Page 1

A regular meeting of the Carson City Planning Commission was scheduled for 3:30 p.m. on Wednesday, September 28, 2005 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 Roy Semmens William Vance

STAFF: Walter Sullivan, Planning and Community Development Director

> Lee Plemel, Principal Planner Jennifer Pruitt, Senior Planner Sean Foley, Associate Planner

Tom Grundy, Civil Design Supervisor

Michael Suglia, Supervising Deputy District Attorney

Kathleen King, Recording Secretary

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

- Α. CALL TO ORDER, DETERMINATION OF A QUORUM, AND PLEDGE OF **ALLEGIANCE** (1-0007) - Chairperson Peery called the meeting to order at 3:31 p.m. Roll was called; a quorum was present. Vice Chairperson Kimbrough led the pledge of allegiance.
- В. COMMISSION ACTION ON APPROVAL OF MINUTES - December 15, 2004 and August 31, 2005 (1-0031) - Commissioner Semmens moved to approve the minutes. Commissioner Reynolds seconded the motion. Motion carried 7-0.
- C. **PUBLIC COMMENT** (1-0095) - None.
- D. **MODIFICATION TO THE AGENDA** (1-0105) - None.
- **DISCLOSURES** (1-0112) Commissioner Reynolds advised he would recuse himself from item Ε. G-5. As an adjacent resident, Commissioner Bisbee advised of a discussion with the property manager of the Wal-Mart shopping center. She did not anticipate any conflict with participating in discussion and action of item G-5.
- F. CONSENT AGENDA (1-0126) - Mr. Sullivan acknowledged that all the consent agenda items were to be continued. Chairperson Peery read the titles into the record, and Commissioner Mullet moved to continue the consent agenda items. Commissioner Semmens seconded the motion. Motion carried 7-0. In response to a question, Chairperson Peery advised that items F-4 and F-5 would be heard at a special meeting scheduled for Tuesday, October 4, 2005. In response to a further question, he advised that the meeting would be taped and subsequently broadcast over channel 26.

- F-1. SUP-05-142 ACTION REGARDING A SPECIAL USE PERMIT APPLICATION FROM JAMES E. KRAHVLEC (PROPERTY OWNER: REALTY INCOME CORPORATION) TO ALLOW PLACEMENT OF A PERMANENT STORAGE CONTAINER, ON PROPERTY ZONED RETAIL COMMERCIAL (RC), LOCATED AT 1980 NORTH CARSON STREET (RITEAID DRUG STORE), APN 001-091-09 Continued.
- F-2. SUP-05-167 ACTION REGARDING A SPECIAL USE PERMIT APPLICATION FROM HANNAFIN DESIGN ASSOCIATES (PROPERTY OWNERS: LARRY AND JULIE MAXWELL) TO ALLOW EXPANSION OF A GARAGE WITHIN THE SIDE YARD AND REAR YARD SETBACK, ON PROPERTY ZONED SINGLE FAMILY 6,000 (SF6), LOCATED AT 702 NORTH MINNESOTA STREET NEAR PHILLIPS STREET, APN 003-234-03 Continued.
- F-3. VAR-05-168 ACTION REGARDING A REQUEST FOR VARIANCE APPLICATION FROM HANNAFIN DESIGN ASSOCIATES (PROPERTY OWNERS: LARRY AND JULIE MAXWELL) TO REDUCE THE REQUIRED 10-FOOT STREET-SIDE SETBACK TO 0 AND THE REQUIRED 10-FOOT REAR-YARD SETBACK TO 5 FEET, ON PROPERTY ZONED SINGLE FAMILY 6,000 (SF6), LOCATED AT 702 NORTH MINNESOTA STREET NEAR PHILLIPS STREET, APN 003-234-03 Continued.
- F-4. TSM-05-144 ACTION REGARDING A TENTATIVE SUBDIVISION MAP APPLICATION KNOWN AS SCHULZ RANCH FROM CAPITAL ENGINEERING (PROPERTY OWNERS: BURTON, LARRY J AND BURTON ET AL.; SMJ 1992 TRUST AND LMA 1992 TRUST; SCHULZ LIVING TRUST 06/02/80; PFLUM FAMILY REVOCABLE LIVING TRUST; BENNETT, ALICE S & ET AL.; GONI, JOSEPH R. 50% AND LATZY, P AND KUGLER, W R & COFFEY, C & ET AL.) TO REVIEW A 521-DWELLING UNIT SUBDIVISION AND VARIANCES TO CITY ZONING REQUIREMENTS FOR LOT AREA, LOT WIDTH AND LOT SETBACK REQUIREMENTS WITHIN THE SUBDIVISION, ON PROPERTY ZONED MOBILE HOME ONE ACRE (MH1A) AND SINGLE FAMILY ONE ACRE (SF1A), LOCATED GENERALLY WEST OF BIGELOW DRIVE, EAST OF CENTER DRIVE AND THE CARSON CITY / DOUGLAS COUNTY BOUNDARY LINE, AND SOUTH OF CLEAR CREEK; AT 1200, 1301 AND 1351 RACE TRACK ROAD AND 6501, 6701 AND 7001 CENTER DRIVE, APNs 009-311-03, -08, -09, -10, -14, -15, AND -47 Continued.
- F-5. ZMA-05-157 ACTION REGARDING A ZONING MAP AMENDMENT APPLICATION TO CHANGE THE ZONING FROM MOBILE HOME ONE ACRE (MH1A) AND SINGLE FAMILY ONE ACRE (SF1A) TO SINGLE FAMILY 6,000 (SF6), ON PROPERTY LOCATED GENERALLY WEST OF BIGELOW DRIVE, EAST OF CENTER DRIVE AND THE CARSON CITY / DOUGLAS COUNTY BOUNDARY LINE AND SOUTH OF CLEAR CREEK; AT 1200, 1301 AND 1351 RACE TRACK ROAD AND 6501, 6701 AND 7001 CENTER DRIVE, APNs 009-311-03, -08, -09, -10, -14, -15, and -47 Continued.

