written in with no supporting information – but the correct is a clear “No.” The evaluation criterion was whether or not the proposed project’s increased automobile density (16 cars, up from the two (2) cars for the property’s existing SFR) had a variety of access points; the proposed project would only provide a single in/out driveway for 16 cars. Local residents who spoke against the proposed project mentioned that the parking lot was too big and poorly designed to fit in with the Historic District, and some (as well as some of the members of the HRC publicly) questioned why several smaller parking areas and different access routes were not proposed for this project.

d. Question 16 was answered “N/A.” Because the evaluation criterion was whether or not larger parking lots were organized as a series of smaller lots, the correct answer should have been “No.” As stated above, the size and scale of the project’s single large parking lot was criticized for not being consistent with the design and aesthetic principles of the Historic District.

e. Question 17 was answered “Yes.” It should have been answered “No” because the architect’s perspective drawing submitted to the Planning Division on July 5, 2011 shows that the large-surface parking lot would not be screened from surrounding neighborhoods and pedestrian walkways, as the criterion requires. There were many public complaints about this design in both the HRC and Planning Commission meetings. On July 21, the HRC board required some additional screening of the parking lot with more landscaping and built-up earth areas/berms. In my view, and that of many who spoke at the HRC and Planning Commission meetings, this is at best a “band-aid” solution to a poor design that should not be allowed in the Historic District.

f. Question 21 was answered “Yes;” it should have been answered “No.” The evaluation criterion for this question is whether or not the proposed development is integrated into the surrounding neighborhood, rather than “walled off.” While the fanciful perspective drawing of the proposed project shows a large lawn and mature tree area separating this property from the two adjacent properties, the limited south property line setback of 10 feet and the location for the apartment’s large trash dumpster dictate that a 170.75 foot long fence of considerable height be used to separate the three properties. In fact, there are existing fences of this length (approximately 6 feet high) separating the properties; the developer plans to retain these fences for reasons of privacy and because of the limited property setbacks on both sides of the fence line.

11. While the applicant/developer was "given" approximately 2,503 square feet of Historic District open space as a result of the 2010 abandonment initiative, he has proposed to use this additional area only for his own purposes, i.e., merely to increase the size of his rental apartment buildings. The developer has proposed to expand the external walls of his two apartment buildings such that the new building walls would be directly above the original North, East and West property lines of the land that he purchased in 2010. He would not increase the project's available open space beyond the bare minimum required by CCMC, and would not provide the proposed project's residents with a usable common area or any storage space for bicycles, kids' outdoor toys, etc. The donated Carson City public land would be used primarily for private gain.

My neighbors and I find these reasons to deny the proposed project thoughtful and compelling. We ask that you review the Planning Commission's recent decision and now deny Application SUP-11-042 in order to protect the character and integrity of our neighborhood and the Carson City Historic District. Denial of the SUP (and of this project) will also send a strong message to other developers that they must abide by the existing property zoning or have extremely compelling justifications for re-zoning and special use permits when they contemplate investment and property development ideas in the Historic District.

Thank you for your consideration of this appeal. The attached Special Use Permit SUP-11-042 Appeal Signature Sheet provides signatures and addresses, myself included, of currently involved neighbors and residents of the Historic District who helped develop this appeal. Please keep us informed of any new developments relative to SUP-11-042 and APN-001-191-006.

Sincerely,

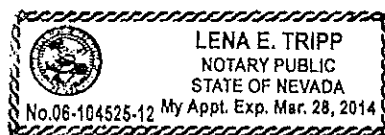


Alexander Kirsch, on this 8<sup>th</sup> day of August 2011

State of Nevada  
County of Carson City

This instrument was acknowledged before me  
on 8/8/2011 by Alexander Kirsch.

Lena E. Tripp





**RECEIVED**

AUG 15 2011

CARSON CITY  
PLANNING DIVISION

August 15, 2011

**CARSON CITY PLANNING DIVISION**

108 E. Proctor Street  
Carson City, NV 89701

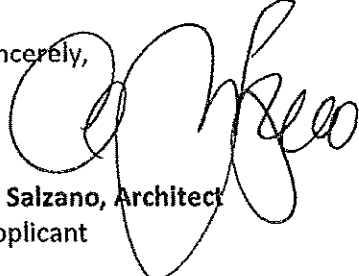
Re: **Appeal of Decision on SUP-11-042**  
Proposed Apartment Project for Mr. Herman Bauer  
812 N. Division Street (APN 001-191-066)

Attn: Jennifer Pruitt, Principal Planner

Jennifer, Mr. Bauer will be out of the country on September 1<sup>st</sup>, therefore we would like to request that the Appeal be reviewed on the Board meeting of September 15, 2011.

Please let me know if this is an issue. Thank you.

Sincerely,

  
Al Salzano, Architect  
Applicant

**SALZANO**

ARCHITECT

5995 GRASS VALLEY RD  
RENO, NEVADA 89510  
775.233.1984 CELL  
775.475.0796 FAX  
WWW.ALSALZANO.COM  
AJSALZANO@AOL.COM

August 15, 2011

**CARSON CITY PLANNING DIVISION**

108 E. Proctor Street  
Carson City, NV 89701

Re: **Appeal of Decision on SUP-11-042**  
Proposed Apartment Project for Mr. Herman Bauer  
812 N. Division Street (APN 001-191-066)

Attn: Jennifer Pruitt, Principal Planner

**SALZANO**

**ARCHITECT**

5995 GRASS VALLEY RD  
RENO, NEVADA 89510  
775.299.1984 CELL  
775.475.0796 FAX  
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AJSALZANO@AOL.COM

The following is a rebuttal to the issues raised by Mr. Alexander Kirsch in his appeal to the decision of approval of the above referenced Special Use Permit Application. All responses are addressed in the same order as presented:

1. This reason is a misstatement of the zoning ordinance. Multi-family housing is a "conditional" use in the 'RO' district meaning it does require the approval of a Special Use Permit, but this does not make it a non-conforming use as stated.
2. Disagree completely. First, the proposed project does conform to the architectural style, etc. of the Historic District. We have designed a project in an architecturally compatible historic style strictly per the Historic District Guidelines, which is why we were granted approval by the Historic Resource Commission (HRC) three times. Second, the existing structures proposed to be removed are not of any historical significance, and the demolition was also approved three times by the HRC.
3. I don't see how this statement can be correct when there are a number of multi-family projects all along Division Street and the surrounding area. It was stated numerous times in the HRC meetings that this proposed project would be one of the nicest looking multi-family buildings in the Historic District. Further, the existing property as-is I believe is being included in the National Register listing as a "non-contributing property" since it is of no particular historical significance; therefore it's replacement would have no impact on the National Register inclusion.
4. Again, this reason is a misstatement of the zoning ordinance. The current zoning is not being altered; the proposed project is simply a "conditional use." Additionally, this point is irrelevant – an economic analysis is not a requirement of approval for the conditional use and the economic viability of the proposed project is Mr. Bauer's prerogative.
5. The open space definition being cited is not the correct one. The definition should be for "Open Space, Common" which has been met to the satisfaction of the Planning Department. The open space provided is almost double what is required, and if all of the space in the yard setback and street ROW were included, would be almost six (6) times the minimum required area.
6. Same response as paragraph #5....The architectural site plan is correct with the 2,536 sq.ft. of open space provided which again is double what is required. Planning has been satisfied all along that this condition has been met. To further clarify the issue, a drawing will be provided with the open space areas clearly identified.

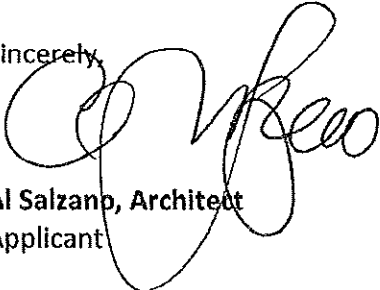
**SUP-11-042 Appeal Response**

8/15/11 – page 2

7. This reason is the same issues addressed in paragraph #2 above.
8. The proposed project is would barely be visible from Washington Street, and as stated in paragraph #2 above is designed per the Historic District's Guidelines to blend with the historical character....the project will be an asset to the area and not a detriment.
9. I do not believe this statement to be correct. As previously stated above, we actually attended and were approved at three (3) separate HRC meetings and one (1) Planning Commission meeting. Between the four (4) separate meetings, there was more than adequate noticing and public comment.
10. a) The renderings are an Artist's depiction of the project and do not accurately reflect the proposed landscape design. This does not however diminish the fact that the open space requirements have been met, and has no bearing on the Evaluation Criteria.  
b) Disagree. The project still will be proposing to provide new sidewalk on three (3) street frontages where none currently exists. We cannot be responsible for other properties not part of the project.  
c) Disagree. Question #13 is "Not Applicable" as it is addressing vehicle traffic though a large project that might have internal streets and multiple access points, which does not correspond to this proposed project.  
d) Disagree. Question #16 is "Not Applicable" as a 16 car parking lot is not a large parking lot regardless of Mr. Kirsch's opinion....maybe he should visit a Wal-Mart.  
e) Disagree. Again, the renderings do not reflect the landscape design that has been submitted which does provide landscape screening of the parking lot. Further, a condition of approval from the HRC was to add additional screening for the parking lot which will be done to the Committee's satisfaction.  
f) Disagree. The project is integrated into the surrounding neighborhood with the apartment units facing both side streets and partially screening the central parking. As Mr. Kirsch states, the fence along the South property line is existing and is required to separate the single-family residences from the subject property, but I do not believe this is the definition of "walled off" as stated in the questionnaire.
11. This is the same open space issues rebutted in paragraphs #5 and #6 above. The Abandonment Application was approved, and the property being abandoned is not "public land" as Mr. Kirsch states, but merely part of the street right-of-way which is not being utilized nor planned to be utilized by the City.

In summary, as Mr. Kirsch continues to misstate, the proposed project is not a "re-zoning" but simply a conditional use allowed in the 'RO' zoning with approval of a Special Use Permit. This appeal has not rebutted any of the Planning Department's findings for approval of the SUP application.

Sincerely,

  
Al Salzano, Architect  
Applicant





## Carson City Engineering Division

108 E. Proctor St.  
Carson City, Nevada 89701  
(775) 887-2300  
[www.carson.org/engineering](http://www.carson.org/engineering)

### MEMO

---

To: Jennifer Pruitt

From: Rory Hogen

A handwritten signature in black ink, appearing to read "Rory Hogen".

Date: August 22, 2011

Subject: Planning and Engineering Sight Distance calculations for 812 N. Division S.

Jennifer: I have reviewed the conceptual sight and building plans that have been submitted, and have received information from Brian Matthews, P.E. on the engineering requirements for sight distance.

Mr. Matthew's information shows that there will not be a sight distance problem from the intersection of either Ann St. and Division St or Ann St. and Minnesota St., based on requirements from engineering. Please see his drawings and comments for further information.

In addition, sight distance requirements for Planning were reviewed on the conceptual building plans. These are mainly for restrictions for fences, but for this project we included building corners. This requirement says that no fence obstructions will be in an area within the triangle created by measuring 40 feet from the intersection of the edge of pavement lines and a diagonal line drawn between these two points. A review of this indicates there will be no obstructions in this area.

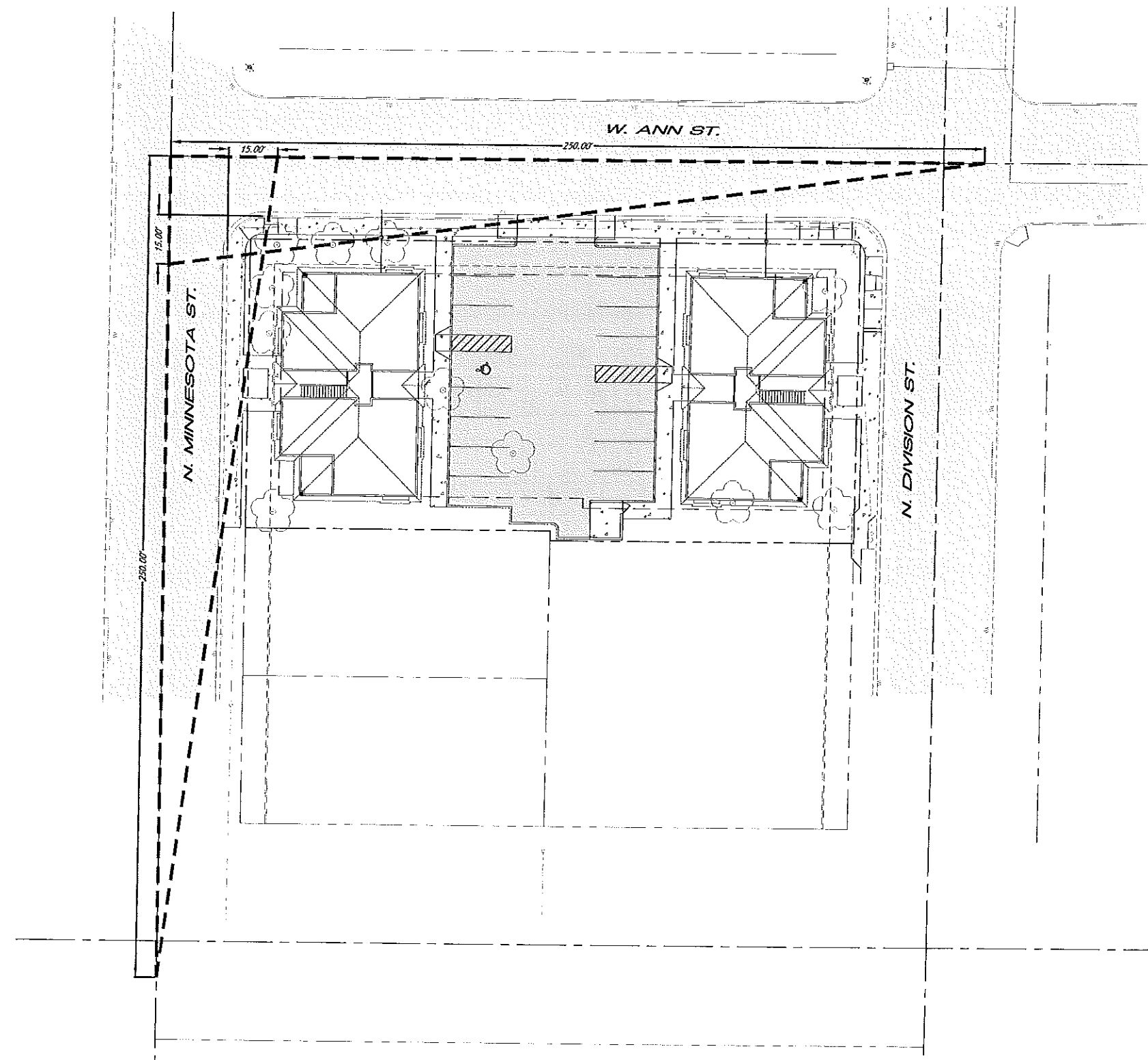
These statements are based on the assumption that final plans will show building corners in the same location as shown on the conceptual drawings.

In addition, care must be taken to ensure any trees or shrubs placed on the site will not adversely affect sight distance.

