

CARSON CITY REGIONAL PLANNING COMMISSION
Minutes of the July 28, 1999, Meeting
Page 1

A regularly scheduled meeting of the Carson City Regional Planning Commission was held on Wednesday, July 28, 1999, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 3:30 p.m.

PRESENT: Chairperson Verne Horton, Vice Chairperson Allan Christianson,
and Commissioners William Mally, Alan Rogers, Roger Sedway, and
Richard Wipfli

STAFF PRESENT: Community Development Director Walter Sullivan, Health
Director Daren Winkelman, Deputy District Attorneys
Melanie Bruketta and Neil Rombardo, Senior Planners Sandra Danforth and
Juan Guzman, Engineer John Givlin, and Recording Secretary Katherine McLaughlin (R.P.C. 7/28/99 Tape 1-0001)

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

A. ROLL CALL, DETERMINATION OF A QUORUM AND PLEDGE OF ALLEGIANCE -
Chairperson Horton convened the meeting at 3:35 p.m. Roll call was taken. A quorum was present although Commissioner Mally had not yet arrived and Commissioner Larkin was absent. Chairperson Horton lead the Pledge of Allegiance.

B. COMMISSION ACTION - DISCUSSION AND ACTION TO APPROVE MINUTES (1-0012) -
None.

C. PUBLIC COMMENTS (1-0015) - None.

D. MODIFICATIONS TO THE AGENDA (1-0022) - Community Development Director Sullivan requested Item G-3 be continued to a special meeting to be held on either August 8 or 9 at approximately 12 or 12:15 p.m. Chairperson Horton ruled that the Commission would act on the request when the agenda item is reached. (1-1879) Chairperson Horton indicated that Item G-11 would be taken after Items G7 and 8.

E. DISCLOSURES (1-0038) - Commissioner Sedway noted his employment with the Hospital and indicated that he would recuse himself when Items G-14a. and b. are considered.

F. CONSENT AGENDA (1-0048)

F-1. S-97/98-3(a) - DISCUSSION AND ACTION ON A REQUEST FROM RICHLAND HOMES
F-2. U-97/98-56 - DISCUSSION AND ACTION ON THE ANNUAL REVIEW OF A
PREVIOUSLY APPROVED SPECIAL USE PERMIT FROM VINCE SAVER

F-3. U-97/98-63 - DISCUSSION AND ACTION ON A REQUEST FROM SILVER STATE
CONSULTANTS FOR A ONE-YEAR EXTENSION OF A PREVIOUSLY APPROVED SPECIAL USE
PERMIT

F-4. U-97/98-54 - DISCUSSION AND ACTION ON A REQUEST FROM LUMOS AND
ASSOCIATES FOR A ONE-YEAR EXTENSION OF A PREVIOUSLY APPROVED SPECIAL USE
PERMIT

F-5. U-98/99-38(a) - DISCUSSION AND ACTION ON A REQUEST FROM RICHLAND HOMES
TO AMEND A PREVIOUSLY APPROVED SPECIAL USE PERMIT

F-6. U-79-6 - DISCUSSION AND ACTION ON A REQUEST FROM PAUL GIANOLI, BRANCH
MANAGER, GRANITE CONSTRUCTION COMPANY, TO ALLOW THE CONTINUANCE OF A
SUSPENDED AND VALID SPECIAL USE PERMIT FOR A BATCH PLANT - Commissioner Wipfli moved
to approve the Consent Agenda as read. Commissioner Christianson seconded the motion. Motion carried 5-0-0-

2. (Commissioner Mally arrived just after the vote--3:40 p.m. A quorum was present as previously indicated.)

G. PUBLIC HEARINGS (1-0065)

G-1. M-98/99-14 - DISCUSSION AND ACTION ON THE AMENDMENT OF CCMC 18.03.350 and 18.03.625 - Senior Planner Sandra Danforth - Public comments were solicited but none were given. Commissioner Rogers moved to approve the amendment to Chapter 18 for the hotel definition as recommended by staff. Commissioner Christianson seconded the motion. Following a request for an amendment, Commissioner Rogers amended his motion to include and recommend approval by the Board of Supervisors. Commissioner Christianson concurred. Following a second request for an amendment, Commissioner Rogers withdrew his motion and moved to approve and recommend the Board of Supervisors approve M-98/99-14--Hotel Definition 18.03.350 and Transient Occupancy Definition 18.03.625 as recommended by staff. Commissioner Christianson seconded the motion. Motion carried 6-0.