G. PUBLIC HEARING:

G-1. U-90/91-41 ACTION ON A PREVIOUSLY APPROVED SPECIAL USE PERMIT FOR CARSON CITY AT CARSON CITY FAIRGROUNDS / FUJI PARK TO DETERMINE WHETHER "CAR SHOWS", AS STATED IN THE SPECIAL USE PERMIT, INCLUDE THE COMMERCIAL DISPLAY OF AUTOMOBILES AT A CITY PARK SITE (1-0247) - Chairperson Peery introduced this item. Mr. Sullivan reviewed the staff report and the agenda materials. He advised that one of the commissioners had informed him of a large municipal vehicle exposition which was held at Fuji Park last summer. Upon researching the event, he advised that the Maintenance Superintendents Association, which is comprised primarily of municipal employees and construction professionals, has sponsored the event at Fuji Park for the last two years. He described the event, and advised that attendance is by invitation only.

In response to a question, Mr. Suglia explained his recommendation that the request be submitted to the Parks and Recreation Commission ("PRC"). The PRC provided a recommendation according to their purview over City parks. The PRC had no purview over the special use permit. In response to a further question, Mr. Suglia advised that a recommendation of approval by the PRC would have indicated agreement with the proposed use of the park.

In response to a question, Parks and Recreation Department Director Roger Moellendorf explained the purpose for requesting the opinion of Mr. Suglia. He advised that the Parks and Recreation Commissioners and Department staff discussed concerns over establishing a precedent for similar uses of the park. He advised of frequent complaints received from the general public over the number of events held at Fuji Park. He advised of additional concerns expressed by the Parks and Recreation Commissioners with regard to the event being scheduled over the Memorial Day weekend and whether or not such an event should be promoted in a City park.

Commissioner Mullet expressed understanding for the Parks and Recreation Commissioners' concerns. He advised of having researched the original special use permit and that there is no indication motorcycles would be allowed. Motorcycle events have been held at the park, however. Commissioner Mullet expressed concern with regard to the PRC "at one time ... choosing to read the document one way and then another time not." He suggested reviewing the entire special use permit at some time in the future.

Mr. Suglia acknowledged that this item would have been submitted to the Planning Commission if the PRC had recommended approval of the request. In response to a question, Mr. Sullivan explained the differences between the PRC's purview and that of the Planning Commission over this matter. Mr. Moellendorf clarified a determination by the Planning Commission that the proposed use is allowed pursuant to the special use permit would not translate to Mr. Milligan being allowed to go forward with his proposed event. He reiterated the PRC's concern over the proposed use at Fuji Park during the Memorial Day weekend. He suggested the matter may have to be resubmitted to the PRC for reconsideration.

Chairperson Peery expressed the understanding that Mr. Suglia's legal opinion indicates car shows are allowed under the special use permit. He explained this commission's purview to consider permitted uses under the existing special use permit. In response to a question, Mr. Suglia noted that advisory boards and commissions recommend policy to the Board of Supervisors. He reiterated his intention to receive input from the PRC regarding use of the park, and from the Planning Commission regarding whether the

proposed use should be included in the special use permit. In response to a comment, Mr. Suglia advised that the PRC would have no authority to deny the proposed use, but would be able to establish practical conditions regarding the event and/or scheduling. Commissioner Semmens discussed differences between recreational car shows and commercial car shows.

