

Item # 13C

**City of Carson City
Agenda Report**

Date Submitted: August 7, 2007

Agenda Date Requested: August 16, 2007

Time Requested: 10 minutes

To: Mayor and Board of Supervisors

From: Planning and Community Development

Subject Title: Action regarding an appeal of the Planning Commission's decision denying a Special Use Permit application from Rogers Media Company, (property owner: William Kugler), to allow a billboard on property zoned General Commercial (GC) located at 800 Old Clear Creek Road, APN 009-302-09. (File SUP-07-075)

Staff Summary: The Planning Commission has final decision-making authority on all Special Use Permit applications unless any portion of the decision is appealed to the Board of Supervisors. The Board of Supervisors has final decision authority on all appeals of zoning and land use decisions. The Planning Commission voted 7:0 to deny the special use permit for the billboard.

Type of Action Requested:

- Resolution
- Formal Action/Motion
- Ordinance
- Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Planning Commission Action: Denied on June 27, 2007 by a vote of 7 Ayes, 0 Nay.

Recommended Board Action: I move to uphold the Planning Commission's decision to deny Special Use Permit SUP-07-075 based upon the findings for denial contained within the staff report to the Planning Commission.

Explanation for Recommended Board Action: See the attached staff memo and Planning Commission staff report for more explanation on the proposed action and the Planning Commission's rationale for denying the application. The Planning Commission voted to 7:0 to deny the subject billboard application.

Applicable Statute, Code, Policy, Rule or Regulation: CCMC 18.02.050 (Review); 18.02.060 (Appeals); 18.02.080 (Special Use Permits).

Fiscal Impact: N/A

Explanation of Impact: N/A

Funding Source: N/A

Alternatives: 1) If the Board of Supervisors approves the Zoning Code Amendment ZMA-07-074 to allow a billboard at the subject location, reverse the Planning Commission's decision to deny SUP-07-075 and approve the application subject to the recommended conditions of approval contained in the staff report to the Planning Commission; or 2) Refer the matter back to the Planning Commission for further review.

- Supporting Material:**
- 1) Staff Memo to Board of Supervisors
 - 2) Appellant's letter of appeal and justification
 - 3) Planning Commission Case Record
 - 4) Planning Commission packet
 - 5) Planning Commission meeting minutes

Prepared By: Donna Fuller, Administrative Service Manager

Reviewed By: Walter A. Sullivan
(Walter Sullivan, Planning & Community Development Director)

Date: 8-6-07

Larry Werner
(Larry Werner, Dir. Dev'l Services / City Engineer)

Date: 8/7/07

Linda Ritter
(Linda Ritter, City Manager)

Date: 8/7/07

Melanie Kubotta
(District Attorney's Office)

Date: 8-7-07

Board Action Taken:

Motion: _____

- 1) _____
- 2) _____

Aye/Nay

(Vote Recorded By)



CARSON CITY, NEVADA

CONSOLIDATED MUNICIPALITY AND STATE CAPITAL
DEVELOPMENT SERVICES

TO: Mayor and Board of Supervisors

FROM: Planning Division *LP WS*

DATE: August 16, 2007

SUBJECT: SUP-07-075 – Appeal of the Planning Commission's decision to deny a Special Use Permit to allow a billboard along a portion of Highway 50 West

BACKGROUND:

Over the past several months, the appellant, Rogers Media Company, approached City Planning staff to discuss what would be required to place a billboard at the subject location on the south side of Highway 50 West, approximately 1,100 feet west of the Costco property. The Carson City Municipal Code allows billboards along Carson Street and Highway 50 East, with certain other location limitations, but does not allow billboards along any portion of Highway 50 West. Therefore, the appellant was advised by staff that a Zoning Code Amendment would be required to include the subject portion of Highway 50 West as a permitted street for billboards in addition to a Special Use Permit to allow a billboard to be placed at the proposed location.

The appellant submitted a Zoning Code Amendment and a Special Use Permit application in May 2007. Submitted with the applications was a signed agreement with the Chamber of Commerce for the Chamber to use, essentially free of charge, the "in-bound" sign face of the billboard (see agreement and letter from the Chamber of Commerce attached to the Planning Commission staff report).

On June 27, 2007, the Planning Commission first reviewed the Zoning Code Amendment application and recommended denial of the application by a vote of 6-1. All Zoning Code Amendment applications are forwarded to the Board of Supervisors for final action, so no appeal of this denial by the Planning Commission is necessary by the applicant for the Board to review the application (see the related item ZCA-07-074 on this same Board agenda). The Planning Commission then denied the Special Use Permit by a vote of 7-0. The Planning Commission's decision on a Special Use Permit is final unless any portion of the decision is appealed to the Board of Supervisors.

On July 3, 2007, the appellant submitted the attached appeal of the Planning Commission's denial of the Special Use Permit. Since most of the discussion regarding the proposed billboard occurred during the Planning Commission's consideration of the Zoning Code Amendment (the first of the two items on its agenda), the appeal addresses the Planning Commission's rationale and comments in denying both applications. Below is staff's evaluation and discussion regarding the appellant's points as stated in the appeal letter.

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APPEAL ANALYSIS:

Following are the points made in the appellant's letter of appeal with staff discussion and comment on each point.

A) Precedence. The Planning Commission was concerned that approval of this application would lead to additional applications seeking special consideration for billboards where they are presently not permitted.

Staff response: The appellant accurately states that the proposed site meets all of the location requirements for billboards (zoning, setbacks, etc.) except the highway location that it is adjacent to, which is the purpose for the Zoning Code Amendment. While there may be future requests for changes to allow billboards on streets where they are presently not allowed or other modifications to the current billboard requirements, staff believes that the outcome of this particular application in no way obligates future Planning Commissions or Boards to approve other billboard-related applications, as a matter of law, as long as the findings are based on the specifics of this application. This application should be considered on its merits based upon the particular circumstances of this case and not upon some theoretical future application.

B) Sign Clutter. The Commission expressed concern that the additional billboard would create more "sign clutter," particularly in an area with scenic qualities. The appellant believes that the economic benefits of the billboard were not fairly weighed against "an already established use" within the area.

Staff response: Staff believes that the Planning Commission, in denying the application, properly made findings that the proposed billboard would create additional sign clutter. As discussed in the Planning Commission staff report, there is a decision to be made by the Planning Commission and Board of Supervisors in weighing the aesthetic impacts versus the economic benefits to the community of the proposed billboard. It was pointed out in the staff report and stated in the application that the proposed billboard is in a location that already has established billboards, although they are located on Washoe Tribe property in Douglas County and outside the City's jurisdiction. As part of their findings for denial, the Planning Commission found the preservation of the aesthetic values to outweigh the economic benefits of the proposed billboard. The Planning Commission also noted as part of the discussion that there are broader economic benefits to the community in preserving the aesthetic qualities of the area by prohibiting additional billboards.

C) Billboard Spacing. The Planning Commission questioned the proposed sign's location relative to the Carson City requirement that billboards may be no closer than 1,000 feet to other billboards since the proposed billboard would be within approximately 500 feet from a billboard located to the west in Douglas County on Washoe Tribe property.

Staff response: Based upon past advice from the District Attorney's office and past practice, staff informed the applicant that the 1,000-foot spacing requirement from other billboards only applies to other billboards within the jurisdiction of Carson City. Planning staff has informed others of this in the past, as well, based upon this advice. Therefore, staff did not see the spacing of the proposed billboard from the existing billboard in Douglas County as a requirement for consideration with regards to the Zoning Code Amendment or Special Use Permit. At the Commission meeting, the Deputy District Attorney questioned this requirement in response to questions from the Commission. If the District Attorney's opinion is that the billboard in Douglas County should be considered for the 1,000-foot separation requirement, the approval of the billboard would also require a Variance from this requirement since the

proposed billboard is approximately 478 feet from the Douglas County billboard. Again, staff was unaware of this requirement at the time of application submittal.

Note: Staff believes that consideration of billboards in adjacent jurisdictions may be difficult or impractical as Carson City has no jurisdiction over pending approvals or other aspects of sign regulation there. Additionally, the very definition of "billboard" can vary from jurisdiction to jurisdiction. For example, the City of Sparks does not distinguish billboards from other types of advertising signs—all signs are commercial signs, even those that one would typically consider to be a billboard. As a matter of practice, Carson City has never, to staff's knowledge, applied the 1,000-foot setback to other billboards outside the city limits, as evidenced by the approval process for an existing billboard on Highway 50 East within 1,000 feet of the Lyon County border.

D) Content. During the Planning Commission discussion, the Deputy District Attorney advised that the Commission should not discuss the content of the sign in relation to discussion regarding the Chamber of Commerce's control over one the two sign faces.

Staff response: Staff believes the Deputy District Attorney properly advised the Planning Commission that they could not legislate the content of the billboard per First Amendment protections, thought there were no recommended conditions of approval by staff that would have done so. However, as a matter of factual record within the application, the Planning Commission considered and discussed the fact that the Chamber of Commerce would have control of one of the two billboard sign faces. Staff believes that Planning Commission properly considered this issue, and that the Deputy District Attorney properly limited the discussion as it related to the specifics of what would be placed on the billboard.

E) Consistency with the Master Plan. The appellant believes the Planning Commission did not fairly weigh the positive benefits stated in staff's alternative finding for approval.

Staff response: As discussed above in section B and in the Planning Commission staff report for ZCA-07-074, the decision on the applications primarily hinge upon weighing the preservation of the area's aesthetic qualities versus the economic benefits to the community of the proposed billboard in terms of consistency with Master Plan policies. The Planning Commission staff report includes Master Plan consistency policies in support of either approval or denial of the application. Staff believes the Planning Commission properly made the findings for denial based upon its discussion and the facts of this particular case, and that this is a policy issue to be decided by the Planning Commission and Board of Supervisors.

STAFF SUMMARY:

As stated in the Planning Commission staff report for the Zoning Code Amendment and the discussion above, consideration of both the ZCA and Special Use Permit hinge upon the balance between the aesthetic impacts of an additional billboard versus the economic development benefits to the community of a billboard at this specific location. Staff believes the Planning Commission properly considered the facts of the case and based its decision upon proper findings for denial. However, should the Board of Supervisors find that the benefits of the proposed Zoning Code Amendment and Special Use permit for the billboard outweigh the negative impacts and wish to approve the appeal based upon the discussion in the staff reports and the additional facts presented by the appellant, the proposed alternative actions below are offered for your consideration.

