

CARSON CITY PLANNING COMMISSION

Minutes of the August 30, 2006 Meeting

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A regular meeting of the Carson City Planning Commission was scheduled for 3:30 p.m. on Wednesday, August 30, 2006 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson John Peery
Vice Chairperson Mark Kimbrough
Connie Bisbee
Craig Mullet
Steve Reynolds
Roy Semmens
William Vance

STAFF: Walter Sullivan, Planning and Community Development Director
Lee Plemel, Principal Planner
Jennifer Pruitt, Senior Planner
Sean Foley, Associate Planner
Kathe Green, Assistant Planner
Heidi Eskew-Herrmann, Assistant Planner
Harvey Brotzman, Senior RTC Engineer
Jeff Sharp, Deputy City Engineer
Tom Grundy, Engineering Division Civil Design Supervisor
Michael Suglia, Senior Deputy District Attorney
Kathleen King, 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 public record, on file in the Clerk-Recorder's Office. These materials are available for review during regular business hours.

A. CALL TO ORDER, DETERMINATION OF A QUORUM, AND PLEDGE OF ALLEGIANCE (3:30:30) - Chairperson Peery called the meeting to order at 3:30 p.m. Roll was called; a quorum was present. (3:30:35) Commissioner Mullet led the pledge of allegiance. Commissioner Reynolds arrived at 3:34 p.m.

B. COMMISSION ACTION ON APPROVAL OF MINUTES - July 26, 2006 (3:30:12) - Commissioner Bisbee moved to approve the minutes. Commissioner Semmens seconded the motion. Motion carried 6-0.

C. PUBLIC COMMENT (3:31:06) - None.

D. MODIFICATIONS TO THE AGENDA (3:31:31) - None.

E. DISCLOSURES (3:31:38) - None.

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F. CONSENT AGENDA

F-1. DED-06-131 ACTION TO CONSIDER APPROVAL OF A DEDICATION FOR A PUBLIC UTILITIES EASEMENT, LANDSCAPE AND PEDESTRIAN EASEMENT, OVER AND ACROSS CERTAIN REAL PROPERTY DESCRIBED AS APN 002-104-01, FROM PROPERTY OWNER JAMES E. BAWDEN TO CARSON CITY, FOR THE PURPOSE OF A PUBLIC UTILITIES EASEMENT, INSTALLATION, OPERATION, AND MAINTENANCE OF PUBLIC UTILITIES, LANDSCAPING AND PEDESTRIAN SIDEWALK, CONSISTING OF 2,329 SQUARE FEET (3:31:52) - Chairperson Peery introduced this item, called for comments and, when none were forthcoming, entertained a motion. **Commissioner Mullet moved to accept item F-1, DED-06-131. Commissioner Semmens seconded the motion. Motion carried 6-0.**

G. PUBLIC HEARING

G-1. SUP-04-041 ACTION TO CONSIDER A ONE-YEAR EXTENSION OF A PREVIOUSLY APPROVED SPECIAL USE PERMIT FOR THE POLICHIO FAMILY 1998 TRUST TO ALLOW THE INSTALLATION OF A 400-SQUARE-FOOT, OFF-PREMISES SIGN (BILLBOARD), ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT 2794 HIGHWAY 50 EAST, APN 008-161-07 (3:33:14) - Chairperson Peery introduced this item. Mr. Foley reviewed the staff report, provided background information, and narrated pertinent slides. [Commissioner Reynolds arrived at 3:34 p.m.] Chairperson Peery noted the irony of the special use permit being presented to the commission for renewal in light of it having been originally denied by the commission and subsequently approved by the Board of Supervisors. Mr. Foley advised that the time frame for special use permits is one year, and explained the purpose for agendaizing this item.

Commissioner Semmens advised of having originally voted in opposition to the special use permit because of concerns over public safety. He further advised of having visited the subject area, that the right-of-way has been "cleaned up," and the distance on the sign has been changed. He advised of two major traffic accidents, in the past ten days, near the traffic signal at Lompa Lane and Highway 50. He expressed the opinion that a billboard sign "within 100 feet of that traffic light" will result in additional traffic accidents. Commissioner Bisbee expressed the opinion that the request puts the commission in a very peculiar position. There were specific reasons for denying the special use permit in the first place. Chairperson Peery acknowledged that some of the same concerns persist. Commissioner Semmens noted that the applicant made some considerable changes after the meeting with the Board of Supervisors.

Mr. Sullivan recalled citizen opposition to the original special use permit, and advised of "a good amount of negotiation" at the Board of Supervisors level. He acknowledged a repositioning of the billboard, and advised that a building permit application had been submitted. He further acknowledged that denial of the request would require findings to be made. In response to a further question, he advised that the same noticing procedures had been followed with regard to this item. Commissioner Reynolds recused himself from this item and left the meeting room. In response to a question, Mr. Sullivan recalled no additional conditions imposed by the Board of Supervisors at the time they reviewed the application.

(3:40:21) Attorney John Griffin, representing the Polichio Family Trust, provided background information on the original application. [Due to equipment malfunction, a portion of Mr. Griffin's testimony was not recorded.] (1-0009) Mr. Griffin expressed the opinion that the issue before the commission was the merits

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of the extension. He advised that the billboard will essentially “line up with the roof line of Benson’s Feed and Tack.” He suggested the billboard could be perceived as “raising Benson’s roof another ten, fifteen feet as opposed to what code allows to be closer to the freeway.” He expressed understanding for the safety concerns, but noted that Nevada Department of Transportation regulations consider the distance between billboards and stop lights, on ramps, etc. He expressed the belief that some of the concessions made addressed the safety concerns. He suggested that increasing the height of the Benson’s Feed building would not increase the likelihood of a traffic accident. He acknowledged that the sign will “by and large ... be set back from the street” to line up with the Benson’s Feed building.

Commissioner Mullet noted the previously stated concerns, and that the purpose of placing a billboard is to get the attention of passing drivers. He advised of having the same concerns as when he voted in favor of denying the original application. He noted that the process didn’t send the extension back to the Board of Supervisors, who approved the application. (3:48:54) In response to a question, Mr. Sullivan pointed out, on a displayed aerial photograph, a recently approved billboard sign. In response to an earlier question, he advised that notices regarding the subject application were sent to 31 adjacent property owners.

Commissioner Bisbee agreed with Commissioner Mullet’s comments regarding the purpose for placing a billboard. She noted that the special use permit was valid until September 15th and suggested the extension may be a moot point. Vice Chairperson Kimbrough expressed a preference for the opportunity to have reviewed photographic evidence of the changes made by the applicant. Mr. Sullivan acknowledged that the subject billboard meets the same standards as the one which was recently approved. Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained additional questions, comments, or a motion.