(1-1461) Tim Milligan, of Dick Campagni Automotive Group, advised that the proposed event was scheduled for May 26 through May 28; May 25th was scheduled for the purpose of set up. He provided background information on the request, and discussed the goal to provide the general public an opportunity to view various models at once. He anticipates being able to determine the success of the event by the first week in June. He advised of the intent to "try something different," and suggested economic gain for the City may be a result. Mr. Milligan acknowledged having briefly reviewed the staff report, but refused to comment. He responded to questions regarding similar vehicle shows at commercial venues. He was unaware of such a show ever taking place in a City park. In response to a further question, he explained the reason for the dates selected. He expressed a willingness to be flexible over the dates, and advised of the intention to "try this once." Commissioner Mullet inquired as to the reason for choosing the park site rather than a site such as Max Baer's parking lot. Mr. Milligan acknowledged the visibility afforded by Mr. Baer's parking lot. He explained that Fuji Park has "eye appeal," and is conveniently located across from Costco and near Highways 50 West and 395 South.

Chairperson Peery called for public comment; however, none was forthcoming. In response to a question, Mr. Milligan explained the reason for requesting a block of four consecutive days. With regard to other dates, he reiterated there was no other four-day block available during the months of June through September. He reiterated a willingness to consider other available dates.

Commissioner Vance noted that no sales would take place at the event, and that people would simply attend to look at the cars. He expressed the opinion the event would be clearly allowed by the existing special use permit. He suggested the "no sales" qualifier should allay concerns regarding dealers from other counties wanting to use the park for similar purposes. He expressed the opinion the proposed car show would do well to promote Carson City commerce. He didn't perceive any difference between the proposed car show and any other which takes places at Fuji Park, and expressed support for the request.

Chairperson Peery called for individual input from the other commissioners. Commissioner Semmens expressed concern over the commercial nature of the car show. He expressed the opinion that Fuji Park is a poor choice for the proposed event, and that using the park over Memorial Day weekend for such a purpose should be prohibited.

Commissioner Reynolds provided historic information on the various uses of Fuji Park. He agreed with Commissioner Vance that car shows represent a popular recreational activity. He expressed understanding for the concern that the proposed use may further stress Fuji Park. In keeping with the original intent of the special use permit, he suggested considering what the park should be used for today and expressed support for allowing the requested use.

Vice Chairperson Kimbrough suggested that the PRC should work with Parks and Recreation Department staff to develop policies for park use. He further suggested that the Memorial Day, Independence Day, and Labor Day weekends should be eliminated from consideration for events in order to ensure family and individual uses are accommodated at City parks. He agreed that as long as no sales will take place, the car

show is a legitimate use of the park. He suggested establishing a different fee schedule for commercial uses. He expressed support for the request as legitimate under the special use permit.

Commissioner Bisbee expressed agreement with Commissioner Semmens that parks should not be used for commercial ventures. She expressed the opinion that the proposed event is not the same as a recreational show, and that the purpose is to sell cars. She expressed the further opinion that the Memorial Day weekend is inappropriate for such an event. She expressed opposition to the proposal as an inappropriate use of the park.

Commissioner Mullet reviewed various other commercial and retail ventures which take place in the park. He expressed the opinion that the proposed event is allowed under the special use permit, and concern over the method by which to control the sales aspect. He suggested the proposed number of vehicles would most likely not tie up the park to the extent it couldn't be used by the public over the weekend. He expressed a preference for the event to be open to all car dealers.

Chairperson Peery expressed the opinion that the issue had much to do with connotation of the word "show." He expressed concern regarding displacement of the public, and noted that approval of the request may set a future precedent for any car dealership to use the park for vehicle display on a frequent basis. He agreed with Commissioner Mullet's suggestion to schedule an annual event in which various dealerships could participate. He advised of marginal opposition to granting the particular request under the current special use permit, and reiterated his concern over the possibility of the public being displaced.

Commissioner Vance pointed out that the commission's purview had nothing to do with the requested dates. Chairperson Peery entertained a motion. Commissioner Vance moved that the special use permit, U-90/91-41, a request for Capital Ford to utilize the Carson City Fairgrounds for a display of vehicles, be approved. Commissioner Reynolds seconded the motion. Motion carried 4-3.

Commissioner Mullet suggested that the PRC should define the word "show." Vice Chairperson Kimbrough suggested revisiting the parks, recreation, and trails master plan to further clarify the situation.

G-2. MISC-05-198 DISCUSSION ONLY REGARDING A PROPOSED COMMON INTEREST COMMUNITY (CONDOMINIUM) DEVELOPMENT ORDINANCE FOR THE PURPOSE OF REGULATING THE CONVERSION OF EXISTING APARTMENT BUILDINGS INTO CONDOMINIUM UNITS AND NEWLY CONSTRUCTED CONDOMINIUM UNITS INTO PLATTED COMMON AREA CONDOMINIUM UNITS (1-2580) - Chairperson Peery introduced this item. Ms. Pruitt provided background information, and reviewed the staff report. She commended Mr. Foley on the agenda materials. She acknowledged that proposed projects have been presented to the Planning and Community Development Department, and responded to questions regarding details of the same. In response to a further question, she listed various reasons for condominium conversions, including affordability and opportunities for owner-occupied units. In response to a further question, she offered to research tax revenue generation. In response to a further question, she reiterated this item represented "the beginning" of the process. She advised of the need for additional public and agency input. Members of the community have been very helpful in providing information from other counties and cities. In response to a further question, she expressed the understanding that 90 days is a fairly common time frame for requesting existing tenants to vacate. She acknowledged the proposal represents an opportunity to provide affordable housing. In response to a further question, she advised there are many factors involved in

