

CARSON CITY PLANNING COMMISSION

Minutes of the January 25, 2006 Meeting

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A regular meeting of the Carson City Planning Commission was scheduled for 3:30 p.m. on Wednesday, January 25, 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
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 (3:33:02) - Chairperson Peery called the meeting to order at 3:33 p.m. Roll was called; a quorum was present. Vice Chairperson Kimbrough led the pledge of allegiance.

B. COMMISSION ACTION ON APPROVAL OF MINUTES (3:33:59) - None.

C. PUBLIC COMMENT (3:34:03) - None.

D. MODIFICATIONS TO THE AGENDA (3:34:30) - Chairperson Peery advised that item G-17 would be continued to the February commission meeting; that items G-11 and G-12 were expected to be continued, but would be re-announced at the time they were scheduled to be heard.

E. DISCLOSURES (3:37:01) - Commissioner Reynolds advised he would recuse himself from discussion and action of item G-19.

F. CONSENT AGENDA (3:37:32) - Chairperson Peery entertained a motion to continue the consent agenda items. **Commissioner Mullet moved to continue SUP-05-273 to the February 27th Planning Commission meeting, as well as MPA-05-153. Commissioner Semmens seconded the motion. Motion carried 7-0.**

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F-1. MPA-05-153 ACTION TO CONTINUE RESOLUTION 2006-PC-1 RECOMMENDING TO THE BOARD OF SUPERVISORS APPROVAL OF A MASTER PLAN AMENDMENT APPLICATION FROM GANTHNER MELBY, LLC (PROPERTY OWNER: CARSON CITY) TO CHANGE THE MASTER PLAN LAND USE DESIGNATION FROM HIGH DENSITY RESIDENTIAL TO PUBLIC REGIONAL, ON PROPERTY LOCATED AT 1005 EAST MUSSER STREET AND 113 NORTH HARBIN AVENUE, APNs 004-176-09 AND -10

F-2. SUP-05-273 ACTION TO CONTINUE TO THE FEBRUARY 2006 PLANNING COMMISSION MEETING A SPECIAL USE PERMIT APPLICATION FROM CARSON STATION (PROPERTY OWNER: RUSSELL, CLARK G. FAMILY TRUST AND RUSSELL, JEAN FAMILY TRUST) TO ALLOW PERMANENT PLACEMENT OF TWO METAL STORAGE CONTAINERS, ON PROPERTY ZONED DOWNTOWN COMMERCIAL (DC), LOCATED AT 900 SOUTH CARSON STREET, APN 003-082-04

G. PUBLIC HEARING MATTERS

G-1. PRESENTATION BY DEVELOPMENT ENGINEERING STAFF REGARDING “CARSON CITY FLOOD DAMAGE ORDINANCE (TITLE 12.09) AND THE NATIONAL FLOOD INSURANCE PROGRAM” (3:39:25) - Chairperson Peery introduced this item. Chief Storm Water Engineer Robb Fellows introduced himself for the record, and narrated a PowerPoint presentation which included discussion of FEMA’s identification of flood hazards, flood plain management, the City’s flood plain ordinance, and the flood plain maps. He narrated photographs of detention basins, alluvial fans, and the River. He described the effect the freeway will have on the flood map and, in response to a question, explained the method by which flood waters will be conveyed from the west side of town to the River. In response to a further question, he explained special flood hazard areas designated as part of the flood insurance program. He acknowledged the City is to ensure that new construction will be properly engineered to avoid flood damage to existing neighborhoods. He explained that streets are used to convey flood waters through the City to the River. Chairperson Peery thanked Mr. Fellows for his presentation.

G-2. PRESENTATION BY PARKS AND RECREATION DEPARTMENT STAFF REGARDING THE FINAL DRAFT OF THE PARKS AND RECREATION MASTER PLAN (4:02:59) - Parks and Recreation Department Director Roger Moellendorf introduced Park Planner Vern Krahn, who distributed to the commissioners and staff a January 25, 2006 memo. Mr. Moellendorf provided background information on the public process through which the parks and recreation master plan element was developed. His PowerPoint presentation included review and discussion of key concepts and priorities; age group summaries; implications of demographic information; an overview of community parks, natural parks, neighborhood parks, sports complexes; discussion of the proposed indoor recreation center; an overview of recreation programs and cultural and performing arts.

Commissioner Mullet advised the Redevelopment Authority has been considering the old armory complex for potential acquisition. He suggested the possibility of retrofitting one of the buildings to serve as an indoor recreation center. In response to a question, Mr. Moellendorf expressed the opinion the proposed casino development adjacent to the Fuji Park Fairgrounds represents positive opportunities for synergy. Chairperson Peery thanked Mr. Moellendorf for his presentation.

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G-3. MPA-04-127 STATUS REPORT ON ACTIVITIES RELATED TO “ENVISION CARSON CITY,” THE UPDATE OF THE CARSON CITY MASTER PLAN AND THE PARKS, RECREATION, AND TRAILS PLAN (4:16:25) - Mr. Plemel provided an overview of the purpose of this item. He advised that Parks and Recreation Department staff has been working with bicycle, pedestrian, and trails stakeholders to develop the final draft of the unified pathways plan. An early February release date for the draft is anticipated. Mr. Plemel advised that a joint meeting of this commission and the Parks and Recreation Commission would be scheduled for Tuesday, February 21st to present and receive comments on the unified pathways plan. He advised that the Open Space Advisory Committee took action on the Vicee Canyon specific plan area at their January 23rd meeting. The Vicee SPA will be presented to the Parks and Recreation Commission in the near future, and will be agendized for the Planning Commission’s February 22nd meeting. Mr. Plemel advised of a Planning Commission workshop scheduled for March 6th, as a final opportunity to provide comments and make revisions to the comprehensive master plan which will be agendized for adoption at a March 27th special Planning Commission meeting. Chairperson Peery thanked Mr. Plemel.

G-4. MISC-06-008 ACTION TO CONSIDER, IN REGARD TO PLANNING COMMISSION POLICY NUMBER 2, “METAL STORAGE CONTAINERS,” SPECIFICALLY THE RENTAL OF METAL STORAGE CONTAINERS BY THE GENERAL PUBLIC OF CONTAINERS NOT UTILIZED BY THE ON-SITE BUSINESS (4:19:05) - Chairperson Peery introduced this item, and Mr. Sullivan provided background information. He reviewed existing ordinance language, as outlined in the January 25, 2006 memorandum included in the agenda materials. Commissioner Reynolds inquired as to whether the use by a company currently renting out storage containers to the general public would be grandfathered under the existing ordinance. Mr. Sullivan advised the only facility of which he is aware is located at the southeastern most part of town. The use has existed on that property since the mid-1980s. Mr. Sullivan acknowledged the existing use would be allowed to continue, and could be expanded by special use permit. In response to a question, he advised the ordinance regarding metal storage containers has been in effect for about two years. Following discussion, Chairperson Peery called for public comment. None was forthcoming. In response to a question, consensus of the commission was to make no revision to the current Planning Commission policy. Chairperson Peery thanked staff for researching the matter.