Commissioner Vance advised he was no more supportive of the billboard than the first time it was presented to the commission. He noted, however, that the agenda item was extension of the special use permit. He suggested that any decision by the commission to not extend the special use permit term would only result in the item being appealed to the Board of Supervisors. Commissioner Bisbee expressed understanding for Commissioner Vance’s comments, but reiterated a conflict over approving the extension of a permit that wasn’t originally approved by the commission. Chairperson Peery entertained a motion. **Commissioner Vance moved to approve a one-year extension, until September 15, 2007, of a previously-approved special use permit, for the Polichio Family 1998 Trust, to allow the installation of a 400-square-foot, off-premises sign (billboard), on property zoned general commercial, located at 2794 Highway 50 East, APN 008-161-07, subject to the conditions of approval. Commissioner Mullet seconded the motion.** He expressed the opinion that the item was more procedural, but considered not approving the item would be wasting the Board of Supervisors’ and staff time. In response to a question, Mr. Sullivan advised that the applicant would have the opportunity to appeal to the Board of Supervisors which would, in turn, have the opportunity to review the application and make a final decision. If the Board of Supervisors decided not to extend the special use permit term, the billboard site would be opened up. Chairperson Peery called for a vote on the pending motion; **motion failed 3-3.** At Mr. Sullivan’s request, a roll call vote was taken: **Commissioner Bisbee - no; Commissioner Vance - yes; Commissioner Mullet - yes; Commissioner Semmens - no; Vice Chairperson Kimbrough - yes; Chairperson Peery - no.** Chairperson Peery noted that the motion failed as a result of a tie. Mr. Sullivan advised Mr. Griffin of the right to appeal the commission’s decision to the Board of Supervisors.

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G-2. ZMA-06-144 ACTION TO CONSIDER A ZONING MAP AMENDMENT APPLICATION FROM LUMOS & ASSOCIATES (PROPERTY OWNER: CBC LTD.) TO CHANGE THE ZONING FROM SINGLE FAMILY 12,000 (SF12) AND GENERAL INDUSTRIAL (GI) TO GENERAL COMMERCIAL (GC), ON PROPERTY LOCATED AT 4820 AND 4880 EAST NYE LANE, APNs 008-382-36 AND -14 (3:56:29) - Commissioner Reynolds returned to the meeting room. Chairperson Peery introduced this item. Ms. Green reviewed the staff report, oriented the commissioners to the subject property using a displayed parcel map, and narrated pertinent photographs. In response to a question, Ms. Green clarified that the 15-foot splinter parcel is owned separately and not involved in the subject process.

(4:01:50) Lumos and Associates Planner Kenny Riley, representing CBC Ltd., reviewed the application. He acknowledged having reviewed the staff report and his agreement with the same. In response to a question, Mr. Riley advised of the code requirement for a 30-foot landscape buffer between the subject property and adjacent properties.

Chairperson Peery called for public comment and, when none was forthcoming, entertained additional questions, comments, or a motion. **Commissioner Semmens moved to recommend approval to the Board of Supervisors regarding application ZMA-06-144, a zoning map amendment request from property owner Joanne Ballardini, CBC Ltd., and applicant Audra Miller of Lumos and Associates to change zoning on two parcels, APNs 008-382-14 and 008-382-36, to general commercial, currently zoned single-family 12,000 and general industrial, subject to the four findings contained in the staff report. Commissioner Bisbee seconded the motion. Motion carried 7-0.** Vice Chairperson Kimbrough advised that the plans do not indicate a 30-foot buffer between the two lots to the north. Ms. Green and Mr. Sullivan acknowledged that staff would check into this.

G-3. VAR-06-134 ACTION TO CONSIDER A VARIANCE APPLICATION FROM BUILDING AND SITE ENGINEERING, INC. (PROPERTY OWNER: JET CONSTRUCTION, LLC) TO ALLOW A 20-FOOT REAR-YARD SETBACK WHERE 30 FEET IS THE MINIMUM REQUIRED, ON PROPERTY ZONED CONSERVATION RESERVE (CR), LOCATED AT 2668 DANIELLE DRIVE, APN 008-814-07 (4:07:39) - Chairperson Peery introduced this item. Mr. Sullivan reviewed the staff report and noted staff's recommendation of approval subject to the findings and conditions. He noted the key issues listed in the staff report. In response to a question, Mr. Sullivan explained difficulties associated with topography on the site using a displayed parcel map. Vice Chairperson Kimbrough inquired as to future plans of the Bureau of Land Management or the Open Space Program with regard to the adjacent parcel. Mr. Plemel advised that the BLM property adjacent to the subject property is not being considered for any exchange or redesignation. In response to a question, Mr. Foley advised that the applicant had done extensive site research with regard to the topography.

(4:14:55) Tom Dallaire, of Building & Site Engineering, Inc., acknowledged having reviewed the staff report and his agreement with the same. He provided background information with regard to development of the plans.

Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained additional questions, comments, or a motion. **Vice Chairperson Kimbrough moved to approve VAR-06-134, a variance application from Building & Site Engineering, Inc. to allow a 20-foot rear yard setback where thirty feet is the minimum required, on property zoned conservation reserve, located**

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at 2668 Danielle Drive, APN 008-814-07, based on three findings and subject to the recommended conditions of approval contained in the staff report. Commissioner Semmens seconded the motion. Motion carried 7-0.

G-4a. MPA-06-139 ACTION TO CONSIDER A RESOLUTION TO APPROVE A MASTER PLAN AMENDMENT APPLICATION FROM CARSON CITY (PROPERTY OWNERS: CARSON CITY; LARSEN, ELMER & CARROL 2003 TRUST) TO CHANGE THE MASTER PLAN LAND USE DESIGNATION OF A PORTION (.246 ACRES) OF APN 008-754-19, LOCATED AT 653 SHENANDOAH DRIVE, FROM LOW DENSITY RESIDENTIAL TO PARKS AND RECREATION, AND TO CHANGE THE LAND USE DESIGNATION OF A PORTION (.053 ACRES) OF APN 008-754-21, LOCATED TO THE NORTHEAST OF APN 008-754-19, FROM PARKS AND RECREATION TO LOW DENSITY RESIDENTIAL; G-4b. ZMA-06-125 ACTION TO CONSIDER APPROVAL OF A ZONING MAP AMENDMENT APPLICATION FROM CARSON CITY (PROPERTY OWNERS: CARSON CITY AND LARSEN, ELMER & CARROL 2003 TRUST) TO CHANGE THE ZONING OF A PORTION (.246 ACRES) OF APN 008-754-19, LOCATED AT 653 SHENANDOAH DRIVE, FROM SINGLE-FAMILY ONE ACRE (SF1A) TO PUBLIC COMMUNITY (PC), AND TO CHANGE THE ZONING OF A PORTION (.053 ACRES) OF APN 008-754-21, LOCATED TO THE NORTHEAST OF APN 008-754-19, FROM PUBLIC COMMUNITY (PC) TO SINGLE FAMILY ONE ACRE (SF1A); and G-4c. VAR-06-156 ACTION TO CONSIDER A VARIANCE APPLICATION FROM CARSON CITY (PROPERTY OWNER: LARSEN, ELMER AND CARROL 2003 TRUST) TO ALLOW A REDUCTION IN THE MINIMUM PARCEL SIZE FROM ONE ACRE TO 0.9 ACRE TO ALLOW A LOT LINE ADJUSTMENT BETWEEN THE SUBJECT PARCEL AND THE ADJACENT CITY-OWNED PARCEL, ON PROPERTY ZONED SINGLE-FAMILY ONE ACRE (SF1A), LOCATED AT 653 SHENANDOAH DRIVE, APN 008-754-19 (4:19:46) - Chairperson Peery introduced these items. Mr. Plemel oriented the commissioners to the subject parcels using a displayed parcel map, narrated pertinent photographs, and reviewed the staff reports. He advised that Mr. Larsen was unable to attend the meeting, and that staff would be representing the application. He acknowledged his agreement with the staff report. Mr. Grundy acknowledged the access into the storm drainage facility is at the end of Shenandoah Drive.

Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained additional comments, questions, or a motion on item G-4a. **Commissioner Mullet moved to approve VAR-06-156, a variance to allow a reduction in the minimum parcel size from one acre to 0.9 acre on property zoned single-family one acre, located at 653 Shenandoah Drive, APN 8-754-19, based on the findings contained in the staff report. Commissioner Semmens seconded the motion. Motion carried 7-0.**

Chairperson Peery entertained a motion on item G-4b. **Commissioner Bisbee moved to adopt Resolution 2006-PC-7 to approve application MPA-06-139, a master plan amendment to change the land use designation of a 0.246-acre portion of property located at 653 Shenandoah Drive, APN 8-754-19, from medium density residential to parks and recreation and to change the land use designation of a 0.053-acre portion of APN 8-754-21 from parks and recreation to medium density residential, based on the findings contained in the staff report. Commissioner Semmens seconded the motion. Motion carried 7-0.**

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Chairperson Peery entertained a motion on item G-4c. **Commissioner Semmens moved to approve application ZMA-06-125, a zoning map amendment to change zoning of a 0.246-acre portion of property located at 653 Shenandoah Drive, APN 8-754-19, from single-family one acre to public community, and to change the zoning of a 0.053-acre portion of APN 8-754-21 from public community to single-family one acre based on the findings contained in the staff report. Commissioner Vance seconded the motion. Motion carried 7-0.**

G-5. ZCA-06-138 ACTION TO CONSIDER A ZONING CODE AMENDMENT TO MODIFY THE CARSON CITY MUNICIPAL CODE, TITLE 18, ZONING, SECTION 18.16, DEVELOPMENT STANDARDS, DIVISION 2, PARKING AND LOADING, SECTION 2.2(A), NUMBER OF SPACES REQUIRED, TO ALLOW REQUIRED GUEST PARKING TO BE ON-STREET IN PLANNED UNIT DEVELOPMENTS UNDER CERTAIN CIRCUMSTANCES, AND OTHER MATTERS PROPERLY RELATED THERETO (4:30:40) - Chairperson Peery introduced this item, and Mr. Plemel reviewed the staff report. In response to a question, he advised that the 300-foot requirement is consistent with the City's shared parking requirements. In response to a further question, he advised that signage will designate where parking is not allowed. In the past there have been rolled curbs. The current standard is L-curbs. Staff is in discussions regarding the preference.

Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained additional questions, comments, or a motion. **Regarding ZCA-06-138, residential parking requirements, Commissioner Reynolds moved to recommend to the Board of Supervisors approval of an ordinance amending Carson City Municipal Code, Title 18, Zoning, Chapter 18.16, Development Standards, Division 2, Parking and Loading, Section 2.2A, Residential Parking Requirements, by deleting parking requirements specific to planned unit developments and adding a requirement to provide guest parking spaces when public street widths are reduced to preclude on-street parking, and other matters properly related thereto, as noted in the draft ordinance. Commissioner Semmens seconded the motion. Motion carried 7-0.**

Chairperson Peery recessed the Planning Commission and convened as the Growth Management Commission at 4:39 p.m. Roll was called; a quorum was present.

G-6. GM-06-038 ACTION TO ADOPT RESOLUTION 2006-R-7, A RESOLUTION AMENDING RESOLUTION 2006-R-34 BY AMENDING SECTION 18.12.050(2), OBTAINING A BUILDING PERMIT, TO INCLUDE A GROWTH MANAGEMENT FEE OF \$100.00 (4:40:15) - Chairperson Peery introduced this item. Mr. Sullivan noted a correction to the recommended action in that the CCMC Section should read 18.12.050(2)(I). Ms. Pruitt reviewed the staff report. In response to a question, she advised of no intention to increase the fee and explained the purpose of this item to clearly document the \$100.00 fee. Mr. Sullivan advised that fees will be considered later this year to address possible increases. Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained additional questions, comments, or a motion. **Commissioner Mullet moved to recommend to the Board of Supervisors adoption of Resolution 2006-R-34, amending Section 18.12.050(2)(I), Obtaining a Building Permit, to include a growth management fee of \$100.00, and other matters properly related thereto. Commissioner Bisbee seconded the motion. Motion carried 7-0.**

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Chairperson Peery recessed the meeting at 4:45 p.m. and reconvened at 4:54 p.m. as the Planning Commission.

G-7. ZMA-06-137 ACTION TO CONSIDER A ZONING MAP AMENDMENT TO CHANGE THE ZONING OF THE EASTERN HALF OF APNs 009-311-29, -30, -31, AND -46, 7051, 7101, 7171, AND 7207 CENTER DRIVE, A TOTAL OF APPROXIMATELY 4.7 ACRES, FROM SINGLE-FAMILY ONE ACRE (SF1A) TO SINGLE-FAMILY 6,000 (4:54:30) - Chairperson Peery introduced this item. Mr. Plemel reviewed the staff report, and oriented the commissioners to the subject property using a displayed parcel map. In response to a question, he advised that the rezoned portion would have to stand on its own. The applicants have represented to the commission and to the Board of Supervisors that any development would meet the same conditions and standards as the remainder. A tentative map process would be required for additional units. In response to a comment, Mr. Plemel indicated the access points. He advised that action taken by the commission would not amend the planned unit development to include the subject property. He acknowledged that a subdivision map or an amendment to the planned unit development would be required to be submitted to the commission. In response to a question, he advised that action associated with this item does not split parcels. Chairperson Peery opened this item to public comment.

(5:01:15) Pete Bachstadt, an area resident, expressed no objection to the application. He referred to the map displayed in the meeting room and suggested "including the whole thing."

Chairperson Peery called for additional public comment and, when none was forthcoming, entertained additional questions, comments, or a motion from the commission. In response to a question, Mr. Plemel advised that the applicant, the commission, or the Board of Supervisors could initiate a request for a zone change pursuant to the Carson City Municipal Code. Mr. Sullivan referred to previous meetings wherein the Schulz Ranch development was discussed, and advised that "we've already gone through the rezoning aspect." Chairperson Peery entertained a motion. **Commissioner Bisbee moved to recommend to the Board of Supervisors approval of ZMA-06-137, a zoning map amendment to change the zoning of the eastern half of property located at 7051, 7101, 7171, and 7207 Center Drive, APNs 009-311-29, -30, -31, and -46, a total of approximately 4.7 acres, from single-family one acre to single-family 6,000, based on the findings contained in the staff report. Commissioner Semmens seconded the motion. Motion carried 7-0.**

G-8. MPA-05-254 AND MPA-05-255 DISCUSSION ONLY REGARDING MASTER PLAN AMENDMENT APPLICATIONS FROM J.P. JARRARD AND ROBERT LORIN ANDERSON (PROPERTY OWNERS: JARRARD, JP TRUST AND JARRARD, K TRUST; JARRARD, JP CHILDREN'S TRUST, ET AL.; ANDERSON, ROBERT LORIN TRUST) AND THE STATUS OF NEGOTIATIONS BETWEEN CARSON CITY AND THE PROPERTY OWNERS OF SUBJECT PARCELS FOR OPEN SPACE, ON PROPERTY ZONED AGRICULTURAL (A), LOCATED AT 4900 CARSON RIVER ROAD AND CARSON RIVER ROAD, APNs 010-021-47, -46, -58 AND 010-071-25, -26, AND -27 (5:06:01) - Chairperson Peery introduced this item. Mr. Plemel introduced Open Space / Property Manager Juan Guzman and reviewed the staff report. Mr. Guzman advised that Appraiser Lynn Norberg had been hired with the approval of all parties. A contract was entered into approximately two weeks ago providing for Mr. Norberg to submit his appraisal within 120 days. Mr. Norberg will appraise the properties as to value of the land and will also provide an opinion as to value of the water. Two independent estimates will be provided; one for the Anderson Ranch and one for the Jarrard Ranch.