ALTERNATIVES:

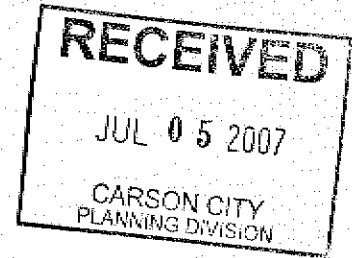
The Board of Supervisors may consider the following alternative actions in deciding the appeal of the Planning Commission's decision to deny Special Use Permit SUP-07-075:

1. Deny the appeal and uphold the Planning Commission's decision to deny the Special Use Permit application based on the findings for denial contained with the Planning Commission staff report.
2. Should the Board of Supervisors approve the related Zoning Code Amendment (ZCA-07-074) being considered concurrently with this appeal of the Special Use Permit application, the Board may approve the appeal, thereby approving the Special Use Permit application, subject to the recommended conditions of approval and based upon the findings contained in the Planning Commission staff report.
3. Should the Board of Supervisors approve the related Zoning Code Amendment (ZCA-07-074) being considered concurrently with this appeal of the Special Use Permit application, the Board may consider referring the Special Use Permit application back to the Planning Commission, with the appellant's concurrence, for its further consideration on the application.

Note: Staff believes the recommended conditions of approval cover all the applicable requirements for billboards and does not believe further review of the Special Use Permit by the Planning Commission would result in any modifications to the proposed billboard application. Furthermore, the Board of Supervisors must render a decision on the appeal within 60 days of the appeal submittal (by September 2, 2007) unless the appellant waives that right.

ADDITIONAL PUBLIC COMMENT:

Staff has received one comment by phone call since the Planning Commission meeting from Jean Sexton, Carson City resident, in support of the Planning Commission's decision to deny the application.



July 3, 2007

Mr. Walter A. Sullivan
Planning Division Director
2621 Northgate Lane, Suite 82
Carson City, NV 89708

Dear Mr. Sullivan,

We submit this letter as an appeal of the Carson City Planning Commission's denial of our application for a Special Use Permit, SUP-07-075. This would have allowed a billboard to be placed at 800 Old Clear Creek Road, APN number 009-302-09.

We would like to lay out the following facts to support our position as to why we believe the Planning Commission was in error when the application was denied.

We will address each of the Commission's concerns as raised during the hearing:

- A) Precedence. It was a concern by more than one Commissioner's that if this application was approved there would be more applications filed in other parts of the City seeking special consideration. Point of fact. This application meets all necessary benchmarks for a new outdoor advertising sign to be placed, other than the area of highway that is specifically allowed in the ordinance. There are no other locations along the highways in the City limits of Carson City that meet all requirements such as this one. The Commission did not fully grasp that an approval of this application could not be duplicated in any other part of the market and would not result in any additional outdoor advertising signs as a result of an approval.
- B) Clutter. Commissioner Kimbrough brought this up as an issue of adding more signs to a scenic area. He mentioned his contact with Scenic America as precedence for not allowing this project to proceed. Point of fact. Three outdoor advertising signs which the City does not control sit on the City's western border. Adding one more sign with such clear and present benefits to the City will not negatively impact the scenic beauty of the area as the use of such signs has already been established for a long period of time, whether inside the City limits or not. Secondly, the positive impacts of the promotion of the attributes of Carson City were not fairly weighed against the addition of an already established use in the area.

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- C) Spacing. The issue was raised in regard to spacing from the other signs. The application that was denied was 478 feet east of the easternmost Clear Channel sign that sits outside the City limits. The law is clear, the 1000' spacing rule applies to signs within City limits. If the Council wishes to change the ordinance they can do so at a future time, although again, there is no precedent that this action will result in any other sign being built in another part of the market based on spacing to signs outside the City limits.
- D) Content. During discussion regarding the Chamber of Commerce controlling one side of the sign, the issue was raised by the City Attorney that the Commission should not get into the business of legislating content. The Commission did not fully understand that the content of the sign would not be subject of the approval. The content of the sign dedicated to the Chamber of Commerce will be under the sole overview of the Chamber. The City, nor Rogers Media Company, or any other party will determine the content of the sign. It shall be the propriety of the Chamber of Commerce. The proposal needs to be weighed based on the positive benefits it would provide the City. The City will not be in the "business" of legislating any content.
- E) Consistent with Master Plan. The Commission did not fairly weigh the positive benefits stated in Staff's findings that the proposed sign is consistent with the Master Plan Elements. These Elements include the promotion of the retail service base by allowing the Chamber of Commerce to promote regional retail within the community. It would also include limiting retail leakage by allowing the Chamber of Commerce to promote business within Carson City so business would not leak to nearby cities and counties. In addition the proposed billboard would allow the Chamber of Commerce to promote tourism activities within the region that may not have been seen by passing motorists.

In summary, we feel the Commission did not fully understand and appreciate the benefits that this project would bring to the Carson City community as a whole. We would further assert the ultimate decision was weighed down to the above referenced issues and the commission weighed these non items more highly then the obvious benefit to the community. We respectfully request to be put on the docket for the August 16, 2007 meeting to have our appeal heard. We await your reply.

Sincerely,



Matt Rogers
President

STAFF REPORT FOR PLANNING COMMISSION MEETING OF JUNE 27, 2007

FILE NOs: SUP-07-075

AGENDA ITEM: H-4

STAFF AUTHOR: Lee Plemel, AICP, Principal Planner

REQUESTS: A **Special Use Permit** to allow a billboard at the subject location along Highway 50 West.

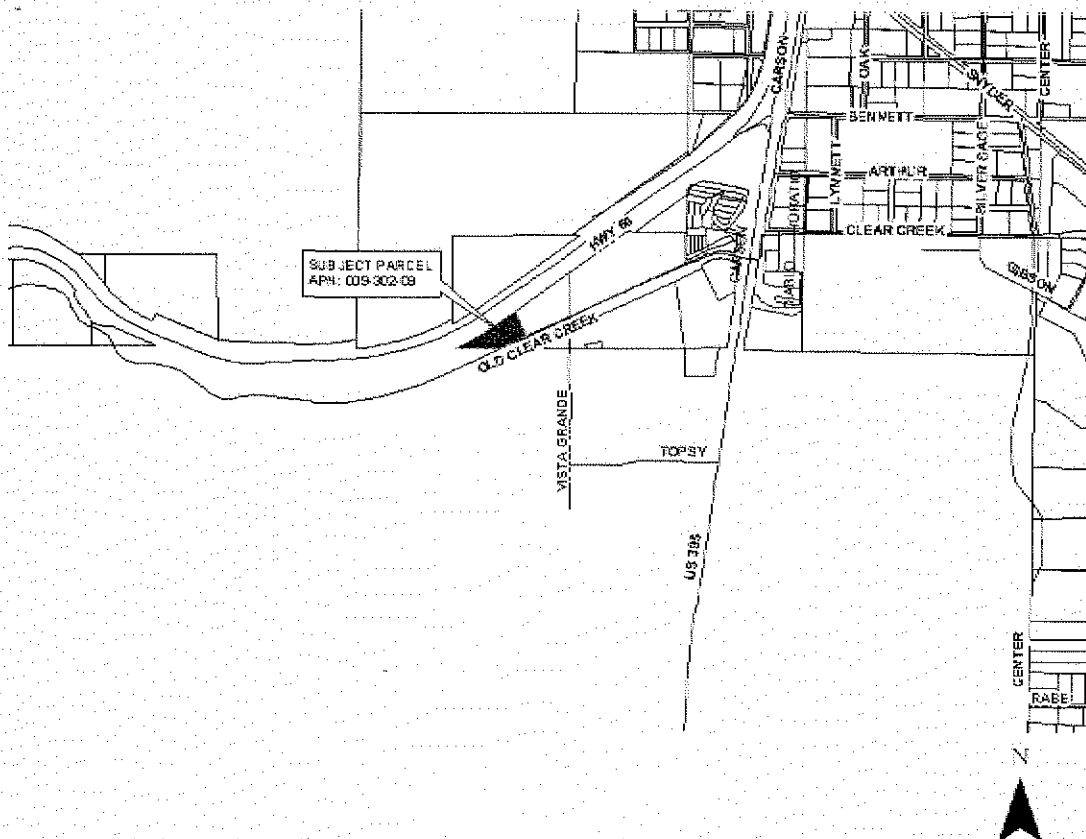
APPLICANT: Rogers Media

OWNER: William Kugler

LOCATION: 800 Old Clear Creek Road

MOTION to APPROVE: "I move to approve SUP-07-075, a Special Use Permit application from Rogers Media Company (property owner: William Kugler) to allow a billboard on property zoned General Commercial (GC) located at 800 Old Clear Creek Road, APN 009-302-09, subject to the conditions and based on the findings for approval contained in the staff report."

MOTION to DENY: "I move to deny SUP-07-075, a Special Use Permit application from Rogers Media Company (property owner: William Kugler) to allow a billboard on property zoned General Commercial (GC) located at 800 Old Clear Creek Road, APN 009-302-09, based on the findings for denial contained in the staff report."



RECOMMENDED CONDITIONS OF APPROVAL:

1. Approval of this application is subject to the approval of Zoning Code Amendment ZCA-07-074 by the Board of Supervisors to amend the Carson City Municipal Code to allow a billboard to be placed upon this particular highway location.
2. The applicant must sign and return the Notice of Decision for conditions for approval within ten days of receipt of notification.
3. The use for which this permit is approved shall commence (obtain and maintain a valid building permit from the Carson City Building Division for the proposed billboard structure) within twelve months of the date of final approval. A single, one-year extension of time must be requested in writing to the Planning Commission 30 days prior to the one-year expiration date. Only the Planning Commission may grant a one-year extension. Should this permit not be initiated within one year and no extension granted the permit shall become null and void.