G-5. ZCA-06-004 ACTION TO CONSIDER A ZONING CODE AMENDMENT TO THE CARSON CITY MUNICIPAL CODE (TITLE 18, ZONING) AND DEVELOPMENT STANDARDS BY CITY STAFF REGARDING BILLBOARDS, SPECIFICALLY: SECTION 4.8.3(b)(1)(a) BILLBOARDS AND OFF-PREMISES SIGNS, PERMITTED STREETS SPECIFICALLY CHANGING U.S. 395 TO CARSON STREET (4:28:53) - Chairperson Peery introduced this item. Mr. Plemel reviewed the January 25, 2006 memo included in the agenda materials and responded to questions of clarification. Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained a motion. **Commissioner Semmens moved to recommend to the Board of Supervisors approval of ZCA-06-004, a Zoning Code amendment to the Carson City Municipal Code, Title 18, Zoning and Development Standards, modifying Section 4.8.3(b)(1)(a), Billboards and Off-Premises Signs, Permitted Streets, by changing U.S. 395 to Carson Street. Commissioner Vance seconded the motion. Motion carried 7-0.**

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G-6a. SUP-05-118 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM GANTHNER MELBY ARCHITECTS, LLC (PROPERTY OWNER: CARSON CITY) TO ALLOW DEVELOPMENT AND CONSTRUCTION OF A NEW SHERIFF'S ADMINISTRATION BUILDING AND ADJACENT PARKING LOTS, ON PROPERTY ZONED PUBLIC REGIONAL (PR) AND MULTI-FAMILY APARTMENT (MFA), LOCATED AT 901 EAST MUSSER STREET, 1005 EAST MUSSER STREET AND 113 NORTH HARBIN AVENUE, APNs 004-174-09, 004-176-09 AND -10; and G-6b. ZMA-05-154 ACTION TO CONSIDER A ZONING MAP AMENDMENT APPLICATION FROM GANTHNER MELBY LLC (PROPERTY OWNER: CARSON CITY) TO CHANGE THE ZONING FROM MULTI-FAMILY APARTMENT (MFA) TO PUBLIC REGIONAL (PR), ON PROPERTY LOCATED AT 1005 EAST MUSSER STREET AND 113 NORTH HARBIN AVENUE, APNs 004-176-09 AND -10 (4:34:06) - Chairperson Peery introduced these items. Mr. Sullivan reviewed the staff reports, and narrated pertinent slides. In response to a question, he advised that a smaller, adjacent building attached to the site was torn down in anticipation of the commission's action.

(4:41:09) Sheriff Ken Furlong advised that the demolished building was part of the Sheriff's Administration Complex, located on the back of the property and constructed in 1966. He reviewed the various uses the building served over the years. He advised that the old jail facility "has been basically cut from the main building" and will be demolished beginning Monday, January 30th. He acknowledged having read the staff report and his agreement with the same. He commended the City staff involved in the project. He advised of having held an open house with the construction managers and engineers, for the benefit of the neighborhood, and that there was very little response from the surrounding neighbors. He responded to questions regarding construction phases, relocation of Community Counseling Services, and employee parking. Chairperson Peery opened this item to public comment.

(4:47:03) Scott Keith, owner of the property directly adjacent to the proposed parking lot, expressed the opinion that public notice had been inadequate. He advised the first notice he received by mail was for this meeting. He expressed the opinion the notification was as a result of his contact with Sheriff Furlong to complain about the two houses directly adjacent to his which had been demolished without any notice. He advised of having met subsequently with Sheriff Furlong, and expressed concern over plans for the proposed parking lot. He advised that demolition of the two residential structures adjacent to his property has "created a virtual wind vortex ... and the fences along the south side and along the east side are blowing down like mad." He further advised that shingles are blowing off his roof during each storm. He acknowledged this was most likely not the concern of the commissioners, but advised he would have appreciated the opportunity to be more prepared by receiving appropriate notice.

With regard to the proposed parking lot, Mr. Keith advised that the entrance is approximately two feet from his driveway. He expressed the opinion the plan should be changed and objected to having parking lot access so close to his property. He expressed the further opinion that the cinderblock wall should be "one of the first things that's done, not one of the last." He reiterated that residential fences are coming down every time the wind blows.

Sheriff Furlong acknowledged the issue with the residential fences, and advised it had been addressed at the last builder's meeting. Public Works Director Andrew Burnham is reviewing the construction phases, particularly with regard to construction of the block wall and the possibility of paving the area. Sheriff Furlong encouraged Mr. Keith to continue open communication on the project. In response to a comment,

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Sheriff Furlong acknowledged Mr. Keith's concern over the proximity of the parking lot entrance and agreed to address it with the building committee. Vice Chairperson Kimbrough expressed support for the traffic calming measures included in the plans. He requested some consideration for trimming the existing landscape to ensure proper visibility. Sheriff Furlong advised of having received an update to the west side parking plan which will accommodate additional public parking. He expressed the hope to infringe on the neighborhood as little as possible.

Chairperson Peery called for additional public comment and, when none was forthcoming, entertained a motion. **Commissioner Semmens moved to approve SUP-05-118, a special use permit application from Ganthner Melby Architects LLC to allow development and construction of a new Sheriff's Administration Building and adjacent parking lots, on property zoned public regional and multi-family apartment, located at 901 East Musser Street, 1005 East Musser Street, and 113 North Harbin Avenue, APNs 004-174-09, 004-176-09, and -10, based on seven findings and subject to the recommended conditions of approval contained in the staff report. Commissioner Mullet seconded the motion. Motion carried 7-0.**

Commissioner Semmens moved to recommend approval to the Board of Supervisors of a .043-acre zoning map amendment, ZMA-05-154, to reclassify the zoning of APNs 004-176-09 and -10 from multi-family apartment to public regional, based on the findings contained in the staff report. Commissioner Mullet seconded the motion. Motion carried 7-0.

G-7. SUP-05-260 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM ANDREW WHITEAKER (PROPERTY OWNER: ALDEN AND CAROLYN JOHNSON TRUST) TO ALLOW A VETERINARY CLINIC WITHIN AN EXISTING PETSMART RETAIL STORE, ON PROPERTY ZONED RETAIL COMMERCIAL (RC), LOCATED AT 250 FAIRVIEW DRIVE, APN 004-012-28 (4:55:35) - Chairperson Peery introduced this item. Mr. Sullivan narrated pertinent slides and reviewed the staff report.

(4:58:04) Dr. Bob Lester acknowledged having read the staff report and his agreement with the same. In response to a question, he advised the veterinary practice would be limited to small animals, including "some exotics; for example, birds, hamsters, rabbits." In most cases, any potentially harmful animals would not be received for treatment. The veterinary staff would generally contact the Department of Wildlife or some other appropriate agency. In response to a question, Dr. Lester advised of the existence of an unoccupied, built out "shell" for the purpose of establishing a veterinary hospital. In response to a comment, he advised the same floor plan is used in a number of PetSmart stores across the country without causing space issues. Dr. Lester responded to additional questions regarding the practice for housing animals over night. In response to a further question, he advised of no intention to operate any type of animal boarding service. In response to a further question, he advised that PetSmart policy is not to sell dogs and cats. He described PetSmart's involvement with local non-profit rescue organizations, humane societies, etc. Some "pocket pets" are sold from the store as well as fresh water fish.

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Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained a motion. **Commissioner Vance moved to approve SUP-05-260, a special use permit application to allow a veterinary clinic, as a conditional use on property zoned retail commercial, located at 250 Fairview Drive, APN 004-012-28, 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.** Chairperson Peery recessed the meeting at 5:05 p.m. and reconvened at 5:12 p.m.

G-8. SUP-05-261 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM MIKE MITCHELL, CARSON CITY SCHOOL DISTRICT (PROPERTY OWNER: CARSON CITY SCHOOLS AND CARSON CITY) TO ALLOW THE ADDITION OF TWO MODULAR CLASSROOM UNITS AT THE EXISTING EMPIRE ELEMENTARY SCHOOL FACILITY, ON PROPERTY ZONED PUBLIC (P) AND PUBLIC NEIGHBORHOOD (PN), LOCATED AT 1260 MONTE ROSA DRIVE, APNs 010-436-01 AND 008-342-31 (5:12:15) - Chairperson Peery introduced this item. Mr. Sullivan reviewed the staff report and pointed out, on an aerial photograph, the proposed location of the modular classroom units. He noted staff's recommended approval subject to the twelve conditions listed in the staff report.

