

CARSON CITY PLANNING COMMISSION

Minutes of the July 31, 2013 Meeting

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A regular meeting of the Carson City Planning Commission was scheduled for 5:00 p.m. on Wednesday, July 31, 2013 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Vice Chairperson George Wendell
Commissioner Malkiat Dhami
Commissioner Paul Esswein
Commissioner Mark Kimbrough
Commissioner Walt Owens
Commissioner Kent Steele

STAFF: Lee Plemel, Community Development Department Director
Susan Dorr Pansky, Planning Manager
Joseph Ward, Senior Deputy District Attorney
Kathleen King, Deputy Clerk / Recording Secretary

NOTE: A recording of these proceedings, the commission's agenda materials, and any written comments or documentation provided to the recording secretary, during the meeting, are part of the public record. These materials are available for review, in the Clerk's Office, during regular business hours.

A. CALL TO ORDER, DETERMINATION OF A QUORUM, AND PLEDGE OF ALLEGIANCE (4:59:44) - Vice Chairperson Wendell called the meeting to order at 4:59 p.m. Roll was called; a quorum was present. Commissioner Sattler was absent. At Vice Chairperson Wendell's request, Commissioner Kimbrough led the pledge of allegiance.

B. PUBLIC COMMENTS (5:00:45) - Vice Chairperson Wendell entertained public comments; however, none were forthcoming.

C. POSSIBLE ACTION ON APPROVAL OF MINUTES - June 26, 2013 (5:01:36) - Vice Chairperson Wendell entertained a motion. **Commissioner Steele moved to approve the minutes, as presented. Commissioner Dhami seconded the motion. Motion carried 6-0.**

D. MODIFICATION OF AGENDA (5:02:20) - Vice Chairperson Wendell entertained modifications to the agenda; however, none were forthcoming.

E. DISCLOSURES (5:02:31) - None.

F. CONSENT AGENDA (5:02:45) - None.

G. PUBLIC HEARING MATTERS:

G-1. SUP-13-022 POSSIBLE ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM THE CARSON CITY PARKS AND RECREATION DEPARTMENT (PROPERTY OWNER: CARSON CITY) TO REVIEW THE OPERATIONAL CONDITIONS FOR A PREVIOUSLY-APPROVED SIGN TO REPLACE THE EXISTING COMMUNITY CENTER SIGN, ON PROPERTY ZONED PUBLIC REGIONAL ("PR"), LOCATED AT 851 EAST WILLIAM STREET, APN 002-181-01 (5:04:21) - Vice Chairperson Wendell introduced this item, and Mr. Plemel reviewed the agenda materials in conjunction with displayed slides and a video presentation. (5:09:16) Project Manager Tom Grundy advised that additional research will help to further define "0.3 foot candles above ambient light." Mr. Plemel responded to questions of clarification regarding message

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transition times and video / animation, as depicted in the video presentation. In response to a question, Mr. Grundy explained that the message center display is run by computer, which software is “extremely flexible.”

Vice Chairperson Wendell entertained additional questions of the commissioners. Commissioner Kimbrough expressed concern with regard to limiting the sign brightness to 0.3 foot candles prior to the aforementioned research being conducted. Mr. Grundy responded to questions of clarification regarding the video and animation aspect of the message center display software. Mr. Plemel responded to questions of clarification regarding sign brightness and message transition, and discussion followed. In response to a further question, Mr. Grundy advised that staff is developing a fee schedule for sign advertisers. He and Mr. Plemel responded to corresponding questions of clarification. In response to a further question, Mr. Grundy advised that the Health and Human Services, Fire, Public Works, and Sheriff’s Departments will be able to “tie into that sign in case of an urgent situation. And they could override all the content on the sign if that was necessary.” He and Mr. Plemel responded to corresponding questions of clarification, and discussion followed.

Vice Chairperson Wendell entertained additional questions or comments of the commissioners and public comments. When no comments were forthcoming, he entertained a motion. **Commissioner Esswein moved to approve the operational plan of the new Community Center sign, as submitted by City staff, subject to a review by the Planning Commission in July 2014, at which time the Planning Commission may modify the operational plan to address any negative impacts from the sign operation. Commissioner Dhami seconded the motion. Motion carried 6-0.** Vice Chairperson Wendell thanked Mr. Grundy and Mr. Plemel.

