

CARSON CITY PLANNING COMMISSION

Minutes of the August 27, 2008 Meeting

Page 1

A regular meeting of the Carson City Planning Commission was scheduled for 3:30 p.m. on Wednesday, August 27, 2008 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Vice Chairperson Mark Kimbrough
Connie Bisbee
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 (3:32:13) - Vice Chairperson Kimbrough called the meeting to order at 3:32 p.m. Roll was called; a quorum was present. Chairperson Peery and Commissioner Mullet were absent. Commissioner Bisbee led the pledge of allegiance.

B. COMMISSION ACTION ON APPROVAL OF MINUTES - July 30, 2008 (3:33:12) - Commissioner Bisbee moved to approve the minutes. Commissioner Reynolds seconded the motion. Motion carried 5-0.

C. MODIFICATION OF AGENDA (3:33:34) - None.

D. PUBLIC COMMENTS (3:33:45) - None.

E. STAFF PUBLIC SERVICE ANNOUNCEMENTS (3:34:25) - None.

F. DISCLOSURES (3:34:36) - Commissioner Vance advised of having been acquainted, for a number of years, with Carter and Peggy Twedt, the applicants for the special use permit which is the subject of item F-2. He further advised of no financial interest in the application, and that he would participate in discussion and action. Commissioner Reynolds also advised of having known the Twedts for a number of years, and that he would participate in discussion and action of item F-2.

G. CONSENT AGENDA (3:35:12) - None.

CARSON CITY PLANNING COMMISSION

Minutes of the August 27, 2008 Meeting

Page 2

H. PUBLIC HEARING MATTERS:

H-1. SUP-08-079 ACTION REGARDING A SPECIAL USE PERMIT APPLICATION FROM BLACK PINE CONSTRUCTION, LTD. (PROPERTY OWNER: DOLPHIN BAY BEAL, LLC) TO AMEND A PREVIOUSLY-APPROVED SPECIAL USE PERMIT TO INCREASE THE TOTAL NUMBER OF RESIDENTIAL UNITS FROM 132 TO 134 IN AN EXISTING APARTMENT COMPLEX, ON PROPERTY ZONED RESIDENTIAL COMMERCIAL (RC), LOCATED AT 730 SILVER OAK DRIVE, APN 002-761-01 (3:36:23) - Vice Chairperson Kimbrough introduced this item. Mr. Plemel reviewed the staff report in conjunction with displayed slides. He advised of having communicated with the applicant prior to the meeting, and that the applicant had been provided a copy of the agenda materials. He noted the applicant was not present in the meeting room. He reviewed the public noticing process, as outlined in the staff report, and advised that no comment had been received. In response to a question, he reiterated that the applicant had been provided a copy of the agenda materials. He noted the application was “pretty straightforward,” and that this item could have been included as part of the consent agenda. In response to a further question, he described the structural modifications necessary to accommodate an external entrance.

Vice Chairperson Kimbrough called for public comment and, when none was forthcoming, entertained a motion. **Commissioner Vance moved to approve SUP-08-079, a request from Black Pine Construction, Ltd., to increase the total number of permitted residential units from 132 to 134, on property zoned retail commercial, located at East Long Street, APN 002-761-01, subject to the findings and conditions of approval contained in the staff report. Commissioner Bisbee seconded the motion.** At staff’s request, **Commissioner Vance amended his motion to indicate the correct address at 730 Silver Oak Drive. Commissioner Bisbee continued her second. Motion carried 5-0.**

H-2. SUP-08-080 ACTION REGARDING A SPECIAL USE PERMIT REQUEST FROM JOHN COPOULOS (PROPERTY OWNER: TWEDT FAMILY TRUST) TO ALLOW FOR THE EXPANSION OF A NON-CONFORMING BUILDING ALONG THE EXISTING SETBACK, ON PROPERTY ZONED SINGLE-FAMILY 6000 (SF6), LOCATED AT 612 WEST ROBINSON STREET, APN 003-275-01 (3:42:35) - Vice Chairperson Kimbrough introduced this item. Ms. Pruitt reviewed the staff report, and advised that the property owners had provided a copy of the survey to Planning Division staff. She noted an error at the bottom of page 4 of the staff report, in that the applicants are proposing to add a new window on the western façade, as depicted on the elevations included in the agenda materials. She oriented the commissioners to the subject property, using a displayed aerial photograph, and narrated additional pertinent slides. She reviewed the public noticing process, as outlined in the staff report, and noted staff’s recommendation of approval.