G-2. V-99/00-2 - DISCUSSION AND ACTION ON A VARIANCE REQUEST FROM JUDY AND JOHN STEPHENSON (1-0141) - Senior Planner Danforth, Judy Stephenson - Mrs. Danforth amended Condition 6 to read: The approval is for a maximum 324 square foot attached garage and 704 square foot addition with the architectural design as submitted in the application, not to exceed a two foot variance into the required 20 foot setback. Ms. Stephenson had read the staff report and concurred with it. Public testimony was solicited but none given. Commissioner Christianson moved to approve V-99/00-02, a variance request from Judy and John Stephenson to vary from the required 20 foot street-side yard setback to allow an 18 foot street-side yard setback in a Single Family One Acre zoning district located at 1260 East Roland Street, APN 9-219-15, based on five findings and subject to six conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission or Board by the applicant may be considered as further stipulations or conditions of approval on this application. Commissioner Wipfli seconded the motion. Motion carried 5-1-0-1 with Chairperson Horton voting Naye and Commissioner Larkin absent. .

G-3. V-99/00-3 - DISCUSSION AND ACTION ON A VARIANCE REQUEST FROM RONALD FOSNAUGH (1-0238) - Commissioner Wipfli moved to continue G-3 regarding V-99/00-3 to the next special meeting as requested. Commissioner Christianson seconded the motion. Reasons for requesting a continuance and having the special meeting were provided. The motion to approve the continuance was voted and carried 6-0.

G-4. U-99/00-5 - DISCUSSION AND ACTION ON A SPECIAL USE PERMIT APPLICATION FROM PAUL WEHMEIER (1-0258) - Senior Planner Danforth; Applicant's Representatives Carol Dotson and Glen Martel from Lumos and Associates; Donna Kuester; Deputy District Attorney Melanie Bruketta - Discussion between the staff and Commission indicated that there are two separate property owners involved with the shopping center and that K-mart has separate lighting standards and restrictions. Ms. Dotson explained the project and architectural renderings of the buildings, their uses, the site plan, the landscaping, circulation patterns, and amenities. Eight of the ten acres will be used for parking with landscaping. The landscaping includes 80 trees and exceeds the standards/Code requirements. There is 30,000+ square feet of landscaping. Landscaping with trees and plants will be placed along the southern portion of the wall. This had been part of K-Mart's conditions of approval. The air conditioning units will not pose a noise pollution problem as they will be used to cool dry goods, speciality shops. K-Mart requires large refrigeration components due to the perishable merchandise and commodities it sells. Efforts to mitigate noise from the smaller air conditioning units included a 60 foot setback with landscaping and trees. The adjacent three story office buildings may also provide some mitigation. There will be an eight foot sound wall fence. The air conditioners will be screened if they are roof-mounted. Lumos and Associates will work with the architects on the final design and will include noise mitigation measures. The applicant had reviewed the staff report and concurred with the findings and conditions. Discussion between the Commission and Lumos and Associates indicated that the trees will be appropriate for the area and will be maintained. The western building will eliminate the vehicular "short-cut" around K-Mart. The drainage ditch is K-Mart's responsibility. Pavia is most interested in keeping it and all of K-Mart's areas maintained and will work with staff to obtain compliance. College Parkway's sewer line is nearing capacity, however, Utilities Engineer David Merrill had purportedly indicated that it may be able to handle the service demand required for the shopping

center. The demand and service availability will be verified. The traffic barriers on Carson Street will remain as indicated in the original traffic analysis.

(1-0585) Public testimony was solicited. Ms. Kuester appreciated Lumos and Associates efforts to address the neighborhood concerns before problems arise. She recommended the air conditioning units be placed on the ground at the front of the buildings due to the noise problems experienced with K-Mart. Silver Oaks had promised trees along both sides of the block wall. She questioned when this would occur. The discussion had indicated trees would be placed only on the Pavia side of the wall. Additional public comments were solicited but none given.

Mr. Martel explained his reluctance to commit to ground air conditioner units and expressed a willingness to work with staff on this issue. Trees will only be planted on Pavia's property even though K-Mart had agreed to install the trees in the same area. He could not answer for the property owners on the south and west sides of the wall. Mr. Sullivan requested Mrs. Danforth and Mr. Guzman check the K-Mart conditions and follow-up on the requirement(s). He agreed to work with Ms. Dotson and Mr. Martel on Ms. Kuester's issues and recommendation. Mr. Sullivan felt that the question regarding trees on both sides of the wall could be answered by August 2.