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The Anderson Ranch is designated as a type-B flood zone, which provides for development to occur subject to certain standards. Mr. Guzman referred to the 500-year-flood plain area on a displayed map. He explained that, in terms of development potential, the property has fewer environmental constraints than the Jarrard property. He will work with the appraiser to consider the development potential in order that the appraiser can determine the highest and best use. He advised of the property owners' continued interest in selling to Carson City and not to anyone else.

Mr. Guzman acknowledged documentation of floods which have occurred in the 500-year flood plain over the past thirty to fifty years. The most recent was January 2006 and before that was January 1997. Mr. Guzman advised that flooding which affects the subject property occurs approximately every ten years. He further advised that regulations allow development provided flood zone requirements are adhered to. In response to a comment, Mr. Sullivan advised the area was mapped by FEMA from 1984 through 1986. The FEMA maps were adopted in 1986. Mr. Sullivan explained the requirements for developing in a 500-year flood zone. Mr. Guzman advised that the Jarrard property is within a flood way which has the most restrictive development regulations. He acknowledged that recent history would be considered prior to development, and advised that any proposed development would first be submitted to this commission. In response to a question, Mr. Guzman advised of an existing wetland delineation for the Anderson property. The delineation is valid for a period of five years pursuant to Army Corps of Engineers regulations. Chairperson Peery thanked Mr. Guzman for his presentation, and called for public comment.

(5:15:46) Charles Kuhn inquired as to the history of the rezoning application. Mr. Plemel explained that the 1996 citywide master plan included the subject property, as well as the Silver Saddle Ranch, in land use designations for various residential densities. The current zoning is agricultural. Mr. Plemel noted that the Silver Saddle Ranch had gone into public ownership since 1996. In developing the recently adopted comprehensive master plan, the consultants and City staff proposed a designation for the subject property consistent with agriculture. Wherever the master plan proposed a property designation revision, property owners were afforded the opportunity to present a request, before this commission and the Board of Supervisors, to have their property designation remain the same or be changed. The subject property owners submitted applications to retain the agricultural land use designations. The action taken by this commission and the Board of Supervisors was to continue the application indefinitely with the agreement that the property owners would work with Open Space Program staff toward purchase of the property. In response to a further question, Mr. Plemel reiterated that the existing zoning is agriculture, one unit per twenty acres.

(5:19:37) Eleanor Phillips, an adjacent property owner at 2237 Carson River Road, provided background information on her property ownership. She advised of having "watched the changes that have come about with the encroachment on the properties" to the north. She vividly recalled the floods of 1982 and 1986 and their effect on the subject properties. She expressed concerns over development in the flood zone, destruction of wildlife habitat, traffic, etc.

(5:22:10) Jerry Vivant, an adjacent property owner, encouraged the City to "continue to work on this" for the benefit of the property owners, the area residents, and the general community. He commented the property is "real nice as it is," and expressed the hope the property could be preserved to the satisfaction of both the current property owners and the community.

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(5:23:12) Vivian Spiker inquired as to the 500-year flood zone, and Chairperson Peery pointed it out on the displayed map. In response to a question regarding funding opportunities, Mr. Guzman advised of negotiations with The Nature Conservancy, the American Land Conservancy, the Nevada Land Conservancy, Ducks Unlimited, and Terra Firma. The Carson City Open Space Program has funds which are hopefully sufficient to complete the transaction. In addition, a \$350,000 grant has been awarded to complete the transaction on the Anderson property. In response to a further question, Mr. Guzman explained that all the previously listed funding sources require deed restrictions specific to open space. Use of Carson City Open Space Program funding would also include a deed restriction "that doesn't go as far." He explained the language of the Carson City Municipal Code Chapter 13.06.

(5:27:17) Joe Childs expressed encouragement that the property owners and City representatives are still communicating.

Chairperson Peery called for additional public comment; however, none was forthcoming. He thanked Mr. Guzman for his expertise. Mr. Plemel advised that additional status reports would be provided to the commission, as appropriate. Chairperson Peery recessed the meeting at 5:29 p.m. and reconvened at 5:33 p.m.

G-9a. ZMA-06-145 ACTION TO CONSIDER A ZONING MAP AMENDMENT APPLICATION FROM LUMOS & ASSOCIATES (PROPERTY OWNER: FLORES, ERNESTO R. AND RENTERIA B.) TO CHANGE THE ZONING FROM SINGLE-FAMILY ONE ACRE (SF1A) AND RETAIL COMMERCIAL (RC) TO MULTI-FAMILY APARTMENT (MFA), ON PROPERTY LOCATED AT 449 WEST ROVENTINI WAY, WEST OVERLAND STREET / VOLTAIRE STREET, AND ROVENTINI WAY, APNs 009-263-02, -03, -04 AND -05; G-9b. TPUD-06-146 ACTION TO CONSIDER A TENTATIVE PLANNED UNIT DEVELOPMENT APPLICATION, KNOWN AS CLEARVIEW RIDGE, FROM LUMOS & ASSOCIATES, (PROPERTY OWNER: FLORES, ERNESTO R. AND RENTERIA B.) TO ALLOW DEVELOPMENT OF 75 SINGLE-FAMILY DETACHED UNITS, ON PROPERTY ZONED SINGLE-FAMILY ONE ACRE (SF1A) AND RETAIL COMMERCIAL (RC), LOCATED AT 449 WEST ROVENTINI WAY, WEST OVERLAND STREET / VOLTAIRE STREET AND ROVENTINI WAY, APNs 009-263-02, -03, -04, AND -05; and G-9c. AB-06-147 ACTION TO CONSIDER AN ABANDONMENT OF PUBLIC RIGHT-OF-WAY APPLICATION FROM LUMOS & ASSOCIATES (PROPERTY OWNER: FLORES, ERNESTO R. AND RENTERIA B.) TO ABANDON AN APPROXIMATELY 600-FOOT-LONG BY 5-FOOT-WIDE PORTION OF THE SOUTH RIGHT-OF-WAY ALONG ROVENTINI WAY AND AN APPROXIMATELY 599.5-FOOT-LONG BY 5-FOOT-WIDE PORTION OF THE NORTH RIGHT-OF-WAY ALONG OVERLAND STREET, ON PROPERTY ZONED SINGLE-FAMILY ONE ACRE (SF1A) AND RETAIL COMMERCIAL (RC), LOCATED AT 449 WEST ROVENTINI WAY, WEST OVERLAND STREET, EAST OF VOLTAIRE STREET AND WEST OF COCHISE STREET, APNs 009-263-02, -03, -04, AND -05 (5:34:10) - Chairperson Peery introduced this item, and Ms. Pruitt provided an overview of the presentation format. She reviewed the staff report, and oriented the commissioners to the subject property using displayed slides.

