A regular meeting of the Carson City Planning Commission was scheduled for 3:30 p.m. on Wednesday, April 23, 2008 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

**PRESENT:** Chairperson John Peery

Vice Chairperson Mark Kimbrough

Connie Bisbee Craig Mullet Steve Reynolds William Vance George Wendell

**STAFF:** Lee Plemel, Planning Division Director

Jennifer Pruitt, Senior Planner Jeff Sharp, City Engineer

Joel Benton, Senior Deputy District Attorney

Kathleen King, Recording Secretary

**NOTE:** A recording of these proceedings, the commission's agenda materials, and any written comments or documentation provided to the recording secretary during the meeting are public record, on file in the Clerk-Recorder's Office. These materials are available for review during regular business hours.

- **A.** CALL TO ORDER, DETERMINATION OF QUORUM, AND PLEDGE OF ALLEGIANCE (3:33:37) Chairperson Peery called the meeting to order at 3:33 p.m. Roll was called; a quorum was present. Chairperson Peery led the pledge of allegiance. Commissioner Bisbee arrived at 4:39 p.m.
- **B.** COMMISSION ACTION ON APPROVAL OF MINUTES February 27, 2008 and March 26, 2008 (3:34:37) Commissioner Wendell moved to accept the February 27, 2008 minutes, as prepared. Commissioner Reynolds seconded the motion. Motion carried 6-0. Vice Chairperson Kimbrough moved to accept the March 26, 2008 minutes, as presented. Commissioner Reynolds seconded the motion. Motion carried 6-0.
- C. MODIFICATION OF AGENDA (3:35:29) None.
- **D. PUBLIC COMMENTS** (3:35:41) None.
- **E. STAFF PUBLIC SERVICE ANNOUNCEMENTS** (3:36:13) Mr. Plemel announced a public workshop, beginning a process to develop proposals for future land uses and management of the Silver Saddle Ranch, Prison Hill, and the Carson River area, scheduled for 6:30 p.m. on Thursday, April 24<sup>th</sup> at the Carson City Senior Citizens Center.
- **F. DISCLOSURES** (3:36:51) None.
- **G. CONSENT AGENDA** (3:37:04) None.

#### H. PUBLIC HEARING MATTERS:

H-1. SUP-07-076A ACTION TO CONSIDER A REQUEST FROM ETHAN NELSON, RIDGELINE MANAGEMENT COMPANY (PROPERTY OWNER: LONG STREET ASSISTED LIVING, LLC AND LEADROOT) TO AMEND A PREVIOUSLY-APPROVED SPECIAL USE PERMIT FOR A CONGREGATE CARE FACILITY TO ADD ONE ADDITIONAL CONGREGATE CARE UNIT; INCREASING THE TOTAL FROM 81 TO 82 UNITS, ON PROPERTY ZONED MULTI-FAMILY APARTMENT (MFA), LOCATED AT 2200 EAST LONG STREET, APN 002-101-48 (3:38:13) - Chairperson Peery introduced this item. Mr. Plemel reviewed the staff report, and oriented the commissioners to the location of the subject property using a displayed aerial photograph. He advised there was no response to the public noticing process.

(3:40:41) Ethan Nelson provided background information on the project, and reviewed the application. He acknowledged agreement with the staff report.

Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained questions, comments, or a motion of the commissioners. Commissioner Wendell moved to approve SUP-07-076A, an amendment to a previously-approved special use permit request from Ethan Nelson with Ridgeline Management Company, to allow an additional living unit to be constructed at the approved 81-unit congregate care housing / senior citizen housing project located on East Long Street, on property zoned multi-family apartment, APN 002-101-48, based on seven findings and subject to conditions of approval contained in the staff report. Commissioner Reynolds seconded the motion. Motion carried 6-0.