The following conditions are required to be incorporated into the proposed development plans to be submitted as part of the building permit application:

4. All development shall be substantially in accordance with the development plans approved with this application, except as otherwise modified by the conditions of approval herein.
5. All on- and off-site improvements shall conform to City standards and requirements.
6. The applicant shall apply for and obtain a sign permit from the Nevada Department of Transportation and submit proof of obtaining the permit with the building permit application. Installation of the billboard must comply with all applicable state laws and policies.
7. The display face shall comply with the requirements of the Sign Ordinance with regards to height, size, appendages, moving, flashing, blinking or rotating signs, characteristic and materials, and other aspects of sign display.
8. The billboard shall maintain proper separation from above and below ground utilities, shall not be placed within any utility, access or drainage easement and shall not block any drainage ways. Utility structures and easements shall be shown on the building permit plans.
9. A detailed lighting plan including light fixture details must be provided with the building permit plans. Any proposed lighting of the billboard shall be directed downward and shielded so as not to project light and/or glare onto adjacent properties or right-of-way in conformance with the lighting requirements of the Carson City Development Standards.
10. The sign support structure must be painted an earth-tone color to match the surrounding terrain. Proposed color samples for the pole must be submitted with the building permit application for review and approval by the Planning Division.
11. The applicant shall obtain a business license pursuant to the Carson City Municipal Code Title 4.04 (Business License) prior to placement of advertising copy on the structure.

12. The sign must be maintained at all times in good structural condition, in compliance with all building and electrical codes and other codes at all times, and kept free of graffiti. Failure to do so shall constitute cause for the revocation of a business license.
13. Without further notice, the subject special use permit shall expire on the 27th of June, 2012, unless a special use permit to continue the use of the off-premise sign is acquired by that date. It is the applicant's responsibility to submit a complete special use permit application in sufficient time to be scheduled for review prior to the expiration date.

SITE INFORMATION:

MASTER PLAN DESIGNATION: Commercial

ZONING: General Commercial (GC)

SURROUNDING LAND USE AND ZONING:

Master Plan / Zoning – Uses

North: Public / Public Community (PC) – NDOT sand pit (across Hwy. 50 W.)

East: Commercial / General Commercial (GC) – Personal storage facility

South: Douglas County (Washoe Tribe property)

West: Douglas County (Washoe Tribe property)

BACKGROUND:

Consideration of this Special Use Permit application is contingent upon the approval of the Zoning Code Amendment (ZCA-07-074) being considered prior to this application. Should the Planning Commission deny the ZCA-07-074, the Special Use Permit request would be prohibited by the current provisions of the Carson City Municipal Code and the Planning Commission should deny the application based upon the findings for denial at the end of this staff report.

The subject billboard location is a few hundred feet east of one of three existing billboards located on the south side of Highway 50 West in Douglas County on Washoe Tribe land. Several existing billboards are located approximately 3/4-mile to one mile east of the subject location in the vicinity of the South Carson Street and Highway 50 West intersection. The subject parcel has existing office and warehouse uses on it. The property is approximately 60 feet below the highway at the proposed billboard location, which is on the western half of the subject property.

DISCUSSION:

A Special Use Permit is required for the following reason:

- According to CCMC 18.16 (Development Standards), Division 4 (Signs), a billboard is only permitted by approval of a Special Use Permit.

The proposed sign would be a new billboard subject to the requirements of Division 4.8.3, New Billboard Allowed Subject to Requirements. Following is an analysis of the proposed billboard with regards to these requirements.

a. Special Use Permit Required – In addition to approval of this Special Use Permit application, the applicant is required to obtain a Business License for the proposed billboard as stated in the recommended conditions of approval.

b. Permitted Streets – The proposed billboard will be located adjacent to a permitted street for billboards only upon approval of Zoning Code Amendment application ZCA-07-074 submitted concurrently with this application.

c. Height – The maximum permitted height is 28 feet above the permitted street along which it is located. The proposed sign meets this requirement. The sign structure is elevated above the subject property a total of 85 feet at its proposed location due to the property being significantly below the highway. Other requirements regarding appendages to the sign face are applicable through the life of the sign and are included in the recommended conditions of approval.

d. Number of Sign Faces – The proposed sign meets the maximum of two parallel sign faces per sign (defined as an angle of 30 degrees or less for the purposes of double-faced signs).

e. Zoning of the Site – The proposed site is zoned General Commercial (GC), which meets the location requirement of being within the GC or General Industrial (GI) zoning districts.

f. Spacing Distance from Other Billboards – The proposed sign meets the spacing requirement of 1,000 feet from other billboards located within Carson City. The proposed sign is located over 3,000 feet from the nearest billboard in the vicinity of Highway 50 West and South Carson Street.

g. Area of Sign – The proposed billboard meets the maximum sign area requirement of 400 square feet.

h. Setbacks from Certain Zoning – The proposed billboard meets the setback requirement of 300 feet from any residential, Agriculture (A) or Conservation Reserve (CR) zoning district. The property is more than 400 feet from the CR zoning district located to the north across the highway.

i. Setback from Redevelopment Area – The proposed billboard meets the setback requirement of 1,000 feet from the Redevelopment District, a portion of which is the Costco parcel located to the east of the subject parcel. The eastern half of the subject parcel is within 1,000 feet of the Redevelopment District as indicated on the map submitted with the application. However, the proposed billboard is located on the western half of the property and meets the required setback.

j. Prohibited Support Structures – The proposed billboard is a freestanding sign, not attached to a building or other structure, in compliance with the requirement.

k. Prohibited Characteristics and Materials – The proposed billboard will meet the requirements for non-flashing, non-moving signs and with regards to illumination as required by the recommended conditions of approval.

The applicant is additionally required to obtain a permit from the Nevada Department of Transportation (NDOT) for the placement of the billboard along a state highway. Prior to the submittal of the application, the applicant contacted NDOT to ensure that a billboard would be permitted at the specific location and NDOT has indicated that it would meet their requirements. A condition of approval is included to require NDOT approval.

Staff conclusion: With the approval of the associated Zoning Code Amendment to allow the sign at the subject location, the proposed billboard meets the purpose of the billboard ordinance and meets the requirements of the Carson City Municipal Code for its placement.

PUBLIC COMMENTS: Public notices were mailed to 118 adjacent property owners (including mobile home park tenants) within 2,650 feet of the subject parcel in accordance with the provisions of NRS and CCMC 18.02.045. As of June 15, 2007, written comments have been received from the Carson City Business Development Department, Chamber of Commerce and Convention and Visitors Bureau in support of this application. Any comments that are received after this report is completed will be submitted prior to or at the Planning Commission meeting, depending on their submittal date to the Planning Division.

OTHER CITY DEPARTMENT OR OUTSIDE AGENCY COMMENTS:

Written comments were received from the Fire Department stating no concerns with the request. Engineering Division conditions have been incorporated into the recommended conditions of approval and are attached to this report. No other city department comments were received.

SPECIAL USE PERMIT FINDINGS: Staff's recommendation of approval of the Special Use Permit is based upon approval of the Zoning Code Amendment ZCA-07-074 and the findings as required by CCMC Section 18.02.080 (Special Use Permits) enumerated below and further substantiated in the applicant's written justification.

1. The proposed development will be consistent with the master plan elements.

Rationale: The proposed Zoning Code Amendment is consistent with and promotes the following goals and policies of the Master Plan:

- Goal 5.2, Promote Expansion of Retail Service Base
Policy 5.2a, Encourage Regional Retail – Work with local and regional economic development organizations, such as the Chamber of Commerce, on the development of a marketing strategy designed to attract national retailers to the community, particularly within the Downtown and where access is provided to the Carson City freeway.
Staff comment: The proposed billboard would allow the Carson City Chamber of Commerce to promote regional retail within the community.
- Policy 5.2c, Retail Leakage – Closely monitor the diversity of retail sales activity in the City and promote economic development activities which reduce retail leakages (sales occurring in surrounding communities rather than within Carson City).
Staff comment: The proposed billboard would allow the Carson City Chamber of Commerce to promote regional retail within the community and direct regional shoppers entering the area to retail and tourism facilities within Carson City, opportunities that may not otherwise be captured by shoppers heading to retail centers in Douglas County or continuing through on the future freeway to Reno.
- Goal 5.4, Promote Tourism Activities
Policy 5.4a, Heritage Tourism – Support tourism activities associated with the major historic resources within the community, such as the V&T Railroad, the various cultural institutions, and the State Capitol Complex.
Staff comment: The proposed billboard would allow the Carson City Chamber of Commerce to promote tourism activities within the Downtown and around the future V&T Railroad, which are not located along the future freeway, opportunities that may not otherwise be captured by tourist heading through the area.

- 2. The proposed development will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and will cause no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity.**

The proposed will create no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity that would be a detriment to the use, peaceful enjoyment, economic value or development of surrounding properties.

- 3. The proposed development will have little or no detrimental effect on vehicular or pedestrian traffic.**

The proposed billboard will generate minimal traffic for maintenance of the sign, which would have little or no impact on vehicular or pedestrian traffic.

- 4. The proposed development will not overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public improvements.**

The proposed billboard will create no demand on public services and facilities.

- 5. The proposed development meets the definition and specific standards set forth in Title 18 for such particular use and meets the purpose statement of that district.**

The proposed development meets all the requirements of Division 4.8 relating to billboards as detailed in the above discussion in the staff report.

- 6. The proposed development will not be detrimental to the public health, safety, convenience and welfare.**

The proposed will create no objectionable traffic, noise, vibrations, fumes, odors, dust, glare or physical activity that would be a detriment to the public health, safety, convenience or welfare.

- 7. The proposed development will not result in material damage or prejudice to other property in the vicinity.**

The proposed billboard will not impair the surrounding property owners' ability to develop their property in accordance with the applicable zoning and will not create negative impacts that would result in material damage.

Findings for Denial:

- 1. The proposed development will not be consistent with the master plan elements.**

Rationale: The proposed Zoning Code Amendment is not consistent with is contrary to the following goals and policies of the Master Plan:

- Goal 3.2, Protect Visual Resources
Policy 3.2d, Carson City Freeway Corridor – Establish and maintain signage controls for the

Carson City Freeway corridor prior to completion of construction to establish the height, type, size and quantity of signs that will be permitted for future development.

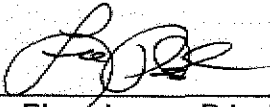
Staff comment: The proposed billboard would create an additional visual impediment to the visual resources of the Sierra Nevada Mountains as viewed heading west and create additional "sign clutter" in the vicinity.

5. **The proposed development does not meet the definition and specific standards set forth in Title 18 for such particular use and meets the purpose statement of that district.**

Rationale: (If Zoning Code Amendment ZCA-07-074 is not approved:) The proposed billboard does not meet the requirements of the Sign Ordinance for the location of billboards along certain streets. Billboards are prohibited in Carson City along Highway 50 West.