RECEIVED

AUG 18 2011

CARSON CITY  
PLANNING DIVISION



**OWNER:**  
 HERMAN C. BAUER  
 P.O. BOX 381  
 VINEBURG, CA 95627  
 (415) 254-7345

**SITE:**  
 812 NORTH DIVISION STREET  
 CARSON CITY, NV  
 A.P.N. 001-191-06  
 SITE AREA: 13,974 SQ. FT.  
 0.32 AC

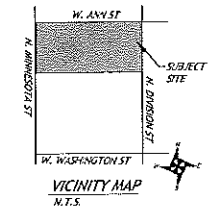
**DESIGNER:**  
 BRUNA, MATTHEWS, P.E.  
 245 CHOO LN  
 DAYTON, NV 89403  
 (775) 232-5125  
 (775) 248-5027 (FAX)

**ZONING**  
 ZONE: R0 (RESIDENTIAL OFFICE)  
 SETBACKS  
 FRONT: 10  
 STREET SIDE: 10  
 SIDES: 10  
 REAR: 10

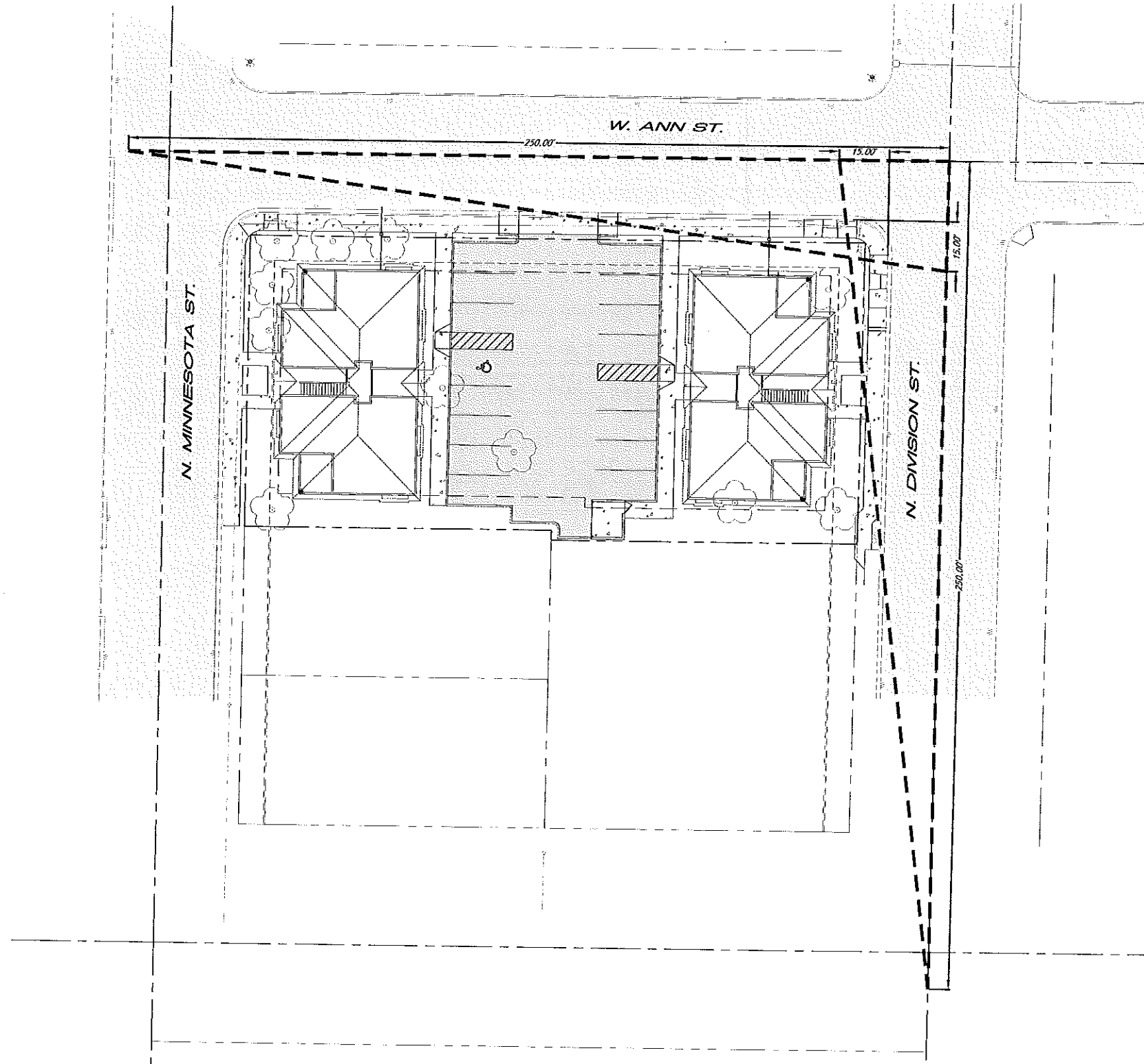
**SIGHT DISTANCE**  
 SPEED LIMIT: 25 MPH  
 MINIMUM SIGHT DISTANCE FROM CENTER  
 OF THE APPROACHING TRAVEL LANES  
 (STOP SIGN CONTROLLED): 250'  
 FROM EDGE OF TRAVEL: 15' BACK  
 EYE HEIGHT: 3.50'  
 OBSTRUCTIONS HIGHER THAN: 3.0' (TOP OF CURB)  
 OBSTRUCTIONS LOWER THAN: 8.0'

EXISTING VEGETATION WILL BE REMOVED AND A  
 NEW LANDSCAPING PLAN WILL BE PROPOSED

EXISTING POWER POLES WILL BE MOVED  
 ACCORDING TO THE DIRECTION OF THE POWER  
 COMPANY, BUT MAY STILL FALL WITHIN THE  
 TRIANGULAR SITE DISTANCE



revisions	
△	
△	
△	
△	
△	
HERMAN C. BAUER P.O. BOX 381 VINEBURG, CA 95627 PH: (415) 254-7346	
SITE DISTANCE 2 APN: 001-191-06 812 NORTH DIVISION STREET CARSON CITY NV	
NOT FOR CONSTRUCTION	
drawing information	
DESIGNED BY:	BAW
DRAWN BY:	
CHECKED BY:	
DATE:	AUGUST 2011
DWG NAME:	STE PLANS.DWG
JOB #:	1310021001
SCALE:	N.A.
CITY APPROVAL:	
DATE:	
<b>C2</b>	
of 2	



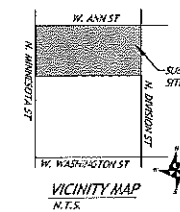
**OWNER:**  
HERMAN C. BAUER  
P.O. BOX 381  
VINEBURG, CA 95437  
(415) 244-7246

**SITE:**  
812 NORTH DIVISION STREET  
CARSON CITY, NV  
A.P.N. 001-191-06  
SITE AREA: 11,929.52 SQ. FT.  
0.22 AC

**DESIGNER:**  
BRYAN MATTHEWS, P.E.  
245 CONDO LN  
DAYTON, NV 89403  
(775) 232-5125  
(775) 246-5527 (FAX)

**ZONING**  
ZONE: FO (RESIDENTIAL OFFICE)  
SETBACKS  
FRONT: 10'  
STREET SIDE: 10'  
SIDE: 10'  
REAR: 10'

**SIGHT DISTANCE**  
SPEED LIMIT: 25 MPH  
MINIMUM SIGHT DISTANCE FROM CENTER  
OF THE APPROACHING TRAVEL LANES  
(STOP SIGN CONTROLLED): 250'  
FROM EDGE OF TRAVEL: 15' EACH  
EYE HEIGHT: 7.50'  
OBSTRUCTIONS HIGHER THAN: 3.0' (TOP OF CURB)  
OBSTRUCTIONS LOWER THAN: 8.0'  
EXISTING VEGETATION WILL BE REMOVED AND A  
NEW LANDSCAPING PLAN WILL BE PREPARED  
EXISTING POWER POLES WILL BE MOVED  
ACCORDING TO THE DIRECTION OF THE POWER  
COMPANIES, BUT MUST STILL FALL WITHIN THE  
TRIANGULAR SITE DISTANCE



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△	

HERMAN C. BAUER  
P.O. BOX 381  
VINEBURG, CA 95437  
PH (415) 244-7246

**SITE DISTANCE 1**  
**APN: 001-191-06**  
**812 NORTH DIVISION STREET**  
**CARSON CITY NV**

**NOT FOR CONSTRUCTION**

**drawing information**  
DESIGNED BY: BSM  
DRAWN BY:  
CHECKED BY:  
DATE: AUGUST 2011  
DWG NAME: SITE PLAN.dwg  
JOB #: 111-002-001  
SCALE: N.A.  
CITY APPROVAL: \_\_\_\_\_  
DATE: \_\_\_\_\_

**C1**  
of 2

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AUG 18 2011  
CARSON CITY  
PLANNING DIVISION

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AUG 16 2011

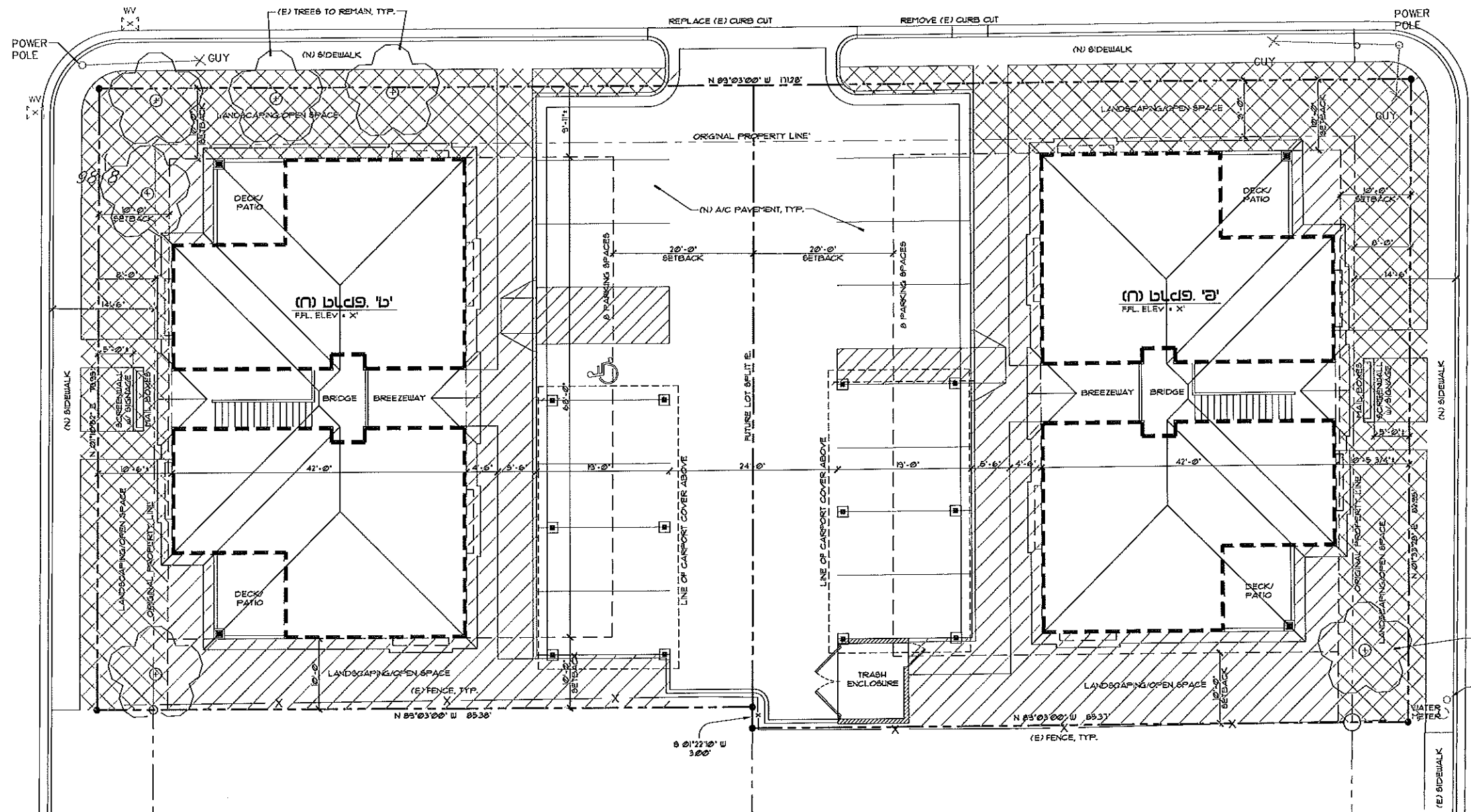
CARSON CITY  
PLANNING DIVISION

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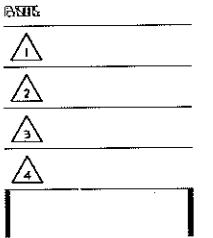
W. ANN ST.

N. MINNESOTA ST.

N. DIVISION ST.



4-22-11



**new apartment complex**  
MT. HERMAN BAUER  
812 N. DIVISION STREET  
CARSON CITY, NEVADA

POI:

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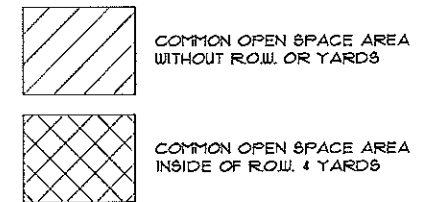
PRELIMINARY  
SITE PLAN

1002

**A1.0**

APN 01-191-02

APN 01-191-05



**Parking Calc's:**  
8 DU TOTAL  
2 PARKING SPACES PER DU  
8 X 2 = 16 PARKING SPACES REQ'D.  
16 PARKING SPACES PROVIDED  
(1 HCAP. ACCESSIBLE)

TOTAL LOT AREA APPROX. 16,730 SQ.FT.



**Preliminary Site Plan**  
SCALE 1/8" = 1'-0"

APN 01-191-06

**density Calc's:**  
TOTAL LOT AREA (w/ ABANDONMENT) = 16,730 SF.  
8 DU TOTAL  
2-BEDROOM UNITS = 1 UNIT PER 1500 SF. MAX.  
8 X 1500 = 12,000 SF. < 16,730 SF.

**Open Space Calc's:**  
100 SF. OPEN SPACE PER DU  
8 DU TOTAL  
8 X 100 SF. = 1200 SF. REQ'D.  
75% SF. PROVIDED  
(DOES NOT INCLUDE  
AREA IN STREET ROW OR  
FRONT & SIDE YARD  
SETBACKS)  
100 SF. PRIVATE OPEN SPACE PER DU  
120 SF. PATIO/DECK PROVIDED

N 14737187.104  
E 2288826.174  
ELEV 4596.32

# CARSON CITY PLANNING COMMISSION

## CASE RECORD

MEETING DATE: July 27, 2011

AGENDA ITEM NO.: H-3

APPLICANT(s) NAME: Al Salzano  
PROPERTY OWNER(s): Herman Bauer

FILE NO. SUP-11-042\*

ASSESSOR PARCEL NO(s): 001-191-06  
ADDRESS: 812 N. Division Street

APPLICANT'S REQUEST: For Possible Action: To approve a Special Use Permit request to allow a multi-family apartment on property zoned Residential Office (RO).

COMMISSIONERS PRESENT:     KIMBROUGH     MULLET     SATTLER  
    DHAMI                     SHIRK                                     VANCE                                     WENDELL

STAFF REPORT PRESENTED BY: JENNIFER PRUITT                                     REPORT ATTACHED  
STAFF RECOMMENDATION:                     CONDITIONAL APPROVAL                                     DENIAL  
APPLICANT REPRESENTED BY: HERMAN BAUER

APPLICANT/AGENT  
PRESENT

APPLICANT/AGENT  
SPOKE

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.

PERSONS SPOKE IN FAVOR OF THE PROPOSAL

PERSONS SPOKE IN OPPOSITION OF THE PROPOSAL

### DISCUSSION, NOTES, COMMENTS FOR THE RECORD:

#### Public Comment:

**Alexander Kirsch** – adjacent resident concerns: Size of project and how it would fit into the neighborhood. No other project like it on the west side on a lot of that nature, low income housing in future. Last week, 9 properties in Historic District for sale, 12 properties for rent – there is no need for this project. Historic District integrity can be impacted negatively. The project should be 4 duplexes or 6 duplexes max. Where is guest parking? This project is too big!

**Lila King** – space for her elderly mother who is an adjacent property owner. Lila's mother loves children – can there be a garden area? Wants set back verified. Materials of stucco not appropriate.

**Steve Brenaman** - owner Bliss Mansion: Understands the owner "Bauer" wants to max his projects potential, 6-plex should be max. Too big for area.

**Julie Maxwell** – neighbor: This site is a problem; there should be 3 cars per duplex. Project too massive, what is the agenda here? This project will be split in future? Wants "long-term" plan for future of area to protect its character.

**Marlene Hannifin** – 650 N. Minnesota Street, HR and Planning Commission would be extremely lenient to approve this. This project is a big mistake – 2 duplexes is more than enough.

**Planning Commissioners:**

**Sattler** – Division Street is all offices now, the area has evolved.

**Mullet** – Master Plan envisioned higher density, but only 4 or 6-plex with garages at this location is consistent with area character.