H-2. SUP-07-216 ACTION TO CONSIDER A SPECIAL USE PERMIT FROM JOHN PROCACCINI, BREWERY ARTS CENTER (PROPERTY OWNER: CARSON CITY), FOR A USE EVALUATION, APPROVAL OF A NEW USE (CAFÉ), A COMPREHENSIVE SIGN PROGRAM, A PARKING ANALYSIS, AND PROPOSED OUTDOOR ACTIVITIES, ON PROPERTY ZONED PUBLIC REGIONAL (PR), LOCATED AT 449 WEST KING STREET, APN 003-207-04 (3:42:58) - Chairperson Peery introduced this item. Mr. Plemel described the location of the subject property in conjunction with a displayed aerial photograph, and discussed its present use. He reviewed the site plan, copies of which were included in the agenda materials. He defined the phrase "temporary events" as used in the recommended motion, and noted condition of approval 16 requiring the Brewery Arts Center to provide a schedule of outdoor activities and events to the Planning Division each April. Mr. Plemel provided an overview of the conditions of approval, noting specifically condition of approval 19. He discussed the various methods by which parking is accommodated at the Brewery Arts Center and the performance hall, and advised that the proposed café use will not create parking issues. He noted staff's recommendation of approval pursuant to the conditions outlined in the staff report. He noted the letter of support in response to the public noticing process.

In response to a question, Mr. Plemel explained that the public zoning designation of the property triggers the special use permit process in conjunction with the proposed café use. He advised of the special event permit process in which the Brewery Arts Center and other organizations participate to accommodate temporary outdoor events. He clarified that the subject special use permit does not approve specific events; the recommended action simply acknowledges that temporary outdoor events are held at the property.

(3:50:27) Brewery Arts Center Executive Director John Procaccini requested clarification of condition of approval 19. He acknowledged agreement with the staff report with the previously-stated exceptions. Mr. Plemel read condition of approval 19 into the record. In response to a question, he advised that the zoning map amendment will accomplish designating the performance hall with the same zoning as that of the Brewery Arts Center. In response to a question, Mr. Procaccini explained the relationship of the proposed café to the patio. In light of the limited parking, Commissioner Mullet suggested the possibility of utilizing the JAC Transit Service to access the BAC.

Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained additional questions of the commissioners. In response to a question, Mr. Plemel advised the applicant was not requesting any uses at the performance hall property to which rezoning would apply. He further advised that the subject special use permit does not address the performance hall property. Chairperson Peery called again for public comment and, when none was forthcoming, entertained a motion. Commissioner Mullet moved to approve SUP-07-216, a special use permit from John Procaccini, Executive Director of the Brewery Arts Center, property owner Carson City, to approve a new café as well as approve a comprehensive plan for the site, including existing uses, parking, signage, and temporary outdoor events in a public regional zoning district, subject to the conditions and based on the findings contained in the staff report. Commissioner Wendell seconded the motion. Motion carried 6-0.

H-3. SUP-07-217 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM KEVIN MARTINSON, HANNAFIN DESIGN ASSOCIATES (PROPERTY OWNERS: DAVID & CHRISTINE LOAR) TO ALLOW THE EXPANSION OF A NONCONFORMING BUILDING TO CONTINUE ALONG THE SAME NONCONFORMING SETBACK OF ZERO FEET WHERE FIVE FEET IS REQUIRED FOR THE REAR-YARD SETBACK, ON PROPERTY ZONED SINGLE-FAMILY 6,000 (SF6), LOCATED AT 815 WEST ROBINSON STREET, APN 003-254-05 (3:58:03) - Chairperson Peery introduced this item. Mr. Plemel reviewed the staff report in conjunction with displayed aerial photographs. In response to a question, he explained that the building code allows storage structures of less than 120 square feet without a permit. The building code does not distinguish between garages and other storage areas. Once the structure "hits the size that requires a building permit, they're classified together." Mr. Plemel advised that the term "shed" was used because the structure will be used for storage.

(4:01:48) David Loar provided historic information on the subject property, and reviewed the application. He acknowledged agreement with the staff report.