(5:15:56) Carson City School District Director of Operations Mike Mitchell acknowledged having read the staff report, and his agreement with the same. In response to a question, he advised that modular classrooms represent a "Band-Aid ... which has been in place for a long time" particularly at Empire Elementary School where there is 15,000 square feet of portable classrooms. He advised of having extensively discussed the School District master plan at the School Board meeting held on January 24th. A downturn in general enrollment is anticipated over the next ten years, and Mr. Mitchell expressed the hope this will provide the opportunity to reduce the number of portable classrooms. He clarified that growth is anticipated at Empire Elementary, but expressed the hope that some attendance boundaries will be shifted thereby reducing the number of students at Empire. He described the portable classroom solution as "truly more of a Band-Aid at this point than it was five years ago." He further described the funding mechanism requiring the purchase of portable structures, and responded to questions regarding the same.

In response to a question, Mr. Mitchell advised that portable buildings cost the school district two to three times as much, per square foot, to maintain and operate. He compared annual costs between "bricks and mortar" buildings and portable buildings. Of the 70,000 square feet of portable classrooms, 90% of them are 15-20 years old with no useful life remaining. Mr. Mitchell advised that, while the downturn in enrollment is not fortunate for the community, it is timely for the School District in terms of phasing out portable classrooms.

Commissioner Reynolds referred to the Parks and Recreation Department presentation earlier in the meeting, and inquired as to whether an increase in enrollment is ever anticipated into the future. Mr. Mitchell advised that long-term history indicates an "ebb and flow" of ages in population. Discussion took place regarding age demographics and anticipated trends, and the time table associated with construction of the next school. Mr. Mitchell responded to questions regarding the number of portable classrooms requested.

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 SUP-05-261, a special use permit request from Mike Mitchell, applicant, Carson City Schools, owner, to allow**

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two modular classroom units of 1848 square feet each, on property zoned public and public neighborhood, located at 1260 Monte Rosa Drive and 1407 La Loma Drive, APNs 010-436-01 and 008-342-31, based on seven findings and subject to the conditions of approval contained in the staff report. Commissioner Vance seconded the motion. Motion carried 7-0.

G-9. SUP-05-265 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM THE STATE OF NEVADA TO ALLOW A 74-FOOT TALL, 672-SQUARE-FOOT OFF-PREMISES ADVERTISING (BILLBOARD) SIGN (SIGN CODE LIMITS ALLOW A MAXIMUM OF 28 FEET IN HEIGHT AND 400 SQUARE FEET IN AREA); AND TO ALLOW THE SIGN TO BE ORIENTED TOWARD THE CARSON CITY FREEWAY BYPASS (RATHER THAN U.S. HIGHWAY 50 PER THE SIGN CODE REQUIREMENTS), ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT 2400 HIGHWAY 50 EAST, APN 008-161-29 (5:28:10) - Chairperson Peery introduced this item. Mr. Sullivan noted the applicant was not present, and discussion took place with regard to recessing the meeting. Chairperson Peery recessed the meeting at 5:30 p.m. and reconvened at 6:00 p.m. A quorum of the commissioners was present, and Chairperson Peery reintroduced this item. Mr. Sullivan reviewed the staff report, and pointed out the freeway and Highway 50 East on a displayed aerial photograph. He reviewed the Billboard Requirements outlined in the staff report, and clarified paragraph (h) in that the proposed sign complies with separation requirements. He reviewed the findings outlined in the staff report, and noted staff's recommendation of denial.

(6:11:42) Chief Deputy Attorney General Joe Ward, representing NDOT, introduced Bob Harbin of Viacom and Ron Dietrich, the Attorney General's Condemnation Coordinator. Mr. Ward refuted staff's findings and, in response to a question, disagreed that the height of the proposed sign should be a concern. He advised that the Attorney General's Office is supportive of Viacom's position. He expressed the opinion that the overall project will have a negligible impact and is compatible with the surrounding commercial area. In response to a question, he advised that any income generated from property held by NDOT, on relation of the State of Nevada, would be allocated to the general fund. In response to a further question, he advised of the understanding that the State acquired property, through a condemnation proceeding, which eliminated the location of a Viacom billboard. For the purpose of favorably resolving the condemnation case, NDOT is working with Viacom to find a suitable replacement location. Mr. Ward was uncertain as to the exact location from which the Viacom billboard had been taken.

(6:17:10) Viacom Outdoor representative Bob Harbin provided background information on the billboard which was taken from the former Eagle Valley Children's Home property, as part of a condemnation proceeding, in preparation for freeway bypass construction. He explained that, in recent years, state highway departments have moved away from straight condemnations to working with the billboard sign industry on relocating signs. He reviewed the benefits of the proposed location, including that NDOT would be the landlord, the property is owned by the State, and it is in a heavy commercial area. He advised that specifics of the design were intended to "tailor it to the property ... and make the best fit." The proposed height is "directly dictated by geography." Mr. Harbin pointed out the grade and noted that it is considerably lower than the proposed finished grade of the freeway. He pointed out off-ramps and the sound wall. He advised that the proposed size is a typically standard application and that there are a number of the same size billboards in the community today. He further advised that the "B display" configuration is fairly common, and explained that the separation between the sign faces is to aid in readability and efficiency as related to the freeway. He commented that many of the application characteristics were intended to mitigate the physical circumstances of the property.

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Mr. Harbin acknowledged having reviewed the City's sign standards before submitting the application. He advised of having met with Planning Division staff and, "in spite of some of the concerns raised," there were a "couple of legal locations that generally meet planning criteria." The subject site and another site on north 395 were identified as "generally speaking meeting the criteria." Mr. Harbin advised that some of the code standards "don't really meet with any of the industry standards." He expressed the opinion that "the code is pretty draconian when ... applied toward standard industry ... formats." He referred to an earlier comment that Carson City is a more rural community, but advised the proposed sign is a standard format. He acknowledged the size may be a "bit intimidating," but advised Viacom was "not trying to import something that doesn't belong in the community. We're simply actually trying to put back something that was in the community ... on Eagle Valley property."

In response to a question, Mr. Harbin advised that the size of the previous sign was "1448." Mr. Sullivan advised that the previous sign met sign code requirements. It was 28 feet tall and 400 square feet. Mr. Harbin expressed surprise at hearing this information, and the understanding that the previous sign was "a 1448." In response to a comment, Mr. Sullivan advised that the previous sign was required to come into compliance with the code in the 1990s. Mr. Harbin expressed the understanding that the previous sign was grandfathered at the time the code was changed. Vice Chairperson Kimbrough referred to the billboard industry standard discussed by Mr. Harbin, and suggested he was referring to a freeway standard not a typical rural highway standard. He disagreed with Mr. Harbin's description of the sign code as "draconian" and discussed the impact of signage on this community. In response to a question, Mr. Harbin advised that the proposed size is an industry standard applicable to both rural and urban settings. He acknowledged concerns over aesthetics, and reiterated that the proposed size is "already in the marketplace."

Commissioner Vance inquired as to whether Mr. Harbin had attempted to relate the proposed height to the other three views of the sign. Mr. Harbin pointed out a residential area located approximately 300 feet from the proposed sign, and expressed the opinion that "the lay of the land" provides a natural buffer. He suggested that the encroachment of an adjacent "heavy commercial shopping center is more of an issue in terms of ... residential." He reiterated that the sign face is oriented toward the new freeway alignment. He pointed out, on a displayed photograph, an adjacent restaurant, the casino plaza, and another "heavy commercial" area. In response to a question, he advised that the residential area would not be exposed to the advertising faces or the sign illumination. He expressed the opinion that the buffer effectively conforms with the code. He acknowledged there are many communities in the nation which prohibit billboards of the proposed size. He explained that because of the scarcity of billboard signs and the fact that its an advertising medium that works, condemning a sign location translates to a lot of money. Considering individual communities, he advised that the sign industry is shifting away from proliferation to a modern, streamlined attempt at serving more customers with fewer structures. He expressed appreciation for the concerns expressed, but reiterated that "the idea is not new." Commissioner Vance commented that the proposed sign is "about 300 percent higher, 70 percent larger than our standards would recommend." Mr. Harbin acknowledged the proposed sign was apparently "not the perfect solution." He advised that the proposed sign, from Viacom's standpoint in terms of standards, was a viable application. He inquired as to what would work; whether relocation to another part of the property would be more acceptable. Commissioner Semmens suggested building the proposed sign in accordance with the City's standards. He expressed concern that the sign will be visible from anywhere in town. Mr. Harbin advised it was not Viacom's intention to create "that type of perceived blight," and reiterated a request for input.