(5:48:03) Lumos and Associates Senior Planner Audra Miller, representing the applicant, introduced Engineer Randall Long and Architect Rob Williams. Ms. Miller provided an overview of the applicant's presentation, and requested the opportunity to respond to questions following public comment. She advised

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of having received letters of support from Heritage Bank and the Ribeiro Companies. She corrected an error in her narrative, and advised that the client “has never wanted to exceed the 32 feet in height” as measured by the City, from the mid-point of the roof line. She noted that the multi-family apartment zone allows for 45 feet; however, the client desires to stay consistent with the single-family one acre zoning which allows for a maximum of 32 feet in height. She acknowledged having read the agenda materials and her agreement, with clarifications on conditions of approval 41, 51, and 52. Ms. Miller provided background information on the proposed development in conjunction with development of the City’s comprehensive master plan. She reviewed the applications included in the agenda materials.

(5:58:46) Architect Rob Williams reviewed the proposed project. He responded to questions with regard to maintenance and the building heights. In response to a further question, he described open space associated with each unit, garage and storage space, and setbacks. In response to a further question, he explained the term “private open space.” He noted also the common open space, and the decks on the individual units.

(6:08:00) Ms. Miller explained the purpose of rear-entry units to provide a more pedestrian-friendly environment. This is the purpose for the smaller setback. Ms. Miller emphasized the single-family, detached design of the units. She advised that the rezoning is “tied to the tentative map, tied to the PUD.” She explained that the multi-family apartment zoning was chosen because the mixed-use residential is not identified in the master plan. The detached product is more appropriate for the area because of the existing single-family, detached subdivision. It was also compatible with the adjacent commercial development. The planned unit development was requested for flexibility in design. Ms. Miller noted that 35 percent of the 3.84-acre site will be retained in open space. She pointed out that the building envelope and lot are one and the same. The open space provides for consistency and is aesthetically pleasing. It also minimizes maintenance for each homeowner. A homeowners association will maintain all common spaces; the private courtyards will be the responsibility of each private owner. Ms. Miller advised that the proposed density, at approximately 20 units per acre, is consistent with the master plan. She read into the record a portion of Appendix C of the comprehensive master plan. She noted that deviation from standards of a particular zoning district is anticipated with a planned unit development. She discussed parking requirements, and reviewed the findings for each application as provided in the application materials.

With regard to specific questions raised in written comments provided to staff, Ms. Miller advised that AT&T will be issuing a letter indicating no objection to the abandonment. She read mixed-use residential provisions into the record and referred to the stipulation regarding a maximum height of 32 feet for the residential units. With regard to traffic concerns, she advised of a traffic study conducted by Lumos & Associates in conjunction with advice from Regional Transportation Engineer Harvey Brotzman. She advised that the traffic generated from the project would not degrade any existing level of service. An analysis of the additional Ribeiro development was included in the traffic study and also indicated no reduction in the level of service for the four intersections studied. Ms. Miller advised that the intersection of Clearview and Cochise is designated as service level A and will remain as such. She further advised that a JAC bus stop is located approximately 0.4 miles from the site. A City Public Works Department representative has indicated there is no bus stop proposed for the location. The first modification will be to locate a bus stop on Curry Street in conjunction with the Fandango project. Ms. Miller explained the reason for the parking variance request. With regard to concerns raised over property values, she read a portion of a letter from Assessor Dave Dawley into the record. In response to an earlier question regarding lower income housing, she advised that the market will dictate the price of the units.

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In response to a question, Ms. Miller advised that on-street parking will be available to guests. Commissioner Bisbee referred to the land use map and noted mixed-use residential adjacent to low density residential adjacent to private conservation or rural residential. She agreed with comments by area residents that the area is rural residential. Ms. Miller advised that the subject property is fronted by commercial development. She noted the importance of transition from commercial development to “the larger lot and that’s why we wanted to do the single-family detached to stay with that transition.” Commissioner Bisbee expressed concern over the transition, and the opinion that the proposed development “looks like this is how many places we can squish on this little bit of property.” She expressed support for development, but the opinion that “it has to make sense.” She suggested a lower density development for the property.

Commissioner Semmens also suggested a smaller number of units which could include on-site guest parking. Ms. Miller advised that the design is patterned after the “traditional neighborhood which is a more clustered development.” She noted that this is consistent with the master plan which calls for efficient land use and diversity in housing products.

Ms. Pruitt advised that the proposed planned unit development is similar to other planned unit developments relative to variances. She provided a detailed overview of the staff report, including findings and conditions of approval, and the attachments. She noted 57 conditions of approval associated with the planned unit development, and six conditions of approval for the right-of-way abandonment. She advised that required findings had been made by the applicant, and noted staff’s recommendation of approval. She invited Mr. McCarthy to speak about the redevelopment / economic development of the area.

(6:35:24) Economic Development / Redevelopment Manager Joe McCarthy referred to his letter of support included in the agenda materials. He discussed the need to encourage mixed-use in neighborhoods, from an economic development standpoint. “Neighborhoods require residential products that are unique, attractive, and architecturally well-designed.” Mr. McCarthy provided background information on his work with the applicant, and historic information on redevelopment in Carson City over the past several years. In reference to the comprehensive master plan, he noted that the “narrative was written by the community.” He discussed the residential products described in the master plan, and advised that the proposed project meets the standards. He discussed the importance of the proposed development to proposed commercial development adjacent to the subject property. In response to a question, he discussed how condominiums, townhouses, and apartments fit into mixed-use development. In response to a further question, he advised of the possibility of development at the subject site which would be “less than scintillating.” He discussed the need for new designs which appeal to a changing demographic within the community. The proposed development is “extremely pleasing” aesthetically. Mr. McCarthy expressed the opinion that such a product will “set the bar high for future kinds of investment in our downtown core and in our other neighborhoods.” He expressed the further opinion that the product represents an opportunity for the community. He acknowledged the proposal as one type of alternative product within the community. He advised that the economics of the community require developers to take advantage of density because of the high cost of land. Compact development will allow the City to require developers to provide good products. “Communities that do it well inject quality residential components into their neighborhoods and into their infill redevelopment projects.” In response to a question, Mr. McCarthy advised that the subject neighborhood is in transition. He noted that the proposal represents a superior product, and expressed the hope that the commissioners would consider the product will set the bar high. He acknowledged the difficulty that the applicant is a pioneer in the subject neighborhood. Commissioner Mullet expressed the

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opinion there should be transition across the product, and that the other two streets could be taken advantage of with side entrances. Mr. McCarthy responded to questions regarding the developer's possible interest in commercial property adjacent to the Schulz Ranch development.

Ms. Pruitt and Mr. Sullivan responded to questions regarding the property lines, open space, property maintenance, the conditions of approval, buffer zones, and the proposed density. In response to a question, Mr. Plemel advised that the context of the subject site is different than that associated with the Schulz Ranch area. He pointed out that the subject site is immediately adjacent to commercial development. He clarified that the context is different with regard to what is being buffered. He advised that, in an urban setting adjacent to commercial development, 2.5 units per acre meets the intent of the mixed-use designation. He further advised that the key is the specifically developed mixed-use criteria and how a project meets that criteria. He agreed with the commissioners' consideration of existing residents, but advised that consideration should also be given to existing and future uses of adjacent properties. He further advised that the applicants had done a good job in addressing the mixed-use criteria findings.