Respectfully submitted,

PLANNING DIVISION



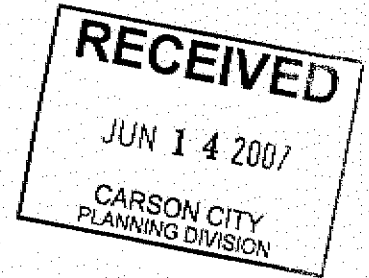
Lee Plemel, AICP, Principal Planner



CARSON CITY, NEVADA

CONSOLIDATED MUNICIPALITY AND STATE CAPITAL
DEVELOPMENT SERVICES

**Carson City Development Engineering
Planning Commission Report
File Number SUP-07-075**



TO: Planning Commission

FROM: Tom Grundy, E.I., Civil Design Supervisor *TG*
Development Engineering

DATE: June 12, 2007

MEETING DATE: June 27, 2007

SUBJECT TITLE:

Review of Special Use Permit for one billboard at 800 Old Clear Creek Road, APN 009-302-09.

RECOMMENDATION:

Development Engineering has no objection to the special use request and the following three (3) conditions of approval.

- 1.) Billboard shall maintain proper separation from above and below ground utilities.
- 2.) Billboard can not be placed within any utility, access or drainage easement.
- 3.) Billboard shall not block drainage.

DISCUSSION:

Development Engineering has reviewed the conditions of approval within our areas of purview relative to adopted standards and practices and to the provisions of C.C.M.C. 18.02.080, Conditional Uses, and has no comments or concerns.

C.C.M.C. 18.02.080 (2a) - Adequate Plans

The information submitted by the applicant is adequate for this analysis.

C.C.M.C. 18.02.080 (5a) - Master Plan

The request is not in conflict with any Engineering Master Plans for streets or storm drainage.

C.C.M.C. 18.02.080 (5c) - Traffic/Pedestrians

The proposal will have little effect on traffic or pedestrian facilities, provided the conditions of approval are met.

C.C.M.C. 18.02.080 (5d) - Public Services

Existing facilities are not impacted.

MEMORANDUM

TO: Community Development
FROM: Stacey Giomi, Fire Chief
DATE: June 15, 2007
SUBJECT: AGENDA ITEMS FOR JUNE 27, 2007 PLANNING COMMISSION MEETING

We reviewed the agenda items for the June 27, 2007 Planning Commission Meeting and have the following comments:

- SUP-04-090 Granite Construction Co. We have no objections to the applicant's request.
- SUP-05-089 Helaine Jesse, W.N.C.C., Board of Regents, U.N.R. Please see previous comments.
- SUP-05-011a Richard Reviglio, Three R's LLC Please see previous comments.
- SUP-07-059 Custom Sign, Carson Gaming, LLC We have no concerns with the applicant's request for increased signage.
- ZCA-07-074 Rogers Media Co. We have no concerns with the applicant's request.
- SUP-07-075 Bill Zugler, Rogers Medica Co/Matt Rogers We have no concerns with the applicant's request
- SUP-07-076 Audra Miller, Lumos & Assoc., Long St. Assisted Living LLC The applicant will be required to comply with all codes and ordinances as they relate to this request.
- ZMA 07-077 Eagle Tech, Western Engineering We have no concerns with the applicant's request for zone change.

SG/llb



ZCA-07-074
SUP-07-075

Office of Business Development
201 North Carson Street, Suite 2 | Carson City, Nevada 89701

Date: June 15, 2007

To: Carson City Planning Commission

From: Joe McCarthy, Economic Development & Redevelopment Manager

On behalf of Carson City's Office of Business Development, we solidly support and endorse the request by Rogers Media application for a permit to implement the use of a billboard at our southern gateway. This billboard will benefit our community in a myriad of ways: branding, way-finding and business development, just to name a few.

Successful community branding requires a varied portfolio of marketing and public relations techniques coupled with creative media that ensures a low-cost and effective awareness campaign. For example, a well-designed billboard showcases an effective brand with the expressed intent to stimulate impulse decisions from travelers who might otherwise drive past our town. An effective billboard public awareness campaign will focus on name recognition, the most integral part of successful community branding. This type of billboard will have the potential to initiate consumer-driven demand that benefits both our economic stability and long-term fiscal health.

The Carson City Area Chamber of Commerce will lease the billboard at a rate of \$1.00 per year for 99 years. Now that the contract has been signed, the Chamber's intent is to allow the Office of Business Development and the Convention and Visitors' Bureau to use the space to effectively position and communicate their messages. This outdoor medium will add clarity to our branding focus, build community consensus on economic development and tourism efforts, induce sales and entice consumers.

June 5, 2007

Carson City Planning Commission
Carson City Board of Supervisors

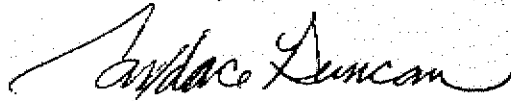
The Carson City Convention & Visitor Bureau would like to lend its support to the proposed outdoor sign that has been offered to the Carson City Chamber of Commerce by Rogers Media.

This will be an excellent opportunity to advertise historic Carson City to the thousands of potential visitors who will be traveling on Highway 50 from Lake Tahoe.

As we proceed in developing Carson City's tourism brand, this billboard will help reinforce our message and provide an outlet for The Chamber, Convention and Visitors Bureau and Redevelopment to work together.

Please feel free to contact me if you wish to discuss this further.

Sincerely,



Candace Duncan
Executive Director



1900 South Carson Street
Carson City, Nevada 89701
Telephone (775) 882-1565
FAX (775) 882-4179
E-Mail: ccchamber@Semp.net
www.carsoncitychamber.com

May 7, 2007

Mr. Matt Rogers, President
Rogers Media Company
4116 El Macero Drive
Davis, CA 95616

Dear Mr. Rogers:

Thank you for meeting with me to outline the details of the proposed outdoor advertising sign at 800 Clear Creek Road and more specifically, the opportunity for the Chamber to advertise on the sign at \$1.00 per year for the next 99 years. Needless to say, this is an opportunity I cannot turn down.

It is with pleasure that I support your petition for a Special Use permit for the outdoor sign along with the Special Plan Amendment.

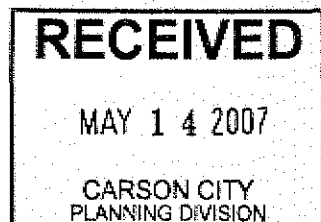
We will enter into an agreement with Rogers Media Company to provide to the Chamber free advertising on the proposed billboard along with free production costs for the term of 99 years on the west face of the said billboard. We will work closely with your art department to determine the content to be placed on the west face. This project is to be a partnership between the Chamber and Rogers Media Company only.

Again, thank you for providing us with this opportunity.

Cordially,

A handwritten signature in cursive script that reads 'Ronni'.

Ms. Ronni Hannaman
Executive Director



SUP - 07 - 075

ZCA-07-074
SUP-07-075

Contract for Outdoor Bulletin Advertising



Advertiser: Carson City Chamber of Commerce
Address: 1900 South Carson Street, Ste. 200
City/State/Zip: Carson City, NV 89701
Contact: Ronni Hannaman
Phone #: 775-882-1565

Advertiser/Product:

Advertiser agrees to purchase the advertising display located on US Highway 50, One Mile West of Highway 395 Junction, South Line, One of three West Facing tri-vision Signs for Westbound traffic, sign located in Carson City, Nevada. The size of the display is 10' x 40' and is permitted to all local, and state governmental standards.

The contract period will be for a term of Ninety-Nine years, commencing upon construction of said sign and continuing thereafter. The yearly rate will be \$1.00 net per year. The total contract commitment for the entire period due to RMC is \$99.00.

Advertiser has first right of refusal on renewal of said contract. Advertiser must inform RMC sixty (60) days prior to end of contract if Advertiser wishes to continue on said unit. At the time of this renewal RMC shall deliver new said rate to Advertiser in a timely fashion.

This contract is non-cancellable and binds all assigns. This is the entire contract and no verbal warranties will be honored. All rates and adjustments to such shall be computed on a basis of thirty (30) days to a month. This contract is non cancelable and binds the undersigned party to such and the heirs and or assigns of said company.

If the advertising or sale of the product or services to be advertised under this contract is prohibited by law of governmental regulation, this contract shall terminate as of the effective date of such law or regulation. RMC may terminate this contract at will if it does not receive timely payments or billings, or if the clients credit in RMC's reasonable opinion is impaired.

Advertiser agrees to indemnify RMC and hold RMC harmless as a result of any and all liability stemming from the content of advertisers message on RMC's sign units.

All displays are illuminated from dusk until midnight every night and are illuminated to OAAA standards This contract does not include the initial production . RMC agrees to handle production during the term of this contract, which is equal to one vinyl per year of every year of said contract. If further changes are needed the charge will be \$600.00 for

vinyl and installation. This charge may rise at no more than 3% per year. This display does not extensions.

Advertiser: X Ronnaman
Name: Ronni Hannaman
Title: Executive Director
Date: 5/30/07

RMC: X Matt R
Mr. Matt Rogers
President & Owner
Date: 5/30/07

RECEIVED

MAY 14 2007

CARSON CITY PLANNING DIVISION

Carson City Planning Division
2621 Northgate Lane, Suite 62 • Carson City NV 89706
Phone: (775) 887-2180 • E-mail: plandept@ci.carson-city.nv.us

FOR OFFICE USE ONLY:

CCMC 18.02

FILE # SUP-06 - SUP - 07 - 075

SPECIAL USE PERMIT

FEES: \$1,200.00 MAJOR
\$500.00 MINOR (Residential)
+ noticing fee

PROPERTY OWNER MR. BILL KUGLER

SUBMITTAL PACKET

MAILING ADDRESS, CITY, STATE, ZIP
3700 Hwy 50 East, Carson City, NV

PHONE # 775-450-3883 FAX # 89704

- Application Form
- Site Plan
- Building Elevation Drawings and Floor Plans
- Proposal Questionnaire With Both Questions and Answers Given
- Applicant's Acknowledgment Statement
- 26 Completed Application Packets (1 Original + 25 Copies)
- Documentation of Taxes Paid-to-Date
- Project Impact Reports (Engineering)

Name of Person to Whom All Correspondence Should Be Sent
APPLICANT/AGENT
ROBENS MEDIA COMPANY, MATT ROBENS

MAILING ADDRESS, CITY, STATE ZIP
4116 El Naceno, Davis, CA 95618

PHONE # 530-307-5770 FAX # 530-747-0338

Application Reviewed and Received By:

E-MAIL ADDRESS
MATT@ROBENS MEDIA COMPANY.COM

Submission Deadline: See attached PC application submittal schedule.