Commissioner Mally moved to approve U-99/00-5, a special use permit request from Paul H. Wehmeier, property owner: Pavia Associates, to allow as a conditional use construction of a shopping center exceeding 50,000 square feet in size and approval of a special use permit for the expansion of the existing Super K-Mart shopping center for the site to allow for approximately 80,000 square feet of retail commercial space consisting of four pads on property zoned Retail Commercial--Planned Unit Development located at the southwest corner of North Carson Street and West College Parkway on APN 7-462-06 based on seven findings and subject to 16 conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission or Board by the applicant may be considered as further stipulations or conditions of approval on this application. Commissioners Wipfli and Christianson seconded the motion. Discussion ensued between Commissioners Mally and Rogers concerning whether to add a 17th condition requiring that the air conditioners be ground mounted or to allow staff and the applicant to work together on the type of noise mitigation program(s) which should be implemented. Ms. Dotson explained her discussion with the architects which indicated that there are various mitigation measures that could be used to address the noise problem other than the suggested ground mounting. The final design has not yet been developed. There may be other processes which will reduce the noise even more than ground mounting. Without proper screening and noise abatement materials, ground mounted air conditioning units can be noisy. Commissioner Christianson pointed out that the K-Mart units are used for different purposes than that proposed for the center and that the proposed units are much quieter. Ms. Dotson agreed. Commissioner Mally expressed his desire to keep the motion as stated. Commissioner Rogers felt that the same statements had been made regarding K-Mart's roof mounted units. He realized that there are differences in the the locations which effect the noise factors. He was not opposed to the project, which he felt was a good project, however, without some direct consideration and conditions, he would vote against it in case it comes back to the Commission. Commissioner Sedway suggested as an alternative that the condition applied to the Hospital's chillers be used. This condition had stipulated a specific noise decibel reading within a specified distance from the facility. Discussion felt that the reading had been 55. The distance was unknown. Staff should verify the condition and determine an acceptable reading. **Commissioner Mally accepted this alternative** and explained his concern with placing the units on the ground as being the elimination of space and the lack of knowledge related to the building's parameters. He preferred to have staff work it out with the applicant. **Commissioner Mally amended his motion to include an additional condition requiring the applicant to meet with staff and determine an appropriate location. Commissioner Wipfli expressed his support for the original motion but indicated concurrence with the amendment. The motion as amended was then voted and carried 6-0.**

BREAK: A ten minute recess was declared at 4:25 p.m. A quorum of the Commission was present when Chairperson Horton reconvened the session at 4:35 p.m. Commissioner Larkin was absent as previously indicated.

G-5. U-99/00-8 - DISCUSSION AND ACTION ON A SPECIAL USE PERMIT APPLICATION FROM CHARLES AND TAMARA NOFTSKER (1-0775) - Senior Planner Juan Guzman, Community

Development Director Walter Sullivan, Health Director Daren Winkelman, Charles Noftsker, Gene Todarello, Lonnie Johns - Mr. Guzman's introduction included a request to modify the permit to be valid for two years rather than the recommended five. Discussion between Mr. Guzman and the Commission indicated that the applicant had agreed to comply with the setback requirements, which were explained for the side and rear yards, and the site distance. Annual physician statements are required. A two year old statement had been submitted with the application. Mr. Sullivan explained staff's requirement that an updated statement be provided. If any letter indicates the assistance is no longer required, the Commission will reconsider the need and action. He then explained Condition 8. Discussion also noted the disagreement between an out-of-state property owner and the tenant concerning the proposed use and the landlord's statements of opposition. Mr. Winkelman's concerns were described. Clarification explained the Code sewer connection requirements.

(1-1035) Mr. Noftsker explained his application and his wife's need for medical assistance. He indicated he had received a new medical letter. (This letter was given to the Clerk and Community Development after the vote. A copy is in the file.) Photographs of the property were given to the Commission. (The photographs were given to Mr. Guzman after the vote.) Mr. Noftsker had purportedly complied with the setback requirements as indicated by his measurements, which he described. A smoke detector had been installed in the mobile home. He had not complied with the 150 percent bond for the disconnection and the sewer. He had applied for the sewer permit. He expressed a willingness to comply with any other concerns the Commission so desired.

Public testimony was solicited. Both Messrs. Todarello and Johns supported the application. The location should not cause a sight problem for neighbors backing out of their properties. Mr. Johns recommended a condition be added indicating that when the medical reason is no longer valid, the permit will be withdrawn. This will eliminate a potential permanent residence.

Mr. Noftsker felt that the letter of objection from the neighbor two doors north of his residence had been against the neighbor between them. Additional public testimony was solicited but none given.

Discussion between Commissioner Mally and Mr. Sullivan indicated that the permit will be pulled during the annual review if the condition no longer exists. Mr. Noftsker indicated that he understood this condition and that he would notify Community Development immediately if the permit is no longer required. He then stipulated that if the permit is no longer needed that he would initiate action to void it. Commissioner Mally moved to approve U-99/00-8, a special use permit for Charles and Tamara Noftsker based on seven findings and subject to six conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission or Board by the applicant may be considered as further stipulations or conditions of approval on this application. Commissioner Sedway seconded the motion. Motion carried 6-0.

G-6. V-99/00-4 - DISCUSSION AND ACTION ON A SPECIAL USE PERMIT APPLICATION FROM MARK LUNSTRUM (1-1188) - Senior Planner Guzman, Deputy District Attorney Neil Rombardo, Mark Lunstrum, Senior Engineer John Givlin, Mary Edwards, Senior Engineer John Givlin, Community Development Director Walter Sullivan, Shirley Hammon, Property Owner Don Enea, Joe Hammon - Discussion noted the agenda error. The application is for a variance. Legal concerns related to the Open Meeting Law were discussed by staff and the Commission. Mr. Guzman felt that the public telephone calls regarding this item had clearly understood the application was for a variance. Mr. Rombardo advised the Commission to continue the matter. Commissioner Rogers suggested the item be added to the agenda for the special meeting.

