

**STAFF REPORT FOR PLANNING COMMISSION MEETING OF SEPTEMBER 30, 2020**

**FILE NO:** LU-2020-0035

**AGENDA ITEM:** E.2

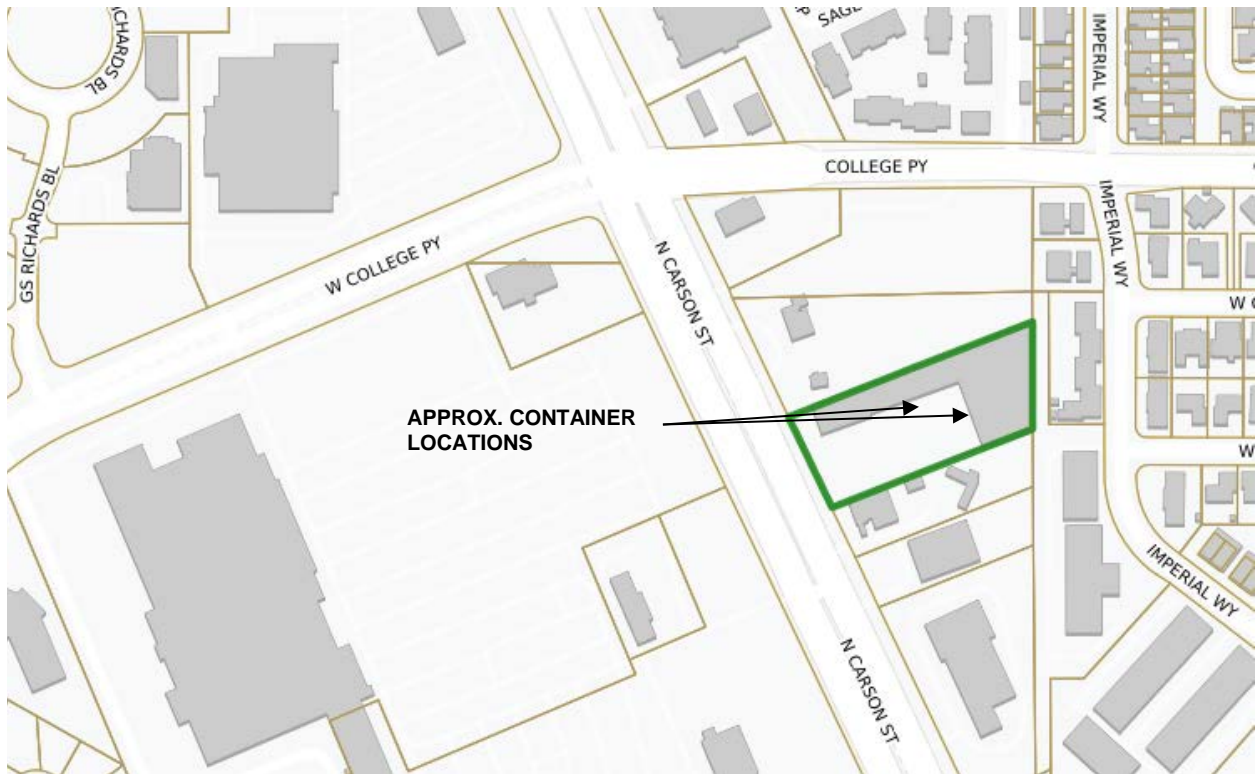
**STAFF AUTHOR:** Hope Sullivan, Planning Manager

**AGENDA TITLE:** For Possible Action: Discussion and possible action regarding a required administrative review of metal storage containers on property zoned, Retail Commercial (RC), located at 3333 North Carson Street, APN 002-392-05.

**SUMMARY:** The applicant is requesting to continue placement of metal storage containers on the site. A five-year review of approvals of storage containers is required per CCMC Title 18 Development Standards, Division 1.10.

**RECOMMENDED MOTION:** I move to approve LU-2020-0035, based on the ability to make the required findings and subject to the conditions of approval contained in the staff report.