**Kimbrough** – PC has to look at required findings in voting on this project.

*APPEAL PROCESS MENTIONED AS PART OF THE RECORD: August 8, 2011 by 4:00 pm*

**MOTION WAS MADE TO APPROVE WITH THE FINDINGS AND CONDITIONS AS ENUMERATED ON THE STAFF REPORT.**

**MOVED: Wendell    SECOND: Sattler    PASSED: 3/AYE 2/NO 0/ABSTAIN 2/ABSENT**

**STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF JULY 27, 2011**

**FILE NO. SUP-11-042**

**AGENDA ITEM: H-3**

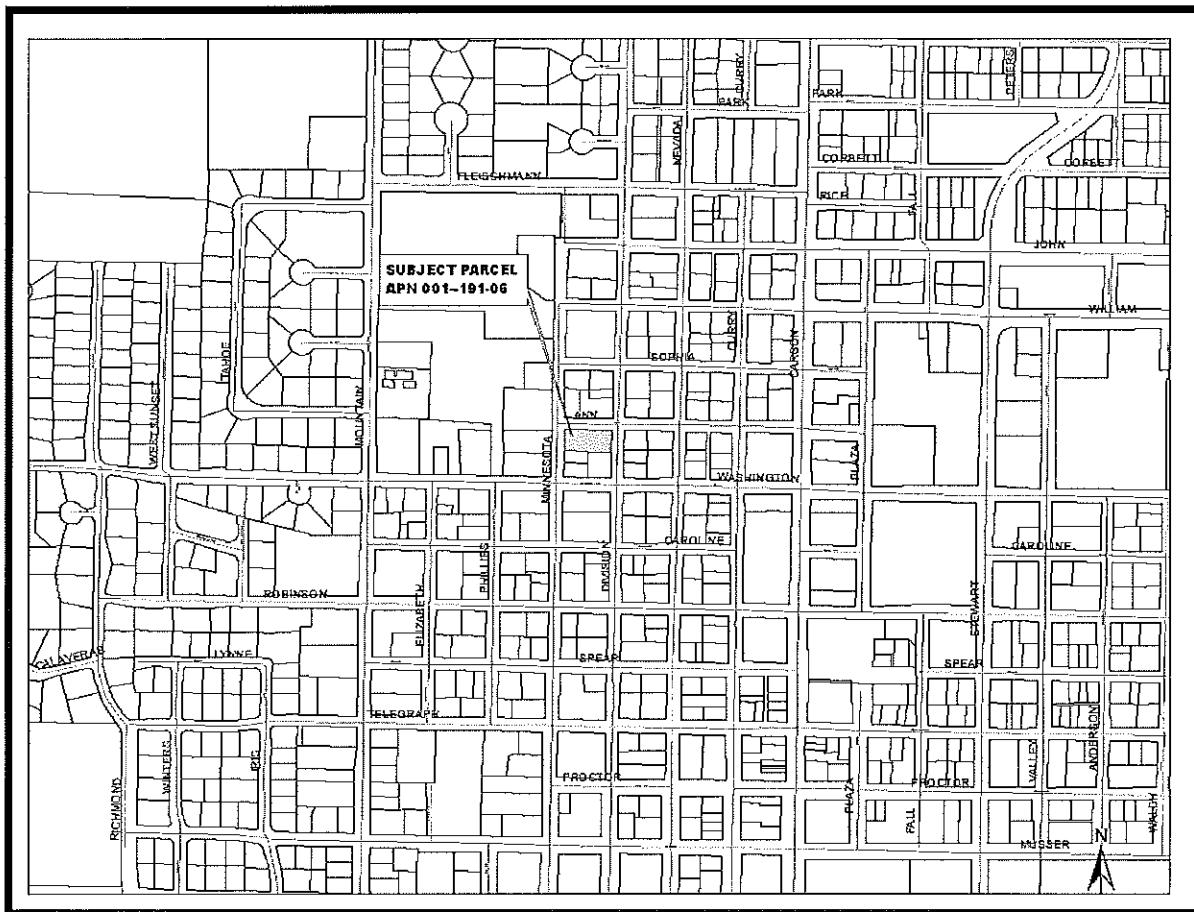
**STAFF AUTHOR:** Jennifer Pruitt, Principal Planner

**REQUEST:** Special Use Permit to allow eight multi-family dwelling units within the Residential Office (RO) zoning district.

**OWNER/APPLICANT:** Herman Bauer/Al Salzano, Architect

**LOCATION/APN:** 812 N. Division Street/ 001-191-06

**RECOMMENDED MOTION:** "I move to approve SUP-11-042, a Special Use Permit request to allow eight multi family dwelling units within the Residential Office zoning district, located at 812 N. Division Street, APN 001-191-06, based on the findings and subject to the conditions of approval contained in the staff report."



**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 approved by August 19, 2014. This approval for SUP-11-042 shall run concurrently with the approvals of AB-10-038 and HRC-10-102.

**The following shall be submitted with any building permit application:**

5. The applicant shall submit a copy of the Notice of Decision and conditions of approval, signed by the applicant and owner, with any building permit application.

**The following applies to the site throughout the life of the project:**

6. Trash and debris must be stored inside an appropriate trash container within an approved trash enclosure on the site of the proposed development.
7. The applicant shall provide a final landscaping plan, in compliance with Division 3 of the Carson City Municipal Code, to the Planning Division for review and approval with any associated permit application.
8. The applicant shall provide lighting within public parking areas and access ways to provide safety and security. All light sources shall be located and installed in such a way as to prevent spillover lighting onto adjoining properties, and glare to the sky. Lights must be recessed or shielded with a 90-degree cutoff so that light is projected downward and not horizontally or upward. Light sources or refractors shall not extend below the bottom of the shield. Exterior light fixture details shall be submitted with a building permit application submission for review and approval.
9. Ground-mounted equipment (HVAC, etc.) shall be screened from view through the use of landscaping or architectural means.
11. Exterior building colors shall be muted or earth-tone in color. Bold colors shall be prohibited except when used as accent or trim. Provided colors of stucco described as Pacific Sand for the main color and an accent color of Pueblo



submitted with the application are acceptable.

12. Provide 16 on-site parking spaces, including one handicapped space.
13. The proposed project shall meet the conditions of approval for AB-10-038.
14. The proposed project shall meet the conditions of approval for HRC-10-102.

**LEGAL REQUIREMENTS:** CCMC 18.02.080 (Special Use Permits), CCMC 18.04.110 Residential Office (RO), CCMC DS 1.18 Residential Development Standards in Non-Residential Districts.

**MASTER PLAN DESIGNATION:** Mixed Use Residential

**PRESENT ZONING:** Residential Office (RO)

**KEY ISSUES:** Will the proposed multi family use be in keeping with all of the standards of the Carson City Municipal Code?

### **SURROUNDING ZONING AND LAND USE INFORMATION**

EAST: Residential Office-Office Uses

WEST: Residential Office—Apartments, Office Use and Commercial uses

NORTH: Residential Office-Apartments and Office Use

SOUTH: Residential Office- Single Family Uses and Office Use

### **ENVIRONMENTAL INFORMATION**

- 1 FLOOD ZONE: XS Zone (areas of minimal flooding)
- 2 EARTHQUAKE FAULT: Zone II
- 3 SLOPE/DRAINAGE: Site is primarily flat
- 4 SOILS: 71: Urban Land

### **SITE DEVELOPMENT INFORMATION**

- 1 LOT SIZE: 13,929 square feet existing, 16,730 square feet with approved AB-10-038.
- 2 STRUCTURE SIZE: Existing single-family dwelling 688 square feet. This project is proposed as two 4,256 sf four-plex structures to replace the single-family dwelling unit.
- 3 STRUCTURE HEIGHT: Two stories approximately 29+ feet overall height.
- 4 PARKING: The proposed two four plex units are required to provide 16 parking spaces. The plan provided identifies 16 parking spaces, including one handicapped parking space specifically for the proposed multi family use; eight of the parking spaces are proposed to be covered with carports and eight spaces are uncovered.

5 SETBACKS:

Required:

<u>Front</u>	<u>L Side</u>	<u>R Side</u>	<u>Rear</u>
10 feet	10 feet	10 feet	20 feet

Proposed:

<u>Front</u>			
10 feet	10 feet	10 feet	NA

6 VARIANCES REQUESTED: None

**ADDITIONAL REVIEWS:**

- On July 21, 2011, the HRC is scheduled to review the application. Staff will provide the HRC action to the Planning Commission as late information.
- On May 12, 2011, the HRC conditionally approved the proposed project. Unfortunately, there was a noticing error and the item was required to return to the HRC for proper notice and reconsideration of the proposed project.
- April 05, 2011, the required Major Project Review, MPR-11-020, was conducted in the Planning Division. At the meeting, City staff provided the applicant with comments related to the proposed project. The HRC Chairman, Mike Drews, also attended the MPR meeting.
- December 09, 2010, the HRC reviewed and approved the demolition of the existing single family dwelling unit and accessory structures and approved the conceptual plan with the stipulation that the applicant provides more detail on possible covered parking alternatives and materials for the proposed apartment complex.
- August 19, 2010, the Board of Supervisors approved AB-10-038.
- July 28, 2010, the Planning Commission reviewed and recommended approval to the Board of Supervisors AB-10-038. The request allowed the abandonment of an eight foot wide portion of N. Minnesota Street, W. Ann Street and N. Division Street, totaling a 3,814-square-foot area, more or less, adjacent to, properties located at 803 N. Minnesota Street, 444 W. Washington Street and 812 N. Division, APNs 001-191-02, 001-191-05 and 001-191-06.

## DISCUSSION:

A Special Use Permit is required for the following reason:

- According to CCMC Section 18.04.110.3 Residential Office Conditional Uses, Multi-family use requires a special use permit.

The applicant, AL Salzano of Al Salzano Architect, is proposing (two) two-story four-plex buildings on a Residential Office zoning district site. The subject site of 13,929 square feet currently has a 688 square foot single-family dwelling unit slated for demolition. Demolition is proposed for the existing carriage house and sheds on site.

The subject site is within the Carson City Historic District. This item has been before the Historic Resources Commission multiple times for various reasons. The buildings are designed in a Craftsman/Bungalow style of architecture to be compatible with the neighborhood and the historic district of Carson City.

The proposed multi-family project must comply with Development Standards 1.18, Residential Development standards in Non-Residential Districts criteria:

### **1.18 Residential Development Standards in Non-Residential Districts.**

The following standards are intended to establish minimum standards and Special Use Permit review criteria for residential development within the Neighborhood Business (NB), Retail Commercial (RC), General Commercial (GC), Residential Office (RO) and General Office (GO) zoning districts.

1. Permitted uses. Residential uses are only allowed as permitted by Chapter 18.04, Use Districts, as a primary or conditional use in the applicable zoning districts.

*There is a diverse group of mixed area uses in this area of Carson City, which includes office uses, commercial uses, single-family dwelling units and multi-family dwelling units. This parcel, in particular, has been vacant for years and has a single-family dwelling unit and accessory structures on site.*

2. Maximum permitted density. There is no maximum residential density within non-residential zoning districts subject to meeting the height, setback, parking and open space requirements of this chapter.

*The applicant has met all the current requirements for the maximum permitted density. The proposed project satisfies the setback, parking, open space and height requirements subject to the Residential Office zoning district.*

3. Maximum building height shall be the maximum height established by the zoning district in which the project is located.

*The maximum building height requirement is set at 35 feet in the Residential Office zoning district. The proposed project is approximately 29+ feet tall at its highest point, the ridgeline.*

4. Setbacks. Minimum setbacks shall be those established by the zoning district in which the project is located, subject to the following:
  - a. In the NB, RC, GC and GO zoning districts, a minimum setback of 20 feet is required adjacent to a residential zoning district, with an additional 10 feet for each story above one story if adjacent to a single-family zoning district.
  - b. A minimum setback of 10 feet is required from the right-of-way of an arterial street as identified in the adopted Transportation Master Plan, excluding the Downtown Mixed-Use area.

*This property is not adjacent to a residential or single-family zoning district. Therefore, the minimum required setback in the Residential Office zoning district is 10 feet. The proposed project would have a 10 foot setback on the front, 10 foot setback on the sides and the rear setback is non applicable.*

- A. *The proposed project is in the RO zoning district, and in this case, it is considered a non-residential zoning district.*
- B. *The proposed project meets all of the set back requirements. It is not located on an arterial street, but is on a collector street.*

5. Required parking: Two spaces per dwelling unit; and in compliance with the Development Standards Division 2, Parking and Loading.

*The proposed multi-family project is in compliance with the Development Standards for parking, with one designated handicap parking space included in 16 on-site parking spaces which is the number required for the proposed multi-family use.*

6. Open Space.
  - a. A minimum of 150 square feet per dwelling unit of common open space must be provided. For projects of 10 or more units, areas of common open space may only include contiguous landscaped areas with no dimension less than 15 feet, and a minimum of 100 square feet per unit of the common open space area must be designed for recreation, which may include but not be limited to picnic areas, sports courts, a softscape surface covered with turf, sand or similar materials acceptable for use by young children, including play equipment and trees, with no dimension less than 25 feet.

- b. A minimum of 100 square feet of additional open space must be provided for each unit either as private open space or included in the common open space area.
- c. Front and street side yard setback areas may not be included toward meeting the open-space requirements.

*The proposed multi family project is required to provide a minimum of 2,000 square feet of open space. The project as proposed includes 2,375 square feet of open space. The proposed open space includes approximately 1,415 square feet of common open space (1,200 square feet required) and 960 square feet of private open space as patio areas (800 square feet required). The setback areas are not included in the open space calculations provided.*

- 7. Landscaping. Landscaping shall comply with the Carson City Development Standards Division 3, Landscaping.

*All the landscaping on the proposed project will comply with the Carson City Development Standards Division 3. The drawings shall be created by a Licensed Landscape Architect or other professional allowed to create and submit plans. The submitted plans will be modified as needed to comply with Development Standards Division 3 Landscaping.*

- 8. Special Use Permit review standards. Where a residential use is a conditional use within a given zoning district, the Planning Commission shall make two of the following findings in the affirmative in the review of the Special Use Permit in addition to the required findings of Section 18.02.080 of the Carson City Municipal Code:

- a. The development is not situated on a primary commercial arterial street frontage.

*The proposed project is not a primary commercial arterial street.*

- b. The development is integrated into a mixed-use development that includes commercial development

*Currently, the property sits within a mix-use development area that also includes office, commercial and residential development. A primary dwelling unit slated for demolition is already on the site. The property is centrally located in Carson City and is located in the Historic District.*

*This project will add value to the area, by placing a more aesthetically pleasing apartment complex, where an unoccupied*

*single-family dwelling is located. New sidewalks, curbs and gutters will be installed as a result of the proposed project. Trees will be relocated from the subject site to the Carson City Greenhouse project. The new landscaping which is proposed for the site will compliment the proposed apartment project. The project will be using durable long lasting building materials such as weather resistant stucco and 40-year composition roof shingles.*

- c. The applicant has provided evidence that the site is not a viable location for commercial uses.

*The applicant has noted that the proposed site is not viable for commercial development. The applicant has noted that the vacancy rate of existing professional office spaces in Carson City is currently very high.*

- d. The site is designated Mixed-Use Commercial, Mixed-Use Residential or Mixed-Use Employment on the Master Plan Land Use Map and the project meets all applicable mixed-use criteria and standards.

*This item is applicable to the proposed project. The project is located in an area identified as MUR. The applicant has included in the packet, the Interim Mixed-Use Evaluation Criteria.*

With the recommended conditions of approval, the applicant has made the findings to grant approval. The Planning Division staff is in support of this special use permit application. Therefore, staff recommends, that the Planning Commission approve SUP-11-042 based on the required findings as noted on the following pages.

**PUBLIC COMMENTS:** Public notices were mailed to 32 adjacent property owners within 300 feet of the subject site. At the writing of this report, no comments have been received in favor or opposition to the proposal. Any comments that are received after this report 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 and Community Development Division.

**OTHER CITY DEPARTMENTS OR OUTSIDE AGENCY COMMENTS:** The following comments were received by various city departments. Recommendations have been incorporated into the recommended conditions of approval, where applicable.

Building Division:

1. Commercial submittals shall show compliance with the following codes, and adopted amendments:

- 2006 International Building Code

- 2006 International Energy Conservation Code
  - 2006 International Fire Code
  - 2006 Uniform Mechanical Code
  - 2006 Uniform Plumbing Code
  - 2005 National Electrical Code
  - 2003 ICC/ANSI A117.1 (For accessible design)
2. Project requires application for a Building Permit, issued through the Carson City Building Division. This will necessitate a complete review of the project to verify compliance with all adopted construction codes and municipal ordinances applicable to the scope of the project.
3. As a part of a complete submittal, provide a separate plan sheet, which clearly shows the **Accessible Route / Exit Discharge Plan**. The **Accessible Route / Exit Discharge Plan** shall have the following minimum information from the accessible entrance of the facility to the public right of way. ('06 IBC Section 1007, 1104.1 & ICC/ANSI A117.1-2003 Chapter 4 & 5):
- Indicate accessible route surface
  - Indicate accessible route slope
  - Indicate accessible route width (Minimum width is 36" (thirty-six inches); however, if the wheelchair is near a drop or change in elevation, a guard will be required. The reason is that a disabled person may not be able to hold a straight line with their wheelchair, and it may meander while navigating the accessible route.) (ICC/ANSI A117.1-2003 Section 4 03.5 & Table 403.5)
  - Indicate accessible route turn radius
  - Indicate all accessible ramps, with a dimensioned cross section details indicating slope & guardrails (where applicable)
  - Indicate the location and type of the detectable warning surface at curb ramps, island or cut-through medians (ICC/ANSI A117.1-2003 Sections 406.13, 406.14 & 705)
  - Indicate all accessible parking, with signage
  - Indicate location of all building and site accessible signage, with an elevation view to verify compliance with required text, height, etc.

NOTE: The **Accessible Route / Exit Discharge Plan** shall clearly show the accessible route from the accessible entrance of the facility to the accessible parking, public streets and sidewalks – as applicable to the site. ('06 IBC 1007.2, 1023.6, & 1104.1)

4. As a part of the submittal, include a complete "Architectural Design Analysis", which shall include a **complete** break down of the allowable area and height versus the actual area and height.

5. A complete Geotechnical Report will be required. The Geotechnical report for the proposed location shall include a complete assessment of the potential consequences of any liquefaction and soil strength loss, including estimation of differential settlement, lateral movement or reduction in foundation soil-bearing capacity, and shall address mitigation measures. ('03 IBC 1802.2.7 #2)

Fire Department:

- Applicant must meet all codes and ordinances as they relate to this request.

Engineering Division:

- The Engineering Division has no preference or objection to the special use request.

Health Division: No comments regarding the project as described in the packet received.

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

Environmental Control Authority: No comments or requirements for the project.

- ECA has no requirements for this project.

**FINDINGS:** Staff's recommendation is based upon the findings as required by CCMC Section 18.02.080 (Special Use Permits) enumerated below and substantiated in the public record for the project.

