

CARSON CITY PLANNING COMMISSION  
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A regularly scheduled meeting of the Carson City Planning Commission was held on Wednesday, February 25, 2004, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 3:30 p.m.

**PRESENT:** Chairperson Richard Wipfli and Commissioners Allan Christianson, Mark Kimbrough, Craig Mullet, and Roger Sedway

**STAFF PRESENT:** Community Development Director Walter Sullivan, Senior Engineer Rob Fellows, Deputy District Attorney Mary Margaret Madden, Recording Secretary Katherine McLaughlin, Associate Planner Jennifer Pruitt, and Planning Technician Heidi Eskew-Herrmann (P.C. 2/25/04 Tape 1-0007)

**NOTE:** Unless otherwise indicated, each item was introduced by the Chairperson. Staff then presented or clarified the staff report/supporting documentation as well as any computerized slides that may have been shown. Any other individuals who spoke are listed immediately following the item heading. A tape recording of these proceedings is on file in the Clerk-Recorder's office. This tape is available for review and inspection during normal business hours.

**A. ROLL CALL, DETERMINATION OF A QUORUM, AND PLEDGE OF ALLEGIANCE -** Chairperson Wipfli convened the meeting at 3:30 p.m. Roll call was taken. A quorum of the Commission was present although Commissioners Peery and Semmens were absent. Chairperson Wipfli lead the Pledge of Allegiance.

**B. APPROVAL OF MINUTES - 5/30/01 Growth Management Minutes (1-0020) -** Commissioner Christianson moved to approve the Minutes as presented. Commissioner Kimbrough seconded the motion. Motion carried 5-0.

**C. PUBLIC COMMENTS (1-0038) -** None.

**D. AGENDA MODIFICATIONS (1-0045) -** Community Development Director Sullivan explained the reasons an amended agenda was required. Identification cards were given to the Commissioners. He also introduced Planning Technician Heidi Eskew-Herrmann.

**E. DISCLOSURES (1-0065) -** None.

**F. PUBLIC HEARING ITEMS:**

**F-1. SUP-04-017 - ACTION ON A SPECIAL USE PERMIT APPLICATION FROM VINCE SCIARROTTA (1-0068) -** Associate Planner Jennifer Pruitt, Chris Sciarrotta - Mr. Sciarrotta indicated that he had read the staff report and concurred with it. The open area at the southern end of the property will be fenced. During the final phase of the project units will be constructed adjacent to the substation/pump. Commissioner Mullet's concerns with the sight, access, and parking distance for entering the property were voiced. He suggested that an entrance from Goni be used. Mr. Sciarrotta explained that using an entrance from Goni would have made the project financially unfeasible. The turning radius, the setback requirements, and the keypad entrance were described. The proposed use will not generate a lot of traffic. Mr. Sciarrotta

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felt that a vehicle pulling a trailer would not inhibit traffic for long periods of time. The corner setback was described. Designers had attempted to find a better access point. One could not be found. Commissioner Mullet questioned the reasons staff had agreed to the proposed drainage location. He also felt that the width of the pavement was reduced for the curb. Mr. Fellows explained staff's feeling that the number and length of the interruptions created by use of the storage facility will be minor. The Conditions of Approval require Mr. Sciarrotta to mitigate the problem if the access traffic becomes a problem. The current access route is not on the Applicant's property. The location is at the transition point from an urban street to rural street improvement standards. The road will meet City standards for such areas. The roadway is narrow. The proposed roadway design is acceptable. Mr. Sullivan reminded the Commission that the Special Use Permit relates to the fencing and not the project. The site is already developed. Access should be from Sutro and not Goni due to the volume of traffic on Goni. Development Services - Engineering will monitor the access and if it becomes a problem, Mr. Sciarrotta will have to mitigate it. Comments reiterated that the interruptions will be for short periods of time, maybe as little as 30 seconds. The security pad will be close to the gate. The security needs require a fence that is higher than four feet. Public comments were solicited but none were given. Supervisor Christianson moved to approve SUP-04-017, a Special Use Permit request from Chris B. Sciarrotta, property owner: Chris B. and Vince Sciarrotta, to allow six foot security fencing within the 30-foot setback on property zoned General Industrial located at 1791 South Sutro Terrace, APN 008-683-08, based on the findings and subject to the recommended conditions of approval contained in the staff report. Commissioner Sedway seconded the motion. Motion carried 4-1-0-2 with Commissioner Mullet voting Naye and Commissioners Peery and Semmens absent.