G-2. SUP-13-046 POSSIBLE ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM CARSON CITY (PROPERTY OWNER: USDA / BLM) TO ALLOW CONSTRUCTION OF A NEW RADIO / COMMUNICATION TOWER, ON PROPERTY ZONED PUBLIC REGIONAL (“PR”), LOCATED AT 250 CONESTOGA DRIVE, APN 008-011-30 (5:38:37)
- Vice Chairperson Wendell introduced this item, and Ms. Dorr Pansky reviewed the agenda materials in conjunction with displayed slides. Ms. Dorr Pansky noted staff’s recommendation of approval with the conditions outlined in the staff report. She advised that the applicant had requested to revise condition of approval number 9, in that the cinder blocks will be manufactured in a natural color. She proposed the following revision: “The prefabricated or cinder block building will be constructed of or painted a natural earth tone color.” Ms. Dorr Pansky advised that a gentleman had visited the Planning Division to review the agenda materials and inquire as to the project; however, no formal public comment was provided to the Planning Division.

Vice Chairperson Wendell entertained questions or comments of the commissioners. In response to a question, Mr. Grundy advised of a sufficient distance between the communications towers to avoid interference. In addition, there are “separation distances between different antennas on the same tower.” In response to a further question, Mr. Grundy advised of consideration given to co-locating NDOT facilities on the tower. He was unaware of any requests for commercial co-locations. He acknowledged that a radio technician is employed by the City and conducted the research associated with the subject application. In response to a comment, Mr. Grundy discussed difficulties associated with the existing communications tower. He was uncertain as to the funding source for the subject project. In response to a further question, he advised that City personnel maintains the existing equipment and will maintain the subject equipment.

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Vice Chairperson Wendell entertained additional questions or comments of the commissioners and, when none were forthcoming, public comments. When no public comments were forthcoming, he entertained a motion. **Commissioner Dhami moved to approve SUP-13-046, a special use permit to allow Carson City to construct and operate a new radio communications site with an 80-foot tall radio tower, on property zoned Public Regional, located at 250 Conestoga Drive, APN 008-011-30, based on the findings and subject to the conditions of approval outlined in the staff report, with the revision to condition of approval number 9 as noted on the record. Commissioner Esswein seconded the motion. Motion carried 6-0.** Chairperson Wendell thanked Mr. Grundy and Ms. Dorr Pansky.

G-3. ZCA-13-049 POSSIBLE ACTION TO MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING A ZONING CODE AMENDMENT APPLICATION TO AMEND CARSON CITY MUNICIPAL CODE, TITLE 17, DIVISION OF LAND, CHAPTER 17.08, DEVELOPMENT AGREEMENTS, TO ADD A SECTION FOR AGREEMENT FEES AND CHARGES; AND TO AMEND CARSON CITY MUNICIPAL CODE, TITLE 18, ZONING, CHAPTER 18.02, ADMINISTRATIVE PROVISIONS, SECTION 18.02.055, FEES AND CHARGES, TO ADD FEES FOR DEVELOPMENT AGREEMENTS, DEVELOPMENT AGREEMENT AMENDMENTS, MODIFICATIONS TO ZONING AND LAND DIVISION APPROVALS, PUBLIC HEARING EXTENSIONS AND ADMINISTRATIVE EXTENSIONS (5:52:50) - Vice Chairperson Wendell introduced this item, and Ms. Dorr Pansky reviewed the agenda materials in conjunction with displayed slides. Mr. Plemel provided additional clarification relative to the allocation of the subject fees to the City's general fund.

Vice Chairperson Wendell entertained questions or comments of the commissioners. In response to a question, Ms. Dorr Pansky and Mr. Plemel provided clarification relative to the proposed Division of Land fees. Ms. Dorr Pansky responded to additional questions of clarification regarding the applicability and purpose of a development agreement. Commissioner Esswein provided additional clarification. In response to a further question, Ms. Dorr Pansky and Mr. Plemel provided additional clarification of the cost recovery portion of the proposed fees. Commissioner Dhami noted the proposed fees are still lower than those in adjacent counties.

