



Storey County Planning Commission Meeting Agenda

Thursday, June 2, 2016 6:00 p.m.

Storey County Courthouse, District Courtroom
26 South "B" Street, Virginia City, Nevada

Larry Prater - Chairman

Virgil Bucchianeri - Planning Commissioner

Pamela Smith - Planning Commissioner

John Herrington - Planning Commissioner

Jim Hindle - Vice-Chairman

Ron Engelbrecht - Planning Commissioner

Kris Thompson - Planning Commissioner

All items include discussion and possible action to approve, modify, deny, or continue unless marked otherwise.

1. **Call to Order at 6:00 p.m.**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Discussion/Possible Action:** Approval of Agenda for June 2, 2016.
5. **Discussion/Possible Action:** Special Use Permit 2016-008 by Kevin and Ambre Chevalier. The applicants are requesting a Special Use Permit to operate a business for classic automobile chassis, mechanical, and body restoration in a CR(Commercial Residential) zone one at 790 South A Street, Virginia City, Storey County, Nevada, (APN 001-041-12).
6. **Discussion Only/ No Possible Action (Master Plan Amendments):** Discussion and comments from the commission, staff, and public regarding existing and potential future land uses and development patterns in the county and its communities. Discussion will include a review of draft Master Plan Chapter 4 Land Uses; Chapter 5 Population; Chapter 6 Housing; Chapter 8 Transportation; and other chapters of the draft master plan. Public participation is encouraged. Copies of the master plan draft may be obtained from the Planning Department website at <http://www.storeycounty.org/521/Updates>, at 775.847.1144, or from planning@storeycounty.org.
7. **Discussion/Possible Action:** Determination of next Planning Commission meeting.
8. **Discussion/Possible Action:** Approval of Claims.
9. **Correspondence** (no action)
10. **Public Comment** (no action)
11. **Staff** (no action)
12. **Board Comments** (no action)
13. **Adjournment**

Notes:

Note: Additional information pertaining to any item on this agenda may be requested from the Planning Department (775-847-1144).

- Note: There may be a quorum of Storey County Commissioners in attendance, but no action or discussion will be taken by the Commissioners.
- Note: Public comment will be allowed after each item on the agenda (this comment should be limited to the item on the agenda). Public comment will also be allowed at the end of each meeting (this comment should be limited to matters not on the agenda).
- Storey County recognizes the needs and civil rights of all persons regardless of race, color, religion, gender, disability, family status, or nation origin.
- Nondiscrimination Statement: In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

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- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) Email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer, and lender.

Certification of Posting

I, Lyndi Renaud, on behalf of the Storey County Planning Commission, do hereby certify that I posted, or caused to be posted, a copy of this Agenda at the following locations on or before May 24, 2016: Virginia City Post Office; Storey County Courthouse; Virginia City Fire Station 71; Virginia City RV Park; Mark Twain Community Center; Rainbow Bend Clubhouse; Lockwood Community Center; Lockwood Fire Station; Virginia City Highlands Fire Station; and the Virginia City Highlands mailbox buildings.

By Lyndi Renaud, Secretary

**STOREY COUNTY
PLANNING DEPARTMENT**

Storey County Courthouse
26 South B Street, PO Box 176, Virginia City, NV 89440
Phone (775) 847-1144 – Fax (775) 847-0949
planning@storeycounty.org



To: Storey County Planning Commission

From: Storey County Planning Department

Meeting Date: June 2, 2016

Meeting Location: Storey County Courthouse - 26 South B Street, Virginia City, Nevada 89440

Case Number: 2016-008

Applicant: Kevin and Ambre Chevalier

Property Owners: Kevin and Ambre Chevalier

Staff Contact: Jason VanHavel, Storey County Planner

Figures: Figure 1: Area Map; Figure 2: South Street from C Street; Figure 3: Buildings from A Street; Figure 4: Land Use Compatibility Table

Appendix: Appendix 1: Applicant Statement

Guiding Documents: Storey County Code, Section 17.03.150 Special Use Permit (conditional use), 17.30.030 CR Zone; Storey County Master Plan

Property Location: 790 South A Street, Virginia City, Storey County, Nevada (APN: 001-041-12)

Request: For a Special Use Permit to operate a business for classic automobile chassis, mechanical, and body restoration in a CR Zone.