BREAK: A recess was declared at 5:05 p.m. A quorum of the Commission was present when Chairperson Horton reconvened the meeting at 5:12 p.m. although Commissioner Larkin was absent as previously indicated.

Mr. Guzman explained his discussion with the applicant who had requested the item be decided this evening. The applicant had been made aware of the liability concerns if the matter is appealed to the courts. Mr. Guzman apologized for the error. Messrs. Guzman and Rombardo then explained the Code mandated timeframe of 65 days for consideration of variances. Mr. Guzman indicated that the special meeting is within the mandated timeframes. Commissioner Christianson expressed concern about the precedence which would be established if the Commission heard the application today. Commissioner Rogers voiced his willingness to consider the issue as

the item could be appealed to the Board of Supervisors who can litigate the issue regarding the notice. Discussion indicated the applicant's attendance at the special meeting would pose a hardship for him. Commissioner Christianson then supported hearing the item.

Mr. Guzman then explained the variance request, the discovery that the carport was in the setback, the staff's recommendation, the findings, and the telephone conversation in opposition to the request. Mr. Lunstrum had read the staff report and concurred with it. He also described the posts and beams.

(1-1491) (1-1625) (1-1753) (1-1799) Public testimony was solicited. Opposition to the project was due to traffic safety concerns. (1-1669) Commissioner Rogers explained the issues which the Commission could consider as part of the safety issues. As the sight distance is maintained, the applicant must exercise due caution and avoid the street traffic, not vice versa, when exiting the driveway/carport. Ms. Hammon felt that the carport posts create a blind spot for drivers. (1-1760) Mr. Hammon asked the City to verify the distance from the curb to the carport post, which he felt was two feet. Mr. Guzman explained that in order to verify the alignment, a survey would be required. Sightings off other improvements along the street had indicated to him that the drawing and alignment were correct. He also felt that the applicant's renderings were correct.

(1-1525) Mr. Givlin indicated that there are no obstructions within the sight distance triangle for the applicant's corner lot. He agreed that a five foot fence would not be allowed within the sight distance triangle. Neither Mr. Givlin nor Mr. Guzman were aware of a fence being along either the front or side of the property. Mr. Guzman indicated there is a fence along the rear of the property. It does not encroach into the sight distance triangle. Discussion between the Commission and Mr. Givlin explained that the property line is approximately five feet behind the face of the curb. Mr. Givlin did not believe that this area had been abandoned. The map indicated the property line is ten feet from the face of the curb. Mr. Sullivan also indicated the area had not been abandoned. The hardship is created by the property line setback as well as the ten foot public right-of-way which he felt created a double setback. Mr. Guzman submitted photographs to the Commission illustrating similar structures within the area which Mr. Lunstrum had purportedly submitted with his application. (The photographs were returned to Mr. Guzman after the vote.) Chairperson Horton indicated the photographs substantiate the fact that there are several similar structures within the area. Mr. Guzman was unaware of the circumstances surrounding their construction, i.e., whether special use permits or variances were required. He felt that the photographs support the applicant's contention that the area's character includes similar structures which are adjacent to the property/setback line. He had made a similar discovery when analyzing the neighborhood. This unique character appears to be found throughout older neighborhoods in Carson City.

(1-1702) Mr. Enea explained the reasons for selecting the proposed site for the carport and agreed that the traffic concerns on San Marcus were valid. Part of the problem is created by the neighbor parking his/her truck on the street and by speeding traffic. Reasons for needing the carport were noted. The building inspector had made an error in approving the plans which was discovered after construction began. He felt that it was unfair to penalize the homeowner for this error. The same is true regarding the agenda error.

(1-1785) Discussion between Mr. Guzman and Commissioner Mally indicated the applicant parks vehicles in the area designated for a carport at this time. Commissioner Wipfli expressed his feeling that the hardship had been self-imposed. The photographs illustrate several structures which would not have passed Code requirements. He felt that there is adequate space at the rear of the lot which provides other options. Commissioner Rogers explained his personal inspection of the property and supported the applicant's drawing. Mr. Lunstrum indicated that the signed building permit contained the distances as measured by the building inspector. It indicates there is 12 feet between the curb and carport. Chairperson Horton and Mr. Lunstrum felt that this assured the Commission that there is 12 feet between the curb and carport. Commissioner Rogers moved to approve V-99/00-4, a variance request from Mark Lunstrum, property owners Don and Doris Enea, to vary from the minimum street side yard setback requirement on property zoned Single Family 6000 located at 600 San Marcos Drive, APN 3-042-21, based on five findings and subject to six conditions of approval contained in the staff report. Commissioner Sedway seconded the motion. Due to confusion on the vote, the motion was voted by roll call with the following result: Sedway - Yes; Mally - Yes; Wipfli - No; Christianson - No; Rogers - Yes; Horton - Yes; and Larkin - Absent. Motion carried 4-2-0-1.