Vice Chairperson Wendell entertained public comment and, when none was forthcoming, a motion. **Commissioner Kimbrough moved to recommend to the Board of Supervisors approval of an ordinance amending the Carson City Municipal Code, Title 17, Chapter 17.08, Development Agreements, to add a section for Agreement Fees and Service Charges, and to amend Carson City Municipal Code, Title 18, Zoning, Chapter 18.02, Administrative Provisions, Section 18.02.055, Fees and Charges, to add fees for Development Agreements, Development Agreement Amendments, Modifications to Zoning and Division of Land Approvals, Public Hearing Extensions, and Administrative Extensions. Commissioner Steele seconded the motion. Motion carried 6-0.**

G-4. MISC-13-057 POSSIBLE ACTION TO AMEND THE PLANNING COMMISSION BYLAWS TO CONFORM TO CARSON CITY POLICIES AND PROCEDURES FOR BOARDS, COMMISSIONS, AND COMMITTEES (6:09:57) - Vice Chairperson Wendell introduced this item. Mr. Plemel provided background information and reviewed the agenda materials. In response to a question, Mr. Ward expressed the belief that the policies and procedures are to be applied prospectively. Mr. Plemel and Mr. Ward responded to various questions of clarification, and discussion took place, throughout review of the proposed amendments included in the agenda materials. Commissioner Kimbrough suggested that Open Meeting Law training for advisory board, commission, and committee members should be more tailored to the "advisory board level." Mr. Ward explained the difference between advisory boards,

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commissions, and committees and “governing bodies,” as defined by applicable statute. Discussion followed.

Vice Chairperson Wendell entertained additional commissioner questions or comments and, when none were forthcoming, public comments. When no public comments were forthcoming, he entertained a motion. **Commissioner Esswein moved to approve the amended Planning Commission Bylaws, as recommended by staff. Commissioner Dhami seconded the motion. Motion carried 6-0.**

G-5. MISC-13-058 POSSIBLE ACTION TO ELECT A PLANNING COMMISSION CHAIR AND VICE CHAIR FOR THE TERM ENDING IN DECEMBER 2013 (6:45:45) - Vice Chairperson Wendell introduced and proposed a format for addressing this item. Vice Chairperson Wendell advised that he was interested in serving as commission chair and inquired as to any other interest in the position. When no other interest was indicated, Vice Chairperson Wendell entertained nominations for the position of commission chair. **Commissioner Esswein nominated George Wendell for chair. Commissioner Steele seconded the nomination. Nomination carried 6-0.** Chairperson-elect Wendell inquired as to interest in the position of commission vice chair. Commissioner Kimbrough suggested Commissioner Esswein’s interest, and further suggested his qualifications and experience would serve the commission well. Chairperson-elect Wendell inquired as to additional interest in the position of commission vice chair. When no other interest was indicated, Chairperson-elect Wendell entertained a motion. **Commissioner Kimbrough moved to appoint Commissioner Esswein as vice chair. Commissioner Steele seconded the motion. Motion carried 6-0.** Chairperson-elect Wendell and Vice Chairperson-elect Esswein thanked the commissioners.

H. ADMINISTRATIVE MATTERS

H-1. DIRECTOR’S REPORT TO THE PLANNING COMMISSION AND FUTURE AGENDA ITEMS (6:49:18) - Mr. Plemel reviewed a list of items which had been recently forwarded to the Board of Supervisors, including appeal of a special use permit for a two-story duplex project, the alleyway abandonment on Nevada Street, and second reading of the “kennels ordinance.” He advised of having sent email correspondence to the commissioners regarding the American Planning Association Nevada Chapter annual conference, scheduled for October 14 through 16 in Lake Tahoe. He further advised that five of the commissioners had indicated an interest in attending, and requested the other commissioners to advise him in the next couple days of their interest in attending. Mr. Plemel further advised that the Planning Division had been reorganized into the Community Development Department, including the Planning Division, the Permit Center, Redevelopment, the Business License Division, and the Building Division. He noted the corresponding changes to his and Ms. Dorr Pansky’s titles, and that the Community Development Department is under Deputy City Manager Marena Works’ purview. Mr. Plemel advised that there were no agenda items for the August commission meeting and that it may be cancelled.

H-2. COMMISSIONER REPORTS / COMMENTS (6:54:54) - Chairperson Wendell entertained commissioner reports / comments. Mr. Plemel acknowledged that he and Ms. Dorr Pansky will still be engaged with the Planning Commission process. Mr. Plemel responded to questions of clarification. Chairperson Wendell entertained additional commissioner reports or comments; however, none were forthcoming.

I. PUBLIC COMMENTS (6:56:57) - Chairperson Wendell entertained public comment; however, none was forthcoming.

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J. ACTION TO ADJOURN (6:57:32) - Commissioner Esswein moved to adjourn the meeting at 6:57 p.m. Commissioner Kimbrough seconded the motion. Motion carried 6-0.

The Minutes of the July 31, 2013 Carson City Planning Commission meeting are so approved this _____ day of September, 2013.

GEORGE WENDELL, Chair