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1. Background & Analysis

1.1 Site location and characteristics

The property is located at 790 South A Street, in the Virginia City. The parcel is approximately 22,869 Square Feet (.525 acres), and is improved with an about 2,140 square foot single family residence and almost 700 sqft garage. The area properties are mostly zoned CR. (Figure 1 - Area Map). The Applicant's property is located in the Divide, between Virginia City and Gold Hill.

Access to the property is from C Street (SR 342), then on South Street, then up either A or B Street to their private driveway. B Street is at the eastern side of the subject property and A Street is on the West.



Figure 1: Area Map with parcels and zoning

1.2 Proposed Use

The Applicant proposes to operate a high end automobile restoration business from his property. The work will include body, engine, transmission, suspension, electrical, interior, or anything else needed. The vehicles are expected to be almost entirely disassembled and reassembled on site. There are no needed site improvements other than to meet the public safety requirements. These restorations are expected to be extremely fine in quality and of value to an exclusive customer.

The onsite work is expected to be performed inside, with all storage inside an existing detached garage. The garage is about 40 feet from the house and 150 feet to the MX Trophies/Divide Fitness building which is the nearest off site building. The work is not expected to cause any offsite noise, fumes, or vapors. The business is expected to be marketed through word of mouth, clubs, and other online activities. Additional traffic associated with this business should be minimal.

1.3 Special Use Permit Required

The purpose and intent of the CR commercial-residential zone are established to provide for the development of mixed use commercial and residential uses and to prohibit the development of uses that are incompatible and detrimental to the commercial/residential blended environment. SCC 17.30.30.B states that automobile services including service are permitted in the CR zone subject to a special use permit.

1.4 Surrounding Uses

The property to the east contains Divide Fitness and MX Trophies light manufacturing businesses, one to the southeast is Nevada Bell, and the other adjacent properties are vacant including BLM to the west.

1.5 Area Impacts

SCC 17.30.030 Reads, “Unless stated otherwise, the following uses may be permitted subject to securing a special use permit as provided for in chapter 17.03 Administrative provisions: “ Paragraph E in section 30 reads, “Automotive services including service and fueling stations, repair, sales, and rentals.” The intended use is within the intent of the identified zoning.

With the expected use, the potential impacts include noise, odor, dust, smoke/fire, or excessive vehicular traffic. The business will be conducted inside the garage and not contain excessive impacts to the area. Furthermore, there are no residential properties in the area. This limits any potential conflicts even further. Each of the following sections addresses a potential impact and offers mitigation measures for the public safety.



Figure 2: South Street from C Street

1. Noise. Sound emissions generated from automobile restoration, impact wrenches, and paint facilities typically originate from high-pressure pneumatic compressors. Despite the applicant’s claim that noise generation is minimal, operations and equipment will be required to remain within the enclosed shop building. Emanating sounds exceeding 45 decibels (A-weighted) at the parcel boundary will need to be abated.
2. Airborne Containments. Automobile body work including coatings is covered by the EPA under regulation 40 CFR part 65 and enforced by the Nevada Department of Environmental Protection (NDEP). This regulation regulates maximum VOCs or CFCs. Automobile painting activities must be performed in a certified paint spray booth. Fugitive airborne containments regulated by 40 CFR part 63 must be within NDEP guidelines at all times.
3. Fire Suppression. Despite the non-flammable nature of the activities used on-site, the following items and activities are required:
 - a. Install a commercial KNOX Box
 - b. Install address letters 12 inches minimum
 - c. Provide secondary containment for all flammable fluids greater than 45 gallons
 - d. Provide a fire cabinet for all aerosol
 - e. Painting must be contained in a sprinkled paint booth with proper ventilation (IFC section 914.9)
 - f. A, B, and C rated fire extinguishers

4. Traffic. The facility and its owner-operator (no employees) have the capacity to accommodate one vehicle or customer item at a time. For vehicle storage and customer return visits, only one is allowed at a time. Vehicle storage must be enclosed. Excessive vehicle traffic or heavy loads might degrade public streets. Applicant assumes responsibility for maintaining South Street, A and B Streets in areas where excessive traffic or heavy loads degrade these streets.