**VICINITY MAP:**



**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 considerations.

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.

**The following applies to the life of the placement of the container:**

4. Metal storage containers are to be used for storage only. No human habitation is allowed. No addition of utilities is allowed without prior review and approval. No storage shall be placed upon or above the container.
5. No hazardous materials will be stored within the container.
6. The storage container will be maintained with a neutral exterior paint color. Graffiti shall be removed in accordance with the City's graffiti ordinance. The container must be maintained free of rust, peeling paint or other forms of deterioration.
7. Advertising is prohibited on the exterior of the container.
8. Any further review that may be required by the code shall be administrative, although the Community Development Director may refer the review to the Planning Commission.

**LEGAL REQUIREMENTS:** Carson City Municipal Code 18.04.130 Retail Commercial (RC) Conditional Uses, Development Standards Division 1.10.9 Metal Storage Containers

**MASTER PLAN DESIGNATION:** Mixed Use Commercial (MUC)

**PRESENT ZONING:** Retail Commercial (RC)

**KEY ISSUES:** Does the application meet the Development Standards regulations for a metal storage container, and does the application continue to meet the required findings for review of a metal storage container? Is the proposed continuation of a metal storage container in this location still compatible with surrounding properties? Have there been any problems with the permanent placement of the storage container?

**SURROUNDING ZONING AND LAND USE INFORMATION:**

NORTH: Retail Commercial / formerly used car sales  
SOUTH: Retail Commercial / Veterinary  
EAST: Retail Commercial Planned Unit Development / Commercial  
WEST: Multi-Family Apartment / Multi-Family Residential

**ENVIRONMENTAL INFORMATION:**

FLOOD ZONE: Zone X  
EARTHQUAKE FAULT: Zone I, Beyond 500 feet  
SLOPE/DRAINAGE: Flat

**SITE DEVELOPMENT INFORMATION:**

LOT SIZE: 1.82 acres  
EXISTING LAND USE: Furniture store

### **HISTORY:**

October 28, 2015: Planning Commission reviewed and approved the storage container for compliance and continued use (SUP-15-094).

October 27, 2010: Planning Commission reviewed and approved the storage container for compliance and continued use (SUP-05-187).

October 26, 2005: - Planning Commission initially reviewed and approved the storage container for compliance and use (SUP-05-187).

### **DISCUSSION:**

Per Division 1.10.9 of the Carson City Development Standards, metal storage containers may be permanently located on a parcel in the Retail Commercial zoning district subject to approval of a Special Use Permit. A review for compliance and continued use is required every five years for verification of compliance with requirements of the Special Use Permit and municipal code.

In 2005, the Planning Commission approved a Special Use Permit, SUP-05-187, for the placement of three metal storage containers on the subject property. The SUP was last reviewed for compliance in October 2015. The containers have remained in the same location, on the southside of the showroom, north and east of the parking area, and west of the warehouse, since the original approval. The containers have been maintained and no changes are proposed. The containers are used for excess storage associated with the furniture store.

The Planning Division has not received any complaints regarding the storage containers since the Special Use Permit was approved in 2005. The applicant has advised staff that he would like to continue to use the containers on site.

Included in the recommended conditions of approval is the proposal that if future review is required by the Municipal Code, the review will be administrative, although the Community Development Director may refer the review to the Planning Commission

**FINDINGS:** Staff's recommendation is based upon the findings as required by CCMC Section 18.02.062 (Special Use Permits) enumerated below and substantiated in the public record for the project. Future reviews will be handled administratively.

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

The subject property has a Master Plan designation of Mixed-Use Commercial. The uses identified in the Master Plan for this land use designation are primary uses of commercial retail and office. The current land use of a furniture store is a commercial retail use. The containers allow for extra on-site storage, but are supportive of the primary use of retail commercial. The use is consistent with the Master Plan.

#### **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.**

The containers have been located on this property for 15 years without issue. The containers do not create noise, vibrations, fumes, odors, dust, or glare. The containers are painted a neutral tan color and are set back from Carson Street.