Note: Submittals must be of sufficient clarity and detail such that all departments are able to determine if they can support the request. Additional information may be required.

Project's Assessor Parcel Number(s): 9-302-09	Street Address 800 OLD CLEAR CREEK ROAD	ZIP Code 89703
--	--	-------------------

Project's Master Plan Designation COMMERCIAL	Project's Current Zoning GENERAL COMMERCIAL	Nearest Major Cross Street(s) US Hwy 50 West, Carson St.
---	--	---

Briefly describe your proposed project: (Use additional sheets or attachments if necessary)

In accordance with Carson City Municipal Code (CCMC) Section: _____ or Development Standards, Division _____ Section _____, a request to allow as a conditional use is as follows:

INSTALL (1) TWO FACE GENERAL ADVERTISING SIGN @ 800 OLD CLEAR CREEK ROAD, CARSON CITY, NV.

PROPERTY OWNER'S AFFIDAVIT

William R Kugler, being duly deposed, do hereby affirm that I am the record owner of the subject property, and that I have knowledge of, and I agree to, the filing of this application.

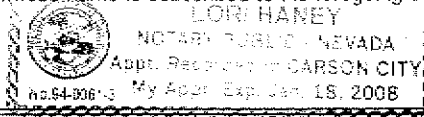
Signature: [Signature] Address: 800 Old Clear Creek Date: 5-3-07

Use additional page(s) if necessary for other names.

STATE OF NEVADA
COUNTY City Carson City

On May 3rd 2007, William R Kugler personally appeared before me, a notary public personally known (or proved) to me to be the person whose name is subscribed to the foregoing document and who acknowledged to me that he/she executed the foregoing document.

Notary Public: [Signature]



NOTE: If your project is located within the historic district, airport area, or downtown area, it may need to be scheduled before the Historic Resources Commission, the Airport Authority, Downtown Design Review, and/or the Redevelopment Authority Citizens Committee. Prior to being scheduled for review by the Planning Commission, Planning personnel can help you make the above determination.

1. Provide a parking plan for your project. If you are requesting approval for off-site parking within 300 feet, provide site plans showing (1) parking on your site, (2) parking on the off-site parking lot, and (3) how much of the off-site parking area is required for any business other than your own. Design and dimensions of parking stalls, landscape islands, and traffic aisles must be provided.

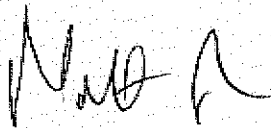
If there is any other information that would provide a clearer picture of your proposal that you would like to add for presentation to the Planning Commission, please be sure to include this information.

The following acknowledgment and signature are to be placed at the end of the response to the questionnaire prepared for the project.

Please type the following signed statement at the end of your application questionnaire.

ACKNOWLEDGMENT OF APPLICANT

I certify that the forgoing statements are true and correct to the best of my knowledge and belief. I agree to fully comply with all conditions as established by the Planning Commission. I am aware that this permit becomes null and void if the use is not initiated within one-year of the date of the Planning Commission's approval; and I understand that this permit may be revoked for violation of any of the conditions of approval. I further understand that approval of this application does not exempt me from all City code requirements.



5/3/07

Applicant

Date

General Review of Special Use Permit for 800 Old Clear Creek Road

Question 1) How will the proposed development be in substantial compliance with and support the goals and policies of the Master Plan?

This project is in substantial compliance with and supports the goals and policies of the Master Plan for improving the health and welfare of the citizens of Carson City. The Master Plan for the City is codified to charter a course so that every project submitted furthers that goal. It meets or exceeds all requirements for such a project, and truly furthers the standard of living in the community. For all the reasons outlined below these projects meets or exceed all of those demands.

Chapter 3: Seek to establish a balance of land uses within the community by providing employment opportunities, a diverse choice of housing, recreational opportunities, and retail services.

This Special Use permit would promote land use patterns that promote the use and availability of public facility and services by alerting motorists coming into the market via Highway 50 from South Lake Tahoe. By allowing a new outdoor advertising sign in this corridor as an amendment to the current sign ordinance and with the backing of the Carson City Chamber of Commerce it would seek to promote programs of Historical significance that are important to the vitality of the Downtown core business center. It will improve the quality of life in this core by allowing businesses to advertise goods and services sold prior to the motorist using the new Highway 395 Bypass.

This project meets the requirements of this section based on the environmental facts such as it does not use any water, it protects existing vegetation, it is sited outside of primary floodplains and away from geological hazard areas.

It meets proper setbacks from other signs, public roadways, residential dwellings, and redevelopment areas.

Chapter 4

This chapter is not applicable to this project.

Chapter 5, Economic Vitality

This project through its partnership with the Carson City Chamber of Commerce having a fulltime presence on one of the west faces of this proposed sign will be promoting heritage tourism activities, including the rail museum and other historic resources. This is particularly important due to the impending bypass of Highway 395 at the south end of the City. It will promote business downtown 24 hours a day, 365 days a year. This will diversify the revenue stream into public and private coffers and promote and enhance the diversification of the local economy. This is also a key project in getting the public to recognize the Downtown core and promoting it as such.

Chapter 6, Promote safe attractive and diverse neighborhoods, compact mixed use activity centers, and a vibrant, pedestrian friendly Downtown.

The building materials used are built for a ninety-nine year durability index and incorporate the natural colors of the Nevada landscape in chocolate and light browns. It will provide visual interest at a key Gateway to the City.

By allowing downtown and core businesses and the Chamber of Commerce to promote to the passing motorist on Highway 50 West, the quality of life will be enhanced from a commercial application, and a design application. From the commercial viewpoint Downtown and key historic sites are vital to Carson City's image and economy. This application would allow that message to be installed prior to motorists bypassing the chance to be aware of these opportunities in the marketplace. The design of the City shall be enhanced as this new area with a new sign shall showcase the spirit and vitality the City has to offer. On both a short term and long term basis it will pay huge dividends to the City in greater sales tax generated, downtown core business vitality, and enhanced image of the City in general.

Chapter 7, Promote a sense of Community by linking its many neighborhoods, employment areas, activity centers, parks, recreational centers, and schools with an extensive system of interconnected roadways, multi-use pathways, bike facilities, and sidewalks.

It promotes travel patterns that will direct traffic off Highway 50 to the Downtown business core. This project is certainly a key for the transportation pattern and flow

into the future of the City. By promoting Carson City's key assets to the motorist it furthers the goal for an efficient well planned transportation model.

Question 2) Will the effect of the proposed development be detrimental to the immediate vicinity? To the General neighborhood?

The uses of the neighboring properties are as such:

West: Open space with outdoor advertising signs similar to the sign we are applying for located in Douglas County.

East: Commercial property, Mini Storage, Costco.

North: Open Space owned by BLM.

South: Commercial Buildings, zoned commercial.

This project will produce no dust, odor, vibration, fume, glare (sign lights glare will not extend beyond boundary of proposed property), or physical activity, or additional traffic or hardship for any neighbor. There are no new traffic lights or walkways needed. This sign is similar to uses on the property to the west and will cause no ill effect to any property as it is consistent with the current uses. This sign will benefit the people of Carson City by providing motorists information about cultural events that the Carson City Chamber of Commerce will be promoting 24 hours a day, 7 days a week, 356 days a year for the entire life of the sign. This will promote local business as well that the Chamber deems necessary and deserving of support on the Highway 50 corridor.

Has sufficient consideration been exercised by the applicant in adapting the project to existing improvements in the vicinity?

This project will not affect the School District, student population, Sheriff's Department, Fire Department, Sewer System, Drainage, or Water utilities.

There are no improvements needed to accommodate this project from a roadways aspect. A parking plan is not required as there are no vehicles visiting this sign.

There are no landscaping improvements needed for this project. There will be no property covered by asphalt. The lighting for this project will have two 600 watt lights per side, 4 lights total. The lights will be at a height that will not affect any neighboring properties as the lights will be faced toward the sign only. Our architect

Palmer Engineering Group, along with Carson City Planning Department has assisted us with this information.

Secured Tax Payment Entry 5/06/07 14:40:34 TC0100B

Parcel #..... 009-302-09
 Property Loc... 800 OLD CLEAR CREEK RD
 Billed to..... KUGLER, WILLIAM & COFFEY, C S
 3700 HWY 50 EAST
 CARSON CITY, NV 89701-0000

2007 Roll #...: 009391
 District.....: 1.7
 Tax Service...:
 Land Use Code: 405

Payment Date... 5/08/07 Payor.. KUGLER, WILLIAM & COFFEY, C S

Outstanding Taxes:

Prior Year	Tax	Penlty/Intrst	Total	Amount Paid	Total Due
2004	4,947.11	56.88	5,003.99	5,003.99	
2005	5,007.76	920.55	5,928.31	5,928.31	
2006	5,025.41	764.81	5,790.22	5,790.22	.00
Current Year					No Taxes Owng
08/21	1,344.14	53.77	1,397.91	1,397.91	.00
10/02	1,341.00	134.26	1,475.26	1,475.26	.00
01/02	1,341.00	241.57	1,582.57	1,582.57	.00
03/05	1,341.00	381.70	1,722.70	1,722.70	.00
Totls	5,367.14	811.30	6,178.44	6,178.44	

