STAFF REPORT FOR PLANNING COMMISSION MEETING OF JULY 26, 2017

FILE: PUD-17-099 AGENDA ITEM: F-4

STAFF AUTHOR: Hope Sullivan, Planning Manager

REQUEST: A request for a Planned Unit Development that limits the allowed and

conditional uses, and limits the building height and signage.

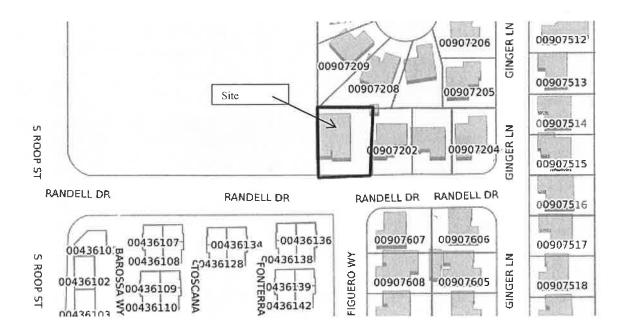
APPLICANT: Nevada Builders Alliance

OWNER: Builders Association of Western Nevada

LOCATION: 806 Randell Drive

APN: 009-072-01

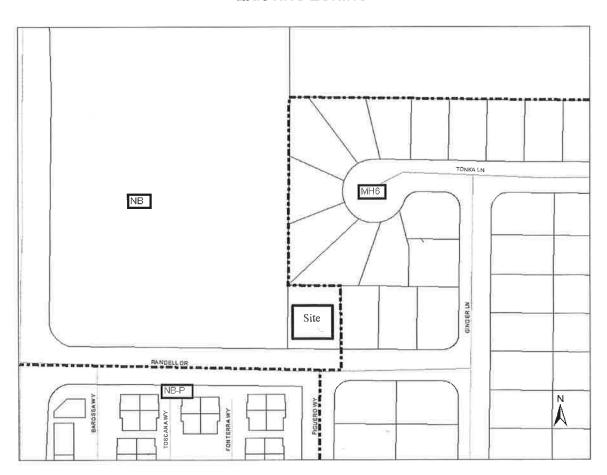
RECOMMENDED MOTIONS: "I move to recommend to the Board of Supervisors approval of PUD-17-099, a request for a Planned Unit Development that would limit the allowed uses and conditional uses of the subject property as stated in the staff report, as well as limit the building height to one single story, and limit any signage to dimensions not to exceed two feet by three feet, on property zoned Neighborhood Business, located at 806 Randell Drive, APN 009-072-01, based on the findings contained in the staff report."



RECOMMENDED CONDITIONS OF APPROVAL:

- 1. All on and off-site improvements shall conform to City standards and requirements.
- The applicant must sign and return the Notice of Decision for conditions of approval within ten (10) days of receipt of notification. If the Notice of Decision is not signed and returned within ten (10) days, then the item may be rescheduled for the next Planning Commission meeting for further considerations.
- 3. Any construction and improvements must meet the requirements of Carson City Standard Details.

EXISTING ZONING



LEGAL REQUIREMENTS: CCMC 18.02.050 (Review); 17.09 (Planned Unit Developments); 17.07 (Findings).

MASTER PLAN DESIGNATION: Medium Density Residential (MDR)

ZONING DESIGNATION: Neighborhood Business (NB) with a Resolution of Intent

PROPOSED ZONING DESIGNATION: Neighborhood Business (NB) / Planned Unit Development (PUD)

KEY ISSUES: Will the proposed Planned Unit Development be compatible with the surrounding neighborhood and be in keeping with the standards of the Carson City Municipal Code?

SURROUNDING ZONING AND LAND USE INFORMATION:

NORTH: Mobile Home 6000/ Single Family Residential EAST: Mobile Home 6000 / Single Family Residential

WEST: Neighborhood Business / Post Office

SOUTH: Mobile Home 6000 and Neighborhood Business - P / Single Family Residential

and Multi-Family Residential

ENVIRONMENTAL INFORMATION:

FLOOD ZONE: Zone X (areas of minimal flooding)

EARTHQUAKE FAULT: Zone I, Severe earthquake potential

SLOPE/DRAINAGE: Site is flat

SITE DEVELOPMENT INFORMATION:

LOT SIZE: 8,276 square feet

BUILDING SIZE: "house:" 1,712 square feet, "garage:" 560 square feet

PREVIOUS REVIEW:

ZMA-17-049: Zoning Map Amendment to Rescind a Resolution of Intent

SUP-17-050: Special Use Permit for a Child Care Facility

VAR-17-054: Variance from the Parking Standards

Z-97/98-9: Zoning Map Amendment to Neighborhood Business and Resolution of Intent

U-98/99-38: Temporary Sales Office

PUBLIC COMMENTS:

Public notices were mailed to 58 property owners within 300 feet of the subject parcel in accordance with the provisions of NRS and CCMC 18.02.045 on July 10, 2017. As of July 17, 2017, three letters in opposition have been received. Any additional comments that are received after this report is completed will be submitted prior to or at the Planning Commission meeting, depending on their submittal date to the Planning Division.

BACKGROUND:

At its meeting of May 24, 2017, the Planning Commission considered a request to amend the zoning map to rescind a Resolution of Intent that impacts the subject property.

Per the Resolution:

 The only permitted use, accessory use, or conditional use shall be an office for the Builders Association of Western Nevada (BAWN).

- If BAWN were to sell the property, it would be responsible for rezoning the property back to Mobile Home 6,000 (MH6000), and the structure could only be sold as a residence.
- The structure is limited to one single story in height.
- Specific landscaping is required along the eastern and northern property lines.
- Signage is limited to two feet by three feet.

The Planning Commission voted 3 - 1 (2 absent) to recommend approval of the requested map amendment to the Board of Supervisors.

At its meeting of June 15, 2017, the Board of Supervisors considered the request for a zoning map amendment. During deliberations, the Board expressed concerns with transitioning the zoning from Neighborhood Business with restrictions due to a Resolution of Intent, to Neighborhood Business zoning with no restrictions. The consensus of the Board was that the Resolution of Intent was not the correct instrument to utilize in limiting land use. In order to allow for a limitation on uses utilizing an instrument that is addressed in the Municipal Code, with concurrence by the applicant, the Mayor directed staff to work with the applicant to prepare a Planned Unit Development that would restrict the scope of uses allowed and conditional uses on this site.

Consistent with the provisions of CCMC 17.09.040, the Planning Commission conducts a public hearing on an application for a Planned Unit Development, and makes a recommendation to the Board of Supervisors. The Board of Supervisors has the authority to approve a Planned Unit Development.

Of note, the Planned Unit Development provisions are found in CCMC Title 17, which are the City's regulations regarding the division of land and subdivision of land. A planned unit development allows for flexibility in design standards to, in part, preserve or provide open space, protect natural, cultural and scenic resources, and minimize road building. A Planned Unit Development functions as an overlay zone, and supplements the base zoning by providing for supplemental dimensional standards, and by limiting the allowed uses and conditional uses that are permitted in the base zoning. In Carson City, the Planned Unit Development is typically associated with a Tentative Subdivision Map. In fact, the findings for a Planned Unit Development are the same findings as for a Tentative Subdivision map. The subject request is unusual in that no subdivision of land is being contemplated. Rather, the Planned Unit Development is being used as a type of substitute for the Resolution of Intent so as to create a vehicle to limit the allowable land uses, the building height, and the sign area.

In terms of land use, the following are the uses permitted in the Neighborhood Business zoning district. With a Planned Unit Development, you may further restrict the uses, but you may not add to them. The applicant is volunteering to limit land uses by forgoing the right to those uses that appear with a strike-through.

18.04.120 Neighborhood Business (NB). The purpose of the NB District is to provide services for the larger neighborhood, within walking or bicycling distance, and limited primarily to offices, retail sale of new merchandise. Unless expressly permitted otherwise by this section, all uses within the NB District shall be conducted within a building with no outside storage. Temporary outdoor display and sale of merchandise

PUD-17--099 Planning Commission July 26, 2017 Page 5

for a period not to exceed 30 days within a calendar year may be authorized by the Director subject to Title 18.02.115.8 (Outdoor Sales and Activities).

