

DOWNTOWN DESIGN REVIEW
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A Downtown Design Review hearing was held at 3:00 p.m. on Thursday, December 9, 1999 in the Community Development Department Conference Room, 2621 Northgate Lane, Suite 57, Carson City, Nevada.

PRESENT: Walter Sullivan, Hearing Examiner
Don Bernard, Applicant
C. David Russell, Applicant's Representative
Kathleen King, Recording Secretary
(DDR 12/09/99; Tape 1-001)

NOTE: A tape recording of these proceedings is on file in the Clerk-Recorder's Office, and is available for review and inspection during regular business hours.

- A. CALL TO ORDER (1-001)** - Mr. Sullivan called the meeting to order at 3:05 p.m.
- B. MODIFICATION TO THE AGENDA (1-003)** - None.
- C. APPROVAL OF MINUTES (1-004)** - None.
- D. PUBLIC COMMENT (1-005)** - None.
- E. PUBLIC HEARING**

E-1. DG-99/00-9 DISCUSSION AND ACTION REGARDING A REQUEST FROM BORTOLIN/BERNARD PARTNERSHIP FOR DEMOLITION OF A STRUCTURE LOCATED AT 400 SOUTH CARSON STREET, APN 3-116-02 (1-006) - Mr. Sullivan referred to CCMC Section 18.10.070, and read the same into the record. He introduced Don Bernard and David Russell. Mr. Russell, a member of the law firm Guild, Russell, Gallagher & Fuller, Ltd., advised he was representing the partnership of Don Bernard and Christine Bortolin, which owns the property at 400 South Carson Street, Carson City, Nevada. He distributed prepared remarks which he read into the record. Mr. Russell advised that the applicant has no intention to replace the building in the immediate future. The applicant does have proposed site improvements which he would like to have considered at a future date. Mr. Russell continued reading the prepared remarks into the record. (1-053) Mr. Bernard discussed the condition of the building, including rotted floors, termite infestation, no foundation, unreinforced walls, no roof, and destroyed plumbing and electrical fixtures. He and his partner are unable to fix the building and are left with a potential liability. He requested permission to demolish the building and to temporarily improve the site in a manner which would be acceptable to the City. This would allow the applicants to explore options for the site which would benefit all concerned parties. (1-069) Mr. Russell advised that the building is uninsurable at this time, and that Mr. Bernard and his partner are concerned about liability to themselves and to the City. Mr. Russell then read the "Summary of Discussion" portion of his prepared remarks into the record. Mr. Sullivan noted for the record a letter from Mr. Russell, dated November 29, 1999, which was contained in the agenda packet. Mr. Sullivan read the second paragraph into the record, and advised that, pursuant to CCMC 18.10.060, the hearing examiner must provide a decision within five days of the hearing. He calculated this to be December 16, 1999. Mr. Sullivan advised that he had read through the reports provided, including the Green Report, and that he will review Mr. Russell's statement as related to CCMC Section 18.10.070(2)(a) and (b). He indicated he is satisfied with the evidence presented, and that factors in his decision would include the condition of the building and the fact that it is uninsurable. He assured Mr. Bernard that he does not consider the building neglected by the property owners, but attributes its condition to circumstances beyond their control. Mr. Bernard commented that his intent is not to have the building demolished without plans to improve the property at a later date. The property owners will have a better opportunity to improve the property if the City grants permission to demolish the building. Mr. Sullivan advised that approvals are often conditioned upon submittal of a site improvement plan, and both Mr. Bernard and Mr. Russell concurred

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with this condition. Mr. Bernard clarified that his concurrence was conditioned upon the City not requiring replacement of the building. Mr. Russell clarified that the improvements would be temporary, and satisfactory to the City and to the property owners. Mr. Sullivan advised that once the temporary improvements are approved by a hearing examiner, the demolition permit application can be submitted. Mr. Russell expressed the willingness of the parties to waive the five-day decision requirement if extra time is needed.

F. ADJOURNMENT (1-168) - Mr. Sullivan adjourned the hearing at 3:21 p.m.

The Minutes of the December 9, 1999 Downtown Design Review hearing are so approved this _____ day of February, 2000.

WALTER SULLIVAN, Hearing Examiner