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Commissioner Reynolds expressed the opinion that Mr. Harbin should work together with Planning Division staff, not the commission. He noted there hadn't been any agreement between Viacom, the State, and Planning and Community Development. He commented on the timing of the presentation in that construction of the freeway has raised strong community concerns about its visual effect. He expressed the understanding that freeway signage may be different than standard, community signage; however, discussions haven't progressed beyond an acknowledgment of the probability for future change. He suggested the need for discussions with representatives of the business community, the Chamber of Commerce, and other entities to determine direction. He reiterated that the working arrangement should be with Planning Division staff, and that the commission's role is one of review.

Mr. Harbin expressed support for the opportunity to meet with Planning Division staff, and requested to table the application in the meantime. He acknowledged the commissioners' concerns as legitimate and advised that Viacom is sensitive to community needs. He noted that Viacom had been doing business in this community since the early 1950s. Chairperson Peery advised that if the former sign had been grandfathered, the size would not be allowed as a precedent for the subject sign. Mr. Harbin expressed appreciation for the commissioners' comments. In terms of precedent, he expressed the hope to have established that the proposed size is not new to the marketplace. He commented that the real precedent is the dialogue and working with NDOT. Mr. Harbin and NDOT representatives acknowledged a willingness to continue the item and meet with Planning Division staff. Commissioner Bisbee agreed that the issues surrounding the subject proposal should be seriously considered. The freeway is changing how the community and this commission will consider advertisement and billboard signage. She encouraged Mr. Harbin to find a way to make the signage fit and to consider the view from the residential area.

Mr. Sullivan expressed a willingness to work with the parties. He noted that staff has processed at least 30 special use permit applications. All have met the requirements; there have never been any variances. Mr. Sullivan advised of having been involved in the sign code development process which took place from 1986 to 1988. He noted occasions when staff and the commission have not seen eye-to-eye on certain billboard placements. Most proposed billboards have been allowed to move forward provided special use permit and design requirements are met. Mr. Sullivan advised that the subject application does not meet the standards. He further advised of having met with NDOT and Attorney General's Office representatives over the past 3-4 years with regard to the proposed sign. He noted that the proposed sign will have to meet City standards.

Commissioner Mullet commended staff on the report and expressed support for the same. He advised there was nothing in the application materials to indicate the sign would only advertise local businesses. Chairperson Peery entertained a motion. **Commissioner Semmens moved to continue SUP-05-265, a special use permit application from the Nevada Department of Transportation to allow a 74-foot-tall, 672-square-foot off-premises advertising billboard sign; and to allow the sign to be oriented toward the Carson City bypass freeway rather than U.S. Highway 50, on property zoned general commercial, located at the northeast corner of Highway 50 East and Russell Way, APN 008-161-29, based on findings of fact that the subject application does not meet Carson City Development Standards, Division 4.8.3. standards, and CCMC Section 18.02.080, subsections 5(a), (b), (c), (e), (f), and (g), as described in the staff report. Vice Chairperson Kimbrough seconded the motion. Motion carried 7-0.**

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G-10. TPUD-05-229 ACTION TO CONSIDER A TENTATIVE PLANNED UNIT DEVELOPMENT APPLICATION, KNOWN AS CORTE REALE PLANNED UNIT DEVELOPMENT, FROM GLEN MARTEL (PROPERTY OWNER: CASEY, PAUL H. TRUST 01/20/87), TO DEVELOP 12 DWELLING UNITS AND VARIANCES TO THE PLANNED UNIT DEVELOPMENT REQUIREMENTS; FOR MINIMUM STREET WIDTH, DENSITY TRANSFER, PERIPHERY SETBACK, REDUCED RIGHT-OF-WAY WIDTHS, BUILDING ON A SLOPE GREATER THAN 19% AND RETAINING WALLS, ON PROPERTY ZONED CONSERVATION RESERVE (CR), LOCATED AT 4000 MURPHY DRIVE, APN 007-091-08 (6:50:44) - Chairperson Peery introduced this item, and Ms. Pruitt reviewed the staff report. She advised the applicant would be requested to stipulate that the 77 acres of undeveloped land would be dedicated to Carson City as permanent open space. Vice Chairperson Kimbrough disclosed that he had met on site with Mr. Martel to review the boundaries of the proposed planned unit development. Commissioner Vance disclosed that he had also been present. Ms. Pruitt noted that the application is for single family dwelling units, proposed at three stories in height. The lower story is proposed for garage and entry and the upper two for living. Ms. Pruitt reviewed the history outlined in the staff report. She noted that the applicant had contacted residents in the Lakeview area as well as representatives of Silver Oak Development Company, the Eagle Valley Children's Home Board, Open Space Manager Juan Guzman, and the Open Space Advisory Committee. She reviewed the PUD standards outlined in the staff report, and advised that findings had been made by the applicant. She reviewed the public noticing process, and referred to the written communication in support of the application provided to the commissioners and staff prior to the start of the meeting.

(6:59:15) Glen Martel, representing the Paul H. Casey Trust, advised of having reviewed the staff report with Mr. Casey, and of their agreement with the conditions. He stipulated, for the record, Mr. Casey's intent to dedicate the 77 acres of open space prior to recording the final map. He provided historic information on proposed development of the property. He narrated a PowerPoint presentation, which included review of aerial photographs of the subject property, a topographical map, a master plan land use map, a zoning map, relationship of the proposed development to the City's Open Space Opportunities map, the proposed elevations, and the proposed landscape plan.

In response to a question regarding access to the V&T Trail from the development, Mr. Martel pointed out very steep slopes, in excess of 35%, and discussed the intent to not disturb the slopes any more than would be necessary for the development. He advised of having spoken with Mr. Guzman regarding the possibility of coordinating access from adjacent areas with less slope. Those areas are currently retained in ownership by Silver Oak. In response to a further question, Mr. Martel advised the residents of Corte Reale would have access to the V&T Trail through the future Silver Oak subdivision. He acknowledged the possibility the residents may create an access from the development to the V&T Trail. He reiterated the concern over disturbing the slope any more than is absolutely necessary.

In response to a question, Mr. Martel pointed out the land, on a conceptual photograph, proposed to be donated as open space. He acknowledged the intent to request an extension from two years to four years on the final map. Commissioner Semmens inquired as to whether Mr. Martel would be willing to abide by any code changes which take place in the meantime. If utilities are not extended to the site within four

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years, Mr. Martel advised of a willingness to reappear before the commission. Commissioner Semmens expressed a preference for reducing the number of units proposed from 12 to 10, and inquired as to the possibility. Mr. Martel discussed the reasons for proposing 12 units, and advised of the attempt to build flexibility into the process.

In response to a question, Mr. Martel advised that the high point of the retaining walls, in the middle of the project, is 16 feet which transitions to 6 to 8 feet on either end. The lower wall is between 6 and 8 feet in height; a couple others between the buildings are 2 to 3 feet. In response to a further question, Mr. Martel advised there are no seismic zones or faults of any concern on or near the site. He acknowledged the soil is composed of a decomposing and solid granite base. Chairperson Peery thanked Mr. Martel for his presentation, and called for public comment. When none was forthcoming, he entertained additional questions, comments, or a motion. **Commissioner Vance moved to approve TPUD-05-229, a tentative subdivision map for a planned unit development, Corte Reale, from Glen Martel, consisting of 12 single-family dwelling units and common open space on 80 acres located at 4000 Murphy Drive, APN 007-091-08. Commissioner Bisbee seconded the motion. Motion carried 7-0.**

Commissioner Vance moved to approve a change of land use, by ordinance, as part of TPUD-05-229, from conservation reserve to conservation reserve / planned unit development, on 80 acres located at 4000 Murphy Drive, APN 007-091-08. Commissioner Semmens seconded the motion. Motion carried 7-0. Chairperson Peery commended Mr. Martel on a nice-looking, innovative project. Mr. Martel thanked the commissioners and staff.