1. The Primary Permitted Uses in the NB District are this list plus an office use. other uses of a similar nature and those uses allowed in Section 18.04.115 General Office, except those uses appearing in Section 18.04.120.3 Neighborhood Business as Conditional uses which require a Special Use Permit:

Antiques, Retail

Architect and Engineering Supplies

Art Store

Automobile Service (automobile gas, with minor maintenance and repair service, no body repair)

Automobile Wash (full and self service)

Bakery

Bank

Barber Shop

Bicycle Shop, Retail (repair, accessory)

Bookstore

Cameras and Film, Retail (photo finishing, accessory)

Clothing Sales/Dress Shop

Coffee Shop

Coin Store

Convenience Store

Delicatessen

Drugstore and Pharmacy

Dry Cleaning

Fabric Store

Florist

Gaming (limited)

Gift Shop and Souvenirs

Green House

Handyman Repair Shop

Hardware Store

Health Food Products, Retail

Hobbies and Crafts. Retail

Ice Cream Parlor

Interior Decorator

Jewelry Store, Retail

Knit Shop

Launderette (coin operated)

Liquor and Alcoholic Beverages, Retail

Locksmith

Perfumery 1 4 1

Photographer's Studio

Post Office

Sewing Machine, Retail and Repair

Shoe Repair

Shoe Store

Shoeshine Stand

Sporting Goods Store

Stationery Store
Tailoring
Tobacco Shop
Toys, Retail
Travel Agency
Variety Store
Video Rental and Sales
Watch Repair
Yarn Shop

3. The Conditional Uses in the NB District which require approval of a Special Use Permit are:

Automobile Parts, Tires and Accessories

Bar

Business operating continually between 8:00 p.m. and 6:00 a.m. or on a 24 hours a day basis

Child Care Facility

Church

Congregate Care Housing/Senior Citizen Home

Equipment Rental (within a building)

Funeral Home, Mortuary

Health and Fitness Club

Municipal Well Facility

Music Studio

Personal Storage Retail/Office Complex subject to Division 1 and 1.10 Personal Storage of the Development Standards

Pet Grooming

Pet Shop

Restaurant, with or without outdoor seating and cooking

School, K-12

Single Family, Two-Family and Multi-Family Dwelling

Design Standards of a Planned Unit Development (PUD)

CCMC 17.09.095 identifies design standards associated with a Planned Unit Development. The Board of Supervisors may grant modifications after considering the statement of objectives regarding Planned Unit Developments. Given that Planned Unit Developments are generally associated with Tentative Subdivision Map, and that the subject request is focused on limiting land use for an already developed site, to a large extent, the design standards will not be applicable and modifications are appropriate.

Per CCMC 17.09.095.1, the minimum site area for a PUD may not be less than five acre, although the Board may waive this requirement when proper planning justification is presented. The subject property is 8,276 square feet. As the intent of the PUD is to apply a vehicle, other than a Resolution of Intent, to limit land use, staff finds that a waiver to this standard is appropriate.

Per CCMC 17.09.095.2, the minimum number of units in the PUD shall not be less than five dwelling units. The applicant is not proposing to develop the land for residential

purposes. Therefore, this standard is not applicable.

Per CCMC 17.09.095.3, the minimum lot size, width, and setback requirements applicable to the base zoning may be reduced, however a 20 foot setback is required at the perimeter boundary. The lot that is the subject of the request is a nonconforming lot in that it is 8,276 square feet where the minimum lot size required in the Neighborhood Business zoning district is 9000 square feet. No further subdivision is being contemplated. The site was improved with a 30 foot setback to the east side property line where the neighboring use is residential, a 30 foot setback to the rear, a 20 foot setback in the front, and a five foot setback on the west side next to the post office. Therefore, the existing building does not currently comply with the 20 foot perimeter setback. Given the purpose of the Planned Unit Development, and that the property adjacent to the five foot setback is a post office, staff finds the modification to be appropriate.

The height of buildings in a PUD is as allowed in the underlying zoning district. The Neighborhood Business zoning district allows for a building height of 26 feet. The existing building is 21 feet, seven inches. The applicant has volunteered to limit any building on the site to a single story so as to avoid an occupied second story that might compromise the privacy of neighboring properties.

Per CCMC 17.09.095.4, parking standards are required as articulated in Division 2 of the Development Standards, and will be determined at the time the use is proposed.

Per CCMC 17.09.095.5, storage areas may be provided in the plan. No storage areas are proposed as part of this request.

Per CCMC 17.09.095.6, sidewalks are required on all public and private streets. No street construction is proposed as part of this request.

CCMC 17.09.095.7 and 8, requires separate utility services to each unit, and requires underground utilities (water, sewer, gas, electricity, telephone, cable television) shall be required in all PUDs, prior to any street paving. The site only has one unit, and no street construction is proposed as part of this request.

Per CCMC 17.09.095.9, landscaping is required to meet the City's standards. The site is currently landscaped. If redevelopment of the site is contemplated, modified landscaping might be required at that time.