Chairperson Peery opened this item to public comment. (4:04:00) Nowland Prater, a neighbor to the subject property, advised of having submitted written support for the project.

Chairperson Peery called for additional public comment and, when none was forthcoming, entertained additional questions, comments, or a motion of the commissioners. Commissioner Vance moved to approve SUP-07-217, a special use permit from Kevin Martinson with Hannafin Design Associates, LLP, property owners David and Christine Loar, to expand an existing non-conforming structure along the existing nonconforming setback of zero feet, in a single-family 6000 zoning district, subject to the conditions and based on the findings contained in the staff report. Commissioner Mullet seconded the motion. Motion carried 6-0.

H-4. AB-07-221 ACTION TO CONSIDER AN APPLICATION FOR ABANDONMENT OF PUBLIC RIGHT-OF-WAY FROM ED EPPERSON, CARSON-TAHOE HOSPITAL (PROPERTY OWNERS: CARSON-TAHOE HOSPITAL AND GAL SAL COMPANY) TO ABANDON A 66-FOOT WIDE BY 166.18-FOOT LONG PORTION OF NORTH MINNESOTA STREET BETWEEN FLEISCHMANN WAY AND JOHN STREET, LOCATED AT 412 WEST JOHN STREET AND 775 FLEISCHMANN WAY, APNs 001-171-04 AND 001-201-25 (4:05:27) -Chairperson Peery introduced this item. Ms. Pruitt reviewed the staff report, in conjunction with displayed slides, and noted staff's recommendation of approval. In response to a question, Mr. Sharp advised that the City still owns the right-of-way adjacent to the park. He further advised that the applicant considered requesting the Parks Department to take over maintenance of the park. The park is currently used by the public and maintained by the hospital. The property which is the subject of the abandonment application is "effectively a parking lot." Access from Fleischmann Way is a driveway cut. Commissioner Mullet expressed concern over public use of the access. Mr. Sharp pointed out, on a displayed photograph, a public access / utilities easement which will be maintained across the abandoned portion. He advised of discussions with City Manager Larry Werner and Public Works Director Andrew Burnham, who both expressed opposition to converting the park into a through street.

(4:12:20) Bruce Robertson, representing the applicant and property owners, acknowledged agreement with the staff report. He advised of recent discussions regarding improvements required prior to returning the park to the City. Commissioner Mullet expressed an interest in reviewing a master plan prior to approving the abandonment application. Mr. Robertson explained the reason for the abandonment application. The hospital property was recently sold, and the buyers requested the realtors to request the City to abandon the subject portion of Minnesota Street "since it never has been used." Mr. Robertson advised that the property will be used as a hospital "providing services to the City" which haven't been previously available. He anticipates the "looks of the area are going to remain the same for many years to come." In response to a question, Mr. Robertson referred to right-of-way abandonment finding 6. Mr. Sharp advised that a draft reciprocal access and parking easement agreement has been submitted.

Chairperson Peery opened this item to public comment. When none was forthcoming, he entertained a motion. Commissioner Wendell moved to recommend that the Board of Supervisors approve an abandonment of public right-of-way application, AB-07-221, for a portion of public right-of-way known as North Minnesota Street, being an 11,000 square foot area, more or less, located north of John Street and south of Fleischmann Way, and adjacent to APNs 001-171-04 and 001-201-25, based on seven findings and subject to the conditions of approval contained in the staff report. Commissioner Reynolds seconded the motion. Motion carried 6-0.

H-5. VAR-08-035 ACTION TO CONSIDER A VARIANCE APPLICATION FROM JUANA BEGUELIN (PROPERTY OWNER: BEGUELIN FAMILY TRUST) TO ALLOW AN ADDITION TO REDUCE THE REQUIRED 30-FOOT FRONT-YARD SETBACK TO SIX FEET SIX INCHES FOR THE ADDITION TO AN EXISTING GARAGE, ON PROPERTY ZONED SINGLE-FAMILY ONE ACRE (SF1A), LOCATED AT 3789 MEADOW WOOD ROAD, APN 007-242-02 (4:19:07) - Chairperson Peery introduced this item. Mr. Plemel reviewed the staff report in conjunction with displayed slides. He noted letters of support and letters of opposition from adjacent property owners, whose property locations he pointed out on a displayed aerial photograph. He noted the findings for approval, and staff's recommendation of approval based on the conditions included in the staff report. In response to a question, he pointed out the property's leach field, as depicted on a displayed slide.