G-7. AB-99/00-1 - DISCUSSION AND ACTION ON A REQUEST FROM ROGER L. SHAHEEN FOR AN ABANDONMENT (1-1875) - Community Development Director Walter Sullivan - The applicant was not present. Public testimony was solicited but none given. Commissioner Wipfli moved to approve a motion to recommend that the Board of Supervisors approve application AB-99/00-1 an abandonment request from Roger L. Shaheen for an area consisting of approximately 20,901 square feet described as being 50 feet in width by 442.24 feet in length located along the south property line of APN 8-132-05 based on three findings and subject to three conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission by the applicant may be considered as further stipulations or conditions of approval on this application. Commissioner Mally seconded the motion. Motion carried 6-0. (Commissioner Mally stepped from the room after the vote--5:48 p.m. A quorum was still present.)

G-8. U-99/00-2 - DISCUSSION AND ACTION ON A SPECIAL USE PERMIT APPLICATION FROM WILLIAM R. LEWIS (1-1952) - Community Development Director Walter Sullivan, Chief Juvenile Probation Officer William Lewis - Ganther and Melby Representatives John Ganther and Scott Frost were present to answer any questions. Public testimony was solicited but none given. Commissioner Christianson moved to approve U-99/00-2, a special use permit from Bill Lewis and John Berkich to allow a new office building and remodeling of the current office building for the Juvenile Probation Program located at 1545 East Fifth Street, Carson City, Nevada, APN 4-021-10, based on seven findings and subject to five conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission or Board by the applicant may be considered as further stipulations or conditions of approval on this application. Commissioner Sedway seconded the motion. Motion carried 5-0-0-2 with Commissioners Mally and Larkin absent. (Commissioner Mally returned after the vote--5:52 p.m. A quorum was present although Commissioner Larkin was absent as previously indicated.)

G-11. M-99/00-1 - DISCUSSION AND ACTION ON A REQUEST FROM COMMUNITY DEVELOPMENT DEPARTMENT TO THE REGIONAL PLANNING COMMISSION TO REVISE AND INITIATE POSSIBLE AMENDMENTS TO THE CARSON CITY MASTER PLAN LAND USE ELEMENT MAP (1-2095) - Community Development Director Walter Sullivan, Lonnie Johns, Deputy District Attorney Neil Rombardo - Mr. Sullivan's introduction explained the error on the land use map to which Senior Planner Guzman pointed. The revision will amend the map to reflect the discussions/commitments to restrict the Office zone to a depth of two lots north of Fleischmann, add the Senior Center, Environmental Health/Public Health offices, and the Hospital Rehabilitation Center to the Public zone, and commence the discussion concerning the zoning along the freeway corridor. Comments also pointed out the need to revise the map colors as the "purple line" which had been used as a reference point for the boundary of the infrastructure/city service area had faded. Comments emphasized that the medical office zone would not be included in the revision. Mr. Sullivan had committed to a Mrs. Rice that the amendment would be restricted to the two issues indicated. Chairperson Horton pointed out that the proposal will reduce the office district in that area. Mr. Sullivan agreed and noted that the revision is classified as a master plan amendment and not a change of zoning.

Public testimony was solicited. Mr. Johns felt that the error could be corrected by staff without having to go through the amendment process. He urged the Commission to live up to its agreement with the public. Commissioner Christianson agreed that the area was to extend two lots north of Fleischmann. The commitment was not as indicated on the map. The process will correct this error. Additional public comments were solicited but none given. Chairperson Horton closed public testimony.

Discussion between Mr. Rombardo and the Commission indicated that CCMC 18.02.114 indicates the illustrated map and other items are part of the master plan and supported the recommended procedure for correcting the error. Chairperson Horton assured the public that the proposal would correct the error to match everyone's understanding. Clarification indicated that the error had included everything from Fleischmann to Long Street. Commissioner Rogers moved pursuant to CCMC 18.02.116 Subparagraph 2, Initiation of Amendments, that the City Regional Planning Commission initiate possible amendments and discussion of the City's Master Plan Land Use Element and to direct Community Development staff to return to the Regional Planning Commission with recommendations to the City Master Plan Land Use Element Map specifically involving the Office/Medium Density Residential area generally bounded by Mountain Street, Fleischmann Way, Division Street, and Long

Street, the area generally bounded by Roop, Beverly, Marian and Longs Streets from Medium and High Density Residential to Public Community and a discussion regarding the U.S. 395 Freeway Bypass Corridor and its appropriate land uses. Commissioner Christianson seconded the motion. Motion carried 6-0. (Following the vote, Commissioner Sedway stepped from the room--6:12 p.m. A quorum was still present although Commissioner Larkin was also absent.)