Commissioner Vance expressed the opinion that the parking is "woefully" inadequate. In response to a question, Ms. Pruitt advised of having met with Parks Department staff, who reviewed the project. She acknowledged no written comments had been provided. Commissioner Vance suggested requiring a playground to be included in the plan. In response to a previous comment, Ms. Pruitt reviewed the Carson City Municipal Code with regard to parking criteria associated with multi-family dwellings. She pointed out that the subject planned unit development is unique in that it is surrounded by public streets. She compared the proposal to the Millennium development which opted for private streets that do not accommodate any parking. She acknowledged that additional guest parking is required for planned unit developments with private streets.

Vice Chairperson Kimbrough expressed appreciation for the thorough staff report. In response to a question, Mr. Plemel advised that Bordewich School presently uses portable classrooms. He further advised that the school district is anticipating a future decline in student population even with anticipated growth in Carson City. In response to a question, Regional Transportation Engineer Harvey Brotzman explained the difference between alleys and streets. Vice Chairperson Kimbrough expressed the opinion that open space should be contiguous in order to be measured. Ms. Pruitt read into the record the definitions of public and private open spaces from CCMC Title 17, Section 09.100. She explained the method by which open space criteria can be satisfied in a planned unit development.

Chairperson Peery noted the size of the property and the five different points of ingress and egress between Overland and Roventini. He expressed concern over traffic safety issues. In response to a question, Ms. Pruitt advised that approval of the project would not constitute spot zoning. Commissioner Reynolds commented on the interesting proposal and project, and agreed there are "plenty of these around the country." He advised of the main concern over how the development will fit in the surrounding area. In response to a question, Ms. Pruitt reviewed the requirements for multi-family setbacks. Commissioner Reynolds expressed concern over density and the reasons for establishing the multi-family setbacks in the past. He commended the staff report, but didn't see why the setbacks from the edge of the property should be varied. With regard to previously discussed concerns over open space, he reiterated there are plenty of developments which "work just fine this way." He noted that potential buyers will see the type of community it is, but expressed concern over the outside areas.

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Chairperson Peery provided direction with regard to public comment, and opened this item. Ms. Pruitt advised that the commission's action would constitute a recommendation to the Board of Supervisors.

(7:22:48) Ray Carroll, a resident of Voltaire Street, acknowledged an understanding of future development at the time he purchased his property. He expressed shock over the subject proposal, and "still can't imagine how you get 75 units on there." He expressed concern over density and congestion as a result of the project, and the opinion that it will have a "devastating impact on traffic." He suggested 10 to 12 homes instead of 75, and expressed the opinion that the high density concept doesn't fit with the existing neighborhood. He advised that "this is happening very quickly for us with the Fandango, with this project, and the next one that's going to come along."

(7:25:31) Tony Pilant, a resident of Voltaire Street, advised of not having been notified of the meeting even after having requested notification. He expressed the opinion that the burden is on the applicants to prove the proposed project "is a good idea." He expressed the further opinion that "they're pushing the limit of everything." He expressed concern over traffic congestion. In reference to Mr. McCarthy's comments, he expressed opposition to modeling Carson City after other communities. He expressed concern over emergency vehicle access to the alleyways. He questioned the open space definition and criteria, as provided in the staff report. He expressed the opinion that the density is actually at 38 homes per acre once the open space and alleyways are factored. He suggested no benefit to the community, and expressed the opinion that the project "stands out like a sore thumb in that neighborhood." He expressed disbelief that the applicant and the developer didn't yet know the selling price of the homes. He expressed the opinion the development is not needed here.

Mr. Brotzman responded to questions regarding Curry and Cochise Streets in relation to the freeway bypass.

(7:31:57) Mike Kechely, a resident on Voltaire Street directly across from the proposed project, referred to an earlier question regarding impacts to Bordewich School. He reviewed information regarding student to teacher ratios in the State, and expressed the opinion that the proposed project will have a negative impact to Bordewich School. He discussed a maintenance easement for the side yards of the individual units. He referred to the applicant's proposal, and advised that the area has never been an urban neighborhood. He advised of having lived in the area since 1997, and that the residents knew about the "strip of commercial" along Cochise Street. He expressed the opinion that most of the residents have a problem with the proposed density, not development of the property. He proposed a lower density along the perimeter of the development. He suggested that the 2.5 cars per unit estimate may be a little low. He expressed concern over adequate storage space within the garages. He acknowledged that planned unit developments incorporate "a lot of anticipated variances in a project, but they're asking for everything." He suggested the impossibility of designing a more dense project on the parcel and still having detached units. He expressed the opinion that the Casino Fandango theater was not included in the traffic impact study, and discussed concerns over traffic congestion. He expressed the further opinion that the burden of meeting the mixed-use criteria "hasn't been done here." He suggested partnering with the property owner to the south "and try to really meet the intent of mixed use or at least give us some lower density around the perimeter of the project that adjoins other single-family one-acre homes." He expressed concern over inadequate open space "for the 50 ... kids that are projected to be there." He requested the commissioners to request the developer to withdraw the application and meet with the residents to scale back the development.

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(7:41:47) Jeannie White advised that she lives behind the “wood sculptor at Highway 50 and 395.” She agreed with earlier comments regarding “too much density, too many cars,” and expressed the opinion that the impacts of the proposal should be more carefully considered.

(7:42:53) Attorney John Griffin, representing the Casino Fandango, expressed support for the project. He advised that the Casino Fandango currently has approximately 450 employees and is “about 30 employees short.” With the expansion project, including the hotel and the movie theater, another 75 employees will be hired within the next year. “Any housing of this nature ... is good ... for our employee base.” He responded to questions regarding the ability of the Fandango employees to afford the housing.

(7:45:00) Greg Wilson, a resident of Voltaire Street, advised of not having been notified of this meeting. He expressed concern over the proposed height of the structures. He provided a petition to staff. At Chairperson Peery’s request, he explained his concern over the proposed height of the structures. (7:46:42) At Mr. Wilson’s request, citizens interested in this item stood up. He expressed concern over the structures obscuring the existing residents’ view.

Ms. Pruitt advised that building height for all development in Carson City is consistent; that this project will be measured no differently than any other residential development. She further advised that International Building Code standards are used to measure to the mid-point of the roof.

(7:47:30) Bob Hamlin, of 4322 Voltaire Street, advised of no objection to the proposed development except for the proposed density. He urged the commissioners to require no more than six units per acre if the zoning change is approved.

(7:48:24) Emily Conragan, of 400 West Roventini, agreed with the opinions previously expressed. She expressed the opinion that the density is “a big issue;” that the proposed development is “not going to flow with the neighborhood that we currently have.” She expressed concerns over traffic, on-street parking, and the scale of the proposed houses. She expressed no opposition to development of the property, but suggested the proposed project should be scaled back.

Chairperson Peery called for additional public comment and, when none was forthcoming, entertained additional comments, questions, or a motion. Mr. Sullivan noted that the applicant had requested an opportunity for rebuttal.