In response to a further question, he advised that the ground water issue is a "factor that could certainly be considered" as ground water issues have been previously considered. Mr. Plemel clarified the ground water issue is not one that couldn't be overcome "in terms of filling areas above those properties," but it is certainly a circumstance unique to the property. He noted that access would be difficult in light of that portion of the property which is already covered with impervious hardscape. In response to a further question, he advised that the applicant is proposing a three-car garage. The Lakeview Homeowners Association suggested the applicant consider a two-car garage to increase the setback from the adjacent property. Discussion followed and, in response to a question, Mr. Plemel pointed out on a displayed aerial photograph the proposed location of the garage. At Commissioner Wendell's request, he pointed out the property owners in support of the variance application.

(4:32:11) Juana Beguelin acknowledged agreement with the staff report, and reviewed the application in conjunction with displayed slides. She advised of having attempted to speak with the neighbors who had expressed opposition to the variance application. She "spoke with the ones that would allow [her] to speak with them." She advised of having lived in her residence for approximately thirty years, and of no desire to sell her home. She explained a family medical situation requiring a fourth bedroom. In response to a question, she advised of having received no indication from the property owner to the east of the "lower property owner" as to the variance application. She advised of having unsuccessfully attempted to contact this property owner. In response to a question, she described the topography of the adjacent properties in relation to hers. At Commissioner Wendell's request, Ms. Beguelin circulated photographs among the commissioners. [Commissioner Bisbee arrived at 4:39 p.m.] In response to a question, Ms. Beguelin provided background information on the Lakeview Homeowners Association request to consider a two-car garage, and explained the need for a three-car garage. She acknowledged the Homeowners Association's support of the variance application, and provided background information regarding the same.

Chairperson Peery opened this item to public comment. (4:42:50) Richard Schneider circulated photographs among staff and the commissioners. He expressed opposition to the variance application, and read into the record a prepared statement. He disagreed that the Lakeview Homeowners Association had approved the variance application. He pointed out that the letter included in the agenda materials was from Gilbert Yanuck, Chairman of the Lakeview Architectural Control Committee. He requested the commission's denial of the application. He suggested the reasonableness of "spaciousness of the area" for "this size lot" rather than a "Beverly Hills-type affair where you have ... very large houses in very close proximity." In response to a question, Mr. Schneider advised his lot is elevated and therefore "dry as a bone." He described the topography and drainage of the properties in the area using a displayed aerial photograph.

(4:50:12) Clay Davis pointed out his property on a displayed aerial photograph. He expressed the opinion that his property will be the most visually affected by the proposed project, and indicated his support.

Chairperson Peery called for additional public comment and, when none was forthcoming, entertained a motion. In consideration of testimony provided by Ms. Beguelin and the adjacent property owners, the letters of support from property owners immediately adjacent to the proposed project, and the "excellent" staff report, Commissioner Wendell moved to approve VAR-08-035, a request to allow a reduction of the required front setback from 30 feet to six feet, six inches for construction of a garage in the single-family one acre zoning district located at 3789 Meadow Wood Road, APN 007-242-02, based on three findings and subject to conditions of approval contained in the staff report, in addition to

the written support by the Lakeview Estates Homeowners Association. Commissioner Reynolds seconded the motion. Motion carried 7-0. Mr. Plemel advised that the commission's action represented the final decision on the variance application unless appealed. He reviewed the appeal process.