**F-2. SUP-04-003 ACTION ON A SPECIAL USE PERMIT APPLICATION FROM BILL AND GAYLE RANKIN (1-0333)** - Community Development Director Walter Sullivan, Bill and Gayle Rankin - Mr. Sullivan noted for the record that the staff had sent out notices to 30 adjacent property owners and had not received any adverse comments regarding the proposal. The Rankins had read and concurred with the staff report. The property was previously zoned multi-family apartment. Public comments were solicited but none were given. Commissioner Kimbrough moved to approve SUP 04-003, a Special Use Permit request from James E. Wilson, Jr., and Joanna Wilson/William and Gayle Rankin, to allow a two-family dwelling on property in the General Office zoning district located at 523 Linda Kay Court, APN 004-341-02, based on seven findings and subject to nine conditions of approval contained in the staff report. Commissioner Christianson seconded the motion. Motion carried 5-0.

**F-3. SUP-03-192 - ACTION ON A SPECIAL USE PERMIT APPLICATION FROM JEAN-MICHEL AND DAWN LABADIE (1-0385)** - Community Development Director Walter Sullivan, Jean-Michel and Dawn Labadie, Clyde Lippincott - The Labadies had read and concurred with the staff report. They acquired the property in November and were attempting to comply with Animal Services requirements regarding the fencing. The shelters are portable. The fence will be located six inches off of the shelter and 2-1/2 feet from the property line. It was felt that this would make the fencing less obtrusive and provide additional protection for the horses. A six-foot fence will stop people from feeding the horses. The present pipe fencing is three feet from the property line. The number of horses allowed on the property was "grandfathered" at 30. The shelters will protect the horses from snow and sun. Commissioner comments indicated that the shelters may make the City look like a "shanty town" if Animal Services requires them for all horse zoned areas of the community. Mr. Sullivan explained his contact with Animal Services and the CCMC Title 7's requirement for animal shelters. As the new owners, the Labadies are making the change to comply with the Code. Commissioner Christianson reiterated his concerns regarding the aesthetics of the

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shelters and belief that a lot of them will be required south of Koontz on one acre parcels. Ms. Labadie explained her contact with Animal Services. The units cost \$1,000 a piece. They are not obtrusive. They are nice looking. It will not look like the wood structures often seen elsewhere. The six-foot fence will also provide some protection for the horses. Commissioner Mullet explained his visit to the site and belief that the shelters will protect the horses from the rain. Clarification indicated that the wood fence will be six inches away from the pipe fence. Page 28 contained a picture of the unit. Public comments were solicited.

Mr. Lippincott explained that he lives across the street from the Labadies and had originally owned the property. He objected to having more horses on the site. He felt that 30 horses were too many for the property. The ammonia smell and manure were felt to be tremendous. It makes his property unenjoyable at night. Mr. Sullivan explained that the application deals with only the fencing and cover for the shelters. The process used to establish that there had been 30 horses at the site was described. This number is not being changed. Mr. Lippincott felt that there were an adequate number of shelters on the property at this time for the number of horses that are there. He also felt that the number of horses should be limited to 12. Chairperson Wipfli explained the purpose of the Special Use Permit and that no additional horses will be allowed. Mr. Sullivan agreed to relay Mr. Lippincott's concerns to the Health Department.

The Labadies explained that the horses' owners maintain the pens. Weekly cleaning is required although some owners clean daily. The proposed fencing improvements were described. It should address some of the problems. They want to work with their neighbors and make the site better for both the community and the horses. Discussion between Mr. Sullivan and the Commission explained that the zoning regulations regarding the number of animals allowed on an acre is controlled by Animal Control. This site is allowed to have 30 horses and must have a business license. Mr. Sullivan agreed to contact Health Director Winkelman and Animal Services Supervisor Arnold and have them check the site. Ms. Labadie explained the efforts to improve the location including the removal of debris located on the other side of their property line. She also described her attempt to contact the neighbors and inability to meet with Mr. Lippincott. She felt that they would not have more than 25 horses at the site. They have 18 now. She had seen as many as 22 at the site before they purchased the property. They were "attempting to have a higher class of clientele" and had increased their prices. They plan to move some of the horses to an area across from the arena. Comments noted that having horses is not the issue. The location is the only stable in Carson City. Ms. Labadie felt that it would not be possible to have a "temporary show" and have people drop off five more horses for stabling. Commissioner Mullet suggested that they reduce the number to 25 as a compromise. Commissioner Christianson felt that the fence may be adequate, however, a complaint may bring the matter back to the Commission or to the Health Department's attention. Ms. Labadie felt that they could address the situation with their neighbors. They do not live at the site and had not been aware of the problem. She offered to meet with the neighbors so that it is not a problem. Mr. Labadie reiterated the intent to improve the aesthetics of the property. Commissioner Christianson suggested that they guarantee that the stalls will be cleaned and maintained. This will address the odor problem. Additional public comments were solicited but none were given.