(7:50:54) Ms. Miller referred to the site plan, and advised that the client had informed her the price range will start at \$280,000. She further advised that development costs remain the same regardless of the number of units constructed. Per unit costs increase as density decreases. The development theme is pedestrian friendly, with an emphasis on open areas. All units face inward because of the promenade feature. There are walking trails throughout the development. Ms. Miller pointed out that open space includes recreational and visual areas. She expressed the belief that one of the first goals of open space is to ensure “some light and air for the residents within a development.” She advised that this is the purpose for a broad open space definition in the City’s ordinance. She further pointed out that there are all different types of residents within a development. She requested Randall Long to address the traffic concerns.

(7:56:02) Randall Long, of Lumos & Associates, explained the concept of level of service with regard to traffic. He advised of having identified, together with Mr. Brotzman and other City staff, three key

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intersections to study: Highway 395 and Cochise; Cochise and Overland; and Clearview and Cochise. These intersections were studied in their existing conditions and at build out “2015 condition with two other developments.” From the existing condition to the build out of the other two developments, the level of service for the three intersections did not change. The worst level of service is at the intersection of Clearview and Highway 395. Mr. Long advised that residential developments typically have a lot less traffic impact than commercial developments.

With regard to a previously expressed concern over spacing of the driveways, Mr. Long advised of having met with staff and of having applied a commercial standard to those separations. In addition, a sight triangle was applied to the intersections to ensure appropriate sight to make driving decisions from either driveway. Mr. Long advised that the designation of Cochise Street as a collector is more of a staff decision; the developer has not requested this. Chairperson Peery expressed uncertainty as to the extent that this “helps the issue at hand which is the five points of ingress or egress on either side on those two secondary roadways.” With regard to circulation within the development, Mr. Long advised that the alleyways are proposed to be 26-feet wide. The minimum for fire protection is 20 feet. Mr. Long further advised of having met with Fire Department representatives who reviewed access to the development, both around and internally, and indicated approval both of fire hydrant placement and unit accessibility. Alleyways in the rear and the units facing the promenade are to promote pedestrian and traffic circulation. Mr. Long reviewed access, separation, and connectivity. He responded to questions regarding the proximity of the alleyway to Cochise Street and storm drainage. He acknowledged having included the intersection of Overland and Highway 395 in the traffic study, and reviewed details of the same.

Chairperson Peery requested individual input of the commissioners. Commissioner Bisbee expressed support for the architectural design, and the opinion that the neighbors seem to be requesting a compromise. She requested fifty percent less density or a graduated density. Commissioner Vance echoed her comments. He expressed opposition to twenty units per acre “right across the street on potentially three sides with one unit per acre. It just doesn’t set well.” Commissioner Mullet advised of having visited another planned unit development earlier in the day. “The streets are wider. They actually have a 10-foot driveway into the garages ... and it was a disaster.” Commissioner Mullet acknowledged that the real estate market is cyclical, but advised of units in town on 1/3- and 1/2-acre lots that are selling for less than \$300,000. He expressed concern over no recreational area, traffic and parking issues, and the proposed density. Commissioner Semmens agreed with the previous comments, and objected to the absence of guest parking. He suggested reducing the number of units to 44, and discussed the associated benefits. He expressed concern over the density and emergency vehicle access.

Commissioner Reynolds noted the months of consideration given to the master planning process and “conceptual areas that looked an awful lot like this.” He noted retail development to the south, to the north, and to the east, and potential future commercial development to the southeast. He suggested this may be the first of many such proposed developments, and that it should be considered in light of having already considered the details. Given the economics of housing, the cost of installing utilities, he expressed the opinion there will be more of the same type of proposal for people who are middle income. He expressed the opinion there should be more distance between the streets and the first row of homes around the perimeter of the development. He expressed the further opinion that the proposed development “is a lot better than just townhomes ... than apartments ... than condominium projects.” He agreed the project isn’t perfect, but reiterated that it will most likely be “a lot closer to what we’re going to see in the future than maybe we’re giving it credit for.” Vice Chairperson Kimbrough expressed concern over findings with

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regard to denial of the project. He recalled visiting a subdivision with very narrow streets, and expressed concern over the proposed density, safety, open space, and parking. Chairperson Peery noted that the planners had been very inventive; that the architecture is very pleasing. He expressed support for the method by which utilization of a small space had been proposed. He expressed concern over impacts to the particular area. He expressed a desire for affordable housing in the community, the highest and best use for land, and a reasonable compromise between friction areas. He suggested that the proposal may be asking too much of the existing neighbors, and expressed the opinion that the project appears to be in the wrong place. He agreed with many of the other concerns expressed, but also with Commissioner Reynolds' comments that the commission will be presented with many similar proposals in the future. He discussed the economics associated with the project, but advised he had a tough time supporting the project.

Commissioner Mullet commended the staff report, and expressed support for the mixed-use and higher density. He commended the architectural design. He expressed concern over "giving variances for everything" and suggested the envelope had been pushed too far. Chairperson Peery noted the trend of the comments, and inquired of Ms. Miller her preference with regard to continuing the item or moving forward with action. Ms. Miller conferred with her client, and conveyed his desire to move forward.

In response to a question, Mr. Suglia suggested addressing each of the three items separately, as follows: the zoning map amendment first, then the subdivision map, and then the abandonment. He suggested recessing the meeting to develop findings. Chairperson Peery recessed the meeting at 8:25 p.m. and reconvened at 8:46 p.m. He entertained a motion. **Vice Chairperson Kimbrough moved to recommend to the Board of Supervisors denial of the zoning and tentative maps for the PUD; the motion for denial for the tentative and zoning maps are under the following findings: open space design is inconsistent with Section 17; traffic and circulation are inadequate; the variety of land uses does not compliment each other or harmonize with existing land uses in the vicinity; the development plan is not in the public interest due to the high density; the amount and purpose of the proposed open space is inadequate; the physical design of the plan appears to be inadequate because of no on-site guest parking, multiple ingress and egress points too close together; the PUD plan relationship with the neighborhood is considered adverse due to high density opposed to low density neighborhood; all pursuant to Section 17.09.050. Commissioner Semmens seconded the motion. Motion carried 6-1.**

Vice Chairperson Kimbrough moved to recommend to the Board of Supervisors denial of the abandonment because it is not in the public interest. Commissioner Semmens seconded the motion. Motion carried 7-0. Mr. Sullivan advised that these items would be submitted for review by the Board of Supervisors at their September 21st meeting.