H-6. ZCA-07-028 ACTION TO CONSIDER AN ORDINANCE TO AMEND THE CARSON CITY MUNICIPAL CODE, TITLE 18, ZONING, CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 4, SIGNS, TO ESTABLISH STANDARDS AND REQUIREMENTS FOR COMMERCIAL SIGNS DESIGNED TO BE VIEWED FROM THE FREEWAY (4:54:07) - Chairperson Peery introduced this item. Mr. Plemel provided background information, and reviewed the staff report in conjunction with a PowerPoint presentation. In response to a question, he explained the purpose of the moratorium. Chairperson Peery proposed a process for reaching consensus. Mr. Plemel thanked all the citizens, sign professionals, and business representatives who have participated in the subject process.

Mr. Plemel responded to questions and discussion took place regarding previously-approved signs. He clarified that the "30 feet" referenced in the staff report does not establish a maximum height for all signs. The first criteria is based on the line of sight analysis in the submittal criteria, "the minimum height necessary for the sign to be visible." Mr. Plemel pointed out there are "many locations with excellent visibility that ... don't need to be that high." Commissioner Vance expressed concern over approving a standard and then later regretting it "because we just hadn't considered all the alternatives." He referred to a citizen comment which pointed out that several freeway-adjacent shopping centers in Reno "somehow managed to not even have these humongous monument signs." He suggested "it appears that it isn't as much of a do or die issue to the businesses as some people have led us to believe ..."

Commissioner Mullet expressed concern over the line of sight issue, and suggested including language, at section 4.9.4, requiring "the most optimum spot on the lot to have the least obstruction." He discussed additional concern over height to width ratios, and new signage at the entrance to the Reno-Tahoe Airport. Mr. Plemel acknowledged that any existing LED signage would be grandfathered.

Chairperson Peery opened this item to public comment. (5:20:46) Marc Lipkowitz, of Custom Sign & Crane, provided background information on his participation in this process and expressed appreciation to Mr. Plemel for the "great ordinance." He commented "there are so many aspects of an ordinance like this that to have ... five sticking points is pretty good for a community." He expressed support for Alternative 2B because the 30-foot height is already allowed by right. "To change that for just freeway-oriented signs ... is confusing." Mr. Lipkowitz expressed the opinion that it won't make "a whole lot of difference" especially related to parcels on Highways 50 and 395. He suggested that Alternative 2A "and that huge setback is going to limit some properties of having that best placement. They're going to be forced to the other side of the property and a taller sign." With regard to electronic message display ("EMD") signage, he expressed the opinion that a previously-discussed Reno sign "is bad for the entire industry." He advised that Reno has an ordinance which addresses dimming requirements "but it's just not being enforced." He expressed the belief that most, if not all, manufacturers have automatic dimming control, which mechanism he described. He discussed the importance of the ordinance, and emphasized the importance of leaving the language regarding EMD signage in the ordinance. He advised that EMD signage is "extremely important" to hotels / casinos. He expressed the opinion that it would not benefit the community to limit or eliminate

LED / EMD signage. He discussed the importance of ensuring the LED signage is used appropriately, i.e., limiting message time, limiting brightness, and establishing square footage standards based on percentages of the overall signs.

Vice Chairperson Kimbrough suggested requiring a special use permit for EMD signage. Mr. Lipkowitz reminded the commissioners that Lake Tahoe allows EMD signage. Discussion followed, and Mr. Lipkowitz discussed the study required by NDOT for the John Ascuaga's Nugget sign, installed in 1992. In response to a question, he expressed the opinion that 20 percent brightness for nighttime display would be "a little low." He described the recently installed Harley-Davidson sign as "not overbearing." He referred to the commission's decision to allow the sign at 30 feet, and described the height as very appropriate. He advised that the signage his company has installed dims to 45 percent at night. Discussion took place regarding existing signage in Carson City. Commissioner Mullet suggested including provisions for amending the ordinance to keep up with industry and technology advances. Mr. Lipkowitz reviewed various advances in technology in reference to the previously-discussed signage in Carson City. He anticipates the advances will not be toward increased brightness but increased longevity.