G-11. MPA-05-254 MASTER PLAN AMENDMENT - ACTION TO CONSIDER RECOMMENDATIONS REGARDING A REQUEST TO CHANGE THE DRAFT MASTER PLAN LAND USE DESIGNATION OF APNs 010-021-46, -47, AND -58, AND 010-071-26 AND -27, CARSON RIVER ROAD AND 4900 CARSON RIVER ROAD (OWNER: JARRARD, JP TRUST AND JARRARD, K TRUST AND JARRARD, JP CHILDREN'S TRUST, ET AL.) FROM THE PROPOSED CONSERVATION RESERVE (PRIVATE LANDS) TO LOW DENSITY RESIDENTIAL, MEDIUM DENSITY RESIDENTIAL, AND HIGH DENSITY RESIDENTIAL, ON THE DRAFT LAND USE MAP TO BE ADOPTED AS PART OF THE ENVISION CARSON CITY COMPREHENSIVE MASTER PLAN. THE CURRENTLY ADOPTED MASTER PLAN LAND USE DESIGNATIONS FOR THE PARCELS INCLUDE AGRICULTURE RESIDENTIAL, RURAL RESIDENTIAL, SUBURBAN RESIDENTIAL, AND OPEN SPACE / RECREATION / RURAL RESIDENTIAL ON VARIOUS PORTIONS OF THE PROPERTY; and G-12. MPA-05-255 MASTER PLAN AMENDMENT - ACTION TO CONSIDER RECOMMENDATIONS REGARDING A REQUEST TO CHANGE THE DRAFT MASTER PLAN LAND USE DESIGNATION OF APN 010-071-25, A PARCEL OF LAND LOCATED EAST OF CARSON RIVER ROAD AND BUZZY'S RANCH ROAD (OWNER: ROBERT LORIN ANDERSEN TRUST), FROM THE PROPOSED CONSERVATION RESERVE (PRIVATE LANDS) TO LOW DENSITY RESIDENTIAL AND RURAL RESIDENTIAL, ON THE DRAFT LAND USE MAP TO BE ADOPTED AS PART OF THE ENVISION CARSON CITY COMPREHENSIVE MASTER PLAN, AS DEPICTED ON THE CURRENTLY ADOPTED MASTER PLAN. THE CURRENTLY ADOPTED MASTER PLAN LAND USE DESIGNATIONS FOR THE PARCEL ARE LOW DENSITY RESIDENTIAL, SUBURBAN RESIDENTIAL (TO BE COMBINED WITH THE LOW DENSITY RESIDENTIAL CATEGORY IN THE NEW LAND USE PLAN), AND RURAL RESIDENTIAL (7:21:55) - Chairperson Peery introduced these items, and advised that both had been

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proposed for continuance. Mr. Plemel reviewed the staff reports. He advised that, at a recent meeting with the property owners, the common goal of preserving the ranch for open space in public ownership was determined. He further advised that the request for continuance would defer action on changing the master plan to the proposed designation for a period of six months. The Open Space Manager would work with the property owners toward purchase within that time period. The owners have stipulated to not pursue any development applications within that time period before returning to the planning commission to resolve the master plan issue. Mr. Plemel advised that the current land use plan designation will remain subject to the stipulations noted in the continuance request.

Mr. Plemel noted staff's recommendation of approval for the continuance request, and advised that it will allow time to work toward the common goal of preserving the flood plain and open space. He noted that the current conservation reserve designation allows for the lowest density development on private property. He further noted the potential of a willing seller, and that land use decisions can ultimately be reviewed in court. He clarified the statement was made as a matter of fact and emphasized that neither the property owners nor their legal counsel had threatened the City with a lawsuit. He reiterated staff's recommendation to continue these items.

(7:30:50) Open Space Manager Juan Guzman advised that the applicants and their legal counsel informed staff last Friday, January 20th of their desire for Carson City to purchase their land. Mr. Guzman advised that the land would be appraised and that the Open Space Program would "try our hardest" to purchase it. Other incentives will also be investigated. Mr. Guzman advised that the Carson River is the first priority of the Open Space Program. He provided background information on discussions, over the years, with Mr. Jarrard and Mr. Andersen, and a recent development proposal. He discussed the importance of the six-month time frame, and expressed the hope the Open Space Program will be able to purchase the property. He reiterated the property has been one of the highest priorities of the Open Space Program. He advised that the property will link public spaces all the way from Silver Saddle Ranch to Carson River Park, and the Ambrose-Carson River Natural Area. He advised of the intention to retain the property in agricultural use and to protect the wetlands. Vice Chairperson Kimbrough commended staff and the property owners, and expressed appreciation for the opportunity. Mr. Guzman advised that Economic Development / Redevelopment Manager Joe McCarthy is very supportive of the process. He thanked Mr. Plemel for his assistance and the commission for their consideration.

(7:36:05) Attorney Chris MacKenzie, representing the Jimmie Pete Jarrard Children's Trust, introduced James Jarrard, Trustee. Mr. MacKenzie thanked City staff for the opportunity to initiate discussions. He advised the property owners have had many unsolicited, attractive offers on the land. Mr. Jarrard, as Trustee, has an obligation to maximize the value of the property for the benefit of the trust. Mr. MacKenzie advised of the need to preserve the value of the land, and that the commission moving forward with the subject agenda items would potentially impact the value. He reiterated appreciation for the opportunity to initiate discussions with the City. He expressed the opinion the process may take longer than six months. Chairperson Peery thanked Mr. MacKenzie and Mr. Jarrard.

(7:38:04) Attorney Wayne Chimarusti, representing the Robert Lorin Andersen Trust, advised that, in terms of the time frame, there are a number of obstacles to overcome within the trust. He, too, expressed the opinion the process may take longer than six months. He provided background information on Andersen family estate matters. He advised the family is interested in working with the City but has "a lot of other things on the plate that are very pressing." He acknowledged the general goal of sale to the City.

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Chairperson Peery opened this item to public testimony. (7:40:49) Larry Peltier expressed concern over the number of flooding events which have occurred since the last master plan went into effect in 1996. In response to a question, Mr. Plemel advised that flooding concerns are the reason for designating the property as conservation reserve on the draft master plan.

(7:42:51) Jenny Scanland, a resident of Pinion Hills Road, expressed appreciation, on behalf of the neighbors, to Mr. Jarrard and the Andersen family. She advised that the group assembled in the meeting room “talks ... quite a bit.” She expressed the opinion the group will want to participate in developing management plans for the property, at the appropriate time, and to provide input to the Carson River Advisory Committee. She expressed a willingness to cooperate with the City as an adjacent land owner.

(7:44:35) Marta Adams, a Carson City resident, expressed appreciation to the Andersen and Jarrard families for considering the public interest in this matter. In addition to the wetlands interest and aesthetic values of the property, she expressed the understanding that City services do not extend to the subject properties. She advised that traffic is a concern “as there is really only one access ... through the roundabout on Fifth Street.” She expressed support for the families in achieving their goals and maximizing their interests. She noted the unique opportunity for the City to do something for the future of the area, and applauded the efforts of the involved parties.

(7:46:36) Phil Merritt provided background information on his work experience as a U.S. Geological Survey employee. He discussed the damaging effects, over time, of levies and diversionary tactics in a flood plain area.

Chairperson Peery called for additional public comment and, when none was forthcoming, entertained a motion for continuance. Commissioner Vance expressed appreciation for the citizens’ attendance. Chairperson Peery agreed, and commented on the wonderful opportunity for the best possible outcome represented by the proposal. **Commissioner Reynolds moved to continue, for a six month period, adding in the stipulation that no development plans will be submitted, for MPA-05-254. Commissioner Semmens seconded the motion. Motion carried 7-0. Commissioner Reynolds moved to continue MPA-05-255, with the same stipulation. Commissioner Semmens seconded the motion. Motion carried 7-0.** Chairperson Peery recessed the meeting at 7:50 p.m. and reconvened at 8:00 p.m.