G-10a. ZMA-06-142 ACTION TO CONSIDER A ZONING MAP AMENDMENT APPLICATION FROM ASCEND 2006, LLC (PROPERTY OWNER: JENSEN, JEANNETTE M.) TO CHANGE THE ZONING FROM MOBILE HOME 12,000 (MH12) TO MOBILE HOME 6,000 (MH6), ON PROPERTY LOCATED AT 3860 EAST NYE LANE, APN 008-192-69; G-10b. TPUD-06-143 ACTION TO CONSIDER A TENTATIVE PLANNED UNIT DEVELOPMENT APPLICATION, KNOWN AS NEWPORT VILLAGE, FROM ASCEND 2006, LLC (PROPERTY OWNER: JENSEN, JEANNETTE M.) TO ALLOW 43 SINGLE-FAMILY DETACHED UNITS ON 5.4 ACRES, ON PROPERTY ZONED MOBILE HOME 12,000 (MH12), LOCATED AT 3860 EAST NYE LANE, APN 008-192-69; G-10c. SUP-06-161 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM ASCEND 2006, LLC (PROPERTY OWNER: JENSEN,

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JEANNETTE M.) TO ALLOW TWO TEMPORARY TRACT SALES OFFICES AND ASSOCIATED ADVERTISEMENT FLAGS, ON PROPERTY LOCATED AT 3860 EAST NYE LANE, APN 008-192-69 (8:50:41) - Chairperson Peery introduced these items. Ms. Eskew-Herrmann reviewed the staff reports, oriented the commissioners to the subject property using displayed parcel maps, and narrated pertinent photographs. She clarified that the open space representation and the landscaping plan indicate four of the proposed lots configured differently than the site plan included in the agenda materials. She explained that staff and the applicant agreed the four lots should be reconfigured in order to provide larger open space areas throughout the development. She pointed out the four lots on a displayed site plan. She further clarified the modification to the front setback of ten feet in that the optional porches are not included. She reviewed public comment received. She advised that the applicant had made the required findings, and referred to the 43 conditions of approval for the tentative map and 16 conditions of approval for the special use permit. She further advised of having discussed with the applicant, prior to the start of the meeting, conditions of approval 2, 3, 12, 19, 22, and 38 for the tentative subdivision map, and conditions of approval 1 and 15 for the special use permit. She advised that Mr. Sullivan had approved deletion of condition of approval 38 provided best management practices are used for dust control on the site. She further advised of the applicant's request that the special use permit time frame be extended to two years, consistent with final map approval.

(9:00:59) Jeff Foster, of Quad Knopf, provided background information on the project and narrated a PowerPoint presentation. He noted that the proposal is for 43 units on 5.4 acres, and that the zoning is compatible with the adjacent zoning to the south. He further noted the 22 guest parking spaces, "large, usable open space areas," and the architecturally pleasing design with large front porches. He acknowledged his agreement with the staff report, and expressed support with deletion of condition of approval 38. He requested that the special use permit be extended to two years to coincide with the timing of final map approval. In response to a question, he discussed the water main analysis.

(9:10:01) Mr. Sharp explained the requirement to analyze fire flow capability. In response to a question, he advised there are no issues anticipated as there are eight-inch water mains adjacent to the site.

Mr. Foster responded to questions regarding the navigation easement, and Mr. Sullivan provided further explanation. Mr. Foster responded to additional questions regarding storm drainage detention using displayed graphics. (9:12:38) Dave Pearson, of Quad Knopf, explained storm drainage detention. In response to a question, Mr. Foster referred to page 6 of the application and reviewed tentative cost estimates. Chairperson Peery opened this item to public comment.

(9:15:14) Bob Fredlund, of Coldwell Banker Best Sellers, expressed support for the project as a realtor and a general contractor.

Chairperson Peery called for additional public comment and, when none was forthcoming, entertained additional questions, comments, or a motion. Ms. Eskew-Herrmann acknowledged the proposed zero lot line. Mr. Sullivan expressed understanding for concerns over the proposed zero lot line, and advised of similar concerns by the Chief Building Official. He further advised that the zero lot line concept is not new; it has been accepted and is utilized all over the United States. Mr. Sullivan took a moment to welcome Mr. Brotzman and to introduce Mr. Sharp.

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Commissioner Mullet commented there is no question about this project. Chairperson Peery entertained a motion. **Commissioner Bisbee moved to recommend to the Board of Supervisors approval of tentative planned unit development map TSM-06-143, an application from Ascend 2006 LLC, care of Jim Kiernan at Northern Nevada Title, property owner Jeannette M. Jensen, to allow a planned unit development of 43 residential lots, an entry monument sign and variances for lot area, lot width, lot and development setbacks, and tandem parking requirements within the development, as specified in the Carson City Municipal Code, Title 18, on property zoned mobile home 12,000, located at 3860 East Nye Lane, APN 008-192-69, based on the findings and subject to the recommended conditions of approval contained in the staff report. Commissioner Mullet seconded the motion. Motion carried 7-0.**

Commissioner Bisbee moved to recommend to the Board of Supervisors approval of zoning map amendment, ZMA-06-142, to change the zoning from mobile home 12,000 to mobile home 6,000 on 5.4 acres located at 3860 East Nye Lane, APN 008-192-69, based on the findings and subject to the recommended conditions of approval contained in the staff report. Commissioner Reynolds seconded the motion. Motion carried 7-0.

Commissioner Bisbee moved to approve SUP-06-161, a special use permit request to allow the location of two temporary tract sales offices with associated flag poles and flags, on property zoned mobile home 12,000, located at 3860 East Nye Lane, APN 008-192-69, based on seven findings and subject to the conditions of approval contained in the staff report. Commissioner Semmens seconded the motion. Motion carried 7-0. At Ms. Eskew-Herrmann's request, Commissioner Bisbee amended her motion for TSM-06-143 to exclude condition of approval 38. Commissioner Mullet continued his second. Commissioner Bisbee amended her motion for SUP-06-161 to extend the use permit by one year for a total of two years. Commissioner Semmens continued his second. Motion carried 7-0.

Mr. Sullivan expressed appreciation for the experience of having worked with Mr. Foster and his design team. Chairperson Peery commented that the development is a nice fit for the community.

(9:24:09) Charlie Kitchen, representing the seller in the transaction, complimented the Planning Division staff on their friendliness and professionalism.

G-11. DISCUSSION ONLY REGARDING MASTER PLAN IMPLEMENTATION STRATEGIES PURSUANT TO THE ACTION PLAN CONTAINED WITHIN THE ADOPTED MASTER PLAN (9:24:57) - Chairperson Peery introduced this item, and Mr. Plemel reviewed the staff report. In response to a question, Mr. Plemel discussed programmatic and policy decisions associated with future development of affordable housing within the community. Mr. Sullivan discussed the importance of encouraging affordable housing by density bonuses, growth management, etc.

H. REPORTS:

H-1. COMMISSIONERS' REPORTS / COMMENTS (9:36:10) - None.

H-2. STAFF REPORTS / COMMENTS (9:35:23) - Mr. Plemel advised that staff is working with Chamber of Commerce representatives and others regarding freeway signage.

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REPORT ON BOARD OF SUPERVISORS' ACTION ON PRIOR PLANNING COMMISSION APPLICATIONS (9:32:03) - Mr. Sullivan advised that the industrial map for Eagle Valley Commerce Center was approved on a vote of 4-0. The automobile signage ordinance was approved on a vote of 5-0. Abandonment of the right-of-way for the First Presbyterian Church was approved on a vote of 5-0. The revised tentative map for Curry Village, now known as West Knoll, was approved on a vote of 5-0. Two appeals were submitted on the special use permit for the guest quarters at the DeLigame residence. The Board of Supervisors upheld the Planning Commission's decision on a vote of 5-0. An appeal was submitted for the duplex on Division Street and later withdrawn.

FUTURE AGENDA ITEMS (9:34:12) - Mr. Sullivan referred to miscellaneous information included in the agenda materials, and requested the commissioners to review the same in preparation for discussion at the next commission meeting.

I. ACTION ON ADJOURNMENT (9:36:15) - Commissioner Semmens moved to adjourn the meeting at 9:36 p.m. Commissioner Vance seconded the motion. Motion carried 7-0.

The Minutes of the August 30, 2006 Carson City Planning Commission meeting are so approved this 25th day of October, 2006.

JOHN PEERY, Chair