**1. Will be consistent with the master plan elements.**

**Chapter 3: A Balanced Land Use Pattern**

The Carson City Master Plan seeks to establish a balance of land uses within the community by providing employment opportunities, a diverse choice of housing, recreational opportunities, and retail services.

*The applicant states this project is an infill project and is in keeping with the intent of the Master Plan, and is adjacent to mixed-use areas. The proposed multi family project will be more sustainable than the vacant single-family dwelling unit on site.*

**Chapter 5: Economic Vitality**

*The applicant notes that this project is within the Historic District and is designed to blend with and enhance the historical character of the area. The project will also provide living opportunities near downtown (5.6.c).*

**Chapter 6: Livable Neighborhoods and Activity Centers**

The Carson City Master Plan seeks to promote safe, attractive and diverse neighborhoods, compact mixed-use activity centers, and a vibrant, pedestrian-friendly Downtown.

Use durable, long-lasting building materials (6.1a). The project is proposed to be built with a stucco exterior finish and a 40-year composition roof.



## **Chapter 7: A Connected City**

The Carson City Master Plan seeks to promote a sense of community by linking its many neighborhoods, employment areas, activity centers, parks, recreational amenities and schools with an extensive system of interconnected roadways, multi-use pathways, bicycle facilities, and sidewalks.

*The proposed project will provide new pedestrian sidewalks with ADA ramps on all street frontages, which are not currently in place.*

*The applicant has noted that the proposed project will utilize durable, long lasting materials such as a 40-year roof, weather-resistant-stucco and improved landscaping on site.*

**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.**

*Although the property is currently zoned Residential Office, a vacant single family dwelling unit and accessory structures of poor condition are located on the property are scheduled for demolition. The applicant is proposing to put in a modern apartment complex with historical architectural influences with adequate parking and improved landscaping. The applicant states the proposed addition of the proposed apartments will not negatively affect change the values of the area as the addition of more multi-family housing units will be in harmony with existing uses.*

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

*As noted by the applicant, there will be an increase of traffic due to the proposed increase of density because of the proposed project. As noted previously, the proposed project will provide improvements on all street frontages of the subject site.*

*Per the information provided by Development Engineering, this proposal will have minor effects on traffic or pedestrian facilities.*

**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 proposed project will not have a significant impact on the school district that is already in existence.*

*All of the land area that will be paved or have a compacted surface with regards to drainage will be addressed by the project engineer.*

*Currently water and sewer services are available in the immediate vicinity and servicing the subject site.*

*No road improvements will be required other than replacing curb, gutter, sidewalk and road areas, which are destroyed or marred during construction for improvements to the site. In addition, a driveway approach may be required to be constructed for access to the site. As part of the proposed project, the applicant will replace the sub-standard sewer lateral in W. Ann Street.*

*Fire protection will be provided by Fire Station #1 and police protection will be provided by the Sheriff's office of Carson City.*

*Per the information provided by Development Engineering Division, this proposal will have little effect on existing public services. The request is not in conflict with any Engineering Master Plans for streets or storm drainage.*

**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.**

*The purpose of the Residential Office zoning district is to preserve the desirable characteristics of the residential environment insofar as possible while permitting selected, nonresidential uses; to promote the development of offices in appropriately located areas in the vicinity of commercial zones and multiple family residential zones, along major thoroughfares, or in other portions of the city in conformity with the Master Plan; and to preserve adequate usable open space for the benefit of the occupants within the area and to ensure appropriate development of sites occupied by other uses in a manner comparable to and harmonious with the residential uses in the area or district.*

*Multi Family is a conditional use in accordance with Title 18.04.110.3 Residential Office (RO) Conditional Uses. Therefore, the project requires approval of a special use permit. The project also requires compliance with Development Standards 1.18 Residential Development Standards in Non-Residential Districts.*

*This project is subject to Historic District 18.06.010 Purpose-Applicability. The purpose of the Historic District code is to promote the educational, cultural and economic values of Carson City, and the health, safety and general welfare of the public through the preservation, maintenance and protection of districts, sites, buildings, and objects of significant historical, archaeological and cultural interest within Carson City.*

*This project is subject to the Historic District Development Standards 5.27 Guidelines for New Construction. New construction which is appropriately designed is encouraged by the Carson City Historic Resources Commission. The Historic District should be an active and vital part of the city. New construction should look new and reflect the technology, building materials and design ideas of the present era. The design of new construction needs to be compatible and respectful of the historic building stock that surrounds it so that visual conflict and confusion are avoided. There is no formula that will guarantee "good design". There are specific elements of building design, which can be identified, and therefore, addressed in a review process so that consistency can be achieved. As noted previously, the project has been designed in a Craftsman/Bungalow*

*style per the Carson City Historic District Design Guidelines.*

**6. Will not be detrimental to the public health, safety, convenience and welfare.**

*The proposed project is centrally located and will allow great access to Carson City. The project is also in Redevelopment District #1. The project is located in an area of Carson City, which is clearly a mixture of uses, which include residential, commercial and office uses.*

*Placing this new housing opportunity so near to all of these places allows opportunities and access to the local community. This housing opportunity would be within walking distance of many of the facilities available in the downtown area as well.*

*Trash and debris must be stored inside an appropriate trash container within an approved trash enclosure on the site of the proposed development.*

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

*If the project is allowed to proceed, the benefit to the community will be well placed and desirable housing, with modern conveniences at a central location. The local business community, families and Carson City would see better opportunities arise in the long and short range. Affordable, safe, housing offered to the public with an abundance of access to all that Carson City offers, would be plus for everyone.*

*The centrally located site is within an area that currently has a mix of office, commercial, multi-family and residential uses and will not result in material damage or prejudice to other properties within the vicinity.*

Respectfully Submitted,

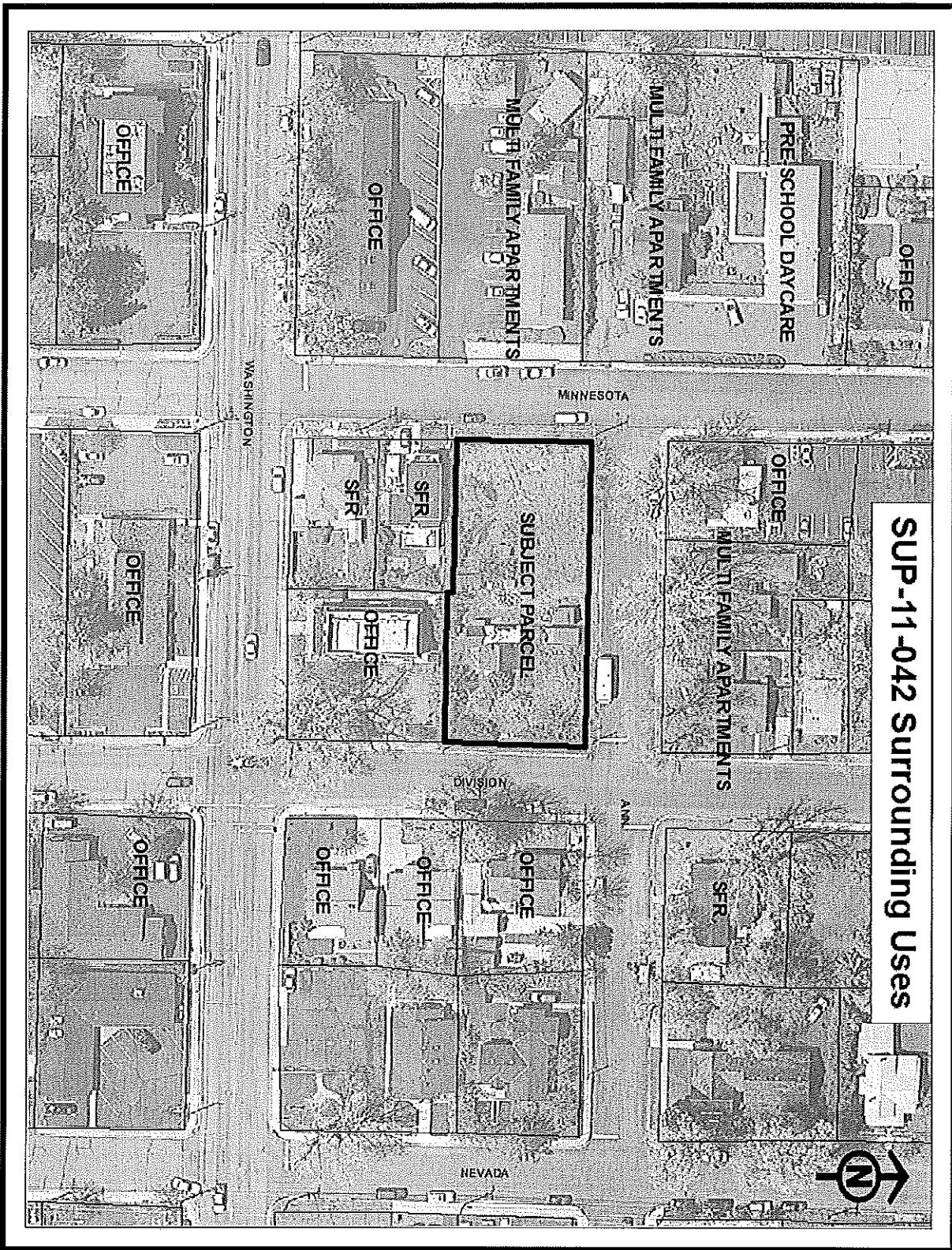
PUBLIC WORKS DEPARTMENT, PLANNING DIVISION

Jennifer Pruitt

Jennifer Pruitt, AICP, LEED AP  
Principal Planner

Attachments:

AB-10-038 Notice of Decision  
Building Division comments  
Fire Department comments  
Engineering Division comments  
Environmental Control comments  
Application (SUP-11-042)





## Carson City Planning Division

108 E. Proctor St.  
Carson City, Nevada 89701  
(775) 887-2180  
Planning@carson.org  
www.carson.org

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**BOARD OF SUPERVISORS  
AUGUST 19, 2010**

### **NOTICE OF DECISION**

A request for a right-of-way abandonment, AB-10-038, was received from Tri State Surveying (property owners: Herman C. Bauer, Alexander Kirsch and Jeannie Bangham) to reduce the existing right-of-way width by eight feet adjacent to properties zoned Residential Office (RO), located at North Minnesota, North Division, and West Ann Streets, APN's 001-191-02, -05, and -06 and authorize the mayor to sign the Order of Abandonment.

The Board of Supervisors conducted a public hearing on August 19, 2010, in conformance with City and State legal requirements, and approved AB-10-038 based on the conditions of approval contained in the staff report, and to authorize the Mayor to sign the Order of Abandonment.

### **RIGHT-OF-WAY ABANDONMENT AND CONDITIONS OF APPROVAL:**

1. Prior to the recordation of said abandonment, the applicant shall be responsible for the submittal of all necessary legal documentation and title search materials if required by the Planning Division in order to fully complete the abandonment process.
2. 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, then the item will be rescheduled for the next Planning Commission meeting for further considerations (this Notice of Decision will be mailed to the applicant for signature after approval by the Board of Supervisors).
3. All other departments' conditions of approval, which are attached, shall be incorporated as conditions of this report.
4. This abandonment pertains to:
  - APN: 001-191-02: The area of the proposed abandonment adjacent to this parcel is 360 square feet, more or less.
  - APN: 001-191-05: The area of the proposed abandonment adjacent to

this parcel is 696 square feet, more or less.

- APN: 001-191-06: The area of the proposed abandonment adjacent to this parcel is 2,758 square feet, more or less.
5. The abandonment is conditioned upon construction of curb, gutter and 5 foot wide sidewalk, with appropriate driveway approaches and accessible curb ramps, along all three frontages of the Bauer property as shown conceptually on the map exhibit prepared by Tri State Surveying, sealed by Gregory S. Phillips, PLS dated 6/8/10. Construction of said frontage improvements will require relocation of existing overhead utility lines such that there will be no utility poles or anchors located within the new sidewalk area. Required frontage improvements and utility relocations will be designed, permitted, and constructed by the applicant at no expense to Carson City.
  6. Records indicate that there are existing public utilities within the right of way areas to be abandoned. Said utilities shall be continued and not be affected by the abandonment. Each utility company may reserve an easement along the alignment of existing utility infrastructure as well as in a public utilities easement for future utility installation or relocation.
  7. Recordation of the abandonment shall not occur until such time as the City has accepted construction of the frontage improvements and utility relocations described above.
  8. Conditional approval for the requested abandonment shall expire four years after Board of Supervisor approval of the original application, unless the applicant has completed the required frontage improvements and utility relocations, or unless an extension of time has been granted by the Board of Supervisors.

This decision was made on a vote of 4 ayes, 0 nays and 1 absent.

\_\_\_\_\_  
Lee Plemel, Planning Director

LP/jmb

Mailed: \_\_\_\_\_

By: \_\_\_\_\_

**Please sign and return this notice of decision with 10 days of receipt.**

I have read and acknowledge the Conditions of Approval as approved by the Carson City Board of Supervisors.

\_\_\_\_\_  
APPLICANT and/or OWNER SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
(Applicant/Owner Printed Name)

**RETURN TO:**  
Carson City Planning Division  
108 E. Proctor St.  
Carson City, NV 89701

Enclosures:

1. Planning Commission Notice of Decision (2 copies – Please sign and return only one; the second copy is for your records.)
2. Self-Addressed Stamped Envelope

<b>File # (Ex: MPR #07-111)</b>	<i>HRC-10-102</i>
<b>Brief Description</b>	<i>Bauer 8 Unit Complex</i>
<b>Project Address or APN</b>	<i>APN #01-191-06</i>
<b>Bldg Div Plans Examiner</b>	<i>Kevin Gattis</i>
<b>Review Date</b>	<i>May 12, 2011</i>
<b>Total Spent on Review</b>	

**BUILDING DIVISION COMMENTS:**

1. Commercial submittals shall show compliance with the following codes, and adopted amendments:

- 2006 International Building Code
- 2006 International Energy Conservation Code
- 2006 International Fire Code
- 2006 Uniform Mechanical Code
- 2006 Uniform Plumbing Code
- 2005 National Electrical Code
- 2003 ICC/ANSI A117.1 (For accessible design)

2. Project requires application for a Building Permit, issued through the Carson City Building Division. This will necessitate a complete review of the project to verify compliance with all adopted construction codes and municipal ordinances applicable to the scope of the project.

3. As a part of a complete submittal, provide a separate plan sheet, which clearly shows the **Accessible Route / Exit Discharge Plan**. The **Accessible Route / Exit Discharge Plan** shall have the following minimum information from the accessible entrance of the facility to the public right of way. (*'06 IBC Section 1007, 1104.1 & ICC/ANSI A117.1-2003 Chapter 4 & 5*):

- Indicate accessible route surface
- Indicate accessible route slope
- **Indicate accessible route width** (Minimum width is 36" (thirty-six inches); however, if the wheelchair is near a drop or change in elevation, a guard will be required. (ICC/ANSI A117.1-2003 Section 4 03.5 & Table 403.5)
- Indicate accessible route turn radius
- Indicate all accessible ramps, with a dimensioned cross section details indicating slope & guardrails (where applicable)
- Indicate the location and type of the detectable warning surface at curb ramps, island or cut-through medians (*ICC/ANSI A117.1-2003 Sections 406.13, 406.14 & 705*)
- Indicate all accessible parking, with signage
- Indicate location of all building and site accessible signage, with an elevation view to verify compliance with required text, height, etc.

NOTE: The **Accessible Route / Exit Discharge Plan** shall clearly show the accessible route from the accessible entrance of the facility to the accessible parking, public streets and sidewalks – as applicable to the site. (*'06 IBC 1007.2, 1023.6, & 1104.1*)

The ground floor units are required to be either "Type A or B" accessible.

4. As a part of the submittal, include a complete "Architectural Design Analysis", which shall include a **complete** break down of the allowable area and height versus the actual area and height.



5. A complete Geotechnical Report will be required. The Geotechnical report for the proposed location shall include a complete assessment of the potential consequences of any liquefaction and soil strength loss, including estimation of differential settlement, lateral movement or reduction in foundation soil-bearing capacity, and shall address mitigation measures. ('06 IBC 1802.2.7 #2)



# CARSON CITY FIRE DEPARTMENT

*"Service with Pride, Commitment, Compassion"*

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## 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

**Engineering Division  
Planning Commission Report  
File Number SUP 11-042**

**TO:** Planning Commission

**FROM:** Rory Hogen, E.I.

**DATE:** July 6, 2011

**MEETING DATE:** July 27, 2011

**SUBJECT TITLE:**

Action to consider an application for a Special Use Permit from Al Salzano, applicant, and Herman Bauer, owner to construct a multi family apartment dwelling in Residential Office zoning at 812 N. Division St., apn 01-191-06.

**RECOMMENDATION:**

The Engineering Division has no preference or objection to the special use request.

**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. Below are our comments:

- 1) All construction and improvements must meet the requirements of Carson City and State of Nevada Codes and Development Standards.
- 2) All requirements set forth in the Conditions of Approval for the right of way abandonment for this project also apply to this Special Use Permit.
- 3) The City has agreed to fund 50% of the cost of the replacement of the 5" clay sewer main in Ann St. up to \$20,000. This is subject to Board of Supervisors approval.