Commissioner Kimbrough moved to approve SUP 03-192, a Special Use Permit request from Jean-Michel and Dawn Labadie to allow an increase in fence height from three feet to six feet within the street side yard setback area with said fence at 2-1/2 feet from the property line where a five-foot fence setback is required; and to allow accessory structures that exceed a total of 75% of the primary building square footage for the construction of nine 10x12 foot accessory structures in addition to existing accessory structures on property

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zoned Single Family One Acre located at 729 Clearview Drive, APN 009-182-06, based on seven findings and subject to nine conditions of approval contained in the staff report. Commissioner Christianson seconded the motion. Motion carried 5-0.

**F-4. TSM-04-006 - ACTION ON A TENTATIVE SUBDIVISION MAP FROM NEVADA WEST LAND, LLC (1-0865)** - Community Development Director Walter Sullivan, Applicant's Representatives Keith Shaffer and Brian Matthews, Senior Engineer Rob Fellows - Mr. Sullivan explained that Anne Gerkin had reviewed at the materials in the office. She did not make any comments before she left. Mr. Shaffer indicated that they had read the materials and concurred with the conditions but needed clarification on two of them. He then explained his understanding of the requirement to extend the sewer line on Lepire. Its location will require a 20-foot utility easement. The curb, gutter and sidewalk improvements are to be made where the sewer line "hits" Lepire Drive. This will provide a "driveway like" access point for the easement. The sidewalk is not being required the entire distance along Lepire Drive. Mr. Fellows agreed that the requirement is only for the access points for maintenance of the sewer. Mr. Shaffer then explained his understanding of Condition 13 which requires improvement at the intersection of Edmonds and Lepire. The property owner is willing to trim the bushes to improve the sight distance. He does not want to stripe the area due to concerns regarding the longevity of the striping. The road is not well maintained at this time. He could not guarantee that the striping will remain for a year. Mr. Fellows indicated that he is not requiring them to guarantee that the striping will remain for a year. The condition requires that the area be able to have the material applied to it and that the material meets City specs. Mr. Shaffer then explained that the walls will be located on private property. It is not accessible by a public right-of-way. They were willing to remove the graffiti at their cost but did not wish to pay to treat the wall with non-graffiti material. Mr. Fellows explained that the requirement is an attempt to get ahead of the problem and eliminate the potential that there will be a multicolored wall created by using different shades of paint to cover graffiti. The area has been tagged before. The concern relates to walls which the public can access and not behind a fence. He agreed to revise the condition to restrict it to these areas only. Mr. Shaffer agreed with the revised condition. Clarification explained that the property owners/developers are the same individuals who had previously submitted a different plan for the area. The remaining parcel is a mini-storage facility. It was felt that the plan provides a buffer between the General Industrial zone and the residential zone. The storage facility will be gated and a caretaker will reside onsite. The site's traffic concerns will be addressed. Commission comments complimented them on the project and the ability to mitigate the objections that occurred with the first two plans. The plan to protect the retaining wall with fencing was limned. Its lower portion will be painted. The cost of the paint to reduce the graffiti problem was discussed. Mr. Shaffer felt that it would be cheaper to sand blast the graffiti or paint over it than to put the non-graffiti coating on the wall. Clarification explained the area that would need to be painted with the non-graffiti coating. Mr. Shaffer felt that the Code required the Sheriff to address the graffiti problem and not the property owner. He admitted that the property owners will want the graffiti problem addressed. The Commission explained that rough textured walls are not targeted as often as smooth surfaces. Mr. Fellows explained that the non-graffiti coating was required on the lower six feet of the wall in the original conditions for the first PUD. He had carried the condition forward as the present plan has the same amount of wall space. City time to follow up and address the problem was noted. The requirement was based on the amount of wall space and accessibility. The requirement was a result of the major project review meeting. Commission comments emphasized that the proposed walls will be tagged and could become a challenge for the property owners to maintain without the non-graffiti coating. Justification for supporting staff was indicated. Mr. Shaffer reiterated his commitment to address any graffiti problems. Mr. Shaffer then explained the proposal to pipe the storm runoff and take

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it along the east side of Lepire to a parcel that was part of the zone change and master plan amendment and pipe it to the ditch. The proposal is similar to the drainage facility used for the Pheasant Drive area. An energy dissipater will be used to address the water quality. The piping will need maintenance access which could be from the Moffat property along the Mexican Ditch.