condominium conversion. She expressed the opinion that many property owners will be interested in the process; however, the process itself will most likely limit some properties from converting depending upon the time of construction. She advised that the City of Reno has a mechanism for reviewing vacancy rates and for preparing reports. She expressed the opinion that staff will need to consider existing apartment buildings and determine whether there will be a large number able to convert. If so, more careful consideration should be given to vacancy rates. Staff will research the numbers and present the information to the commission. Commissioner Vance requested staff to consider hardships which may be caused to certain tenants. Chairperson Peery thanked Ms. Pruitt and Mr. Foley for their work.

G-3. SUP-05-165 ACTION REGARDING A SPECIAL USE PERMIT APPLICATION FROM PAUL EIKELBERGER (PROPERTY OWNER: DENNIS W. PLUMMER REV TRUST AND EUGENE J. AND JUDITH L. LEPIRE) TO ALLOW AN INCREASE IN THE DISPLAY AREA OF SIGNAGE AT VALLEY CHEVROLET, ON PROPERTY ZONED RETAIL COMMERCIAL (RC), LOCATED AT 2450, 2500 AND 2580 NORTH CARSON STREET, APNs 001-032-10, -28, AND -29 (1-3092) - Chairperson Peery introduced this item. Mr. Foley reviewed the staff report, and narrated pertinent slides.

(1-3330) Paul Eikelberger, representing Advanced Awnings and Interiors, reviewed details of the application and the proposed signage. He advised that the purpose of the awnings was to improve appearance of the property, and reviewed the language of the logos. He acknowledged having read the report, and his agreement with the same. He responded to questions regarding the drawings included in the application materials, and existing and proposed signage.

(2-0007) Mr. Foley responded to questions regarding the existing banners, and signage allowed pursuant to the Carson City Municipal Code ("CCMC"). He acknowledged that balloons are allowed for limited periods of time. The poles to which balloons are affixed are not addressed by the CCMC. Mr. Foley advised that a condition of approval had been included to ensure the poles do not protrude into the right-of-way or sidewalks. He further advised that a previous special use permit approved seven banners; there are currently 17. Chairperson Peery called for public comment and, when none was forthcoming, entertained additional comments or a motion.

In response to a comment, Mr. Foley reiterated the previous special use permit approved seven banners. Discussion ensued. In response to a question, Mr. Eikelberger advised that the calculations included in the application materials indicate existing signage, excluding the banners, at just under 600 square feet. The 17 banners comprise an additional 400 square feet. He stated "we're way over no matter what," and suggested that reducing the square footage to what was previously approved would amount to a denial. He expressed a willingness to address the number of banners with the business owner. Commissioner Reynolds expressed the opinion that the signage, as part of the awnings, is rather minimal, and that the awnings "add a whole lot to this particular property." Commissioner Mullet requested that the number of banners be reduced back to that which was approved as part of the previous special use permit.

Chairperson Peery entertained a motion. Commissioner Mullet moved to approve SUP-05-165, a special use permit application from Paul Eikelberger to allow an increase in the display area of nonconforming signage at Valley Chevrolet, on property zoned retail commercial (RC), located at 2450, 2500, and 2580 North Carson Street, APN 001-032-10, -28, and -29, based on the seven findings and subject to the recommended conditions of approval contained in the staff report, with the added

stipulation that the property owner bring current signage into the previous special use permit allocation. Commissioner Semmens seconded the motion. Motion carried 7-0. Chairperson Peery recessed the meeting at 5:13 p.m and reconvened at 5:22 p.m.

G-4. SUP-05-134 ACTION REGARDING A SPECIAL USE PERMIT APPLICATION FROM RICK ENGLEY OF GOTCHA COVERED MEDIA (PROPERTY OWNER: CAPITAL VENDING COMPANY) TO ALLOW A 12-BY-28 FOOT (288 SQUARE FOOT), 28-FOOT TALL BILLBOARD ADVERTISING SIGN, ON PROPERTY ZONED GENERAL INDUSTRIAL (GI), LOCATED AT 4949 HIGHWAY 50 EAST, APN 008-371-05 (2-0404) - Chairperson Peery introduced this item. Mr. Foley reviewed the staff report, and narrated pertinent photographs. In response to a question, he explained that the photographs were representative of how landscape can mitigate the appearance of a billboard. Mr. Sullivan acknowledged that irrigation will be available, and discussed the condition of approval requiring landscape. In response to a question, he reviewed the remaining billboard sites along Highway 50. He and Mr. Foley responded to questions regarding the method by which maximum billboard height is determined pursuant to the CCMC.