Figure 3: View of the buildings from A Street

It appears that the proposed automobile restoration business will impose no adverse impacts on the surrounding lands when the above items are addressed.

2. General Compliance with Storey County’s Guiding Documents

2.1 Summary Table

The table below shows land uses, master plan designations and zoning for the land surrounding the proposed residence. There are no evident conflicts between the proposal and the County Master Plan. The proposed use is consistent with the surrounding land that allows for commercial/residential uses.

| Figure 4: Land Use Compatibility | | | |
|---|--|------------------------|---------------|
| Land | Land Use | Master Plan | Zoning |
| Applicant’s Land | Existing single-family residence and detached two-car garage | Commercial Residential | CR |
| Land to the east | Fitness gym and light manufacturing commercial use | Commercial Residential | CR |
| Land to the southeast | Telephone switch equipment building | Commercial Residential | CR |
| Land to the south | Vacant | Commercial Residential | CR |
| Land to the southwest | Vacant | Forestry | F |
| Land to the west | Vacant | Forestry | F |
| Land to the northwest | Vacant | Forestry | F |
| Land to the north | Vacant | Commercial Residential | CR |
| Land to the northeast | Fitness gym and light manufacturing commercial use | Commercial Residential | CR |

2.2 Compliance with Storey County Master Plan

On page 5 of the Master Plan, Goal 1 under Economy, Goals and Objectives: “Enhance diversification of economic opportunities within the county.”

This special use permit appears to add to the diversity of Virginia City and the business appears to add to the local economy.

3. Compliance with the Storey County Code

3.1 Uses Subject to Special Use Permit

SCC 17.30.030

“Unless stated otherwise, the following uses may be permitted subject to securing a special use permit as provided for in chapter 17.03 Administrative provisions:

E Automotive services including service and fueling stations, repair, sales, and rentals.” The intended use is within the intent of the identified zoning.”

This passage of the SCC allows for the applicant’s potential special use permit.

3.2 Stated when to allow a special use permit

SCC 17.12.018

“Uses listed as requiring a special use permit are considered as special exceptions within each zone. Any special permitted use must meet with the regulations for special use permits and any conditions imposed by the board. In addition to the special use permit, all necessary federal, state, and county permits and licenses are required.”

The applicant is in compliance with this section of the code. This passage of the SCC illustrates when to allow a special use permit and this situation is in compliance.

3.3 Sign sizes

Any signs used on the property are expected to be compliant with SCC 17.84 Signs and Billboards.

3.4 No Other Non-compliance Problems

All other aspects of the business are expected to be within the county code.

4. Public Comment

4.1 Public Comment

As of May 24, 2016 (date of posting) Staff has not received any comments from the public.

5. Findings

5.1 Motion for Approval

The following findings of fact are evident with regard to the requested Special Use Permit when the recommended conditions of approval in Section 6 Recommended Conditions of Approval are applied:

5.1.1 The Special Use Permit complies with all federal, state, and county regulations.

5.1.2 The Special Use Permit will not impose substantial adverse impacts or safety hazards on the adjacent properties or the surrounding area.

5.1.3 The conditions of the Special Use Permit adequately address potential fire hazards and require compliance with the applicable fire codes, including fire protection ratings.

5.1.4 Use will not adversely affect the existing South Street, B or A Street, and if the use does impact the road, the applicant will maintain effected streets to conditions as of SUP approval.

5.1.5 Any paint and/or body work will be mitigated appropriately to maintain public health and safety.

5.1.6 The conditions under this The Special Use Permit do not conflict with the minimum requirements in SCC Chapter 17.12 General Provisions, Chapter 17.30 CR Commercial Residential Zone and Chapter

17.03.150 Special Use Permits, or any other federal, state, or county regulations, including building and fire codes.

5.2 Motion for Denial

Should a motion be made to deny the Special Use Permit request, the following findings with explanation of why should be included in that motion.