Discussion ensued among the Commissioners regarding the required non-graffiti coating and an acceptable period for removal of graffiti. Mr. Sullivan explained staff's belief that the Code requires notification to the Sheriff's Office who contacts the property owner. The property owner is responsible for removal of graffiti from private property. Mr. Fellows had indicated that Condition 14 regarding the non-graffiti coating had been required from the beginning discussions regarding the property due to the amount of retaining walls that will be installed. This requirement has not been placed on all developments. Mr. Shaffer agreed that the Sheriff's Office will tell the property owners to remove any tagging.

Commissioner Mullet complimented Mr. Shaffer on the project and indicated that the industrial community will support the project. The lots are a nice size. An additional lot or two could have been added but were not. Commissioner Mullet moved to recommend to the Board of Supervisors approval of TSM 04-006, a Tentative Subdivision Map request from Nevada West Land LLC to subdivide a 5.94 acre parcel into 13 single family residential parcels on 2.71 acres of the parcel, each a minimum of 6,000 square feet in area, on property zoned Single Family 6,000, including a remainder parcel of 3.23 acres on property zoned General Industrial, located at 823 North Edmonds Drive, APN 010-351-91, based on the findings and subject to the recommended conditions of approval contained in the staff report with clarification of Item 11 that the curbs will only be at the access points, Condition 13 that the striping is to remain as written, and removal of Item 14 requiring the non-graffiti coating. Commissioner Christianson seconded the motion. Motion carried 5-0. Mr. Shaffer indicated that he will submit two copies of the drainage change to Mr. Fellows.

RECESS: A recess was declared at 5 p.m. The entire Commission was present when Chairperson Wipfli reconvened the meeting at 5:05 p.m., constituting a quorum.

**F-5. ZCA-03-178 - ACTION ON A REQUEST TO AMEND CARSON CITY MUNICIPAL CODE SECTION 18.0412 (1-1490)** - Community Development Director Walter Sullivan explained the Board of Supervisors suggested revisions. The Code revisions list single and two family dwelling units as accessory uses. Multi-family uses will be allowed as permitted uses. A group home will be allowed as a primary permitted use. The proposal meets the intent of the mixed use concept while protecting the area. It eliminates the need to obtain a special use permit for residential uses. The concern about having a mobile home located on the main street was discussed. The area encompassed in the downtown zone was described. Comments expressed the belief that people will not put a mobile home on the lots due the land costs. The revision eliminates the ability to do so. Public comments were solicited but none were given. Commissioner Mullet moved to recommend approval of ZCA-03-178A regarding Section 18.04.125 Downtown Commercial to allow residential Multi-Family Dwellings use as a primary permitted uses and to allow Single Family and Two Family dwellings use as an accessory use and to delete Single Family, Two Family, and Multi-Family dwellings from conditional uses as listed under CCMC 18.04.125(2) and other matters related thereto. Commissioner Christianson seconded the motion. Motion carried 5-0.

**OTHER MATTERS - INTERNAL COMMUNICATIONS (1-1790)** - Community Development Director Walter Sullivan distributed an agenda for Tuesday's special meeting with the Parks and Recreation

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Commission to the Commissioners and Clerk. Discussion explained the reasons the Commissioners were given identification cards and the purpose of the information regarding the use of storage bins in the community. Mr. Sullivan also explained his contact with the College regarding its storage bins. No formal action was required or taken.

**H. ADJOURNMENT (1-1842)** - Commissioner Kimbrough moved to adjourn. Commissioner Mullet seconded the motion. Motion carried 5-0. Chairperson Wipfli adjourned the meeting at 5:19 p.m.

The Minutes of the February 25, 2004, Carson City Planning Commission

ARE SO APPROVED ON March 31, 2004.

/s/  
Richard Wipfli, Chairperson