**CCMC 18.02.080 (2a) - Adequate Plans**

The information submitted by the applicant is adequate for this analysis.

**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 affect traffic or pedestrian facilities, but the changes will be minor.

**CCMC 18.02.080 (5d) - Public Services**

Existing facilities appear to be adequate for this project.

C:\Users\jpruitt\AppData\Local\Temp\XPgrpwise\SUP 11-042 multi family units at 812 N. Division St., apn 01.doc

June 22, 2011

Major Project Review Committee

Re: # SUP – 11-042

Dear Kathe,

After initial plan review the Carson City Environmental Control Authority (ECA), a Division of Carson City Public Works Department (CCPW), has the following requirements per the Carson City Municipal Code (CCMC) and the Uniform Plumbing Code (UPC) for the SUP -11-042 @812 N Division St. project:

1. ECA has no requirements for this project.

Please notify Mark Irwin if you have any questions regarding these comments, I can be reached at 775-283-7380.

Sincerely;

Mark Irwin  
Environmental Control Officer 3

c: Kelly Hale, Environmental Control Supervisor  
Ken Arnold, Public Works Environmental Manager

Carson City Planning Division

**Special Use Permit  
Application**

**New Apartment Complex for Mr. Herman Bauer**  
812 N. Division Street  
Carson City, Nevada

July 2011

**SALZANO**

ARCHITECT

5935 GRASS VALLEY RD  
RENO, NEVADA 89510  
775.299.1984 CELL  
775.475.0795 FAX  
WWW.ALSALZANO.COM  
AJSALZANO@AOL.COM

**RECEIVED**

JUL 05 2011

CARSON CITY  
PLANNING DIVISION

└ SUP - 11 - 042

**Carson City Planning Division**  
108 E. Proctor Street • Carson City NV 89701  
Phone: (775) 887-2180 • E-mail: planning@carson.org

FOR OFFICE USE ONLY:

CCMC 18.02

**FILE # SUP - 11 -**

**SPECIAL USE PERMIT**

Mr. Herman Bauer

**PROPERTY OWNER**

P.O. Box 301, Vineburg, CA 95487

**MAILING ADDRESS, CITY, STATE, ZIP**

707-939-0533

707-939-0533

**PHONE #**

**FAX #**

**Name of Person to Whom All Correspondence Should Be Sent**

Al Salzano, Architect

**APPLICANT/AGENT**

5935 Grass Valley Road, Reno, NV 89510

**MAILING ADDRESS, CITY, STATE ZIP**

775-233-1984

775-475-0796

**PHONE #**

**FAX #**

ajsalzano@aol.com

**E-MAIL ADDRESS**

**FEE: \$2,450.00 MAJOR**  
**\$2,200.00 MINOR (Residential zoning districts)**

+ **noticing fee** and CD containing application digital data (all to be submitted once the application is deemed complete by staff)

**SUBMITTAL PACKET**

- 6 Completed Application Packets (1 Original + 5 Copies) including:
  - Application Form
  - Written Project Description
  - Site Plan
  - Building Elevation Drawings and Floor Plans
  - Proposal Questionnaire With Both Questions and Answers Given
  - Applicant's Acknowledgment Statement
  - Documentation of Taxes Paid-to-Date (1 copy)
  - Project Impact Reports (Engineering) (4 copies)

Application Reviewed and Received By:

**Submittal Deadline: See attached PC application submittal schedule.**

**Note: Submittals must be of sufficient clarity and detail such that all departments are able to determine if they can support the request. Additional information may be required.**

**Project's Assessor Parcel Number(s):**

01-191-06

**Street Address**

812 N. Division Street

**ZIP Code**

89703

**Project's Master Plan Designation**

Mixed Use Residential

**Project's Current Zoning**

RO (Residential Office)

**Nearest Major Cross Street(s)**

N. Division St. & W. Washington St.

Briefly describe your proposed project: (Use additional sheets or attachments if necessary). In addition to the brief description of your project and proposed use, provide additional page(s) to show a more detailed summary of your project and proposal. In accordance with Carson City Municipal Code (CCMC) Section: 18.04.110 (3), or Development Standards, Division \_\_\_\_\_, Section \_\_\_\_\_, a request to allow as a conditional use is as follows:

Demolition of existing single-family residence, carriage house, and shed for replacement with an 8-unit apartment complex. The new apartments are proposed to be two (2) two-story, 4-plex buildings in a Bungalow/Craftsman style to blend with the historical character of the neighborhood.

**PROPERTY OWNER'S AFFIDAVIT**

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

Signature

Address

Date

Use additional page(s) if necessary for other names.

STATE OF NEVADA )  
COUNTY )

On \_\_\_\_\_, 2\_\_\_\_\_, \_\_\_\_\_, personally appeared before me, a notary public, personally known (or proved) to me to be the person whose name is subscribed to the foregoing document and who acknowledged to me that he/she executed the foregoing document.

Notary Public

**NOTE:** If your project is located within the historic district, airport area, or downtown area, it may need to be scheduled before the Historic Resources Commission, the Airport Authority, and/or the Redevelopment Authority Citizens Committee prior to being scheduled for review by the Planning Commission. Planning personnel can help you make the above determination.

**812 N. Division Street – Treadway Manor Apartments**  
**SPECIAL USE PERMIT APPLICATION QUESTIONNAIRE**

**Question 1:**

**How will the proposed development further and be in keeping with, and not contrary to, the goals of the Master Plan Elements?**

Addressing each of the Master Plan themes in order, the first being a “Balanced Land Use Pattern.” This project will provide Multi-family housing in a mixed-use Residential Office (RO) zoning, which meets the theme intent of providing a diverse choice in housing. Although not within the downtown mixed-use area, the project is an in-fill project in an older developed neighborhood, utilizing existing city resources per the theme.

The second theme of “Equitable Distribution of Recreational Opportunities” is not applicable to this project, although open space on-site is provided for apartment residents per City code.

The third theme of “Economic Vitality” mentions a supply of varied housing choices which this project provides. Additionally, the project is located in the Historic District, and is being designed to blend with and enhance the historical character of the area. The project also revitalizes a currently run-down property in the City.

Theme four is “Livable Neighborhoods & Activity Centers” which has the focus of increasing the quality of development, encouraging in-fill, creating a diversified mix of housing, and protecting and enhancing the City’s historic resources – all of which are provided by this project.

Theme five is “A Connected City”, and the only portion of the project that could be considered to address this theme is that new pedestrian sidewalks with ADA curb ramps are being provided on all three existing street fronts, none of which currently have sidewalks.

**Question 2:**

**Will the effect of the proposed development be detrimental to the immediate vicinity? To the general neighborhood?**

- A. Most of the surrounding adjacent uses are existing single-family residences. A few have been converted to office use. There are adjacent multi-family uses slightly farther to the North and South of similar size to the proposed project.
- B. Although most of the surrounding properties are single-story, single-family residences, there are similar two-story multi-family projects to the North and South of the property. The use is not detrimental, as it is still a residential use. The only uses that are not contained in the building are the required exterior open space areas. Construction generated dust and noise will be controlled using appropriate techniques and best building practices. The project is designed to blend with the historical character of the neighborhood and the greater Historic District, being designed in a Craftsman/Bungalow style per the Historical District Guidelines.
- C. The proposed project will not be detrimental to the surrounding uses or the neighborhood, as the use is still residential – just small scale multi-family vs. single-family. Also, the quality of the development is high and it will be an asset to the area.
- D. The impact on pedestrian and vehicular traffic from the proposed project will be minimal. There will be an increase in traffic due to the increased density. New sidewalks are provided on all three existing street frontages, so pedestrian access will be improved with the project.

- E. Short-range benefits from the proposed project would be construction jobs. Long-range benefits to the City would be from the diversity of housing provided, tax revenue, and the quality of the project improving the neighborhood and surrounding property values.

Question 3:

**Has sufficient consideration been exercised by the applicant in adapting the project to existing improvements in the vicinity?**

- A. Effect on schools and Sherriff services will be minor, as the increased density is very minor.
- B. Drainage from the project will be accommodated by improvements to the existing sewer in West Ann Street. The project will require that a sub-standard sewer line be replaced by the project.
- C. The existing water supply is adequate to server the project with good pressure and in good repair. The site is not severed by a well.
- D. The site is not on a septic system and the sewer capacity to serve the project is adequate. As previously stated, the project will be required to replace a sub-standard sewer lateral in W. Ann Street.
- E. No road improvements are required. New sidewalk & curb improvements are required to be provided with ADA compliant curb ramps at both intersections.
- F. The source of information for the above is a Major Project Review and Historical Resource Commission review, both of which have previously been completed for the proposed project.
- G. The only outdoor lighting that will be provided with the project will be porch lighting as part of the structures. Most porch lighting will be under roofs and will be recessed can down lighting, so all exterior lighting will not produce glare and will be "dark sky" compatible.
- H. Landscaping will consist of small lawn areas for minor outdoor recreation by the apartment residents, and native plant materials that require minimal water use. Landscaping will meet all City requirements and accent the intersections of both street corners on the property.
- I. All required parking is provided on-site. A portion of the parking is covered with canopy structures designed to be compatible with the character of the apartments and the historic district.



## **812 N. Division Street – Treadway Manor Apartments**

### **PROJECT DESCRIPTION**

The proposed project is a new 8-unit apartment complex consisting of two 2-story buildings, each containing two apartment units per floor. The buildings front on the East and West street frontages with common parking between the buildings. Approximately half of the parking is covered with canopy structures designed to match the character of the apartment buildings.

The project is located in the historic district and is designed to meet all requirements thereof. The buildings are designed in a Craftsman/Bungalow style of Architecture to be compatible with the neighborhood and the historic district. An existing single-family residence along with a carriage house and shed are being demolished, which has already been approved by the Historic Resource Commission.

## **812 N. Division Street – Treadway Manor Apartments**

### **1.18 RESIDENTIAL DEVELOPMENT STANDARDS:**

1. Permitted Uses: Multi-Family housing is a permitted use with a Special Use Permit in the RO zoning.
2. Maximum Permitted Density: There are no maximum residential densities within non-residential zoning districts.
3. Maximum Building Height: The maximum building height of 29 feet is less than the maximum height established by the zoning district (RO) of 35 feet.
4. Setbacks: Minimum setbacks shall be those established by the zoning district, which are 10 feet front and side yards, and 20 feet rear yard.
5. Required Parking: Two (2) spaces per dwelling unit required and provided.
6. Open Space:
  - a. A minimum of 150 sq.ft. per dwelling unit of common open space is required and provided.
  - b. A minimum of 100 sq.ft. of additional open space must be provided for each unit either as private open space or common open space. 120 sq.ft. private patio/decks provided.
  - c. Front and street side yard setback areas may not be included toward meeting the open space requirements. Setbacks are not included in open space calculations provided.
7. Landscaping: Landscaping shall comply with the Carson City Development Standards and do.
8. Special Use Permit Review Standards: Where a residential use is a conditional use within a given zoning district, the Planning Commission shall make two of the following findings in the affirmative:
  - a. The development is not situated on a primary commercial arterial street frontage.
  - c. The applicant has provided evidence that the site is not a viable location for commercial development. Information has previously been provided that the vacancy rate for professional office space in Carson City is currently very high.

### **SITE DEVELOPMENT HISTORY:**

The history of the proposed project started in the spring of 2010. It was realized during initial planning on the property that there were old right-of-way easements that were not planned to be utilized, and that abandonment of said easements would substantially increase the buildable area of the lot, as it is bound by streets on three sides. So a request for abandonment of the right-of-way easements was submitted, and approval was granted on August 19, 2010 with a time limit of four (4) years.

Since there are existing structures on the property that will require demolition, and since the property is located in the Historic District, the next step was a preliminary submittal to the Historic Resources Commission. This was done in October 2010, and after being re-scheduled due to a lack of quorum in November, was reviewed and approved on December 9, 2010. A condition of approval was for a final HRC review after making MPR submittal.

MPR submittal was made in March and reviewed on April 5, 2011 with minor comments.

A second HRC review submittal was made in April, and reviewed and approved by the Committee on May 5, 2011. Due to noticing issues, the HRC submittal will be re-reviewed on July 21, 2011 and a second approval is anticipated.

The final step before building permit drawings can be submitted is Special Use Permit (SUP) review per the requirements of the Residential/Office (RO) zoning allowing multi-family projects as a conditioned use.

#### **TIME FRAME COORDINATION:**

If the submitted Special Use Permit application is approved, the project could be ready for permit submittal by the middle or end of August. It is anticipated that construction could begin early in October.

But in the event that Mr. Bauer decides to delay the start of construction, we would like to request that the SUP time frame run concurrent with the Abandonment approval which is good through August of 2014.



# Appendix C: Interim Mixed-Use Evaluation Criteria

## PURPOSE:

The implementation of numerous policies contained within the Master Plan hinges on the creation of three mixed-use zoning districts to align with the Mixed-Use Commercial (MUC), Mixed-Use Employment (MUE), and Mixed-Use Residential (MUR) land use categories. Recognizing that mixed-use development proposals have already been and will continue to be submitted within these areas prior to the completion and adoption of the future mixed-use zoning districts, a set of Interim Mixed-Use Evaluation Criteria have been developed to:

- Facilitate higher intensity, mixed-use development in locations designated on the Land Use Plan for mixed-use development, but where mixed-use zoning is not currently in place;
- Encourage the incremental transition of existing uses in locations designated on the Land Use Plan for mixed-use development, recognizing that in some locations, mixed-use development may be perceived as incompatible with existing adjacent uses in the short term;
- Establish a consistent method for reviewing mixed-use development projects until mixed-use zone districts can be established; and
- Ensure that mixed-use development is consistent with the General Mixed-Use policies contained in the Master Plan, as well as with specific MUC, MUE, and MUR policies, as applicable.

The Interim Mixed-Use Evaluation Criteria will continue to be used as a tool to review mixed-use development proposals until mixed-use zone districts can be established.

## MIXED-USE EVALUATION CRITERIA:

### APPLICABILITY

The following Interim Mixed-Use Evaluation Criteria shall apply to all development proposed within the Mixed-Use Residential (MUR), Mixed-Use Commercial (MUC), and Mixed-Use Employment (MUE) land use categories. The application of these Criteria shall be triggered in one of the following ways:

- *Existing Zoning/Special Use Permit*—Development is proposed within a mixed-use land use category where the underlying zoning may permit the types and mix of uses proposed using



## Appendix C: Interim Mixed-Use Evaluation Criteria

the Special Use Permit process as outlined in Section 18.02.80 of the City's Municipal Code. The Interim Mixed-Use Evaluation Criteria are applied in addition to the standard list of Findings outlined in the Code.

**Example:** If a mixed-use project (commercial/residential) were proposed within the Mixed-Use Commercial land use category on a property that is currently zoned for General Commercial, the residential portion of the project would be considered using the Special Use Permit process under the existing Code. Once the Master Plan is adopted, the project would also be subject to the Interim Mixed-Use Evaluation Criteria as part of the Special Use Permit Process.

- **Re-Zoning/Special Use Permit**—Development is proposed within a mixed-use land use category where the underlying zoning does not permit the types and mix of uses proposed. In this instance, the subject property would need to be re-zoned to the most appropriate zoning district and then followed for the project and combined with a Special Use Permit or Planned Unit Development request to allow the mix of uses desired and to trigger the application of the Interim Mixed-Use Evaluation Criteria.

**Example:** If a mixed-use project (commercial/residential) were proposed within the Mixed-Use Commercial land use category on a property that is currently zoned for Light Industrial, the residential portion of the project would not be eligible for consideration using the Special Use Permit process under the existing Code. Therefore, the subject property would need to be rezoned to General Commercial prior to beginning the Special Use Permit Process that would allow the residential portion of the project to be considered under the Interim Mixed-Use Evaluation Criteria.

- **Planned Unit Development (PUD)**—Development is proposed within a mixed-use land use category where the underlying zoning does not permit the types and mix of uses proposed. As an alternative to the Re-Zoning/Special Use Permit process outlined above, a Planned Unit Development request could be submitted for the subject property, within which it could be re-zoned to the most appropriate zoning district(s) for the project. As part of the PUD process, the Interim Mixed-Use Evaluation Criteria would be applicable all other conditions of approval outlined in the City's Municipal Code.

### GENERAL INTENT

The Mixed-Use Evaluation Criteria provide an overview of key mixed-use development features that should be addressed by proposed mixed-use developments occurring to ensure they are consistent with Master Plan policies. They are intended to be used in conjunction with the land use specific review criteria that follow this section based on the applicable mixed-use land use designation.



**MIX OF USES**

**Background and Intent:**

Mixed-use developments should incorporate a variety of uses in a compact, pedestrian-friendly environment. Uses are encouraged to be mixed vertically ("stacked"), but may also be integrated horizontally. Recommended types and proportions of uses vary by mixed-use land use category and will also vary according to a project's location, size, and the surrounding development context. For example, a MUC development located on an individual parcel away from a primary street frontage may reasonably contain a higher percentage of residential development than one that is located with direct access and visibility from the primary street frontage. On some smaller parcels, integrating multiple uses may not be feasible at all, therefore, the consolidation of properties to create larger, mixed-use activity centers is encouraged. These factors should be considered and weighed in conjunction with the evaluation criteria listed below.