5.2.1 Substantial evidence shows that the Special Use Permit may conflict with the purpose, intent, and other specific requirement of SCC 17.12 General Provisions, Chapter 17.30 CR Commercial Residential Zone and Chapter 17.03.150 Special Use Permit or other federal, state, or county regulations.

5.2.2 The conditions under the Special Use Permit do not adequately mitigate potential adverse impacts on surrounding uses or protect against potential safety hazards for surrounding uses.

6. Recommended Conditions of Approval

All conditions must be met to the satisfaction of each applicable County Department, unless otherwise stated.

1. **Compliance.** This Special Use Permit (SUP) No. 2016-008 shall be for the purpose of an automobile restoration business to be performed at 790 South A Street, Virginia City, Storey County, Nevada (APN: 001-041-12). The business activities will include automobile chassis, mechanical, electrical, body, interior and paint restoration including complete disassembly and reassembly of engine, transmission, suspension, etc. work. The operation shall remain in compliance with all of the provisions set forth by this SUP and federal, Nevada State, and Storey County codes and regulations. Issuance of this SUP does not convey property rights of any sort or any exclusive privilege, nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of state or local laws or regulations.
2. **Requirements.** The Permit Holder shall apply for all required permits and licenses, including business license, for the project within twelve (12) months from the date of final approval of SUP No. 2016-008, and continuously maintain the validity of those permits/licenses, or this approval shall be null and void. This SUP shall remain valid as long as the Permit Holder remains in compliance with the terms of this SUP and Storey County, Nevada State, and federal regulations.
3. **Transfer of Rights.** This SUP shall inure to the record owner of the Subject Property and to the Permit Applicant(s) (Kevin and Ambre Chevalier) and shall run with the land defined herein. This SUP permit, subject to its terms and conditions, may be transferred by the permit holder, its successors, heirs or assigns. The record owner may lease the land; however, the record owner is ultimately responsible for compliance with the SUP permit regulations. Any/all transfers of SUP 2016-008 shall be advised in writing to Storey County Planning Department 90 days prior to assignee taking over operation of facility. The operators of the facility must sign and accept all stipulations and requirements of SUP 2016-008.
4. **Fire Suppression/Materials Management.** The premises shall contain a KNOX Box, address lettering 12 inches high minimum, secondary containment for all flammable fluids greater than 45 gallons, a fire cabinet for all aerosol, painting must be contained in a sprinkled paint booth with proper ventilation per IFC section 914.9, and A, B, and C rated fire extinguishers as directed by the Storey County Fire Department. Storage of paints, chemicals, solvents, and other hazardous

materials shall comply with Storey County Fire District requirements and the applicable Nevada Revised Statutes.

5. **Traffic.** For vehicle storage and customer visits, only one is allowed at a time. Vehicle storage must be enclosed. Applicant assumes responsibility for maintaining South Street, A and B Streets in areas where excessive traffic or heavy loads degrade these streets to a standard equal to the condition when this SUP is approved.
6. **Noise.** Noise at the property line shall be limited to 84 decibels (A-weighted, SCC 8.04.020) and shall be subject to further reasonable limitations as determined by Storey County.
7. **Airborne Containments.** All work performed subject to this SUP, will be compliant with all NDEP air quality standards. Automobile painting activities must be performed in a certified paint spray booth. Fugitive airborne containments must be within NDEP guidelines at all times.
8. **Operation.** The applicant will operate the business primarily inside of a structure. It will not generate excessive odor, dust, smoke, or other disturbances.
9. **Health, Safety and Welfare.** The applicant will not adversely affect the health, safety or general welfare of the citizens of the county.
10. **Taxes paid.** Before obtaining a business license, the Applicant must show the Community Development Department evidence that all property taxes on the land are paid to-date.
11. **Indemnification.** The Applicant warrants that the future use of land will conform to requirements of Storey County, State of Nevada, and applicable federal regulatory and legal requirements; further, the Applicant warrants that continued and future use of the land shall so conform. The Applicant and property owner(s) agree to hold Storey County, its officers, and representatives harmless from the costs and responsibilities associated with any damage or liability, and any/all other claims now existing or which may occur as a result of this Special Use Permit.