(2-0784) Rick Engley, of Gotcha Covered Media, acknowledged having reviewed the staff report. He agreed with the staff report, with the exception of condition of approval 18. He advised that he owns five billboards in Carson City, and discussed their various heights. He noted a correction in that the proposed sign is 12x24 feet. He explained the sign will be smaller "to ... conform with the surrounding buildings." He advised that the subject site was selected on the basis that it does not obstruct other signage or businesses. Because of the spacing requirement, the proposed location eliminates a potential billboard site. Mr. Engley discussed his disagreement with condition of approval 18.

In response to a question, Mr. Engley advised he would "deal with" condition of approval 18 if the commission took action to approve the application. He advised of having reviewed the condition of approval with his attorney, and that his company has never been required to landscape a billboard sign. Commissioner Mullet advised that the last billboard sign approved by the commission required landscape. Mr. Engley responded to questions regarding the proposed design and proposed lighting. Chairperson Peery called for public comment and, when none was forthcoming, entertained a motion.

In response to a question, Mr. Sullivan advised that frontage landscape is required along the freeway pursuant to the City's design standards. The tree is a new requirement which will serve to soften the billboard projection. Mr. Sullivan discussed the controversial aspect of billboard applications, and suggested the addition of a tree may serve as a compromise. In response to further questions, Mr. Sullivan advised that the City's contract arborist had recommended a medium to tall columnar tree which will not interfere with the signage as it matures. In response to a further question, he advised that the sign company would be responsible for working out with the property owner whether any additional square footage would be necessary to accommodate a tree. He suggested that landscape will add to the value of the property. Discussion took place regarding recently approved billboard applications. Commissioner Vance moved to approve SUP-05-134, a special use permit request from Engley Diversified, Inc., to allow the placement of a 288-square foot off-premises advertising sign, on property zoned general industrial, located at 4949 Highway 50 East, APN 008-371-05, based on seven findings and subject to the recommended conditions of approval contained in the staff report. Commissioner Semmens seconded the motion. Motion carried 6-1.

G-5. SUP-05-171 ACTION REGARDING A SPECIAL USE PERMIT APPLICATION FROM KENT WITT OF NORTH CARSON CROSSING LLC (PROPERTY OWNER: BERNHARD FAMILY TRUST 09/12/94) TO ALLOW A FREESTANDING (PYLON) SIGN THAT EXCEEDS SIGN HEIGHT REQUIREMENTS AND SIGN DISPLAY AREA, AND TO ALLOW AN ADDITIONAL FREESTANDING (PYLON) SIGN THAT ALSO EXCEEDS SIGN HEIGHT REQUIREMENTS AND SIGN DISPLAY AREA, ON PROPERTY ZONED LIMITED INDUSTRIAL (LI), LOCATED AT THE NORTHEAST CORNER OF HOT SPRINGS ROAD AND ROOP STREET AND THE SOUTHWEST CORNER OF COLLEGE PARKWAY AND MARKET STREET (NORTH CARSON CROSSING/WAL MART SHOPPING CENTER), APNs 008-125-55 AND -56 (2-1239) - Chairperson Peery introduced this item. Commissioner Reynolds left the meeting room; a quorum was still present. Mr. Foley reviewed the staff report and narrated pertinent photographs. Mr. Sullivan reviewed the proposed locations and dimensions of the signs. He noted there will be over 500,000 square feet of retail commercial area in the shopping center. He advised of staff's recommendation of approval based, in part, on the wide expanse of the area relative to the number of proposed pylon signs. He further advised that the applicant had submitted findings in support of the approval, and noted the 22 conditions contained in the staff report. He further noted that a third sign will require an additional special use permit application to be submitted and reviewed by the commission. He acknowledged that line of sight issues have been reviewed and included as conditions of approval. He further acknowledged that additional shopping center development will take place in the future. He reviewed the site plan included in the agenda materials. Mr. Foley responded to questions regarding the method by which advertising space will be divided between the various property owners.

(2-1625) Mark Lipkowitz, of Salisbury Signs, acknowledged having reviewed the staff report and his agreement with the same. He advised of questions regarding condition of approval 11. He advised that five different parcels comprise the commerce center. Salisbury Signs has attempted to reduce sign clutter by placing the two pylon signs 1/4 mile apart. There will be no other free-standing signs allowed. The proposed size of the signage was designed to "appease major tenants." The design is "easy-to-read;"letter sizing was done according to AAA studies regarding speed limit and distance necessary to read signage. Mr. Lipkowitz explained that the type of tenants the property owners are trying to attract "need that additional square footage ... in order for the traveling public to be able to recognize their logo and make the appropriate traffic decisions." In response to a comment, he noted that 1/4 mile "is a huge distance between two signs." In response to a further comment, he noted that one pylon sign will be located on College Parkway and one on Hot Springs Road. He advised that NDOT will be installing a traffic light because of the volume of traffic anticipated for the intersection. "The sign is designed to help move that traffic." In response to a further question, Mr. Lipkowitz advised that the property owners have developed a limited liability corporation called North Carson Crossing which will encompass all of the parcels as one shopping center. The proposed signage will identify the entire shopping center. Mr. Lipkowitz responded to additional questions regarding the purpose of the pylon sign proposed for the intersection of Hot Springs Road and Roop Street, various tenant signage possibilities, and the purpose for the requested 35' height.