**Evaluation Criteria:**

CRITERIA	CRITERIA SATISFIED?	COMMENTS
1. Are the types of uses and percentages of different uses consistent with the relevant Master Plan policies listed below? (MUC 1.6, MUR 1.5, MUE 1.5)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
2. Are activity generating uses (e.g., retail/commercial) concentrated along primary street frontages and in other locations where they may be easily accessed and may be readily served by transit in the future?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
3. Are large activity generating uses (e.g., retail/commercial) located so as to minimize impacts of loading areas and other facilities on existing neighborhoods?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
4. Are residential uses well-integrated with non-residential uses (either horizontally or vertically) and the surrounding development context?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	



**Appendix C: Interim Mixed-Use Evaluation Criteria**

5. Do the proposed housing types and densities promote activity and support non-residential uses in the development or in close proximity to the development, as applicable?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
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**Relevant Master Plan Policies:**

- Chapter 3: 2.1b, 2.3b, GMU 1.1, GMU 1.2, MUC 1.56, MUR 1.5, MUE 1.5
- Chapter 6: 7.2a, 7.2b

**MIX OF HOUSING TYPES**

**Background and Intent:**

Each of the mixed-use land use categories allow for the incorporation of a variety of housing as a part of a broader mix of uses. Although a mix of housing types and densities is encouraged within each category, the scale, size, type, and location of each development should play a significant role in determining what makes sense. For example, a 200 acre MUR development on a vacant parcel should generally contain a broader mix of housing types and densities than a 10 acre MUR development working within an established development context. However, the MUR development will likely have higher average densities due to its proximity to a primary street frontage and it's more urban context. Given the range of scenarios that may emerge, the evaluation criteria listed below are intentionally broad to allow for maximum flexibility.

**Evaluation Criteria:**

CRITERIA	CRITERIA SATISFIED?	COMMENTS
6. Does the development contain a mix of housing types that is compatible with the surrounding neighborhood and planned land use in terms of its scale and intensity?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
7. Does the development contain a mix of housing types that is appropriate to its scale, location, and land use category?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	

**Relevant Master Plan Policies:**

- Chapter 3: 2.2a, 2.2b
- Chapter 6: 8.1a



**DENSITY RANGE**

**Background and Intent:**

Average densities within mixed-use developments are generally expected to be higher than those typically found within the City today. Recognizing the many factors that influence the ultimate density of a mixed-use development (e.g., location, type), the Master Plan provides a suggested range of floor area ratios (FAR) and dwelling units/acre for each of the mixed-use land use categories. For the purposes of the evaluation criteria listed below, densities that fall below the low end of a density range for a particular land use category will be strongly discouraged in order to promote the Plan's objective of creating a more compact pattern of development. The Plan also acknowledges that there may be instances where densities that exceed the suggested range are appropriate in some locations, such as within a mixed-use activity center, provided other land use policies are followed. These instances will be evaluated on a project-by-project basis.

**Evaluation Criteria:**

CRITERIA	CRITERIA SATISFIED?		COMMENTS
8. Does the development achieve at least the minimum density range for the applicable land use category?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
9. Does the development exceed the maximum density range for the applicable land use category?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
10. If yes to #9 above, is the development located within a designated mixed-use activity center?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
11. If yes to #9 above, is the largest concentration of density concentrated away from primary street frontages and surrounding neighborhoods?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A

**Relevant Master Plan Policies:**

- Chapter 3: MUC 1.3, MURI.3, MUE 1.3





Appendix C: Interim Mixed-Use Evaluation Criteria

**CIRCULATION AND ACCESS**

**Background and Intent:**

Mixed-use developments should be designed using an interconnected network of streets to provide efficient connections between uses and to accommodate vehicular, bicycle, and pedestrian circulation, as well as existing or future transit service. Direct vehicular and pedestrian connections to adjacent neighborhoods, commercial, and civic uses should be provided, as should linkages to existing and planned trail systems.

**Evaluation Criteria:**

CRITERIA	CRITERIA SATISFIED?	COMMENTS
12. Do vehicular and pedestrian ways provide logical and convenient connections between proposed uses and to adjacent existing or proposed uses?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
13. Does the hierarchy of perimeter and internal streets disperse development generated vehicular traffic to a variety of access points, discourage through traffic in adjacent residential neighborhoods and provide neighborhood access to on site uses?	Yes <input type="checkbox"/> No <input type="checkbox"/>	W/A
14. If the development is located along a primary street frontage, have existing or proposed transit routes and stops been incorporated?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	

**Relevant Master Plan Policies:**

Chapter 3: GMU 1.3, MUC 1.8  
Chapter 7: 10.2b, 11.1a, 11.1c



## PARKING LOCATION AND DESIGN

### Background and Intent:

The visual and physical barriers created by surface parking areas should be minimized within mixed-use developments. To promote a more compact, pedestrian-friendly environment, off-street parking for mixed-use developments should be located behind buildings and away from primary street frontages. The use of on-street parking or shared parking to provide a portion of the required parking for mixed-use developments is strongly encouraged, where feasible, to make the most efficient use of each development site. In addition, structured parking is encouraged where viable, provided it is integrated into the design of the overall development.

### Evaluation Criteria:

CRITERIA	CRITERIA SATISFIED?	COMMENTS
15. Is surface parking distributed between the side and rear of primary buildings and away from primary street frontages?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
16. Are larger parking lots organized as a series of smaller lots with clear pedestrian connections and landscape buffers as dividers?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
17. Is surface parking screened from surrounding neighborhoods and pedestrian walkways?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
18. Is structured parking integrated with adjacent structures in terms of its design and architectural character?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
19. Are structured parking facilities "wrapped" with retail or residential uses at the street level to provide a more inviting pedestrian environment?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	

### Relevant Master Plan Policies:

- Chapter 3: GMU 1.4, MUC 1.8

**RELATIONSHIP TO SURROUNDING DEVELOPMENT**

**Background and Intent:**

Many of the areas designated for mixed-use development are located within established areas of the City. As a result, much of the mixed-use development that occurs will occur through a combination of infill and redevelopment. Therefore, establishing a strong physical and visual relationship to adjacent neighborhoods and the community will be an important consideration.

**Evaluation Criteria:**

CRITERIA	CRITERIA SATISFIED?	COMMENTS
20. Are transitions in building massing and height provided to relate to surrounding development patterns?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
21. Is the new development well-integrated into the surrounding neighborhood, rather than "walled off", consistent with the mixed-use policies contained in the Master Plan?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
22. If applicable, are lower intensity uses (e.g., residential) located along the periphery of the site were it adjoins an existing residential neighborhood to provide a more gradual transition in scale and mass and to minimize potential impacts of non-residential uses (e.g., loading areas, surface parking)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	

**Relevant Master Plan Policies:**

- Chapter 3: MUC 1.7, MUR 1.7, MUE 1.6
- Chapter 6: 8.3b

**PUBLIC SPACES, PARKS, OPEN SPACE, AND PATHWAYS**

**Background and Intent:**

Mixed-use developments should be organized around a central gathering space or series of spaces, such as small urban plazas, pocket parks, or active open space areas. These types of public spaces



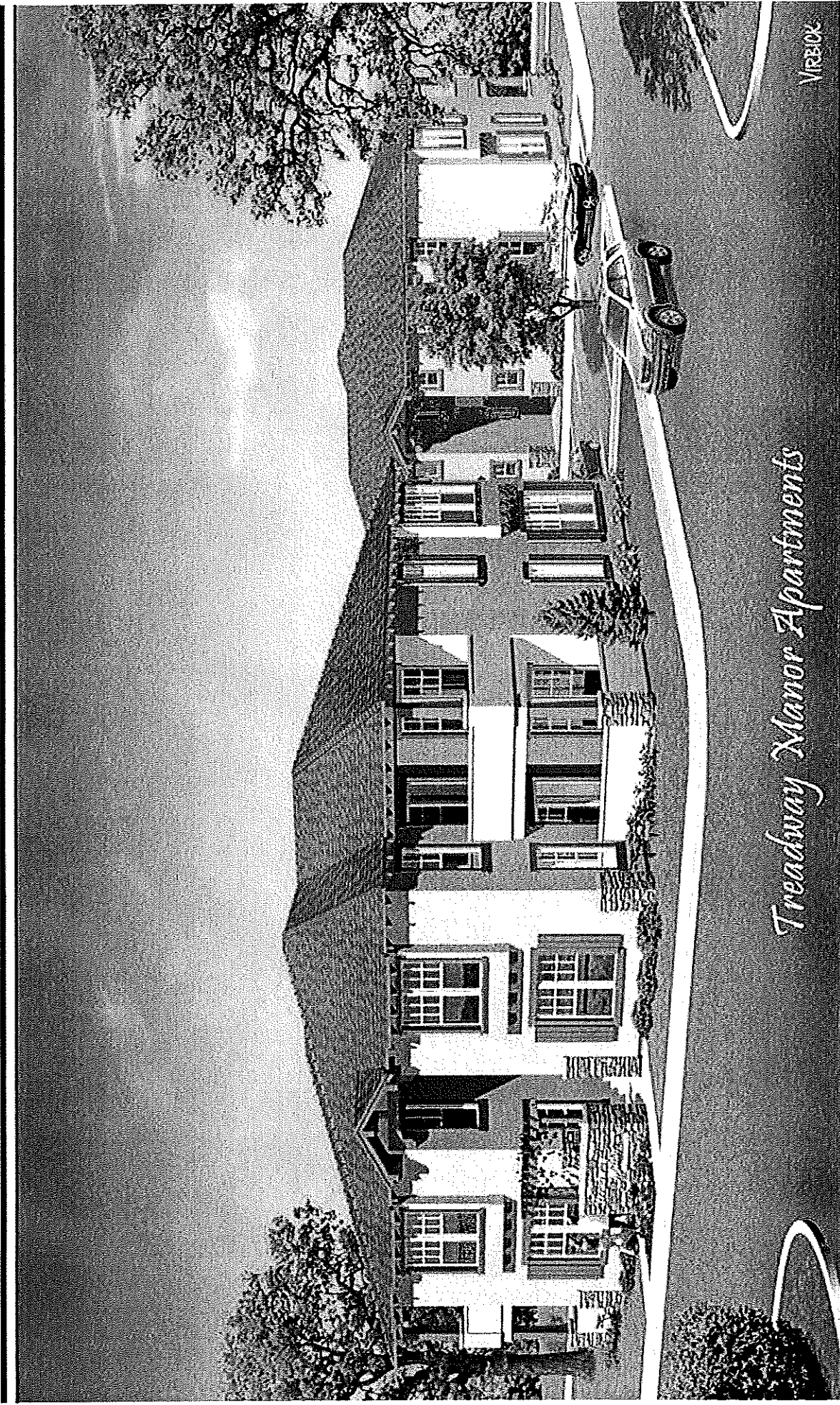
serve as urban recreational amenities for residents that may not have access to larger community parks or recreational amenities without getting in their cars and generally promote increased levels of pedestrian activity. Larger mixed-use developments, particularly within the MUR and MUE categories, may also need to incorporate more traditional recreational features, such as parks and trails, depending upon their size and location.

**Evaluation Criteria:**

CRITERIA	CRITERIA SATISFIED?		COMMENTS
23. Does the development provide public spaces to serve residents and the larger community?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
24. Are public spaces appropriate in terms of their size and active vs. passive features provided given the scale and location of the proposed development?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	OPEN SPACE PROVIDED FOR RESIDENT USE PER DEVELOPMENT STANDARDS.
25. Are public spaces easily accessible to pedestrians and the surrounding community, if applicable?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
26. Are parks and trails provided consistent with the Parks, Recreation, and Unified Pathways Master Plan?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	