(5:37:42) Lynn Keller, a representative of the Gold Dust West Casino, advised that the Gold Dust West Casino LED sign "is 85 in the day time and 45 at night." She advised of a demonstration scheduled for Thursday, April 24<sup>th</sup>. She discussed the importance of LED signage to the Gold Dust West. She advised that the existing sign is not visible from the freeway.

(5:40:15) Dan Edgington, a representative of Gold Dust West Casino, expressed support for Mr. Lipkowitz's comments. He expressed the belief that new technology will provide for better signage. He advised of an \$800 savings following recent installment of a new sign. He expressed appreciation for the effort invested by the commission and staff.

Chairperson Peery called for additional public comment and, when none was forthcoming, requested individual input of the commissioners. Commissioner Wendell expressed support for Alternatives 4.9.4(1)(B), 4.9.4(2)(B), 4.9.5(3)(A), and 4.9.7(4)(A). Following additional clarification, Commissioner Wendell expressed support for 4.9.7(5)(A). Commissioner Reynolds expressed support for Alternatives 4.9.4(1)(B) and 4.9.4(2)(B). He agreed with Commissioner Mullet's suggestion to consider including language requiring the most appropriate location to reduce sign height. He expressed support for 4.9.5(3)(B) and 4.9.7(4)(B). He expressed the opinion that concerns associated with LED signage are "99 percent brightness," and expressed support for 4.9.7(5)(B).

Mr. Plemel responded to questions of clarification regarding the language of section 4.9.5 and the purpose for establishing the standards. Mr. Benton further clarified that a special use permit could not exceed the standards established by the Carson City Municipal Code. In response to a question, Vice Chairperson Kimbrough expressed support for the following Alternatives: 4.9.4(1)(B) and 4.9.4(2)(C). In response to a question, Mr. Plemel advised that 4.9.4(2)(C) had been offered as an additional alternative based on site elevation. Vice Chairperson Kimbrough expressed support for 4.9.5(3)(B), 4.9.7(4)(B), and 4.9.7(5)(A).

Commissioner Mullet expressed support for the following Alternatives: 4.9.4(1)(B), 4.9.4(2)(C), 4.9.5(3)(B), 4.9.7(4)(B), and 4.9.7(5)(A). He requested to be able to discuss the brightness percentages, and suggested that 40 percent "may be way more than we need." He reiterated the request to include language requiring the best location for signage to minimize height.

Commissioner Vance expressed support for Alternatives 4.9.4(1)(B), 4.9.4(2)(B), 4.9.5(3)(B), 4.9.7(4)(B), and 4.9.7(5)(A). He expressed support for being able to review EMD signage after a period of time. He suggested establishing a standard, perhaps 75 percent brightness during the day and 40 percent at night, subject to review within a period of time after the signage is operational.

Commissioner Bisbee expressed support for Alternatives 4.9.4(1)(B), 4.9.4(2)(C), 4.9.5(3)(B), 4.9.7(4)(B), and 4.9.7(5)(A). Chairperson Peery expressed support for Alternatives 4.9.4(1)(B), 4.9.4(2)(C), 4.9.5(3)(B), 4.9.7(4)(B), and 4.9.7(5)(A). He reviewed the commissioners' selections, as follows: Unanimous for alternative 4.9.4(1)(B); a majority for alternative 4.9.4(2)(C), a majority for alternative 4.9.5(3)(B), a majority for 4.9.7(4)(B), and a majority for 4.9.7(5)(A).

Mr. Plemel expressed support for the suggestions to include language requiring the most appropriate location on a site to minimize sign height, and to include language requiring a brightness review period for EMD signage. In response to a question, he advised that the critical date would be sometime after the sign is installed and brightness is able to be determined. Chairperson Peery suggested establishing brightness at 75 percent for the daytime and 40 percent for the evening as a reasonable place to start.