(3:47:05) Architect John Copoulos, representing the applicants, acknowledged his agreement with the conditions of approval as outlined in the staff report. Mr. Copoulos acknowledged the fence along Elizabeth Street is within City right-of-way. In response to a question, Ms. Pruitt expressed the belief that the location of the fence was reviewed at the time the project was presented to the Historic Resources Commission.

Vice Chairperson Kimbrough called for public comment and, when none was forthcoming, entertained questions, comments, or a motion of the commissioners. **Commissioner Wendell moved to approve SUP-08-080, a special use permit from Carter and Peggy Twedt to expand an existing, non-**

CARSON CITY PLANNING COMMISSION

Minutes of the August 27, 2008 Meeting

Page 3

conforming structure along the existing non-conforming setback of 5.68 feet, located at 612 West Robinson Street, APN 003-275-01, based on the findings and subject to the conditions of approval contained in the “well-prepared” staff report. Commissioner Reynolds seconded the motion. Motion carried 5-0.

H-3(A) ZMA-08-082 ACTION REGARDING A RECOMMENDATION TO THE BOARD OF SUPERVISORS ON A ZONING MAP AMENDMENT APPLICATION FROM JOHN PROCACCINI (PROPERTY OWNER: BREWERY ARTS CENTER) TO CHANGE THE ZONING FROM RESIDENTIAL OFFICE (RO) TO PUBLIC REGIONAL (PR), ON PROPERTY LOCATED AT 501 WEST KING STREET AND 505 WEST KING STREET, APN 003-206-01 AND APN 003-206-02; and H-3(B) SUP-08-083 ACTION REGARDING A SPECIAL USE PERMIT REQUEST FROM JOHN PROCACCINI (PROPERTY OWNER: BREWERY ARTS CENTER) TO ALLOW VARIOUS ACTIVITIES AND EVENTS AS PART OF THE BREWERY ARTS CENTER FACILITIES, IN THE PUBLIC REGIONAL (PR) ZONING DISTRICT LOCATED AT 501 WEST KING STREET AND 505 WEST KING STREET, APN 003-206-01 AND APN 003-206-02 (3:49:47) - Vice Chairperson Kimbrough introduced item H-3(A). At Mr. Plemel’s request, Vice Chairperson Kimbrough combined items H-3(A) and H-3(B). He introduced item H-3(B), and Mr. Plemel oriented the commissioners to the subject properties using a displayed aerial photograph. He reviewed the staff report, and narrated additional slides. He noted that staff had been working with Brewery Arts Center representatives for some time to bring use of the subject facility into conformance. He reviewed the special use permit conditions of approval and the public noticing process, as outlined in the staff reports. He noted staff’s recommendation of approval for both the zoning map amendment and the special use permit.

In response to a question, Mr. Plemel advised that abandonment applications are submitted to this commission for recommendation to the Board of Supervisors. In response to a question regarding special use permit condition of approval 12, Mr. Plemel corrected the language to read “obtain” rather than “receive.” In response to a further question, he advised that based on the past record of outside events not having been an issue, there should be no reason to further restrict events. He noted that outdoor events have historically been scheduled at the facility. He explained that outdoor events are not limited to a certain number of days, but that special event and associated permits are required for each event. Vice Chairperson Kimbrough commented on the significance of the lack of complaints associated with the activities and events held at the facility.

(3:59:15) Architect John Copoulos, representing the Brewery Arts Center, acknowledged his agreement with the conditions of approval for both items. In response to a question, Mr. Plemel explained special use permit condition of approval 5. In response to a further question, he explained that if, for some reason, the use was abandoned for more than a year, the permit would be rendered null and void. He acknowledged as long as the Brewery Arts Center is utilizing the facility, the permit remains in effect.