7. Power of the Board & Planning Commission

At the conclusion of the hearing, the Planning Commission must take such action thereon as it deems warranted under the circumstances and announce and record its action by formal resolution, and such resolution must recite the findings of the Planning Commission upon which it bases its decision. The decision of the Planning Commission in the matter of granting the Special Use Permit is advisory only to the Board of County Commissioners and that governing body must consider the report and recommendation and must make such a decision thereon as it deems warranted.

8. Proposed Motions

This Section contains three motions from which to choose. The first motion for approval allows full restoration including body work and is recommended by Staff in accordance with the findings under Section 5.1 of this report. Those findings should be made part of that motion. The second potential motion only allows restoration without body work and should be made in accordance with applicable findings in Section 5.1 of this report. The last motion for denial may be made and that motion should cite one or more of the findings shown in Section 5.2. Other findings of fact determined appropriate by the Planning Commission should be made part of either motion.

8.1 Recommended Motion (Motion for approval)

In accordance with the recommendation by Staff, the Findings under Section 5.1 of the Staff Report and other Findings deemed appropriate by the Planning Commission, and in compliance with the conditions of approval in Section 6 of this report, I [Planning Commissioner] hereby recommend conditional approval of Special Use Permit Application Number 2016-008 for the operation of the automobile restoration business, including local body and paint work, located at 790 South A Street, Virginia City, Storey County, Nevada (APN: 001-041-12).

Summary: Approval of special use permit with conditions and local body work

8.2 Alternative Motion (Motion for approval of automobile restoration without local body work)

In accordance with the recommendation by Staff, the Findings under Section 5.1 of the Staff Report and other Findings deemed appropriate by the Planning Commission, and in compliance with the conditions of approval in Section 6 of this report, I [Planning Commissioner] hereby recommend conditional approval of Special Use Permit Application Number 2016-008 for the operation of the automobile restoration business, not including local body and paint work, located at 790 South A Street, Virginia City, Storey County, Nevada (APN: 001-041-12).

Summary: Approval of special use permit with conditions without local body work

8.3 Alternative Motion (motion for denial)

In accordance with the Findings under Section 5.2 of the Staff Report and other Findings deemed appropriate by the Planning Commission, I [Planning Commissioner] hereby recommend denial of Special Use Permit Application Number 2016-008 for the operation of the automobile restoration business located at 790 South A Street, Virginia City, Storey County, Nevada (APN: 001-041-12).

Summary: Denial of special use permit

Prepared by: Jason VanHavel

APPENDIX 1

Applicant Statement

Detail Description/Justification of Project

To whom it may concern,

This businesses purpose is to attract high end customers and perform complete rotisserie restorations of their classic cars or trucks.

A rotisserie restoration consists of a complete disassembly of the vehicle, engine, transmission, both front & rear suspensions & axles are all removed. The entire interior is removed, seats, carpet, carpet underlayment, instrument cluster, electrical/wiring harness etc., all fuel & brake lines are removed, once everything is removed the vehicle shell is then mounted to the Rotisserie & transported by trailer to Paint & Body Shop, once body work & paint are done, vehicle is transported back to my shop where re-assembly of vehicle would be completed. All the mechanical work, engine, ~~axles~~, transmission, suspension, steering, brakes, electrical ~~all~~ ^{ill} ~~be~~ all completed in my shop.

Part

In the future, there's a possibility of me wanting to start doing body work, which would ~~be~~ require the use of Body fillers, sanding tools etc... which would create sanding dust that I would keep at a minimum by doing this work inside of buildings.

In the future there would also be a possibility of me wanting to start painting parts or all of customer's vehicles using modern Basecoat / Clearcoat as well as single stage ~~or~~ Prims. This of course would all be performed in a modern up to code Paint Booth