

CARSON CITY PLANNING COMMISSION

Minutes of the June 26, 2002, Meeting

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A regularly scheduled meeting of the Carson City Planning Commission was held on Wednesday, June 26, 2002, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 3:30 p.m.

PRESENT: Chairperson Allan Christianson and Commissioners Gayle Farley, William Mally, Wayne Pedlar, and John Peery

STAFF PRESENT: Community Development Director Walter Sullivan, Deputy District Attorney Jason Woodbury, Senior Planners Skip Canfield and Lee Plemel, Senior Engineer Rob Fellows, and Recording Secretary Katherine McLaughlin (P.C. 6/26/02 Tape 1-0001)

NOTE: Unless otherwise indicated, each item was introduced by the Chairperson. Staff then presented or 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 Christianson convened the meeting at 3:30 p.m. Roll call was taken. A quorum was present although Commissioner Farley did not arrive until 3:40 p.m. and Commissioners Sedway and Wipfli were absent. Chairperson Christianson lead the Pledge of Allegiance.

B. APPROVAL OF MINUTES (1-0014) - None.

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

D. AGENDA MODIFICATIONS (1-0025) - None.

E. DISCLOSURES (1-0028) - None.

F. CONSENT AGENDA - U-01/02-36 - DISCUSSION AND ACTION ON A SPECIAL USE PERMIT APPLICATION FROM TOM HOFFERT, UTILITIES OPERATION MANAGER (1-0030) - Commissioner Peery moved to continue indefinitely F-1, U-01/02-36. Commissioner Pedlar seconded the motion. Motion carried 4-0.

G. PUBLIC HEARING

G-1. U-01/02-37 - DISCUSSION AND ACTION ON A SPECIAL USE PERMIT APPLICATION FROM ROBERT DARNEY (1-0067) - Associate Planner Jennifer Pruitt, Robert Darney - An email from Margaret Spears supporting the applicant was distributed to the Board and Clerk prior to the meeting. Mr. Darney indicated he understood the area is not to be used as a rental. It is to be used for entertainment and will be converted into a mother-in-law's suite at some time in the future. Discussion described the building's current use and explained the proposal to put new siding on the building that will be more in line with historical siding/clapboard. The house is to be upgraded in the future to match it. The structure has been used as an art studio. That individual had made some internal improvements to it. The need for an entertainment

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area was limned. Public comments were solicited but none were given. Commissioner Pedlar moved to approve U-01/02-37, a Special Use Permit request from Robert Darney, applicant, Jack W. McLaughlin, owner, to allow the modification of an existing detached garage/shop structure into a guest quarters for APN 003-243-01, on property zoned Single Family 6,000, located at 611 West Robinson Street, 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 approval on this application. (Commissioner Farley arrived during the motion—3:40 p.m. A quorum was present as indicated.) Commissioner Peery seconded the motion. Motion carried 4-0-1-2 with Commissioner Farley abstaining and Commissioners Sedway and Wipfli absent.

G-2. U-01/02-39 - DISCUSSION AND ACTION ON A SPECIAL USE PERMIT APPLICATION FROM FIRST CHURCH OF CHRIST, SCIENTIST (1-0143) - Associate Planner Jennifer Pruitt, Church President Sue Hansel, Senior Engineer Rob Fellows, Community Development Director Walter Sullivan, Robert Fulghum - Discussion indicated that staff felt the telephone call regarding the application had been addressed. It had basically related to development of the parcel. The individual had indicated a desire to see the parcel remain vacant, however, understood the proposal. The surrounding uses were described.