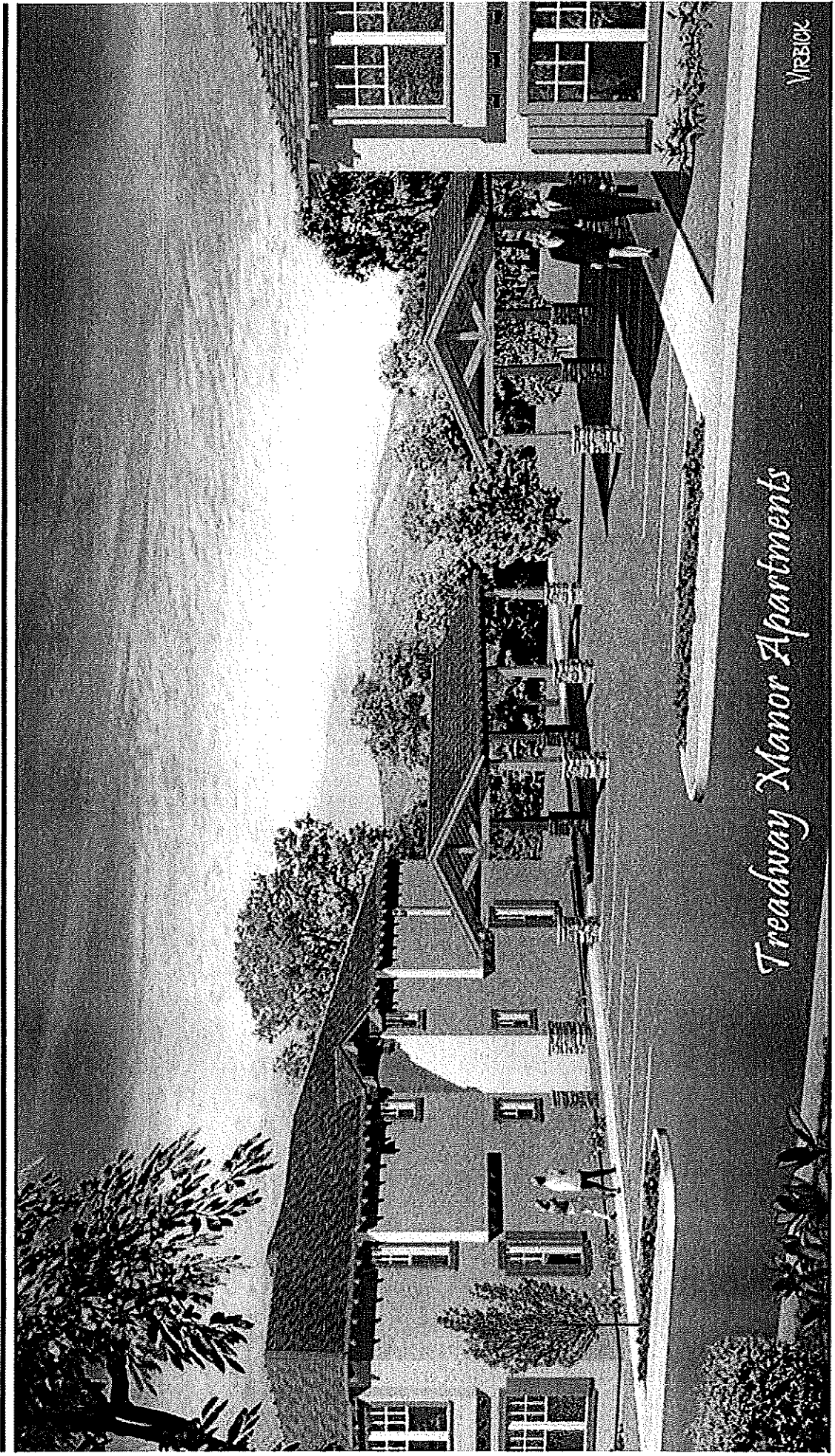
**Relevant Master Plan Policies:**

- Chapter 3: MUC 1.6, MUR 1.8, MUE 1.7



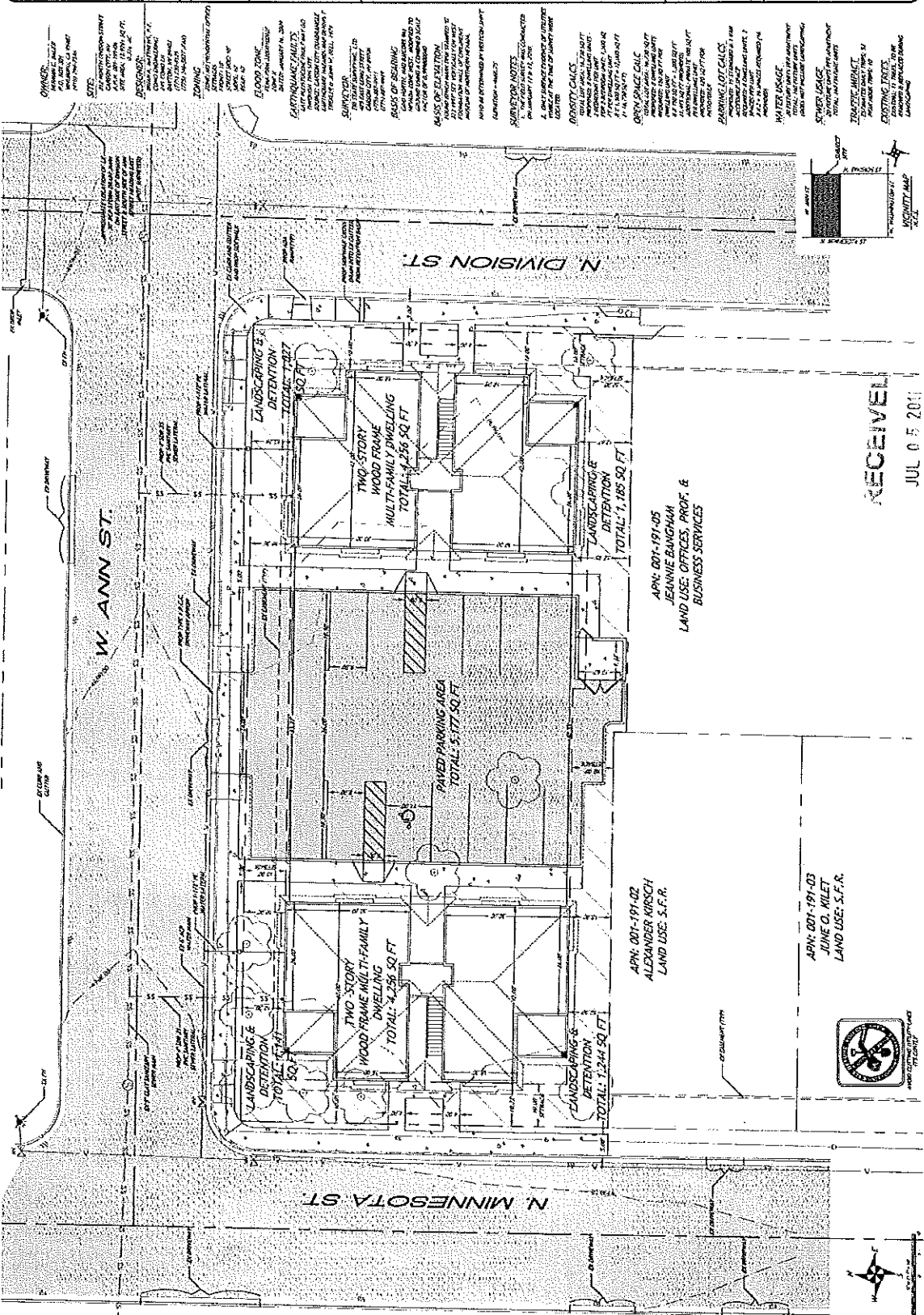
*Treadway Manor Apartments*

VREIDE



*Treadway Manor Apartments*

VRBICK



- SUP - 11 - 042





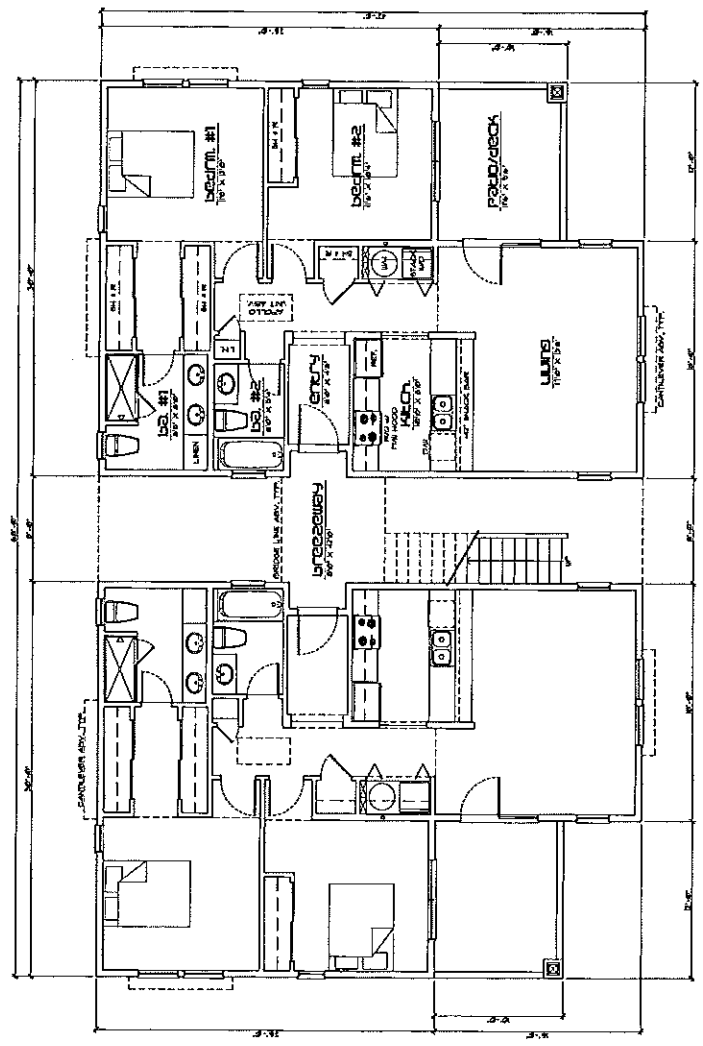
**SALZANO**  
 ARCHITECT  
 3555 BLOSS HAVEN RD  
 BOSTON, MA 02124  
 TEL: 617.552.1884 FAX: 617.552.1884  
 WWW.SALZANO.COM

NEW APARTMENT COMPLEX  
 875 N. DIVISION STREET  
 CARSON CITY, NEVADA  
 P.O.

ALL WORK TO BE DONE AS SHOWN ON THESE PLANS UNLESS OTHERWISE SPECIFIED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

SHEET  
 MAIN FLOOR PLAN  
 DATE: 10/02/02

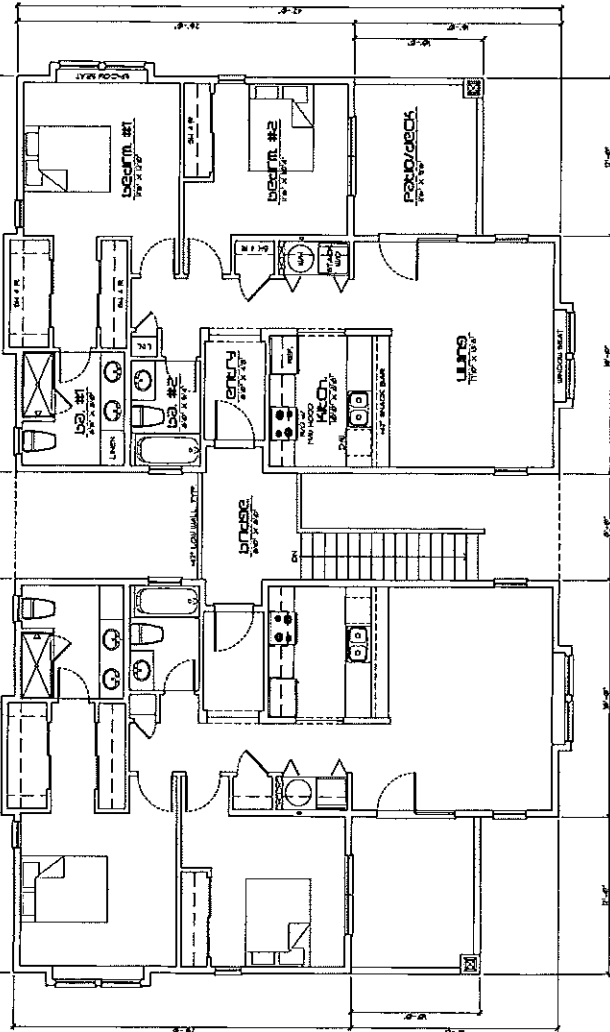
**A2.1**



**GROUND FLOOR PLAN**  
 SCALE: 1/4" = 1'-0"

2 UNITS = 1074 SQ. FT. EACH  
 TOTAL GROUND FLOOR AREA APPROX. 2148 SQ. FT.  
 BREEZEWAY AREA APPROX. 353 SQ. FT.  
 DECK AREA APPROX. 228 SQ. FT. EACH

WWW.SALZMANN.COM  
 10000 KENTWOOD BLVD  
 SUITE 200  
 KENTWOOD, OH 44138  
 TEL: 216.281.1800  
 FAX: 216.281.1801  
 SALES: 216.281.1802  
 SERVICE: 216.281.1803



NEW APARTMENT COMPLEX  
 MR. HARTMAN BAUER  
 812 N. DIVISION STREET  
 CLEVELAND, OH 44115

ALL DIMENSIONS BETWEEN LEGS  
 UNLESS OTHERWISE NOTED  
 DIMENSIONS TO FACE UNLESS  
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 NOTED OTHERWISE  
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UPPER FLOOR  
 PLAN

DATE: 10/27/07

A2.2

UPPER FLOOR PLAN  
 SCALE: 1/4" = 1'-0"

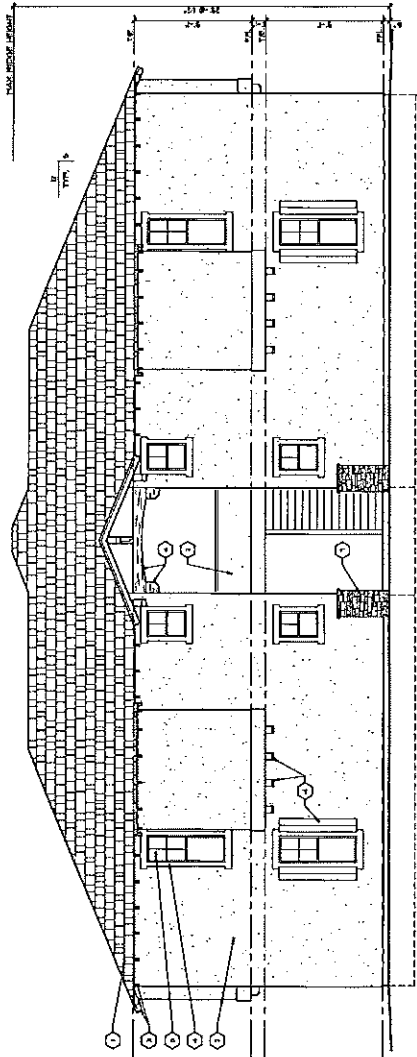
TOTAL UPPER FLOOR AREA APPROX. 2,131 SQFT.  
 BRIDGE AREA APPROX. 81 SQFT.  
 DECK AREA APPROX. 288 SQFT. EACH



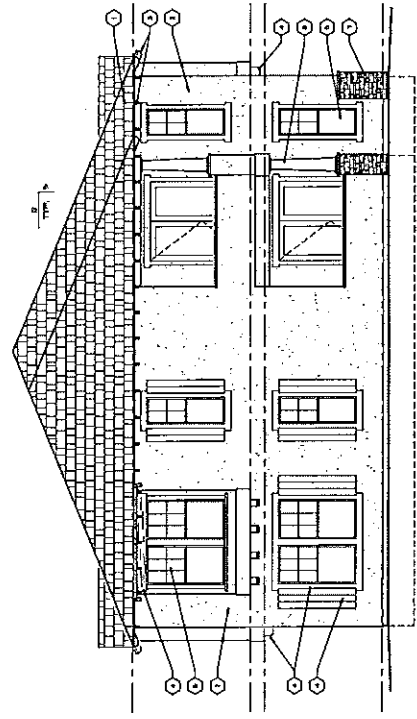


WYOMING APARTMENTS  
 1000 W. 10TH AVENUE  
 DENVER, CO 80202  
 303.733.1111  
 WWW.WYOMINGAPARTMENTS.COM

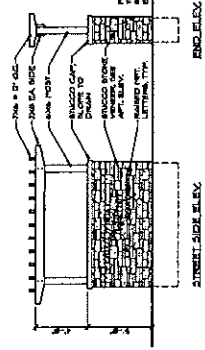
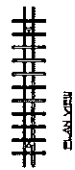
- ELEVATION COLORS & PATTERNS**
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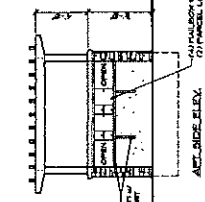
REAR ELEVATION (PARKING)  
SCALE: 1/4" = 1'-0"



SIDE ELEVATION (SOUTH)  
SCALE: 1/4" = 1'-0"



1 STREET WALL ELEVATION  
SCALE: 1/4" = 1'-0"



ACT. SIDE ELEV.  
SCALE: 1/4" = 1'-0"

- STUCCO APPLICATION NOTES:**
1. APPLY PLASTER AND BLACK ANIMAL TERRAZZO FINISH TO INTERIOR WALLS.
  2. APPLY PLASTER AND BLACK ANIMAL TERRAZZO FINISH TO INTERIOR WALLS.
  3. APPLY PLASTER AND BLACK ANIMAL TERRAZZO FINISH TO INTERIOR WALLS.
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  9. APPLY PLASTER AND BLACK ANIMAL TERRAZZO FINISH TO INTERIOR WALLS.
  10. APPLY PLASTER AND BLACK ANIMAL TERRAZZO FINISH TO INTERIOR WALLS.

NEW APARTMENT COMPLEX  
 MR. HERMAN BAUER  
 212 N. DIVISION STREET  
 DENVER, CO 80202

PROJECT  
 EXTERIOR  
 ELEVATIONS

DATE  
 10/07

A3.2



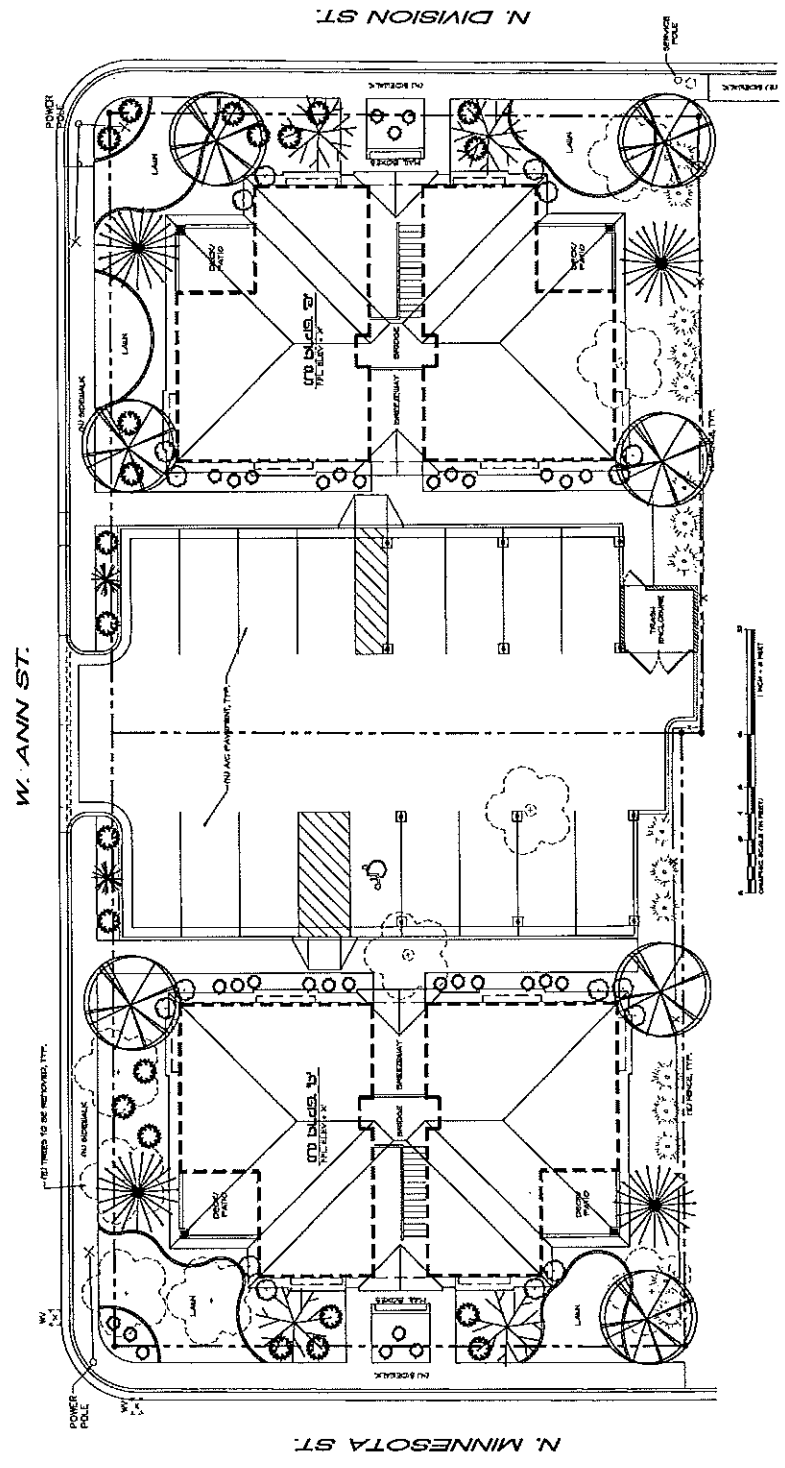
**SALZANO**  
 ARCHITECTS  
 5905 GROSS VILLAGE BLVD  
 DENVER, CO 80231  
 773.528.1984 FAX  
 773.528.1984 TEL  
 WWW.SALZANO.COM