G-9. U-99/00-3 - DISCUSSION AND ACTION ON A SPECIAL USE PERMIT APPLICATION FROM STEVE KASTENS, CARSON CITY PARKS AND RECREATION (1-2604) - Community Development Director Walter Sullivan, Parks and Recreation Director Steve Kastens - (Commissioner Sedway returned during Mr. Sullivan's introduction--6:15 p.m. A quorum of the Commission was present although Commissioner Larkin was absent as indicated.) Mr. Sullivan's introduction explained that the park was zoned conservation reserve which includes the permit use as a park. Therefore, the special use permit is not required. Discussion noted the need to revise the zoning designations to indicate all publicly held parcels and the public review by other Committees/Commissions. Mr. Kastens then reviewed the plans and responded to questions concerning the handicapped access on the west side, the need for vehicular access to that area, the property's ownership by BLM and the City's management of it under a recreational purposes lease, and reasons a special use permit is not required for the project. Public testimony was solicited but none given. No formal action was required or taken.

G-10. U-99/00-4 - DISCUSSION AND ACTION ON A SPECIAL USE PERMIT APPLICATION FROM STEVE KASTENS, CARSON CITY PARKS AND RECREATION (1-3095) - Community Development Director Walter Sullivan, Parks and Recreation Director Steve Kastens - Discussion between the Commission and Mr. Kastens explained the term "D.G.", the reasons Quail Run will not construct the improvements approved as part of a previous development, the grant funds which will be used to develop the linear park/ditch, the possibility of obtaining additional grants which will complete the project, the possibility of using some of those funds to upgrade the "D.G." to asphalt, and the reasons Mr. Kastens would not stipulate that gravel will be prohibited when seal coating the asphalt. Mr. Kastens expressed a willingness to stipulate that the surface will be multi-purpose and that he would keep in the mind the skateboarders and in-line skaters' needs when the plans are developed. Public testimony was solicited but none given. Commissioner Wipfli moved to approve U-99/00-4, a special use permit from Steve Kastens, Parks and Recreation Director/John Berkich, City Manager, to allow a multi-use recreational path located between Governor's Field and the Nevada State Prison in what is known as the linear drainage channel area, on APN's 4-016-02, 03, 04, 4-017-01, and 10-051-23, based on seven findings and subject to six conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission/Board by the applicant may be considered as further stipulations or conditions on this application. Commissioner Rogers seconded the motion. Motion carried 6-0.

G-12. U-99/00-1 - DISCUSSION AND ACTION ON A SPECIAL USE PERMIT APPLICATION FROM DAVID AND ROSALIE DIETER (1-3335) - Principal Planner Rob Joiner, David Dieter - Mr. Joiner's introduction included a correction to the staff report to indicate that there are two primary structures on the property. Reasons for this situation were noted. Mr. Dieter had read the staff report and concurred with it. Public testimony was solicited but none given. Commissioner Christianson moved to approve U-99/00-1, a special use permit request from David and Rosalie Dieter to allow an accessory structure of 1,008 square feet which exceeds 50 percent in area of that of the primary structure on property zoned Mobile Home One Acre located at 6750 Saddlehorn Road, APN 9-311-06, based on seven findings and subject to six conditions of approval contained in the staff report with the understanding that any acknowledgements to the Commission or Board by the applicant may be considered as further stipulations or conditions of approval on this application. Commissioner Mally seconded the motion. Motion carried 6-0.

G-13. V-99/00-1 - DISCUSSION AND ACTION ON A VARIANCE REQUEST FROM SHELLEY ALDEAN (1-3500) - Principal Planner Rob Joiner, Shelly Aldean - (2-0001) Discussion between Mr. Joiner and the Commission explored the rationale for allowing a 15 foot sign, the location, and the hillside slope. Ms. Aldean emphasized the loss of two feet which was created by the hillside slope. A illustration of the site and proposed sign location was distributed to the Commission and Clerk. (A copy is in the file.) There will be an 11 foot difference between the building and the top of the sign. The pylon shopping center street sign adjacent to Carson