Per CCMC 17.09.095.10, bike paths consistent with the Unified Pathways Plan are required. The Unified Pathways Plan does not show a pathway on Randell Drive.

Per CCMC 17.09.095.11, planned unit developments must comply with wellhead protection and watershed protection requirements. The subject property is developed, and redevelopment is not proposed. Wellhead protection and watershed protection would be considered upon redevelopment of the site.

Per CCMC 17.09.095.12, drainage on the internal private and public streets shall be as required by the Development Engineering Department. No street construction is proposed as part of this request, and the site is already developed.

Per CCMC 17.09.095.13, fire hydrants shall be provided and installed as required by the Fire Department. The site and the street it fronts on are developed, and redevelopment is not being considered as part of this application. Fire infrastructure was installed at the time of original construction.

Open Space (CCMC 17.09.100)

All PUDs shall set aside a minimum of 30 percent of the gross area of the site for open space. For non-residential PUDs, open space areas may include parking areas and utility facilities, however no more than 25 percent of the open space can be comprised of these facilities. Therefore, 2,483 square feet of the site must be allocated as open space. Over 6,000 square feet of the site is not improved with buildings, thus this requirement is met.

FINDINGS: TPUD

Per CCMC Section 17.07.005 (Findings) and Section 17.09.050 (Approval or Denial of Application), the approval or denial of a PUD shall be based on the specific findings outlined below. Staff will first address the findings outlined in Section 17.07.005, followed by the findings outlined in Section 17.09.050.

Section 17.07.005 (Findings):

1. Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal.

This finding is met. The subject property is connected to public water and sewer.

2. The availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the subdivision.

No subdivision of property is proposed. The site is served by public water. If a change of use requires greater water demand necessitating review by the Growth Management Committee, that review would be scheduled.

3. The availability and accessibility of utilities.

The site is currently served by utilities.

4. The availability and accessibility of public services such as schools, police protection, transportation, recreation and parks.

The site is in the core of the City, and is currently served by schools, police, transportation, and recreation and parks.

5. Access to public lands. Any proposed subdivision that is adjacent to public lands shall incorporate public access to those lands or provide an acceptable alternative.

The proposed PUD is not a subdivision, and is not adjacent to public lands.

6. Conformity with the zoning ordinance and land use element of the City's Master Plan.

The subject property demonstrated conformance to the zoning ordinance and Master Plan at the time it was developed.

7. General conformity with the City's Master Plan for streets and highways.

The subject property is located on a local road, constructed consistent with the City's Master Plan for streets and highways.

8. The effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision.

No subdivision of land is proposed.

9. The physical characteristics of the land such as flood plains, earthquake faults, slope and soil.

The subject property is not in a flood plain, and is on flat land.

10. The recommendations and comments of those entities reviewing the subdivision request pursuant to NRS 278.330 thru 278.348, inclusive.

As subdivision of land is not proposed, the request has not been submitted to State agencies for review.

11. The availability and accessibility of fire protection including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires including fires in wild lands.

The project is in an infill area, currently served by public water and sewer. As the site is currently improved, there will be no new impacts on fire services.

12. Recreation and trail easements.

The Unified Pathways Master Plan does not show any pathways along Randell Drive.

Section 17.09.050 (Approval or Denial of PUD Application) identifies the findings that must be made with regard to approval of a PUD application, including in what respects the plan would or would not be in the public interest with consideration of the following:

1. In what respects the plan is or is not consistent with the statement of objectives of the Planned Unit Development ordinance.

The proposed plan is consistent with the statement of objectives of the Planned Unit Development ordinance. The intention of Chapter 17.09 is to create developments that produce a variety of land uses which complement each other and harmonize with the existing and proposed land uses in the vicinity. The objective of the subject application is to ensure compatibility of future land uses.

2. The extent to which the plan departs from zoning and Planned Unit Development regulations otherwise applicable to the property, including but not limited to density, size and use, and the reasons such departures are or are not deemed to be in the public interest.

Areas of departure from the Planned Unit Development Standards are:

- Site is less than five acres; and
- A twenty foot setback will not be met on the west side adjacent to the Post Office;

Staff finds that these departures are in the public interest as the Planned Unit Development is the only tool available to limit land use. The site was developed with the existing setbacks, and the five foot setback does not compromise anyone's enjoyment of their property.