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

The containers are setback from Carson Street, and do not create a detrimental effect on vehicular or pedestrian traffic.

**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 storage containers do not create an impact on schools, police, or fire services. The storage containers do not utilize water, sanitary sewer, or roads and the impacts to storm drainage is negligible.

**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.**

Upon approval of SUP-05-187 in October 2005, the use and placement of the metal storage containers was determined to comply with the requirements outlined in Division 1.10.9 of the Development Standards. The containers continue to comply with the approved special use permit.

**6. The use will not be detrimental to the public health, safety, convenience and welfare.**

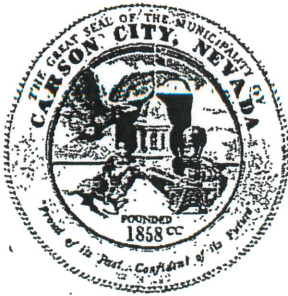
The containers are not detrimental to public health, safety, convenience and welfare. In the fifteen years that the containers have been in place, the Planning Division has not received any complaints. The containers accommodate storage of goods for the furniture store.

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

The continued use of the containers will not result in material damage or prejudice to other property in the vicinity. The container provides for storage associated with the furniture store.

Attachments:

SUP-15-094 Notice of Decision Dated October 28, 2015



**RECEIVED**  
NOV 20 2015  
CARSON CITY  
PLANNING DIVISION

## Carson City Planning Division

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

★ CLERK ★  
**FILED**  
Time 8:40 Am

NOV 11 2015

✓  
**PLANNING COMMISSION**  
October 28, 2015

By C. Eggert  
Deputy  
Carson City, Nevada

### NOTICE OF DECISION

An application was received, SUP-15-094, to conduct a five-year review of a previously approved Special Use Permit, SUP-05-187, granted to Jeff Herman (property owner: Conaliz, LLC) for metal storage containers on property zoned Retail Commercial (RC), located at 3333 N. Carson Street, APN 002-392-05, pursuant to the requirements of the Carson City Municipal Code.

The Planning Commission conducted a public hearing on October 28, 2015, in conformance with City and State legal requirements, and approved SUP-15-094, based on the findings contained in the staff report and subject to the following conditions of approval.

#### CONDITIONS OF APPROVAL:

**The following shall be completed prior to commencement of the use:**

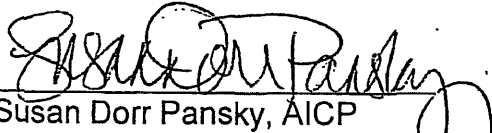
1. The applicant must sign and return the Notice of Decision for conditions for approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, then the item may be rescheduled for the next Planning Commission meeting for further considerations.
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.

**The following applies to the life of the placement of the container:**

4. Metal storage containers are to be used for storage only. No human habitation is allowed. No addition of utilities is allowed without prior review and approval. No storage shall be placed upon or above the containers.
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6. The storage containers will be maintained with neutral exterior paint color. Graffiti shall be removed in accordance with the City's graffiti ordinance. The containers must be maintained free of rust, peeling paint or other forms of deterioration.

7. Advertising is prohibited on the exterior of the containers.
8. The placement of the containers shall be reviewed in five year increments or at any time the principal property use changes, with a \$50.00 administrative service charge and noticing costs paid by the applicant. The next scheduled review date will be the Planning Commission meeting of October 2020.

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

  
Susan Dorr Pansky, AICP  
Planning Manager

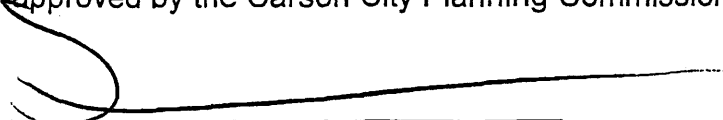
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Mailed by: 11/60/15

By: RMT

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

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



OWNER/APPLICANT SIGNATURE

11-18-15

DATE

JEFF HERMAN

PLEASE PRINT YOUR NAME HERE

**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 one is for your records.
2. Self-addressed stamped envelope