G-13. MPA-05-248 MASTER PLAN AMENDMENT - ACTION TO CONSIDER RECOMMENDATIONS REGARDING A REQUEST TO CHANGE THE DRAFT MASTER PLAN LAND USE DESIGNATION OF APN 008-521-18, A PARCEL OF VACANT PROPERTY LOCATED ON THE SOUTH SIDE OF HIGHWAY 50 EAST AND EAST OF DRAKO WAY (OWNER: WILLI RUPPEL), FROM THE PROPOSED MIXED-USE COMMERCIAL TO INDUSTRIAL, ON THE DRAFT LAND USE MAP TO BE ADOPTED, AS PART OF THE ENVISION CARSON CITY COMPREHENSIVE MASTER PLAN. THE CURRENTLY ADOPTED MASTER PLAN LAND USE DESIGNATION FOR THE PARCEL IS INDUSTRIAL

(8:00:30) - Chairperson Peery introduced this item. Mr. Plemel provided background information and noted that the property owner was present. He oriented the commissioners to the subject property using a displayed parcel map. He advised of staff’s recommendation to designate the entire area as mixed-use commercial.

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(8:03:16) Willi Ruppel acknowledged having reviewed the staff report, and thanked staff for granting the previous continuance. He advised of “mixed feelings” with regard to the staff report because of “offers on this property.” He advised of owning another property down the road where his business is housed. The business is allowed pursuant to a special use permit. He advised of another aspect of his business which he planned to pursue in the future, and that he would be restricted from doing so even with a special use permit. He purchased the subject property because it has the same highway address and the possibility of moving the future aspect of his business to the industrial zoned property. He expressed a willingness to accept change and that he would more than likely not be able to develop the property as originally planned. He advised of the further likelihood he will sell the property or become involved in a development. He expressed a preference for the property to remain designated industrial because it allows the future option to expand his existing business. He expressed a willingness to change the designation “with the condition that everything conforms.” If not, he expressed a preference to have the option of developing the property as he sees fit or to sell it.

Commissioner Reynolds suggested that the master plan designation change may present Mr. Ruppel the best of both worlds. Mr. Plemel expressed appreciation for Mr. Ruppel’s concerns in that potential development on adjacent property is important in protecting Mr. Ruppel’s property value. One of the high priority implementation strategies in the master plan to comprehensively rezone the subject area will prevent incompatible uses. The goal is for tourist and highway commercial development to take place and to implement the policies of the action plan. In response to a question, Mr. Ruppel provided background information on development of the property on which his business is located. He expressed concern with regard to future development, and expressed support for development in association with the V&T Railroad. He advised of having been doing business in Carson City for twenty years, and expressed a preference to stay in Carson City. He expressed concern over decisions of future commissions and the direction of the City’s development. He noted the importance of retaining the development potential of his property. He responded to questions regarding the benefits of highway frontage for his business.

Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained additional questions and comments from the commissioners. Mr. Plemel responded to questions regarding uses anticipated to be allowed in a mixed-use commercial zoning district. In response to a further question, he advised that a request to rezone property would typically be initiated by a property owner. He referred to V&T specific planning area policy 1.2 and read a portion of the same into the record. He advised that, by noticing the property owners, a request to rezone the property could be initiated by staff. He noted that rezoning the area to commercial or mixed use commercial, developers would have some certainty with regard to adjacent property and protecting value. He advised that industrial development could take place with the current general industrial zoning designation. In response to a question, Mr. Plemel advised that the master plan designation would guide future zoning decisions. He acknowledged the proposed master plan designation is based on the preferred site for the V&T. The V&T Railway Commission has started purchasing property in the area. Mr. Plemel further acknowledged that if the V&T ended up in a different location, the proposed designation may warrant reconsideration.

Mr. Sullivan advised that Mr. Ruppel’s property is presently in the general commercial and limited industrial zoning districts. Welding supplies and gases retail and wholesale sales are allowed with a special use permit. These uses would transfer to the general industrial zoning district as permitted uses. Mr. Plemel acknowledged that the subject area of town would be one in which the master plan priority would be to pursue changing zoning designations.

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Chairperson Peery entertained a motion, and Vice Chairperson Kimbrough moved to recommend the subject parcel, APN 008-521-18, to be designated mixed-use commercial on the draft master plan land use map for adoption with the draft comprehensive master plan, as part of the Envision Carson City Master Plan update process, based on the discussion and findings contained in the staff report and further substantiated by the public hearing record. Commissioner Vance seconded the motion. Motion carried 6-1.

Vice Chairperson Kimbrough expressed an interest in revisiting the idea of zoning in this situation with what is anticipated to take place in the subject area. Commissioner Mullet advised he had voted in favor of the motion with the understanding of the direction of the comprehensive land use master plan. He expressed understanding for Mr. Ruppel's concerns, and agreement with Vice Chairperson Kimbrough's suggestion. Commissioner Reynolds expressed the understanding that zoning couldn't move forward until the entire master plan is adopted. Mr. Plemel advised he would continue discussions with Mr. Ruppel and other property owners. Commissioner Reynolds suggested that some recognition should be given to current zoning. Commissioner Vance advised he would not have supported a motion to rezone the property. Mr. Plemel reiterated that the master plan is a guide, and agreed that pursuing discussions with the property owners in terms of zoning would be worthwhile. He advised that this agenda item was as a result of some property owners in the area realizing the value of the V&T and wanting to do mixed-use commercial development. He will pursue further discussions with other property owners in the area subsequent to adoption of the master plan.

G-14. MPA-05-275 MASTER PLAN AMENDMENT - ACTION TO CONSIDER RECOMMENDATIONS REGARDING A REQUEST TO CHANGE THE DRAFT MASTER PLAN LAND USE DESIGNATION OF APNs 008-094-03, -04, -07, AND -08, ON PROPERTY LOCATED ON THE EAST SIDE OF NORTHGATE LANE APPROXIMATELY 200 FEET SOUTH OF ARROWHEAD DRIVE AND ON THE SOUTH SIDE OF ARROWHEAD DRIVE, APPROXIMATELY 300 FEET EAST OF NORTHGATE LANE (OWNER: COTTONWOOD MOBILE HOME PARK), FROM THE PROPOSED LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL, ON THE DRAFT LAND USE MAP TO BE ADOPTED AS PART OF THE ENVISION CARSON CITY COMPREHENSIVE MASTER PLAN. THE CURRENTLY ADOPTED MASTER PLAN LAND USE DESIGNATION FOR THE PARCEL IS SUBURBAN RESIDENTIAL (1-3 ACRES PER DWELLING UNIT) (8:28:50) - Chairperson Peery introduced this item, and Mr. Plemel reviewed the staff report. He pointed out the subject properties on a displayed aerial photograph. He noted the letters in opposition to and in favor of the request, and the alternative recommendation to include an adjacent corner parcel. He advised of not having heard from the owner of the corner parcel.

Chairperson Peery noted the letters in opposition to the request, and expressed the opinion that there were valid points made with regard to views. He noted the letters in opposition were from long-term residents of the area. He suggested no particular need for a change in light of those facts. Commissioner Semmens advised of having lived in the area for 25 years, and expressed a preference for the designation to remain the same. Commissioner Mullet noted the commission was not considering rezoning the property. He expressed the opinion that the requested master plan designation wouldn't represent a "sweeping zoning change." He expressed no opposition to leaving the low density designation as it still provides the future opportunity to subdivide lots.