3. The purpose, location and amount of the open space in the Planned Unit Development, the reliability of the proposals for maintenance and conservation of the open space and the adequacy or inadequacy of the amount and purpose of the open space as related to the proposed density and type of residential development.

The purpose, location and amount of open space in the PUD is appropriate for the property, and consistent with the requirements.

4. A physical design of the plan and in the manner in which such design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, parking requirements, and further the amenities of light and air, recreation and visual enjoyment.

The site is currently developed and served by public services.

5. The relationship, beneficial or adverse, of the proposed Planned Unit Development to the neighborhood in which it is proposed to be established.

The proposed PUD is structured to be beneficial to the neighborhood as it will limit the scope of land uses permitted.

6. In the case of a plan which proposes a development over a period of years, the sufficiency of the terms and conditions intended to protect the interest of the public and the residents of the Planned Unit Development in the integrity of the plan.

Phasing is not proposed.

Based on the ability to make the required findings subject to the proposed conditions of approval, staff recommends that the Planning Commission approve application TPUD-17-099 based on the required findings as noted above.

Attachments:

Aerial Photograph of the Site

PUD-17--099 Planning Commission July 26, 2017 Page 11

Correspondence from Sam Birchill Correspondence from Ken and Liz Kantura Correspondence from Frank and Karen Bondi



Rea Thompson

From:

Sam Birchill <sb@macsp.com> Tuesday, July 11, 2017 10:11 PM

Sent: To:

Planning Department

Cc:

Hope Sullivan

Subject:

PUD-17-099

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Dear Sir,

We responded to the notice concerning this property on May 6th, 2017 expressing our dissent with regard to this property and the stated use as a day care center. The notice we received today does not state what the intended use is for this property but we are to assume it is still for the use as a day care center. This is a residential area and with the exception of the Post Office this area's only business was the small office that is located at 806 Randall. If again, the request is to open this for a high traffic business such as the day care, we still object vehemently. We would like to restate our objections from the last notice:

- > The request for the special use permit at 806 Randell Drive should be denied. At this time there is already a shortage of parking on Randell as well as the surrounding streets. If you have 36 children in a day care, with no off street parking or loading area, that would be at least 82 additional vehicles pulling into that area and every one of those vehicles would have to make a u-turn to access the proposed business. Most of this additional traffic would be at the commute times at 7:30 to 8:30 AM and 4:30 to 5:30 PM during the work week.
- > In addition there are the employees who would be working in the day care. They would need parking for all day and with 36 children that would be at least 4 vehicles parked all day, leaving very little space for parents dropping off children. Small children, who are in child seats can't just be dropped off. The parents of these children have to park; get out of their vehicle's; take the child inside and then go out to their parked car. This would cause a huge traffic mess just when most people are on their way to work. This also doesn't even take into consideration the USPS vehicles going in and out of their yard which is adjacent to the proposed day care.
- > Children in the neighborhood play on the sidewalks in the area and this would put them at additional risk.
- > This type of business needs off street parking and this special use permit should be denied.
- > Carol and Sam Birchill Figuero Way.

These meeting seem to be conveniently scheduled during most peoples work hours and do not allow the affected individuals the ability to attend. We would request that our letter of dissent be read to the attending citizens at the upcoming meeting since it is impossible for us to attend.

We also would like a confirmation that this e-mail has been received by the Planning Commission.

Sincerely,

Carol and Sam Birchill

Rea Thompson

From:

Kjkantura <kjkantura@aol.com>

Sent: To: Tuesday, July 11, 2017 6:44 PM Planning Department

Subject:

PUD-17-099

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Planning Commission, **11, 2017**

July

I am writing in opposition to PUD-17-099.

This is currently a residential neighborhood that does not need a day care that requires parking. Since there is no parking lot currently on the property the cars and vehicles that would frequent the day care would be parking on the street. This would cause an additional hazard to the residents and cause more traffic issues.

The post office currently uses the street for trucks at all hours of the day/night. The additional vehicles would furtheroverload the street.