Commissioner Reynolds expressed concern with regard to the setback issues. He noted the mixed use component incorporated into the City's comprehensive master plan which doesn't include a "deep buffer zone or a long distance like in old fashioned master planning where residential zoning is a long way from commercial zoning." He expressed concern over a 600-foot setback translating to a penalty, and noted that most of Carson City is flat. He suggested that a 10:1 setback will create real concerns "especially in the future." He advised of having previously suggested giving consideration to the current sign height standard with a "setback that makes sense. Maybe the number is 15:1 ..." He anticipates issues arising from requiring a 600 foot setback from a residential zone. Commissioner Mullet suggested that since 30 feet is currently permitted in all other shopping areas, "stay at 30 feet until you got out to the 300 and then start taking off. If they wanted to be higher, then it would be the 10:1, but for the first 300 feet, you could put up 30 feet because that's permitted." Chairperson Peery expressed the opinion that 4.9.4 Alternative 2B is the "least protective to the community members in terms of how we were looking at proximity and glare and other such things ... in those friction zones where residential buts up to commercial." He expressed support for Alternative 2C, and the opinion that Alternative 2A was reasonable. Discussion followed and, at Commissioner Mullet's request, Chairperson Peery re-opened this item to public comment.

(6:16:10) Mr. Lipkowitz expressed the opinion that the setback issue "needs more conversation." He expressed concern over penalizing a highway-oriented property with an unreasonable setback. He reiterated that this would be confusing to sign companies and to business owners. He suggested the possibility of "a situation where somebody's 200 feet from the freeway and they're going to have a smaller sign than the guy that's 201 feet from the freeway." He noted that the 30-foot sign is allowed by right within 30 feet of a residential zone. He emphasized that the "freeway corridor is not going to stay the same as the maps that Lee's put in front of you. It is going to become a commerce area. The areas that are affected residentially, except for maybe the area next to North Carson Crossing, the rest of the freeway is all going to change. And the interaction between the residential, along the lines of what Commissioner Reynolds was talking about, the idea is not to have the public travel as far to do their shopping from the residential. It's commerce nodes, there's parks, everything is interactive there so you're not going to have

those setbacks and you're not going to have 600 feet of setback." Mr. Lipkowitz expressed the opinion that 4.9.4 Alterative 2C is "warranted but it needs a little more discussion so that it's a little more in reality and what's allowed by right."

Chairperson Peery called for additional public comment and, when none was forthcoming, entertained additional questions or comments of the commissioners. In response to a question regarding the Lompa Ranch, Mr. Benton cautioned against attempting to exclude a particular piece of property from the general application of an ordinance. Mr. Plemel advised that the Lompa Ranch is presently designated in an agriculture zone and, therefore, not subject to residential setbacks. He acknowledged that the commission will still have the opportunity to review variance applications based on the merits. In response to a comment, he advised that the language of the proposed ordinance provides for other circumstances where the standard setback would not apply. Vice Chairperson Kimbrough suggested that the setback will be important for signs with LED components. He expressed support for Commissioner Mullet's suggestion, but was uncertain as to how it would apply in every situation. He suggested it may accomplish a compromise. He expressed understanding for Commissioner Reynolds' concern, and concern over including a standard that isn't going to work "just so we can through the process tonight."

Mr. Plemel adjusted a drawing in the PowerPoint presentation. Commissioner Reynolds suggested modeling "what we might be looking at with our current master plan and what sign setbacks might or might not make sense." He expressed the opinion that the 10:1 is not "based on a whole lot." Mr. Plemel agreed that the suggested 10:1 slope is as random as any other, but suggested considering the maps, the information provided, the fact that the height of the freeway is known, and the example of residents close to a commercial development. He further suggested that the 10:1 is "pretty appropriate ... as setback that gets a tall sign back far enough to minimize the impacts to residential." Commissioner Reynolds suggested that the variance language may soften the issue. Chairperson Peery agreed this was the "crux of it." He pointed out that moving forward provides the Board of Supervisors adequate time to act. The commission will have established a standard that is not immutable in the future with a means by which to provide relief to anyone who is adversely impacted.