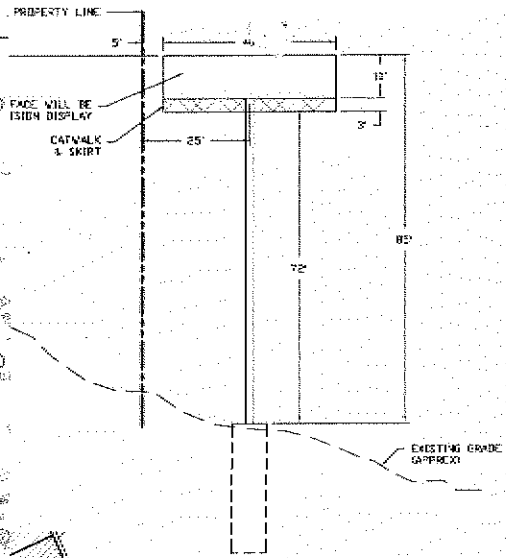
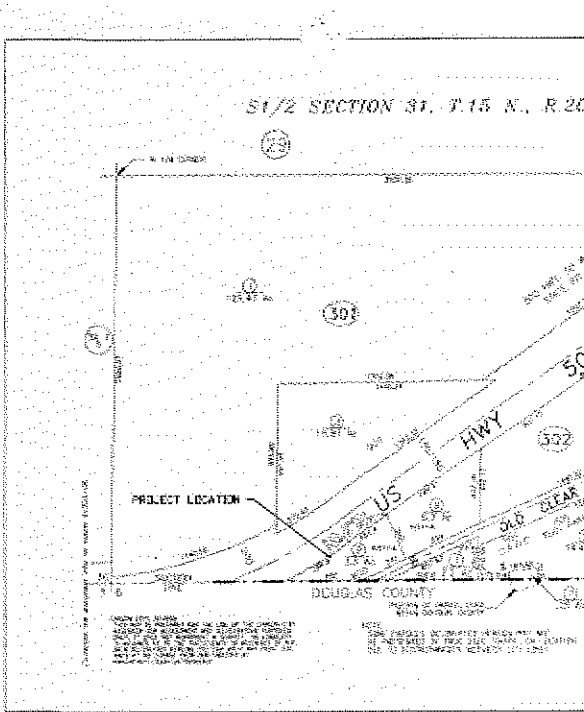
F20=Print Bill
 F5=Notes F9=Adj Pmts F10=Amend
 F12=Cancl F13=Hist F14=Prt Sumry F17=AsrInq

Attn: Matt

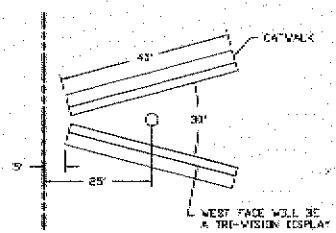
Fax 530-747-0538







SIGN ELEVATION
N.T.S.



SIGN PLAN
N.T.S.

LEGEND

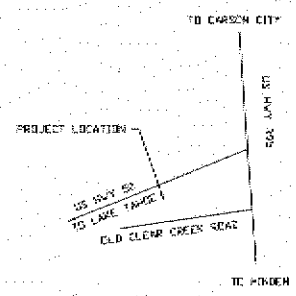
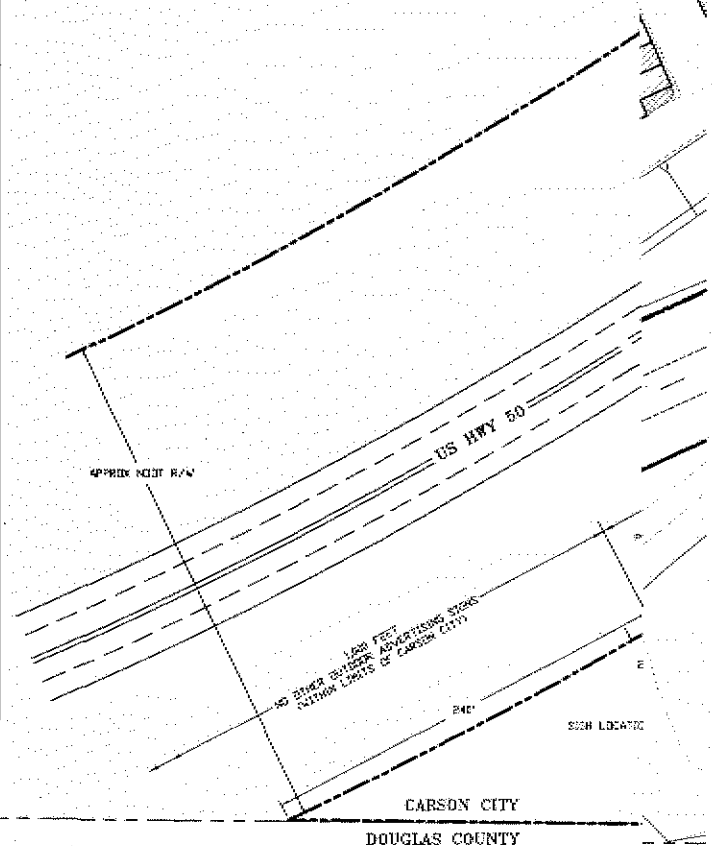
- PROPERTY LINE
- APPROXIMATE NEVADA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY

GENERAL NOTES

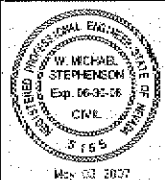
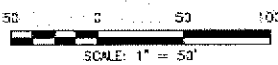
- 1. PROPERTY LINES APPROXIMATE, ONLY

APPLICANT:

MATT REDERS
ROGERS MEDIA COMPANY
1415 EL MENDO DRIVE
JAYVILLE, CA 95638
PHONE: 530-304-5773
FAX: 530-747-0530
EMAIL: MATT@REDERSMEDIA.COM



VICINITY MAP
N.T.S.



Palmer Engineering Group, Ltd.
611 N. Nevada Street
Carson City, Nevada 89703
www.palmer-eng.com
Phone (775) 884-0479
Fax (775) 884-4226

ROGERS MEDIA COMPANY
**CONDITIONAL USE PERMIT
GENERAL ADVERTISING SIGN**
800 OLD CLEAR CREEK ROAD
CARSON CITY, NEVADA, APR 9-302-08

Sheet	1
JOB #	070401
DESIGN BY:	WVS
DRAWN BY:	HR
CHECKED BY:	WVS
DATE:	
FILE:	070401WB.dwg

CARSON CITY PLANNING COMMISSION

Minutes of the June 27, 2007 Meeting

Page 4

regard to large signs. In response to a question, Mr. Foley noted the commercial regional center designation of the property. He explained that if the subject properties were all separate, they would each be entitled to 600 square feet in signage. A special use permit would be required for additional signage, and Mr. Foley reviewed examples throughout town. Discussion followed, and Vice Chairperson Kimbrough expressed concern over signage for the parking garage structure. Mr. Lipkowitz noted the existing banner which will be the same size as proposed signage, but illuminated. He reiterated the directional nature of the signage, and discussion followed with regard to the size of the proposed signage. Commissioner Mullet reiterated concern over the size. Mr. Lipkowitz discussed the importance of signage along Carson Street, particularly once the freeway is completed. Commissioner Mullet commended the project, and expressed the opinion that the property "advertises itself." Vice Chairperson Kimbrough commended Mr. Lipkowitz on his presentation.

Chairperson Peery entertained a motion. **Commissioner Semmens moved to approve SUP-07-059, a special use permit application from Custom Sign and Crane, LLC, to allow the following provisions for signage at a regional / commercial center for Casino Fandango items 1, 2, and 3, regarding changing all the signage for the casino. Commissioner Reynolds seconded the motion.** Mr. Sullivan requested Commissioner Semmens to amend his motion to include the fourth paragraph of the recommended action. **Commissioner Semmens amended his motion to include the following language: all of which are located on property zoned general commercial and multi-family apartment, located at 4000 South Curry Street and 3800 South Carson Street, APNs 009-153-05, -17 and -18, and 009-151-58, based on seven findings and subject to the recommended conditions of approval contained in the staff report. Commissioner Reynolds continued his second.** In response to a question, Mr. Sullivan advised that any new signage proposed for the cinema would require commission review. He provided an overview of and background information on the application. Chairperson Peery called for a vote on the pending motion. **Motion carried 5-2.**

H-3. ZCA-07-074 ACTION TO CONSIDER A ZONING CODE AMENDMENT APPLICATION FROM ROGERS MEDIA COMPANY TO RECOMMEND TO THE BOARD OF SUPERVISORS AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 18, ZONING, CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 4, SIGNS, SECTION 4.8, REQUIREMENTS FOR BILLBOARDS AND OFF-PREMISE SIGNS, SUBSECTION 4.8.3, TO ALLOW A BILLBOARD TO BE PLACED ON THE SOUTH SIDE OF HIGHWAY 50 WEST ALONG A SECTION OF HIGHWAY APPROXIMATELY 3/4 MILE WEST OF SOUTH CARSON STREET WHERE BILLBOARDS ARE CURRENTLY PROHIBITED, ALLOWING A BILLBOARD TO BE PLACED AT 800 OLD CLEAR CREEK ROAD (4:22:44) - Chairperson Peery introduced this item, and Mr. Sullivan provided background information. Mr. Plemel reviewed the staff report in conjunction with pertinent slides. He noted the special use permit application for a specific billboard as agendized at item H-4. He advised of having received no comment as a result of the public noticing process. He noted the letters of support, included in the agenda materials, and the two motions in the staff report.

In response to a comment, Mr. Plemel advised that the 1,000 foot setback is pertinent to surrounding billboards. In response to a question, he advised that the 1,000 foot setback would not be pertinent to billboards in adjacent counties. He estimated the proposed location is 500 feet from a billboard located in Douglas County. He advised that the billboard meets Nevada Department of Transportation setback requirements. Mr. Sullivan reiterated that the Carson City sign ordinance is not pertinent to other counties.

CARSON CITY PLANNING COMMISSION

Minutes of the June 27, 2007 Meeting

Page 5

(4:38:32) Matt Rogers, of Rogers Media Company, acknowledged having reviewed the staff report and his agreement with the same. He advised that the separation between the proposed billboard location and a billboard sign in the next county is 478 feet. He provided background information on the proposal, and advised that a key facet of the project is completion of the freeway bypass. The westerly face of the sign, coming from Lake Tahoe, being dedicated to the Carson City Area Chamber of Commerce "is a lifetime commitment" made by the company for direction from the freeway "to all the services and amenities downtown" and throughout Carson City. He acknowledged possible difficulties associated with requesting a zoning code amendment, but noted the benefit of directing traffic into Carson City's downtown core.