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(8:38:30) Mary Fischer, owner of Cottonwood Mobile Home Park, circulated aerial photographs among the commissioners and narrated the same. She provided background information on her family's residence in Carson City since 1961. (8:42:04) Ms. Fischer discussed costs associated with maintaining the trees and pasture on her property, and the history of development of adjacent property. She advised of no existing development plans for her property and noted she was not requesting a zoning change. She suggested that extending medium density zoning to Arrowhead Drive, which is now a very busy street, makes sense.

(8:41:30) Al Fischer provided historic information on his property.

Chairperson Peery opened this item to public comment. (8:46:46) Cathy Bax advised of the location of her property on the southwest corner of Arrowhead Drive. She advised of having hand delivered a letter to the Planning and Community Development Department. She expressed support for the current zoning and requested no change.

Chairperson Peery entertained additional comments or questions from the commissioners. In response to a question, Ms. Fischer advised there is no development on any of the subject lots. Chairperson Peery entertained a motion. **Commissioner Semmens moved to deny the request and recommend the subject parcels, APNs 008-094-03, -04, -07, and -08, to be designated low density residential on the draft master plan land use map for adoption with the draft comprehensive master plan, as part of the Envision Carson City Master Plan update process, based on the discussions and findings contained in the staff report and further substantiated by the public hearing record. Commissioner Vance seconded the motion. Motion carried 4-3.**

At Mr. Suglia's request and for benefit of the citizens in attendance, Chairperson Peery reiterated that item G-17 had been continued to the February commission meeting. In response to a question, Chairperson Peery explained the commission's action on the subject item.

G-15. ZCA-06-001 ACTION TO CONSIDER A SUBDIVISION ORDINANCE AMENDMENT TO THE CARSON CITY MUNICIPAL CODE BY AMENDING TITLE 17 BY ADDING CHAPTER 17.17 ENTITLED "RESIDENTIAL COMMON-INTEREST COMMUNITY (CONDOMINIUM) DEVELOPMENTS," FOR THE PURPOSE OF REGULATING THE CONVERSION OF EXISTING APARTMENT BUILDINGS INTO CONDOMINIUM UNITS AND NEWLY CONSTRUCTED CONDOMINIUM UNITS AS PLATTED COMMON AREA CONDOMINIUM UNITS (8:54:12) - Chairperson Peery introduced this item, and Mr. Foley reviewed the staff report. He advised that the proposed amendment had been reviewed by Fire, Engineering, and Building Department staff. He read into the record an August 2005 memo from a Henderson, Nevada planner, and narrated pertinent slides. Ms. Pruitt reviewed research regarding housing stock in Carson City. She advised that staff anticipates very few conversion requests based on the housing stock available. She further advised that a vacancy rate report is prepared, on a quarterly basis, by Johnson & Perkins for the City of Reno. She reviewed the method by which data is compiled by Johnson & Perkins to prepare the quarterly reports. Mr. Foley provided clarification of Section 17.17.060. Ms. Pruitt advised that interested citizens had been provided with a copy of the ordinance. She acknowledged the provisions of the ordinance do not prohibit a resident owner from renting out the condominium.

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In response to a question, Chief Building Official Kevin Gattis explained knob-and-tube wiring as referenced in Section 17.17.030(1)(d). He responded to additional questions regarding Sections 17.17.030(1)(f) and (k). Commissioner Vance pointed out a grammatical error in Section 17.17.080(1). Mr. Sullivan reviewed Sections 17.17.030(1)(g) and (h) and advised a section would be added regarding new construction of a condominium project.

Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained additional questions, comments, or a motion. At Commissioner Bisbee's request, Mr. Foley provided clarification of Sections 17.17.060(1) and (4). Consensus of the commissioners and staff was to incorporate paragraph 4 as a subparagraph of paragraph 1. Mr. Sullivan advised that this ordinance would be presented to the commission for review within a year. He thanked the citizens who had assisted in researching information for the ordinance, and Mr. Foley and Ms. Pruitt for their investment of time and effort. Chairperson Peery entertained a motion. **Commissioner Reynolds moved to add the draft to Title 17, Division of Land, Subdivision of Land, as a new chapter 17 with the changes noted tonight and with additional language regarding new condominium developments from the ground up. Commissioner Semmens seconded the motion. Motion carried 7-0.**

G-16. SUP-05-266 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM HANNAFIN DESIGN ASSOCIATES (PROPERTY OWNER: MAXINE COTTON) TO ALLOW EXPANSION OF A NON-CONFORMING USE; SPECIFICALLY TO CONSTRUCT A DETACHED GARAGE AS PART OF A RESIDENCE, ON PROPERTY ZONED RETAIL COMMERCIAL (RC), LOCATED AT 106 FLEISCHMANN WAY, APN 001-165-03 (9:21:30) - Chairperson Peery introduced this item. Ms. Pruitt reviewed the staff report and narrated pertinent slides. She noted the letter provided to the commissioners and staff prior to the start of the meeting.

(9:26:53) Darrin Berger, of Hannafin Design Associates representing Maxine Cotton, acknowledged having reviewed the staff report and his agreement with the conditions. In reference to the letter from David and Connie Casida, the property owners to the west, he provided background information into research of the subject property lines. He advised that the property owner has taken steps, with the information available, to determine the likely location of the property lines. Although the zoning code would allow construction to take place directly on the property line, construction will be moved two feet in from the line. Mr. Berger pointed out the proposed location of the detached garage in relation to the existing fence and the determined property line. In terms of design, he advised the structure will be located where a barn once stood. The design conforms with existing structures and the historic character of the property. In response to a question, Mr. Berger advised that the power pole on the property represents an existing situation. Commissioner Vance noted a correction to the elevations presented. Commissioner Mullet commented the project "looks terrific."

Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained a motion. **Commissioner Semmens moved to approve SUP-05-266, a special use permit application to allow the expansion of a non-conforming use of land, on property zoned retail commercial, located at 106 Fleischmann Way, APN 001-165-03, based on seven findings and subject to the conditions of approval contained in the staff report. Commissioner Vance seconded the motion. Motion carried 7-0.**

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G-17. SUP-05-263 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM MEREDITH PARKIN, CINGULAR WIRELESS (PROPERTY OWNER: FIRST BAPTIST CHURCH) TO ALLOW CO-LOCATION OF A WIRELESS TELECOMMUNICATIONS FACILITY AT 58+ FEET WITHIN THE PROPOSED CHURCH'S CROSS EXCEEDING THE 26-FOOT HEIGHT REQUIREMENT, ON PROPERTY ZONED SINGLE FAMILY 6,000 (SF6), LOCATED AT 1750 MOUNTAIN STREET, APN 001-132-14 (3:35:38) - Chairperson Peery entertained a motion to continue. Commissioner Reynolds moved to continue SUP-05-263 to the February Planning Commission meeting. Commissioner Semmens seconded the motion. Motion carried 7-0.

G-18. SUP-05-258 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM VIRGINIA ERSKINE TO ALLOW PERMANENT PLACEMENT OF TWO METAL STORAGE TRAILERS, ON PROPERTY ZONED RETAIL COMMERCIAL (RC), LOCATED AT 3129 SOUTH CARSON STREET, APN 009-112-10 (9:34:15) - Chairperson Peery introduced this item. Mr. Foley reviewed the staff report and narrated pertinent slides.

(9:38:15) Virginia Erskine acknowledged having reviewed the staff report and her agreement with the same.