Street/Highway 395 cannot be seen from the property. Both of the signs will be visible from the Clearview sign location. Sign pollution is not applicable. The dimensions of the sign and the need for this extra signage were then explained. The sign will not accommodate each of the tenants. Clarification indicated that the sign will be 22 feet in height from the street due to the grade. Discussion ensued on the current parking requirements at the rear of J. C. Penney's. Mike Wylie of Penney's corporate office supported the request. They have the ability to designate the employee parking area and are willing to do so when necessary. Discussion noted that the top foot and four inches of the sign is the arch. Public testimony was solicited but none given. Discussion between the Commission and Ms. Aldean corrected the application to be for a 20 foot sign which will be 22 feet in height from the street. Mr. Joiner opined that the application could not be modified without renoticing and urged the Commission to stay with the Code restriction. Clarification indicated that the Commission could approve signage up to 20 feet without renoticing. This will allow an 18 foot sign when the two foot slope is considered. Commissioner Rogers pointed out that it would be possible to locate the sign closer to the street and/or to excavate the sign area which would provide for a 20 foot sign when measured from the street. Mr. Joiner then explained the other signage requests that he had received from within the area. A precedence is established each time the six foot secondary sign restriction is overturned. The area is not currently characterized by this type of sign. Major tenants are identified with the shopping center and create the draw for the other tenants. The identification sign will advertise the fact that there is another building at the rear. The Code requirement that the measurement be taken from the street was cited. It was felt that, in the extreme, this could require a shorter sign on a steeper grade. Commissioner Sedway supported the request based on the aesthetics, architectural design which was similar to the building's, and the hardship created by the grade. Mr. Joiner responded by explaining that signs for commercial properties do not have setback requirements and could be constructed at the property line. A majority of the City shopping centers do not have signs on secondary frontages in addition to the building sign. The sign ordinance's intent is to allow meaningful advertisement and identification without encouraging sign proliferation. The precedence which would be established by granting the variance would undo the committee's work on the sign ordinance. Commissioner Sedway explained his feeling that the easements required for the sign created an additional hardship and stressed the need for signage on the east side of the Eagle Station shopping center. Commissioner Rogers then moved to approve V-99/00-1, a variance request from Shelly Aldean, property owner: Glenbrook Company, to exceed the height allowance within a shopping center development on property zoned Retail Commercial located on the south side of Eagle Station Lane approximately 400 feet west of Silver Sage Drive, APN 9-125-20, based on five findings and subject to six conditions of approval contained in the staff report and modified Condition 6 to be that the overall height from street grade will be 20 feet and that the basis for this change is due to: No. 1 the fact that the application is for this height, and No. 2 his belief that the additional height from 15 feet is warranted based on the fact that the other sign for this property is not visible from this location and that the sign will identify other buildings other than the main buildings which the primary sign identifies. Commissioner Christianson seconded the motion. Motion carried 6-0.

BREAK: A ten minute recess was declared at 7:10 p.m. A quorum of the Commission was present when Chairperson Horton reconvened the meeting at 7:20 p.m. (Commissioner Larkin was absent as originally indicated.)

G-14a. MPA-99/00-1 - DISCUSSION AND ACTION ON A MASTER PLAN AMENDMENT REQUEST AND APPROVAL OF A MASTER PLAN AMENDMENT RESOLUTION FROM PALMER AND LAUDER ENGINEERING; AND G-14b. U-99/00-7 - DISCUSSION AND ACTION ON A SPECIAL USE PERMIT APPLICATION FROM PALMER AND LAUDER ENGINEERING (2-0340) - Principal Planner Rob Joiner, Community Development Director Walter Sullivan, Mark Palmer, Gene Menath, Hospital Chief Operations Officer Ed Epperson - Commissioner Sedway noted his employment at the Hospital and indicated he would recuse himself from the discussion and vote. He requested the Commission return the pamphlets after the motion. Chief Operations Officer Ed Epperson and Mr. Palmer were available to answer any questions. Commissioner Sedway then left the room--7:21 p.m. (A quorum was present. Commissioner Larkin was also absent as previously indicated.)

Mr. Joiner reiterated statements indicating that the medical zone issues were not part of the discussion and requested that comments be restricted to the Hospital property. He also indicated that the telephone calls had dealt with the medical zoning concerns and not the applications. The proposal does not consider expansion of the

Hospital's Long Street Rehabilitation Center. Only the Hospital owned seven acre campus is to be considered. Justification for the request to allow staff to approve future applications from the Hospital which are part of its master plan were explained. The parking garage was not to be part of this approved process as its height, setback, design, etc. have not been developed. Mr. Sullivan noted the request to approve a resolution adopting the plan. Commissioner Rogers commended the Hospital, City staff, and Mr. Palmer on the plans and their work with the neighborhood. Mr. Joiner noted the Hospital's commitment to provide a more than adequate amount of parking. Mr. Sullivan explained for Mr. Palmer the special use permit requirement that a one year extension be requested if work on any portion of the project does not begin prior to that date. Mr. Sullivan agreed with Mr. Palmer's request to work with staff on the setback requirements for two story buildings without returning to the Commission. If an agreement cannot be reached, the matter would be referred to the Commission. Commissioner Rogers supported approving the proposed plan as had been discussed and established. Any changes should be considered by the Commission. Only the parking structure had not been included in the plan. Deviations should be discussed in an open public forum. The setback requirements were explained. Chairperson Horton pointed out the need to address public concerns with the Hospital's development. This proposal may reduce that ability. Mr. Palmer described the Hospital Board's public meeting requirements which he felt would fulfill this need. If a controversial issue arises, he felt certain that staff and the Hospital would want and need to bring the matter to the Commission for additional public input.

Public testimony was solicited. Mr. Menath questioned the size of the crystal ball and cautioned against giving a blank check to the Hospital as no one knows what the needs and appearance will be in 30 years. The proposal will landlock a potential 40 acre parcel. An additional hospital will be needed at some future date unless appropriate planning is conducted at this time.