Chairperson Peery opened this item to public comment. (4:42:01) Carson City Area Chamber of Commerce Executive Director Ronni Hannaman provided background information on the proposal. She discussed concerns associated with the freeway bypassing Carson City. She noted that the sign will benefit all City business owners and proprietors. She expressed the opinion that the proposed zoning code amendment represents a "win-win situation for Carson City, for the Chamber, for the Visitors Bureau, and for all of the downtown businesses." In response to a question, she advised that the proposed billboard sign would serve as gateway signage for Carson City. In response to a further question, she described the signage design.

Carson City Business Development Director Joe McCarthy provided background information on the proposed zoning code amendment and the proposed billboard. He expressed support for the zoning code amendment.

Commissioner Mullet expressed opposition to billboards in general, and the opinion that the subject billboard is no different than any other. He suggested that once the branding / logo process is complete, the proposal would be more palatable. Mr. McCarthy advised of not having been aware of the subject opportunity as of six months ago. He acknowledged the importance of managing clutter, and that billboards have that reputation. He expressed the opinion that the proposal represents an alternative to the particular space that will be "visually attractive and a celebration of what's special about Carson." Commissioner Semmens expressed opposition to billboards in general, and concern over amending the code to which the commission has adhered "throughout the years regarding billboards." He expressed agreement with Commissioner Mullet's comments, and the opinion the billboard will represent "another piece of clutter." He agreed with the importance of directing people to the downtown corridor, but expressed the opinion that the freeway should be first completed prior to considering a billboard in the proposed location. Chairperson Peery expressed concern over establishing a precedent "as well as the blight that it would add to in terms of comparatives to other billboards." Commissioner Reynolds noted the various arguments against billboards during his service as a Planning Commissioner. He advised of having participated in many meetings regarding the freeway bypass, as a Regional Transportation Commissioner, and discussed the number one concern of business owners and proprietors that it will be "a pipeline for traffic to Reno." He reviewed NDOT signage regulations for along the freeway. He advised of having considered the proposal, and suggested the proposed billboard "might be the one thing ... that might help direct a certain percentage of traffic to the downtown and ... Carson Street." He commended the media company on the proposal which helps the community. He suggested considering the proposal in that there are no other places in town, other than Highway 50, where billboards are allowed. He expressed the opinion that the proposed signage is needed at this time.

Mr. Oueilhe cautioned the commissioners that amending the sign ordinance, based on the content of the proposed billboard sign or the presentations could be considered arbitrary and capricious. He responded to questions of clarification. Mr. Sullivan noted three billboard sites in Douglas County, and reiterated that the 1,000-foot setback applies only internally to Carson City. He acknowledged that the Carson City

CARSON CITY PLANNING COMMISSION

Minutes of the June 27, 2007 Meeting

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Municipal Code currently prohibits construction of a sign in the proposed location. The proposed amendment would "make that one site legal." In response to a question, Mr. Sullivan advised that any additional proposal would require an additional code amendment. He acknowledged that the existing sign pilings in no way imply a grandfather situation.

In response to a question, Mr. Oueilhe acknowledged the quandary associated with approving a billboard sign so close to the county line in that Carson City has no jurisdiction over the adjacent county. In response to a further question, he explained the plain language of the ordinance indicates no billboard shall be placed within 1,000 feet of another billboard.

Chairperson Peery called for additional public comment. (5:07:02) Jed Block acknowledged difficulties experienced by small business owners in the downtown area. He expressed concern regarding vacant buildings, and support for a sign which would promote tourism and business patronage in Carson City. He requested the commissioners to keep in mind that the proposed signage would serve merchants in Carson City. He agreed "billboards are ugly," but suggested that proper use of billboards may be better than vacant buildings. Commissioner Semmens discussed changes which are usually brought about by construction of freeway corridors. Mr. Block noted the great opportunity represented by the proposal.

(5:12:47) George Wendell expressed agreement with the comments presented by Ms. Hannaman and Mr. McCarthy. He advised of having resided in Carson City most of his life. He strongly suggested that the commissioners set aside their personal opinions about billboards and consider the proposal as a "tremendous communication tool." He discussed Carson City's quality of life, and noted strong objections, by business owners, to the freeway bypass over the years because of concerns that it will divert commerce away from Carson City to Reno. He suggested the subject proposal represented an opportunity to make a "minor adjustment to an ordinance ... allowing the development of a communication tool directing the general public, tourists, into Carson City." He referred again to Ms. Hannaman's and Mr. McCarthy's comments, and reiterated the importance of quality of life, development, and redevelopment in Carson City. He reiterated the opinion that the proposed amendment represents a "minor adjustment for something that has the potential of really affecting the quality of life in Carson City."

Chairperson Peery called for additional public comment and, when none was forthcoming, entertained additional comments, questions, or a motion of the commissioners. Vice Chairperson Kimbrough commented "this is one of the most creative things I've ever seen from a sign company to sit in here and change the whole debate over an amendment to us not liking the City or not wanting the City to prosper." He expressed the opinion that Mr. McCarthy "has a lot of talent, a lot of creativity, and ... they can think of a better way than bringing a billboard in front of this group and that method that makes us feel like we're kicking the puppy again." He advised that the commission has nothing against downtown, and acknowledged the importance of bringing more traffic downtown. He further advised of having dealt with the "billboard issue" since the beginning of his commission service. He expressed concern that the subject proposal represents "no end" to the potential for billboards in Carson City. He discussed comments from Scenic America representatives regarding the three billboard signs along Highway 50 West. He expressed opposition to the proposed amendment.

Commissioner Mullet expressed concern over lost opportunities, referring as an example to the former V&T roundabout on Stewart Street. He agreed with the importance of directing commerce to the downtown. He expressed concern over "changing the rules again," and agreed with previous comments that the commission had been assured there were a limited number of remaining billboard sites. He expressed support for downtown businesses. Commissioner Semmens discussed the number of Douglas

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County residents who travel through Carson City each day on the way to work in Reno. Chairperson Peery reiterated concern over "setting a curious precedent" and expressed additional concern that the subject amendment "smacks of spot zoning." He entertained a motion. **Commissioner Semmens moved to recommend to the Board of Supervisors denial of ZCA-07-074, an ordinance amending the Carson City Municipal Code to allow a billboard to be placed on the south side of Highway 50 along a section of highway approximately 3/4 mile west of South Carson Street, based upon the findings for denial contained in the staff report. Commissioner Bisbee seconded the motion. Motion carried 6-1.**

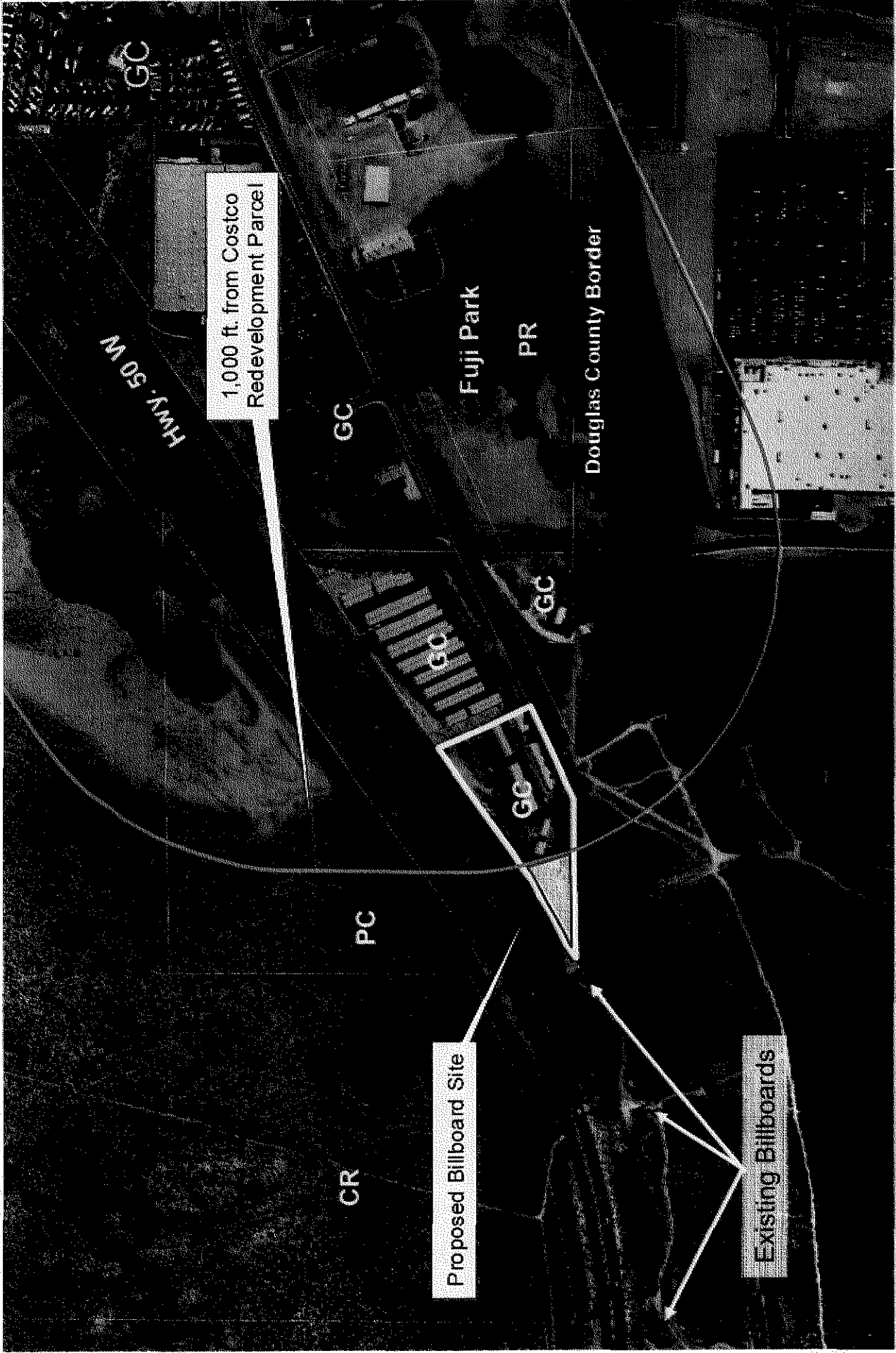
*** H-4. SUP-07-075 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM ROGERS MEDIA COMPANY (PROPERTY OWNER: WILLIAM KUGLER) TO ALLOW A BILLBOARD, ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT 800 OLD CLEAR CREEK ROAD, APN 009-302-09 (5:22:44) - Chairperson Peery introduced this item. Mr. Plemel reviewed the staff report, noted the condition requiring approval of the zoning code amendment, and the findings for denial.**

(5:24:38) In response to a question, Mr. Rogers expressed agreement with the staff report and disagreement with the commission's action on the last item. In response to a question, Mr. Sullivan explained the appeal procedures to Mr. Rogers. Mr. Rogers expressed appreciation for Vice Chairperson Kimbrough's comments regarding the applicant's creativity. He advised that "Scenic America is not exactly the most friendly group toward outdoor advertising." Mr. Oueilhe cautioned the commission against straying from the agenda item.

Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained additional comments, questions, or a motion. **Commissioner Semmens moved to deny SUP-07-075, a special use permit application from Rogers Media Company, property owner William Kugler, to allow a billboard, on property zoned general commercial, located at 800 Old Clear Creek Road, APN 009-302-09, based on the findings for denial contained in the staff report and the previous item's staff report. Vice Chairperson Kimbrough seconded the motion. Motion carried 7-0. Mr. Sullivan reiterated the appeal procedures. Chairperson Peery recessed the meeting at 5:30 p.m. and reconvened at 5:41 p.m.**

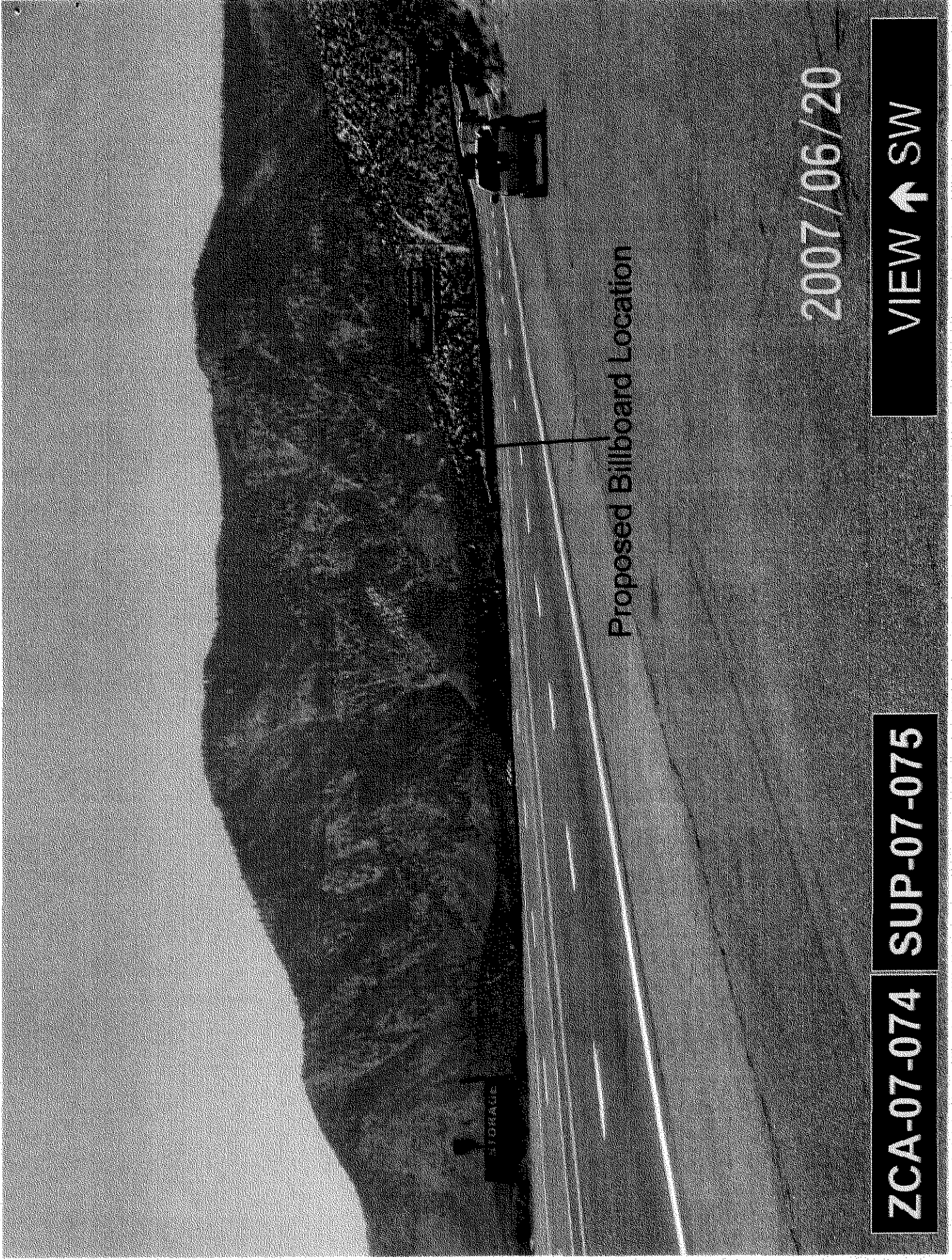
H-5. VAR-07-053 ACTION TO CONSIDER AN APPLICATION FOR A VARIANCE FROM DARRYL HARRIS, OF RESOURCE CONCEPTS, INC. (PROPERTY OWNER: BRINSON, BETTY REVOCABLE TRUST), TO VARY THE REQUIRED MINIMUM FRONT AND REAR SETBACKS FROM 20 FEET TO 10 FEET FOR EXISTING STRUCTURES IN ORDER FOR THE APPLICANT TO DIVIDE THE PARCEL INTO THREE PARCELS, ON PROPERTY ZONED RESIDENTIAL OFFICE (RO), LOCATED AT 920 NORTH MINNESOTA STREET, APN 001-201-03 (5:41:31) - Chairperson Peery introduced this item. Ms. Pruitt advised that the applicant had submitted a written request for continuance, and had paid the required fee. Planning Division staff will meet with the applicant and the property owner this week to discuss the matter further.

Chairperson Peery called for the applicant; however, the applicant was not present. He opened this item to public comment and, when none was forthcoming, entertained comments, questions, or a motion of the commissioners. **Commissioner Semmens moved to continue item H-5, VAR-07-053, to the July commission meeting. Commissioner Reynolds seconded the motion. Motion carried 7-0.**



ZCA-07-074 SUP-07-075

Aerial View



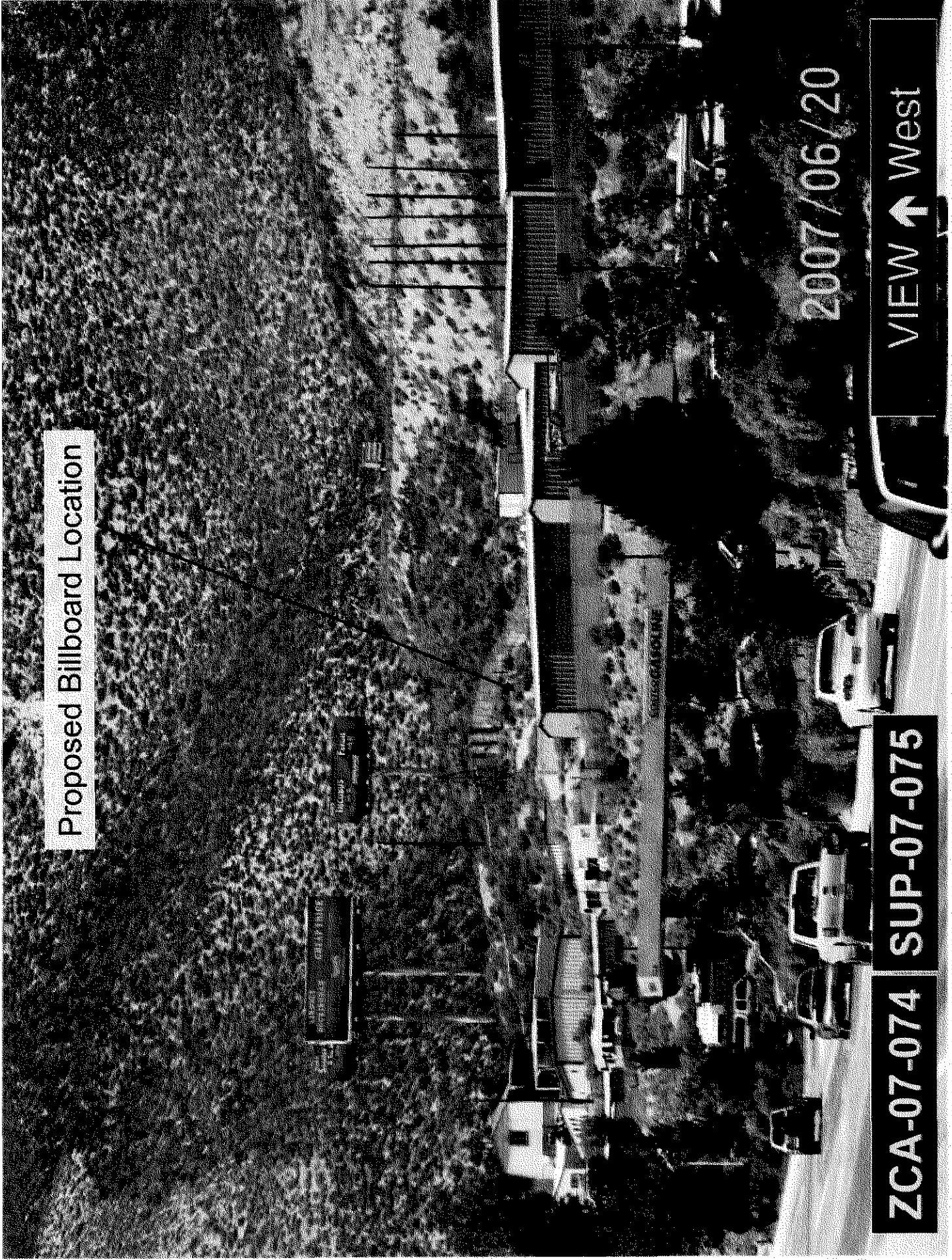
Proposed Billboard Location

2007/06/20

ZCA-07-074 | SUP-07-075

VIEW ↑ SW

Proposed Billboard Location



2007/06/20

ZCA-07-074 | SUP-07-075

VIEW ↑ West