Mr. Plemel suggested making the motion on the points of commission consensus, and to exclude from the motion the particular aspect on which the commission disagrees. He expressed a preference to forward an affirmative vote to the Board of Supervisors. Chairperson Peery entertained a motion. Commissioner Bisbee moved to approve ZCA-07-208, a zoning code amendment modifying the Carson City Municipal Code, Title 18, Zoning, Chapter 18.16, Development Standards, Division 4, Signs, by modifying Section 4.3, Definitions, and adding Section 4.9, Freeway Oriented Sign Standards, to add specific standards and criteria for free-standing, on-premise commercial signs designed to be viewed from the Carson City freeway, as recommended by staff, including staff recommendations 1B, 2C, 3B, 4B, and 5A, with the option of further conversation on the brightness of electronic message boards, based on the findings contained in the staff report. Following discussion, Commissioner Bisbee amended her motion to indicate the opportunity for further discussion on the optimum location for the signage. Commissioner Mullet seconded the motion. Motion carried 7-0. Commissioner Reynolds left the meeting at 6:35 p.m. A quorum was still present.

- H-7. RESOLUTION 2008-PC-4 ACTION TO CONSIDER A RESOLUTION RECOMMENDING TO THE BOARD OF SUPERVISORS AN EXTENSION OF THE 120-DAY MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR ANY FREESTANDING SIGN THAT EXCEEDS THE MAXIMUM PERMITTED SIGN HEIGHT OR SIGN AREA AND THAT IS DESIGNED TO BE VISIBLE FROM AT LEAST ONE DIRECTION OF THE CARSON CITY FREEWAY, INCLUDING FUTURE FREEWAY PHASES, FOR AN ADDITIONAL PERIOD OF 60 DAYS, THEREBY EXTENDING THE MORATORIUM TO JULY 15, 2008 (6:35:18) - Chairperson Peery introduced this item. In response to a question, Mr. Plemel reviewed the second recommended motion included in the staff report. Chairperson Peery entertained a motion. Commissioner Wendell moved to adopt Resolution 2008-PC-4 recommending to the Board of Supervisors an extension of an existing 120-day moratorium on the acceptance and processing of applications for any freestanding sign that exceeds the maximum permitted sign height or sign area and that is designed to be visible from at least one direction of the Carson City freeway, including future freeway phases, for a period of an additional sixty days, extending the moratorium to July 15, 2008 only if the Board does not take action to introduce the proposed ordinance based on the findings contained in the staff report. Commissioner Vance seconded the motion. Motion carried 6-0.
- H-8. MISC-08-036 ACTION TO ACCEPT THE CARSON CITY MULTI-FAMILY **RENTAL HOUSING VACANCY RATE REPORT FOR APRIL 2008** (6:37:42) - Chairperson Peery introduced this item. Mr. Plemel provided background information and reviewed the staff report. Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained discussion or a motion. Commissioner Vance moved to accept the vacancy rate study of April 2008, as prepared by staff, and that the minimum vacancy rate of 3.25 percent be retained for conversion allowance purposes. Commissioner Wendell seconded the motion. Motion carried 6-0.

#### T. STAFF REPORTS

**STAFF REPORTS / COMMENTS** (6:41:55) In response to a question, Mr. Plemel provided an update on the North Carson Crossing appeal.

DIRECTOR'S REPORT TO THE PLANNING COMMISSION (6:40:09) - Mr. Plemel reviewed the director's report.

**FUTURE AGENDA ITEMS** (6:41:22) - Mr. Plemel provided an overview of the tentative May commission agenda.

J. ACTION ON ADJOURNMENT (6:42:36) - Commissioner Wendell moved to adjourn the meeting at 6:42 p.m. Commissioner Mullet seconded the motion. Motion carried 6-0.

The Minutes of the April 23, 2008 Carson City Planning Commission meeting are so approved this 28<sup>th</sup> day of May, 2008.