Mr. Lipkowitz expressed confusion over the address requirements as outlined in condition of approval 11. In response to a question, Mr. Sullivan advised of the need for one principal address pursuant to Fire Department requirements. Mr. Foley further clarified the purpose for the condition of approval. Mr. Lipkowitz acknowledged his agreement with the condition based on Planning staff's clarification. Chairperson Peery called for public comment and, when none was forthcoming, entertained additional comments or a motion.

Vice Chairperson Kimbrough expressed support for the proposed height of the College Parkway sign, but disagreed with the proposed height of the Hot Springs Road and Roop Street intersection sign. Commissioner Semmens expressed opposition to the proposed 35' height, and a preference for both signs to be reduced to a height of 30'. Commissioner Mullet expressed support for the proposed signage with a possible third sign. He commented that the proposed signage is "a lot less obtrusive than a billboard." Commissioner Mullet moved to approve SUP-05-171, a special use permit application from North Carson Crossing, LLC to allow a free-standing pylon sign that exceeds sign height requirements and sign display area, and to allow an additional free-standing pylon sign that also exceeds sign height requirements and sign display area, on property zoned limited industrial, located adjacent to the northeast corner of Hot Springs Road and Roop Street and the southwest corner of College Parkway and Market Street, APNs 008-125-55 and -56, based on seven findings and subject to the recommended conditions of approval contained in the staff report. Commissioner Vance seconded the motion. Motion carried 4-2-1; Commissioner Reynolds abstaining. Commissioner Reynolds returned to the meeting room.

G-6. MISC-05-197 DISCUSSION ONLY REGARDING A PLANNED UNIT DEVELOPMENT APPLICATION FROM GLEN MARTEL (PROPERTY OWNER: CASEY, PAUL H. TRUST 01/20/87) TO DISCUSS THE INITIAL LOT CONFIGURATION OF A PRELIMINARY PLANNED UNIT DEVELOPMENT, ON PROPERTY ZONED CONSERVATION RESERVE (CR), LOCATED AT 4000 MURPHY DRIVE, APN 007-091-08 (2-2234) - Chairperson Peery introduced this item, and Ms. Pruitt reviewed the staff report.

(2-2306) Glen Martel, representing the Paul H. Casey Trust, provided background information on the property, and oriented the commissioners to the site using displayed slides. He reviewed previously presented development proposals. He reviewed the "T" design, as described in his September 16, 2005 letter included in the agenda materials. He advised of having presented the design to Planning and Community Development Department staff, who provided comments regarding street treatments, guest parking, sidewalks, and the possibility of combining some of the residential units to take advantage of the terrain. He displayed and reviewed subsequent iterations of the design. He described the topography, pointed out the most developable portion of the property, discussed access and slope issues, and described options for and benefits of the proposed retaining wall. He noted that the drawings were preliminary, and requested input of the commissioners.

In response to a question, Mr. Martel described methods by which to accommodate storm water flows. Chairperson Peery commended Mr. Martel on the concept. Mr. Martel responded to additional questions regarding access, hardscape, the proposed planned unit development, the V&T Trail, storm water detention, and Silver Oak's plans for an adjoining property. Commissioner Mullet expressed a preference for eliminating the sidewalks and making "more rolling streets like ... in Timberline or Lakeview." Discussion took place with regard to the same. Commissioner Reynolds commended Mr. Martel on the design. In response to a further question, Mr. Martel advised the density calculation was 12 units on 80 acres. Chairperson Peery thanked Mr. Martel for his presentation.

In response to a question, Mr. Grundy explained that the provisions of the hillside ordinance apply whenever the average slope across the area of development exceeds 15%. In response to a further question, he explained building restrictions associated with the hillside ordinance. Mr. Sullivan acknowledged that the area above the V&T could conceivably be developed in the future. In response to an earlier comment, he suggested that both Commissioner Vance and Mr. Martel walk the slope of the V&T right-of-way.