**NEW APARTMENT COMPLEX**  
 MR. HERMAN BAUER  
 812 N. DIVISION STREET  
 DENVER, CO, NEVADA

4-22-11  
 1" = 10'-0"

**FOR:**  
 ALL WORKS TO BE INSTALLED BY CONTRACTOR SHALL BE SHOWN ON THIS PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DENVER. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE ACCURACY OF ALL INFORMATION PROVIDED HEREON.  
**DATE:**  
 PRELIMINARY LANDSCAPE PLAN

**0.17**



**Preliminary Landscape Plan**  
 SCALE: 1/8" = 1'-0"  
 APN: 04-194-06

**SHrub Legend:**

COMMON NAME	SYMBOL	HEIGHT	SIZE	QUANTITY	DATE
DOGWOOD	(Symbol)	10'-12'	6" GAL	1	7
OLD GOLD JASMINE	(Symbol)	6'-8'	6" GAL	4	22
CREW CUT	(Symbol)	6'-8'	6" GAL	4	11
PLUM BLOSSOM	(Symbol)	6'-8'	6" GAL	3	33
SEA GREEN LAUREL	(Symbol)	6'-8'	6" GAL	4	36

**TREE Legend:**

COMMON NAME	SYMBOL	HEIGHT	SIZE	QUANTITY	DATE
GALLET PINE	(Symbol)	10'-12'	6" CAL	1	7
CAULIFLOWER	(Symbol)	10'-12'	6" CAL	4	22
PLUM BLOSSOM	(Symbol)	10'-12'	6" CAL	3	33
SEA GREEN LAUREL	(Symbol)	10'-12'	6" CAL	4	36

NOTE: ALL LANDSCAPE MATERIALS TO BE INSTALLED BY CONTRACTOR SHALL BE SHOWN ON THIS PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DENVER. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE ACCURACY OF ALL INFORMATION PROVIDED HEREON.  
 TOTAL LANDSCAPE AREA: 10,000 SQ. FT.  
 TOTAL PLANTING AREA: 10,000 SQ. FT.  
 TOTAL PLANTING QUANTITY: 100 PLANTS  
 TOTAL PLANTING COST: \$10,000  
 TOTAL PLANTING DATE: 7/11/11



Carson City Planning Division  
108 E Proctor St  
Carson City, Nevada 89701  
(775) 887-2180  
[www.carson.org](http://www.carson.org)  
[www.carson.org/planning](http://www.carson.org/planning)

Late Info  
H-3

**HISTORIC RESOURCES COMMISSION**  
**JULY 21, 2011**

**DRAFT**

### **NOTICE OF DECISION**

A Historic Resources Commission application, HRC-10-102, was received from Al Salzano, Architect (property owner: Herman Bauer) to allow the demolition of the existing single family residence, carriage house and sheds as previously approved by the HRC and approval of the revised development plan of a new eight unit apartment complex (2-four plexes) on property zoned Residential Office (RO), located at 812 North Division Street, APN 001-191-06, pursuant to the requirements of the Carson City Municipal Code, Chapter 18, Section 18.06.

The Historic Resources Commission conducted a public hearing on July 21, 2011, in conformance with City and State open meeting requirements, and the Historic Resources Commission moved to approve HRC-10-102 and based its decision subject to the following conditions of approval.

The proposal is in conformance with the Secretary of the Interior Guidelines and Standards for Rehabilitation, Carson City Historic District Guidelines, and the Historic Resources Commission policies.

### **CONDITIONS OF APPROVAL**

1. All development shall be substantially in accordance with the attached site development plan.
2. All on and off-site improvements shall conform to City standards and requirements.
3. This approval HRC-10-102 shall run concurrent with the approval of AB-10-038.
4. The applicant must sign and return the Notice of Decision 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 Historic Resources Commission meeting for further considerations.
5. The applicant shall submit a copy of the signed Notice of Decision and conditions of approval with the building permit application.
6. Demolition of a historic place or cultural resource may begin only after approval by the HRC and issuance of other necessary approvals for a replacement building or site improvement.

7. The applicant will be required to provide detailed photographic documentation of the existing structures to the Planning Division for proper documentation of the structures proposed for demolition.
8. Commercial submittals shall show compliance with the following codes, and adopted amendments:
  - 2006 International Building Code
  - 2006 International Energy Conservation Code
  - 2006 International Fire Code
  - 2006 Uniform Mechanical Code
  - 2006 Uniform Plumbing Code
  - 2005 National Electrical Code
  - 2003 ICC/ANSI A117.1 (For accessible design)
9. Project requires an application for a Building Permit, issued through the Carson City Building Division. This will necessitate a complete review of the project to verify compliance with all adopted construction codes and municipal ordinances applicable to the scope of the project.
10. As a part of a complete submittal, provide a separate plan sheet, which clearly shows the **Accessible Route / Exit Discharge Plan**.
11. As a part of the submittal, include a complete "Architectural Design Analysis", which shall include a **complete** break down of the allowable area and height versus the actual area and height.
12. A complete Geotechnical Report will be required. The Geotechnical report for the proposed location shall include a complete assessment of the potential consequences of any liquefaction and soil strength loss, including estimation of differential settlement, lateral movement or reduction in foundation soil-bearing capacity, and shall address mitigation measures.
13. The proposed project shall meet the conditions of approval for AB-10-038.
14. The proposed project shall comply with the CCMC Development Standards 1.18 Residential Development Standards in Non-Residential Districts.
15. The proposed use (Multi Family Apartment) requires Special Use Permit approval.

**STIPULATIONS:**

1. The Architect shall incorporate alternative siding options to differentiate one multi-family dwelling unit structure from the other multi-family dwelling unit structure.
2. The Architect shall incorporate in the plan screening options (landscaping, berming or fencing) for the parking area from the right of way.



3. The Architect is encouraged to explore alternative roof style options to differentiate one multi-family dwelling unit structure from the other multi-family dwelling unit structure.
4. Landscaping shall be incorporated in the development plan.

The decision was made on a vote of 5 ayes, 0 nays with 0 commissioners absent.

\_\_\_\_\_  
Jennifer Pruitt, Principal Planner  
Planning Division

JP/rt

cc: Kevin Gattis - Building Division  
Rory Hogen - Development Engineering

Mailed By: \_\_\_\_\_

Date Mailed: \_\_\_\_\_

**PLEASE SIGN AND RETURN THIS NOTICE OF DECISION WITHIN 10 DAYS OF RECEIPT.**

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

\_\_\_\_\_  
SIGNATURE OF OWNER/APPLICANT

\_\_\_\_\_  
DATE

\_\_\_\_\_  
PRINTED NAME OF OWNER/APPLICANT

\_\_\_\_\_  
RETURN TO:

Carson City Planning Division  
108 E Proctor Street  
Carson City NV 89701

Enclosures: Historic Resources Commission Notice of Decision (2 copies - Please sign and return only one; the second copy is for your records)

**JU** JOHN UHART COMMERCIAL  
REAL ESTATE SERVICES

REC'D 11/10  
**RECEIVED**

NOV 10 2010

CARSON CITY  
PLANNING DIVISION

F-4 HRC-10-102

November 3, 2010

Jennifer Pruitt, AICP, LEED AP  
Principal Planner for Carson City Planning Department  
108 E. Proctor Street  
Carson City, Nevada 89701

RE: Herman Bauer's tentative development at 812 North Division and Ann Street

Dear Jennifer:

I am writing this letter to comment on Mr. Bauer's tentative project on Ann Street. Mr. Bauer would like to build two (2) four plexes on this parcel. I did an extensive market summary for office development and/or multi family development for this site.

Carson City currently has 2,118,000 sq ft of office space. The vacancy rate is hovering around 20% and asking rental amounts per square foot are about what we were achieving 10 years ago.

The multi family sector however, is a much stronger market. There are currently 651 4-plex units with vacancy rates hovering around 10% and market rents holding very steady.

In my professional opinion this property is more suited for a multi family development.

If you have any questions please give me a call.

Sincerely,

  
John Uhart, CCIM  
Broker/Owner John Uhart Commercial Real Estate Services

JU/ka

301 W. Washington St. Ste #1 Carson City, Nevada 89703 (775) 884-1896 • (775) 884-4896 Fax

CCIM

"Your Certified Commercial Real Estate Specialist"

Late Into  
**RECEIVED**

NOV 10 2010

CARSON CITY  
PLANNING DIVISION

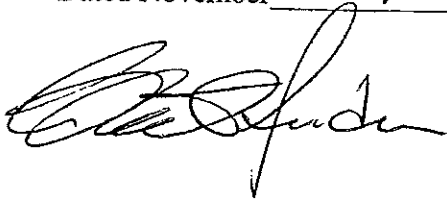
F-4 HRC-10-102

Carson City Planning Department

To whomever it may concern:

My name is Bret Andreas and I/we own property located at 805 N. Division St.  
Carson City, Nevada. I was shown the elevations and floor plans for a multi family project consisting  
of 2 four plexes to be built on 812 North Division Street. I/we are in favor of this project.

Dated November 9th, 2010



Late into

**RECEIVED**

NOV 10 2010

CARSON CITY  
PLANNING DIVISION

F-4 HRC-10-102

Carson City Planning Department

To whomever it may concern:

My name is DON BRUCE and I/we own property located at 496 W. Ann St Carson City, Nevada. I was shown the elevations and floor plans for a multi family project consisting of 2 four plexes to be built on 812 North Division Street. I/we are in favor of this project.

Dated November 10<sup>th</sup>, 2010

*Don Bruce*

Nov 10 10 05:00p

Jim Nickerson

LWC 470

FROM :

FAX NO. : 7758844896

7307

p.2

Nov. 10 2010 06:19PM P2

F-3 HRC-10-102

CARSON CITY  
PLANNING DIVISION

NOV 12 2010

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Carson City Planning Department

To whomever it may concern:

My name is JEANNIE NAIL and I/we own property located at 444 WASHINGTON  
Carson City, Nevada. I was shown the elevations and floor plans for a multi family project consisting  
of 2 four plexes to be built on 812 North Division Street. I/we are in favor of this project.

Dated November 10, 2010

*Jeannie Bangham Nail*

**Rea Thompson - RE: Action to consider HRC-10-102 - Correction**

**From:** <designagnt@aol.com>  
**To:** <planning@carson.org>  
**Date:** 12/12/2010 5:43 PM  
**Subject:** RE: Action to consider HRC-10-102 - Correction

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DEC 13 2010

CARSON CITY  
PLANNING DIVISION*Received after  
Dec 9, 2010 mtg*

From: Alexander Kirsch  
 Resident and owner of property located at 803 N. Minnesota Street.  
 Carson City, NV 89703  
 Tel: (775) 883-5589

RE: Action to consider HRC-10-102

Dear board members of the Carson City Historic Resources Commission Planning Division,

My name is Alexander Kirsch, and I would like to apologize about not appearing for the Action to Consider hearing (HRC-10-102) on December 9, 2010. A family emergency prevented me attending.

I have been a Carson City Resident for 29 years, and I have been a West Side resident for the majority of this time. For the last 15 years, I have lived continuously on the West Side and for five years at my current residence at 803 North Minnesota Street. I am a neighbor to the property in question.

I have concerns and objections for the proposed development submitted by Al Salzano regarding the property owned by Herman Bauer.

**1) The Carriage House is Restorable**

The property in question (Carriage House) is located on the same block as one of Carson City's historical landmarks, the Bicentennial Tree. This block was part of the old Treadway Park and has always been part of the historical district, even after Carson-Tahoe Hospital was built. The western parts of Minnesota Street were rezoned for this construction. This might be the reason why the areas north of Washington Street seem to experience some neglect in respect to its historical value and attraction. For example, the blue lined historical walk does not include any historical homes north of Washington Street.

As a homeowner of an historical district west side property, I believe the Carriage House is of such historical value and attraction. The Carriage House is restorable. Although my property is not as old as the Carriage House, I have restored my house myself over the past four years.

**2) Several Vacant Condo-Style Apartments already Exist In the neighborhood**

There are already several condominium-style apartment buildings on the West Side. The smaller unit rentals (1 bedroom, 1 bath) all have vacancies, including some larger units with two bedrooms. For example, a 24-unit apartment complex located at 604 West King Street has had five units available since August, 2010. This information can be confirmed at (775) 342-5323.

Another fourplex condo-style Apartment with storage is already located at 804 North Minnesota Street, directly across the street from the property in question. The 804 property offers 2 bedroom, one bath units and is built on a lot of similar size. There is currently one unit available as well, and several vacancies were observed during the past five years.

Because a majority of the buildings on the West Side are older family residences, there are also numerous studio style rentals available through non-commercial landlords.

According to Carson City growth projections displayed on the Carson City website, no growth is anticipated for the next five years. A need for residences exists only for larger units to accommodate families.

**3) A Low Income Housing Area Three Blocks From the Governor's Mansion**

Since the old Carson-Tahoe Hospital was decommissioned, more properties have reverted from offices to residences. Smaller units for low income residents could result in more disturbances and crime.

**4) 812 North Division Street as Micro Wildlife Habitat:**

As owner of the property at 803 North Minnesota Street, I became witness to 812 North Division Street as a micro wildlife habitat. This property has become home to several mule deer and quail. During 2006, I witnessed the birth of a deer fawn. The young deer was raised for several months at this location. Today, one can observe deer and quail at almost any time on any given day.

**Closing Statement:**

I believe that the lot in question does not support the construction of two fourplex units because of its size. Accommodations for parking would need to be made for approximately 16 vehicles, leaving almost no room for any type of landscaping. The historical value and attraction of this part of our town will most certainly be compromised, and home values of neighboring properties will surely decrease should this type of facility be built. I would like to ask the Board to reconsider should a decision have been made already and to consider another hearing to allow me to present a more detailed opposition to this matter. I would also like to remind the members of this Board that Mr. Bauer was not present at the previously scheduled hearing in this matter in November, which was canceled due to other circumstances.

Thank you for your time and considerations.

Sincerely yours,  
Alexander Kirsch,

[designagnt@aol.com](mailto:designagnt@aol.com)  
803 North Minnesota St.  
Carson City, NV 89703  
775-883-5589

Rea Thompson

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**From:** Alexander Kirsch <akirsch@doit.nv.gov>  
**To:** "planning@carson.org" <planning@carson.org>  
**Date:** 6/9/2011 3:21 PM  
**CC:** "designagnt@aol.com" <designagnt@aol.com>

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JUN 09 2011

CARSON CITY  
PLANNING DIVISION

Hello, to whom it may concern,

My name is Alexander Kirsch, and I am owner of a property at 803 North Minnesota Street in Carson City. On December 09th, 2010 I was not able to attend a scheduled meeting in regard to HRC-10-102, a request by Al Salzano and Herman Bauer.

I contacted this office per e-mail with an excuse of my absence and raised some points of objection. At this time I was that although initial approval was granted a further meeting was required. On 06/07/2011 I received an invitation to a meeting on 06/09/2011 in regard to National Register District Nomination, which I plan to attend. However in making myself more familiar with this agenda I discovered that on THURSDAY, MAY 12, 2011, 5:30 P.M. a meeting on HRC-10-102 was conducted. I was not notified about this meeting and herein lies my complaint.

I seem to be the only resident on my block who cares about future building projects in this neighborhood and I feel discriminated against or conveniently left out of any discussion, because I am not timely or not at all notified of any Meeting Agendas.

Thank you for your consideration.  
Sincerely yours,

**Alexander Kirsch | ITT IV | DoIT Facility Operations**  
State of Nevada | Department of Information Technology  
T:(775)684-4300 | F: (775) 684-8423 | E:akirsch@doit.nv.gov

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Within 6 City blocks of the property, and within the historical district as of 07/18/2011, there were at least:

9 Properties For Sale	12 Properties for Rent
1000 N Division St. Commercial	311 Washington St. Commercial
999 Washington St. Commercial	444 Washington St. Commercial
444 Washington St.	707 N. Minnesota St. Commercial
604 Robinson St.	702 N. Minnesota St.
408 Robinson St.	818 N. Minnesota St.
502 Robinson St.	215 N. Division St.
501 Phillips St.	902 N. Division St.
501 N. Minnesota St.	411 Caroline St.
412 Nevada St. (may be sold)	440 Spear St.
	333 Proctor St.
	207 W King St.
	604 W King St.

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JUL 21 2011

CARSON CITY  
PLANNING DIVISION

- Property Block and Neighborhood does not support 8 Apartments with potentially 16 more vehicles which may grant an environmental impact assessment due to traffic increase in this small Office /Residential location
- Property in this neighborhood is not child friendly nor safe and there are no playgrounds nearby
- Plans do not include a landscaping draft suitable for small family residential housing that will compliment the area or with privacy concerns of neighboring property owners in mind
- Encourages low income housing that benefits the Landlord /Owner through federally funded incentives
- A loss of property value and deterioration of historical integrity will occur

*Lilia King P.O. # for owner June Kilet Jul. 18, 11*

*Betty Brennan 950 N. Minnesota St. July 19, 11*

*Jade Brinson, 818 N. Minnesota St July 19, 11*

*Alexander Kirsch 803 N. Minnesota St. July 21, 11*

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