Please keep this neighborhood residential,

Thank you for this consideration,

Ken & Liz Kantura 1201 Toscana Way Carson City NV 89701

PUD-17-099

Frank and Karen Bondi

1254 Ginger Lane Carson City, NV 89701 775-691-1021 775-450-8918 fbondi12@gmail.com klbondi13@gmail.com

July 14, 2017



Planning Commission 108 E. Proctor Street Carson City, NV 89701

SENT VIA:

Fax: 775-887-2278

Email: planning@carson.org

RE:

Planned Unit Development

File No. PUD-17-099

Dear Planning Commission:

I have copied below the list of permitted uses which I received from Hope Sullivan, Planning Manager, regarding the above referenced Planned Unit Development. Options which would not be allowed have been crossed out. Below are our concerns:

- 1) It is blatantly obvious that this hearing is yet another attempt for the passage of a Child Care Facility in the former BAWN building located at 806 Randell Drive, Carson City, Nevada, APN 009-072-01.
- 2) In reviewing this list, we find it extremely doubtful and highly unlikely that any of the businesses listed would even consider a venue located on a side street with absolutely no exposure with the expectation of a running successful business.

If, as mentioned in the list, an Antiques, Retail; Art Store; Barber Shop; Bookstore; Cameras and Film, Retail (photo finishing, accessory); Fabric Store; Florist; Health Food Products, Retail; Interior Decorator; Jewelry Store, Retail; Knit Shop; Locksmith; Sewing Machine, Retail and Repair; Shoe Repair; Stationary Store; Tailoring; Travel Agency; Watch Repair or Yarn Shop actually applied to do business in this building and submitted a request, we would like to see the evidence of such a request.

Therefore, according to the Primary Permitted Uses, the fact is that only two options remain:

- a) A Child Care Facility (SURPRISE!!!) or;
- b) A Single Family Dwelling.

Frank and Karen Bondi July 14, 2017 Page 2

3) Traffic is already congested in this area due to the Clusterbox Mailboxes which are located kitty-corner and across the street from the parcel in question. Current residents on Randell cuttently park on the street in front of their homes and/or across the street behind or in front of the Clusterboxes. It is an understatement to say the area is already challenging for 2-way traffic let alone to stop and get mail. Adding additional traffic flow to this area would be hazardous and irresponsible.

Requested Land Use which was received from Hope Sullivan:

1. The Primary Permitted Uses in the NB District are this list plus an office use other uses of a similar nature and those uses allowed in Section 18.04.115 General Office, except those uses appearing in Section 18.04.120.3 Neighborhood Business as Conditional uses which require a Special Use Permit:

Antiques, Retail

Architect and Engineering Supplies

Art Store

Automobile Service (automobile gas, with minor maintenance and repair service, no body repair)

Automobile Wash (full and self-service)

Bakery

Bank

Barber Shop

Bicycle Shop, Retail (repair, accessory)

Bookstore

Cameras and Film, Retail (photo finishing, accessory)

Clothing Sales/Dress Shop

Coffee-Shop

Goin Store

Convenience Store

Delicatessen

Drugstoro and Pharmacy

Dry Cleaning

Fabric Store

Florist

Gaming (limited)

Gift Shop and Souvenirs

Green House

Handyman Repair Shop

Hardware Store

Health Food Products, Retail

Hobbies and Crafts, Retail

lco Croam Parlor

Interior Decorator

Frank and Karen Bondi July 14, 2017 Page 3

Jewelry Store, Retail

Knit Shop

Launderette (coin operated)

Liquor-and-Alcoholic-Bovorages, Retail

Locksmith

Perfumery

Photographor's Studio

Post Office

Sewing Machine, Retail and Repair

Shoe Repair

Shoo Store

Shooshino-Stand

Sporting Goods Store

Stationery Store

Tailoring

Tobacco Shop

Toys, Retail

Travel Agency

Variety Store

Video Rental and Sales

Watch Repair

Yarn Shop

3. The Conditional Uses in the NB District which require approval of a Special Use Permit are:

Automobilo Parts, Tiros and Accessories

Bar

Business operating continually between 8:00 p.m. and 6:00 a.m. or on a 24 hours a day basis

Child Care Facility

Church

Congregate Care Housing/Senior Citizen Home

Equipment Rental (within a building)

Funeral Home, Mortuary

Health and Fitness Club

Municipal Well Facility

Music Studio

Personal Storage Retail/Office Complex subject to Division 1 and 1.10 Personal Storage of the Development Standards

Pet-Grooming

Pet Shop

Rostaurant, with or without outdoor seating and cooking

School, K-12

Single Family, Two Family and Multi-Family Dwelling

Frank and Karen Bondi July 14, 2017 Page 4

We strongly oppose the use of the former BAWN building, located at 806 Randell Drive, Carson City, Nevada for anything other than a <u>Single Family Dwelling</u> to ensure the continuity and stability of the current neighborhood.

Sincerely,

Frank Bondi

Karen Bondi

Karen Bondi