G-7. SUP-05-164 ACTION REGARDING A SPECIAL USE PERMIT APPLICATION FROM GEORGE D. WENDELL (PROPERTY OWNER: VICTORY CHRISTIAN CENTER) TO ALLOW PERMANENT PLACEMENT OF A METAL STORAGE CONTAINER, ON PROPERTY ZONED RETAIL COMMERCIAL (RC), LOCATED ON CHURCH PROPERTY NEAR THE INTERSECTION OF HOT SPRINGS ROAD AND NORTHGATE LANE, APN 002-061-32 (3-0005) - Chairperson Peery introduced this item, and Mr. Sullivan reviewed the staff report. He noted staff's recommendation of approval subject to the conditions included in the staff report, and reviewed the same.

(3-0095) Pastor George Wendell, of Victory Christian Center, acknowledged having read the staff report and his agreement with the same. He acknowledged plans to ultimately develop the subject property as a parking lot in conjunction with a new sanctuary. Mr. Sullivan acknowledged there are no current restrictions as to placing a storage unit on a vacant lot. Pastor Wendell responded to additional questions regarding the purpose of the storage unit.

Chairperson Peery called for public comment and, when none was forthcoming, entertained a motion. Commissioner Semmens moved to approve SUP-05-164, a special use permit application from Victory Christian Center to allow placement of a permanent storage container, on property zoned retail commercial, located adjacent to the west side of Northgate Lane, approximately twenty feet north of Hot Springs Road, APN 002-061-32, based on seven findings and subject to the recommended conditions of approval contained in the staff report. Commissioner Vance seconded the motion. Motion carried 7-0.

G-8. SUP-05-143 ACTION REGARDING A SPECIAL USE PERMIT APPLICATION FROM ACE ENGINEERING (PROPERTY OWNER: JASBIR SINGH SANDHU) TO ALLOW A 24-UNIT APARTMENT COMPLEX, ON PROPERTY ZONED RETAIL COMMERCIAL (RC), LOCATED AT 2829 SOUTH CARSON STREET, APN 009-112-30 (3-0255) - Chairperson Peery introduced this item, and Ms. Pruitt reviewed the staff report. In response to a question, she advised that landscape will prohibit access to the Scotty's Restaurant parking lot from the apartment complex parking lot. In response to a further question, she advised that a bar would be a primary, permitted use. She expressed the understanding that the proposed laundromat will not include a bar.

(3-0442) Jaspal Sidhu of Ace Engineering, representing the applicant, acknowledged having reviewed the staff report and his agreement with the same. Mr. Sidhu responded to questions regarding plans for the retail space, proposed hours of operation for the laundromat and the retail space, and the apartment design. He acknowledged balcony doors will be installed on the second and third floors.

Mr. Sullivan acknowledged that the retail space was not part of the special use permit application; it is a permitted use. In response to a question, Mr. Sidhu advised the owner has no plans to create condominiums out of the apartments. Chairperson Peery called for public comment and, when none was forthcoming, entertained a motion. Commissioner Bisbee moved to approve SUP-03-143, a special use permit

request to allow the construction of a 24-unit apartment complex, on property zoned retail commercial, located at 2829 South Carson Street, APN 009-112-30, based on seven findings and subject to the conditions of approval contained in the staff report. Commissioner Semmens seconded the motion. Motion carried 7-0. Chairperson Peery recessed the meeting at 7:05 p.m. and reconvened at 7:15 p.m.

G-9. SUP-05-159 ACTION REGARDING A SPECIAL USE PERMIT APPLICATION FROM DON AND MARIE CURD TO ALLOW EXPANSION OF THEIR EXISTING ACCESSORY BUILDING, ON PROPERTY ZONED SINGLE FAMILY ONE ACRE (SF1A), LOCATED AT 4553 BIGELOW DRIVE, APN 009-185-30 (3-0722) - Chairperson Peery introduced this item. Ms. Pruitt reviewed the staff report and narrated pertinent slides.

(3-0762) Don Curd acknowledged his agreement with the staff report.

Chairperson Peery called for public comment and, when none was forthcoming, entertained a motion. Commissioner Semmens moved to approve SUP-05-159, a special use permit request from applicants/owners Don and Marie Curd to allow an accessory building which exceeds 75% of the size of the primary structure, on property zoned single family one acre, located at 4553 Bigelow Drive, APN 009-185-30, based on seven findings and subject to the conditions of approval contained in the staff report. Vice Chairperson Kimbrough seconded the motion. Motion carried 7-0.

G-10. MISC-05-151 ACTION REGARDING A MISCELLANEOUS REQUEST FROM THE CARSON CITY PLANNING AND COMMUNITY DEVELOPMENT DIVISION TO ADOPT POLICY NUMBER PCP-2 TO CONTROL METAL STORAGE CONTAINER USE IN COMMERCIAL, INDUSTRIAL, PUBLIC, AND RESIDENTIAL ZONING DISTRICTS, INCLUDING PERFORMANCE STANDARDS (3-0843) - Chairperson Peery introduced this item, and Mr. Sullivan reviewed the staff report.