Chairperson Peery called for public comment and, when none was forthcoming, entertained a motion. **Commissioner Bisbee moved to approve SUP-05-258, a special use permit application from Virginia Erskine to allow permanent placement of two metal storage trailers, on property zoned retail commercial, located at 3129 South Carson Street, APN 009-112-10, based on seven findings and subject to the recommended conditions of approval contained in the staff report. Commissioner Vance seconded the motion.** Vice Chairperson Kimbrough expressed concern over approving the application which constituted private use for personal storage. He expressed the opinion the application represented nowhere near the intent of the commission's policy. Mr. Sullivan advised that staff would present to the commission, in February, the semi-truck trailer portion of the policy for commercial storage. He noted the one-year time frame associated with the subject special use permit. Chairperson Peery called for a vote on the pending motion; **motion carried 6-1.**

G-19. SUP-05-264 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM STEVE REYNOLDS FOR GLOBAL ALLIANCE (PROPERTY OWNER: WALKER, DIANE 1989 TRUST) TO ALLOW SIGNAGE AREA THAT EXCEEDS CODE LIMITATIONS, DUE TO NARROW BUILDING FRONTAGE AND TO ALLOW AN EXISTING FREESTANDING SIGN TO REMAIN AT 23 FEET IN HEIGHT, WHERE 20 FEET IS THE MAXIMUM ALLOWED, ON PROPERTY ZONED RETAIL COMMERCIAL (RC), LOCATED AT 2441 NORTH CARSON STREET, APN 002-061-13 (9:42:19) - Commissioner Reynolds left the meeting room. Chairperson Peery introduced this item. Mr. Foley reviewed the staff report, and narrated pertinent slides. He acknowledged the sign pole had remained while new construction was ongoing.

(9:47:10) Larry Osborne, representing Global Alliance, presented the application and responded to questions regarding the logo design. Chairperson Peery wished Mr. Osborne good luck in his new endeavor, and commented he would be missed by the Chamber of Commerce.

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Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained a motion. **Commissioner Vance moved to approve SUP-05-212, a special use permit application from Global Alliance to allow signage area that exceeds code limitations due to narrow building frontage and to allow an existing free-standing sign to remain at 23 feet in height where 20 feet is the maximum allowed, on property zoned retail commercial, located at 2441 North Carson Street, APN 002-061-13, based on seven findings and subject to the recommended conditions of approval contained in the staff report. Commissioner Bisbee seconded the motion.** Mr. Osborne acknowledged having reviewed the staff report and his agreement with the same. Chairperson Peery called for a vote on the pending motion; **motion carried 6-0-1.** Commissioner Reynolds returned to the meeting room. Mr. Sullivan noted a correction to the special use permit number, for the record, in that it should have read SUP-05-264.

G-20. SUP-05-262 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM KEITH SHAFFER, PEAK CONSULTING ENGINEERS (PROPERTY OWNER: RICK AND LISA GARDNER) TO ALLOW PERMANENT PLACEMENT OF A MODULAR OFFICE, ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT 2980 HIGHWAY 50 EAST, APN 008-162-14 (9:51:50) - Chairperson Peery introduced this item, and Ms. Pruitt reviewed the staff report. She noted the property owner had tremendously improved the site over the past couple months. She narrated pertinent slides and advised of a great deal of cooperation between the applicant, owner, and staff regarding lighting for the site. She reviewed the process involved in converting a property to an auto dealership. She responded to questions regarding the present status of the property and the signage. In response to a further question, she advised that the existing unit had been temporarily approved for one year. A special use permit is required for the unit to permanently remain on site.

(9:57:56) Keith Shaffer, of Peak Consulting Engineers representing Rick and Lisa Gardner, acknowledged having reviewed the staff report and his agreement with the same. Commissioner Bisbee commended the owners on the property improvements. Mr. Shaffer provided background information on the improvements and the modular office unit. Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained a motion. **Commissioner Mullet moved to approve SUP-05-262, a special use permit application from Keith R. Shaffer of Peak Consulting Engineers, applicant, Rick and Lisa Gardner, owners, to allow conversion of a temporary office to a permanent office, on property zoned general commercial, located at 2980 Highway 50 East, APN 008-162-14, based on seven findings and subject to the conditions of approval contained in the staff report. Commissioner Reynolds seconded the motion. Motion carried 7-0.**

G-21. ZCA-06-002 ACTION TO CONSIDER A ZONING CODE AMENDMENT TO THE CARSON CITY MUNICIPAL CODE, DEVELOPMENT STANDARDS, BY CITY STAFF REGARDING OFF-SITE PARKING, SPECIFICALLY SECTION 2.3(4), GENERAL PARKING REQUIREMENTS, BY ADDING VALET PARKING AND OTHER MATTERS RELATED THERETO (10:01:12) - Chairperson Peery introduced this item. Ms. Pruitt acknowledged this item related back to the application associated with SUP-05-232, presented at the December 2005 commission meeting. She reviewed the staff report, and advised of having discussed the previously suggested solution with Mr. Shaffer. She emphasized the importance of working with applicants but not changing the code to a more restrictive configuration. Vice Chairperson Kimbrough commended Ms. Pruitt on her research

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and presentation. Commissioner Vance agreed. Ms. Pruitt acknowledged the addition to paragraph 4 of Section 2.3 was the only revision proposed at the present time. Chairperson Peery opened this item to public comment.

(10:09:28) Keith Shaffer expressed support for the proposed revision, and appreciation for Ms. Pruitt's investment of time and effort. Chairperson Peery entertained additional questions, comments, or a motion. Commissioner Mullet discussed benefits of the proposed revision for the downtown area. **Commissioner Mullet moved to recommend to the Board of Supervisors approval of ZCA-06-002, an ordinance amending the Carson City Development Standards, Division 2, Parking and Loading, Section 2.3(4), General Parking Requirements of the Carson City Municipal Code, regarding various provisions relating to procedural matters for parking and loading and other matters related thereto. Commissioner Vance seconded the motion. Motion carried 7-0.**

G-22. ZCA-06-003 ACTION TO CONSIDER A ZONING CODE AMENDMENT TO THE CARSON CITY MUNICIPAL CODE AND DEVELOPMENT STANDARDS BY CITY STAFF REGARDING AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE DEVELOPMENT STANDARDS, DIVISION 1, LAND USE AND SITE DESIGN AT SECTION 1.10, PERSONAL STORAGE, AND MODIFYING TITLE 18, ZONING, AT TITLE 18.03.010, WORDS AND TERMS DEFINED, AND OTHER MATTERS RELATED THERETO (10:12:31) - Chairperson Peery introduced this item, and Mr. Sullivan reviewed the staff report. In response to a question, discussion took place regarding paragraph 9(g). Mr. Sullivan acknowledged that the use of semi-truck trailers for commercial storage will be presented to the commission at the February meeting. Commissioner Vance suggested a maximum height should be included in the policy and additional discussion took place with regard to the same. Mr. Sullivan added the words "not to exceed 10 feet in height" to paragraph 9(g). He provided clarification of the intent of paragraph 6(d) in response to a question.

Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained a motion. **Vice Chairperson Kimbrough moved to recommend to the Board of Supervisors adoption of ZCA-06-003, an addition to ZCA-05-150, an ordinance amending Carson City Municipal Code Development Standards, Division 1, Land Use and Site Design at Section 1.10, Personal Storage, and modifying Title 18, Zoning, at Title 18.03.010, Words and Terms Defined, and other matters related thereto, with the changes recommended tonight. Commissioner Mullet seconded the motion. Motion carried 7-0.**

H. STAFF REPORTS

H-1. REPORT ON BOARD OF SUPERVISORS' ACTION ON PRIOR PLANNING COMMISSION APPLICATIONS (10:24:54) - Mr. Sullivan reported that the Combs Canyon planned unit development was denied by the Board of Supervisors. The Eagle Valley Condominiums project was continued and eventually approved by the Board of Supervisors with two new stipulations. The abandonment of Arden Way was approved by a vote of 3-2. The Board of Supervisors was provided an update of the comprehensive land use master plan. Mr. Sullivan anticipates the master plan will be presented for final adoption within sixty days. He provided, to the commissioners and staff, recent revisions to the Nevada Open Meeting Law. He provided an overview of the tentative commission agenda for the February meeting.

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I. ACTION ON ADJOURNMENT (10:31:30) - Commissioner Semmens moved to adjourn the meeting at 10:31 p.m. Commissioner Vance seconded the motion. Motion carried 7-0.

The Minutes of the January 25, 2006 Carson City Planning Commission meeting are so approved this 29th day of March, 2006.

JOHN PEERY, Chair