Vice Chairperson Kimbrough called for public comment and, when none was forthcoming, entertained a motion. **Commissioner Wendell moved to recommend to the Board of Supervisors approval of ZMA-08-082, a zoning map amendment to change the zoning of APNs 003-206-01 and -02 from residential office to public regional, at property located at 501 West King Street, based on the findings contained in the staff report, including the public noticing process and consistency with the comprehensive master plan. Commissioner Reynolds seconded the motion. Motion carried 5-0.**

CARSON CITY PLANNING COMMISSION

Minutes of the August 27, 2008 Meeting

Page 4

Vice Chairperson Kimbrough entertained a motion. Based on the public noticing process and the support of other City departments as indicated in the agenda materials, **Commissioner Wendell moved to approve SUP-08-083, a special use permit from John Procaccini, Executive Director of the Brewery Arts Center, property owner Brewery Arts Center, to approve conditional uses for the subject site, including existing uses consisting of a performing arts venue; broadcast arts studio; event site for concerts, recitals, and public gatherings; as well as art exhibits, art and craft fairs and festivals, parking, signage, and temporary outdoor events, in a public regional zoning district, subject to the conditions and based on the findings contained in the “very thorough” staff report.** At Commissioner Vance’s suggestion, **Commissioner Wendell amended his motion to include the previously-noted correction to condition of approval 12.** Commissioner Reynolds seconded the motion. Motion carried 5-0.

H-4. SUP-08-078 ACTION REGARDING A SPECIAL USE PERMIT REQUEST FROM THE CARSON CITY PARKS AND RECREATION DEPARTMENT (PROPERTY OWNER: CARSON CITY) TO ALLOW FOR IMPROVEMENTS TO THE MORGAN MILL ROAD RIVER ACCESS AREA, ON PROPERTY ZONED PUBLIC COMMUNITY (PC), LOCATED AT 4600 FURGERSON ROAD / MORGAN MILL ROAD, APN 010-581-17 (4:06:31) - Vice Chairperson Kimbrough introduced this item. Mr. Plemel provided an overview of the staff report, and oriented the commissioners to the subject property using a displayed aerial photograph. He narrated pertinent slides, and reviewed the public noticing process, as outlined in the staff report. He noted staff’s recommendation of approval based on the findings and conditions contained in the staff report.

(4:09:41) Park Planner Vern Krahn reviewed details of the project, using a displayed drawing. In reference to page 5 of the staff report, he advised of having very recently learned that none of the necessary permit applications had been submitted. “Amazingly, our consultants went out of communication about three weeks ago.” Mr. Krahn noted the corresponding effect to the project time line due to the fact that obtaining the necessary permits may take three to four months. He advised that the consultants have been “let go. We are now working with RCI to ... get those permits in.” He expressed the hope to submit permit applications within the next month and to be able to begin construction in 2009. He anticipates the phase two time line will be unaffected. “The biggest factor for us is being in the River and we’ve got to have those permits.”

In response to a question, Mr. Krahn advised that Carson River Park improvements were completed following the 1997 flood. The most recent event was the 2006 / 07 New Year’s flood. Mr. Krahn advised that the parking lot “was approximately half under water and the fishing pier was about two feet underwater. And we survived that real well.” In response to a comment, Mr. Krahn discussed the work done on the project by George Mahe and Lynn Zonge, both of Resource Concepts, Inc. Mr. Krahn described details of the project amenities in conjunction with the displayed drawing. He acknowledged agreement with the conditions of approval, as outlined in the staff report. In response to a further question, he provided background information on the direction of the boat ramp and discussed details of the project design. He responded to additional questions regarding the required permits.

(4:26:19) Vice Chairperson Kimbrough opened this item to public comment and, when none was forthcoming, entertained additional questions, comments or a motion of the commissioners. **Commissioner Vance moved to approve SUP-08-078, a special use permit from Carson City Public Works to comprehensively approve a project at the Morgan Mill River Access that includes**

CARSON CITY PLANNING COMMISSION

Minutes of the August 27, 2008 Meeting

Page 5

improvements and amenities in a public community zoning district, subject to the conditions and based on the findings contained in the staff report. Commissioner Bisbee seconded the motion. Motion carried 5-0.

I. STAFF REPORTS / COMMENTS; DIRECTOR'S REPORT TO THE PLANNING COMMISSION; AND FUTURE AGENDA ITEMS (4:27:41) - Mr. Plemel reviewed the director's report, copies of which were included in the commissioners' agenda materials. He provided an overview of the tentative September commission agenda.

J. ACTION ON ADJOURNMENT (4:29:58) - Commissioner Vance moved to adjourn the meeting at 4:29 p.m. Commissioner Wendell seconded the motion. Motion carried 5-0.

The Minutes of the August 27, 2008 Carson City Planning Commission meeting are so approved this 29th day of October, 2008.

JOHN PEERY, Chair