Property Appraiser Technician Kimberly Adams explained that storage units are considered personal property pursuant to NRS 361.265 and, as such, are taxable. She reviewed various purposes for storage units. She advised that the proposed policy will enable the Assessor's Office to better track storage units and, therefore, tax them appropriately. In response to a question, she advised that storage units, if leased to a separate entity, would still be claimed by the owner. In response to a further question, she advised that lack of reporting resulted in a lawsuit filed by the Assessor's Office. She acknowledged that storage units are taxed on a depreciating basis over a fifteen year period. In response to a further question, she advised that the Assessor's Office is bound by the statute to appraise storage units as personal property.

(3-1174) Carson City Area Chamber of Commerce CEO Larry Osborne provided background information on the ordinance amendment which allowed for temporary use of storage containers. He acknowledged the proliferation of storage containers used by retail and commercial businesses, and expressed support for applying standards. If the number is to be limited, he requested that it be done according to the size of the retail or commercial business. He suggested that the words "architecturally compatible" connote design, style, and structure, and requested that the language be changed to "aesthetically compatible." He questioned the necessity of posting a bond or other financial guarantee in that most of the storage containers will be associated with businesses which have been in the community for some time, have business licenses, and/or are regional, commercial establishments. In response to a question, he agreed with

establishing design standards and restrictions, but expressed concern over making them "so onerous ... we're defeating the purpose of why these were necessary in the first place." He expressed a willingness to work with Planning and Community Development staff on language which is acceptable to the commission while still allowing for use of the storage containers.

Vice Chairperson Kimbrough thanked Mr. Osborne for his attendance and participation. In response to a comment, Mr. Osborne discussed the importance of ensuring that use of storage containers continues to be allowed in conjunction with reasonable standards. In response to a question, he suggested the best way to allocate the number of storage units would be based on square footage. In response to a further question, he expressed the opinion that permanent storage containers should continue to be approved according to the special use permit process. Chairperson Peery thanked Mr. Osborne.

Mr. Sullivan reviewed the list of talking points included in the September 28th memo, and advised that he would work with Mr. Osborne and Assessor's Office staff to further refine the standards. He requested the commissioners to review the proposed standards and requirements, and provide feedback. Commissioner Vance discussed the temporary use process, aesthetic standards, parking and height requirements, and screening requirements. In response to a question, Mr. Sullivan agreed to check into standards for storage containers with wheels. He agreed to e-mail the talking points to the commissioners. Vice Chairperson Kimbrough thanked Mr. Sullivan for the time and effort invested in research.

Chairperson Peery entertained a motion. Following discussion, consensus of staff and the commissioners was to continue this item. Chairperson Peery called for public comment; however, none was provided. He thanked Mr. Sullivan for his presentation. Mr. Sullivan thanked Mr. Osborne for his attendance and participation.

H. STAFF REPORTS

H-1. REPORT ON BOARD OF SUPERVISORS ACTION ON PRIOR PLANNING COMMISSION APPLICATIONS (3-2950) - Mr. Sullivan reported that the Board of Supervisors unanimously approved, on second reading, the amendment to Title 18. The Arden Way right-of-way abandonment was continued. Staff will meet with the applicants and adjacent property owners, and Mr. Sullivan advised of the likelihood that the item will be resubmitted to the commission. Mr. Sullivan reported that the master plan amendment application submitted by Carson-Tahoe Regional Medical Center was approved by the Board of Supervisors on a vote of 4-1. The Board of Supervisors unanimously approved the master plan amendment and the change of land use application submitted by First Christian Church. The change of land use application submitted by Western Engineering to rezone the property north of Highway 50 and south of Carmine Street was continued at the request of the applicant. Staff is reexamining the current cul-de-sac length policy. Mr. Sullivan advised of action to reconsider previous denial of a special use permit for a billboard at 2794 Highway 50 East. The special use permit was subsequently approved by the Board of Supervisors on a vote of 3-2. He explained the process by which the Board of Supervisors is able to reconsider previous action.

Mr. Sullivan distributed, to the commissioners and staff, copies of the Order Granting Motion to Dismiss in *Washoe Tribe of Nevada and California vs. Carson City, et al.* He requested the commissioners to review the same.

- H-2. MPA-04-127 STATUS REPORT ON ACTIVITIES RELATED TO "ENVISION CARSON CITY," THE UPDATE OF THE CARSON CITY MASTER PLAN AND THE PARKS, RECREATION, AND TRAILS MASTER PLAN (3-3294) Mr. Sullivan distributed to the commissioners the master plan meeting schedule and reviewed the same.
- **I. ACTION ON ADJOURNMENT** (3-3456) Commissioner Mullet moved to adjourn the meeting at 8:16 p.m. Commissioner Vance seconded the motion. Motion carried 7-0.

The Minutes of the September 28, 2005 meeting of the Carson City Planning Commission are so approved this 26th day of October, 2005.

JOHN PEERY, Chair