Mr. Epperson responded by explaining the Hospital's intent to plan for the future and include public and City staff's participation while attempting to be a good neighbor. His knowledge of other hospitals and their campuses were noted. He agreed that it would be a challenge to meet the service demands and remain a good neighbor with such a small parcel. For this reason a master plan had been developed. He felt it may be possible that a parking structure will never be constructed due to the desire to use those funds for patient needs. He stressed the Hospital Board's commitment to have all of the Hospital projects discussed in an open forum. He felt that a replacement hospital is not a viable alternative in the foreseeable future as indicated by the master plan. The master plan only addresses property currently owned by the Hospital. It includes a provision to acquire other sites when an opportunity to do so arises. The Long Street site may become a second campus with a senior focus if the BLM site is acquired. Services demands for that area were described. Commissioner Mally expressed his preference to have the finalized plans presented to the Commission. Additional public testimony was solicited but none given.

Commissioner Rogers moved to approve Planning Commission Resolution No. 1999-PC-2 and a motion recommending that the Board of Supervisors approve MPA-99/00-1, a master plan amendment request from Palmer and Lauder Engineers, Inc., Carson-Tahoe Hospital property owner, and approve a resolution transmitting to the Board of Supervisors this information calling for a change in the land use designation of the Carson City Master Plan Land Use Element Map from Office to Public Regional and Medium Density Residential to Public Regional for an area consisting of eight parcels totaling approximately 7.59 acres based on the findings contained in the staff report. Commissioners Mally and Christianson seconded the motion. Motion carried 5-0-0-2,

Commissioner Rogers moved to approve U-99/00-7, a special use permit request from Palmer and Lauder Engineers, Inc., Carson-Tahoe Hospital property owner, to allow acceptance of a master plan for expansion of hospital facilities on property located at Carson-Tahoe Hospital, 775 Fleischmann Way, APN 1-201-25; Fleischmann Parking Lot, 704 Fleischmann Way, APN 1-141-67; Pershing Parking Lot, 1204 North Division Street, APN 1-171-02; Adams Parking Lot, 990 North Minnesota Street, APN 1-201-04; Washington Parking Lot, 608 West Washington Street, APNs 1-201-15/16; Sierra Professional Complex, 1001 North Mountain Street, APN 1-201-19; Future Office Space, 700 Fleischmann Way, APN 1-141-20; Future Service Yard, 1303 Mountain Street, APN 1-141-01; and Rehabilitation Center, 900 East Long Street, APN 2-121-10, based on seven findings and subject to nine conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission/Board by the applicant may be considered as further stipulations and that Condition 8 is to state that all buildings exceeding two stories in height shall be set back from any public right-of-way as agreed with the Community Development staff with the understanding that any appreciable change to the

master plan will be forwarded to the Planning Commission. Commissioner Christianson seconded the motion. Motion carried 5-0-0-2.

H. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (2-0925)

H-1. STAFF BRIEFING REGARDING STATUS OF COMMISSION RECOMMENDATIONS TO THE BOARD OF SUPERVISORS AND CORRESPONDENCE TO THE COMMISSION - (Commissioner Sedway returned at 8 p.m. A quorum was present although Commissioner Larkin was absent as indicated.) Mr. Sullivan reported on the status of the Van Patten Change of Land Use, the Kerinne Court Subdivision, the Growth Management Resolution for three percent growth, the Long Ranch final map extension, Silver Oak residential guidelines amendment, and the appeal of the Shepard Special Use Permit. Items agendaized for the next Board meeting were noted. He also thanked the Commission for the training session and Chairperson and Mrs. Horton for the lunch. He explained that the document which he had distributed during that meeting with the cutoff left margin was from an original which had also been cutoff. Comments noted the volume of material which had been distributed at the training session. Mr. Sullivan indicated that the distribution had been only a portion of the original documents. Comments also noted that some of the material had been repeated but were regarding issues which keep returning. The benefit of such reminders was noted. (2-145) Commissioner Christianson and Chairperson Horton commended Ms. Bruketta on her service during her tenure with the Commission and wished her success in her future endeavors. Chairperson Horton welcomed Mr. Rombardo.

2. FUTURE COMMISSION ITEMS AND DATES (2-1005) - Mr. Sullivan explained his intent to have a special meeting on August 9, if possible. The August 25th meeting currently has 20 items scheduled. Chairperson Horton expressed his feeling that, during his tenure, agenda errors had rarely occurred and commended staff on its ability to keep the number down. Commissioner Rogers then volunteered to review and consolidate ROBERTS RULES OF ORDER for presentation and discussion at a future meeting. The Commission could modify it to conform with its practices. Chairperson Horton felt that some of its guidelines could be used to streamline the meetings.

H. ADJOURNMENT (2-1075) - Commissioner Christianson moved to adjourn. Chairperson Horton seconded the motion. Motion carried unanimously. Chairperson Horton adjourned the meeting at 8:05 p.m.

The Minutes of the July 28, 1999, Carson City Regional Planning Commission meeting

A R E S O A P P R O V E D

ON___August_25____, 1999.

_____/s/_____

Verne Horton, Chairperson