Ms. Hansel agreed with the report. She agreed to submit a landscape plan and indicated that City staff will assist in its preparation. She also indicated a need for assistance on “where to go and what to do” regarding the sign. The lighting is to be aimed downward and not disturb others in the area. They do not have social gatherings. The Church will be used mainly for services. She was aware of the requirement to extend the City water line from Lynett, which is approximately 600 feet from the Church. The Fire Department has requested a fire hydrant in front of the Church. Mr. Fellows indicated he was not aware of this requirement, however, Utilities Operation Manager Tom Hoffert may have required it. He explained that this is one of the issues which will be discussed when the building permit is requested. Ms. Hansel agreed to do whatever is necessary. Mr. Sullivan explained that Messrs. Fellows and Hoffert will meet with her when she applies for the building permit. The requirements will be spelled out at that time. Mr. Fellows explained the engineering requirement that Clear Creek Avenue be improved to collector standards and that Lynett be improved to local rural standards. These issues will also be discussed when the building permit is considered. The sewer line must be upgraded from its current six inch line to an eight inch line. The City will pay to upgrade it from the required eight inch line to ten inches. An eight inch line in Lynett is also required as the Code requires corner lots to have the sewer line extended along both sides of the lot when developed. When the City requires upgrading beyond an eight inch line, the City pays for the upgrade. Ms. Hansel felt that the Church’s use of the sewer system would be very minimal and questioned the reasons for requiring the eight inch upgrade. Chairperson Christianson pointed out the need for water for irrigation purposes. Mr. Fellows explained that the domestic water usage is separated from the irrigation use. Discussion explained the Code requirement mandating extension of the sewer line on both streets. Mr. Sullivan indicated that he would meet with Messrs. Fellows and Hoffert to discuss the requirement. Mr. Fellows explained the reimbursement policy to individuals in undeveloped areas who extend the services to their site. They are reimbursed by any property owners located along the extension to their site but not from individuals developing beyond their site. Discussion also indicated that as it is a rural area, curb, gutter, and sidewalk improvements will not be required.

Public comments were solicited. Mr. Fulghum explained the location of his property. It is a residential area. He did not wish to see commercial development occur in his area. Traffic has increased since a signal was

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installed at Clear Creek Road. This traffic is seeking a north/south route through or to other parts of the City. There is a bicycle path designation on the road. Oak Street, when it is extended, will separate his property from the Church. Although his neighbors were not present, they purportedly did not want to see commercial development occur in the area. He felt that allowing the Church and commercial development will invite additional commercial development into the area as it is only one block to the frontage road. He pointed out the number of churches currently found on Snyder within a one mile distance to illustrate his concern. He felt that the mobile home park will be eliminated in the future and that Clear Creek Road will be used as a frontage road to access Douglas County. Chairperson Christianson explained that the zoning is not commercial. The proposed use requires a special use permit in a residential zoned district. Mr. Fulghum responded that it is not a residential structure and will increase the traffic. The sewer was to have been extended to this area in 1993/4. Right now the area is on wells and septics although the water line is there. The sewer is purportedly across the street from the mobile home park. Traffic is currently using the area as a shortcut to get to Costco and Highway 395. He described the location of his residence. Commissioner Farley pointed out that development in his area may not occur until after the freeway is constructed as Oak Street has not been developed. Mr. Fulghum did not have a petition from the three residents with whom he had purportedly discussed the issue. There are six residents on his street and six on Arthur. A lot of these individuals are elderly but they had been to the Commission repeatedly since 1968 opposing other change of use permits. He had lived in his home since 1989. The Commission had always supported the residential character of the area. Mr. Fellows indicated that the Church had demonstrated that there would be very limited traffic use. No future plans for expansion have been indicated. Additional public comments were solicited but none were given.

Discussion between Mr. Sullivan and the Commission indicated that the large parcel of 17.7 acres to the north of the site is in the location of the freeway "take" area. Oak Street has not been constructed but could be in the future. The residential area to the east is zoned low density residential. Mr. Sullivan felt that the most of the development would occur to the west. He was unsure whether the school owned any or all of the large parcel or what its plans were in the area. The Church congregation contains approximately 25 members. Chairperson Christianson agreed that this should not create a large impact on the area. Discussion felt that there may be 12 to 13 vehicles involved. If the Church activities are increased requiring more services and night meetings, they must come back to modify the application. The current proposal is to have one service on Sunday and one on Wednesday. They also have a quarterly business meeting which lasts approximately one or two hours once a quarter.

Commissioner Peery moved to approve U-01/02-39, a Special Use Permit request from Sue Hansel, applicant, First Church of Christ, Scientist, owner, former owner Stanley and Sharon Headrick, to allow a 3,000 square foot Church on property zoned Single Family One Acre located at 110 Clear Creek Avenue, APN 009-224-02, based on seven findings and subject to 11 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 of approval on this application. Commissioner Mally seconded the motion. Motion carried 5-0. Commissioner Farley explained that she would normally vote against any issue which had a lot of individuals in opposition. She was aware of the increased development occurring in the area. She might have voted differently if more individuals had been present. Clarification indicated that this is the first time the Commission had heard an application for this area. Commissioner Peery also indicated that he would have voted against the motion if more people had been present to oppose. As the use is an off shoot of residential/community endeavor, it is more attractive. He, too, would have opposed commercial development,

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however, this is not a commercial venture. Mr. Sullivan explained the appeal process.

G-3. U-01/02-38 - DISCUSSION AND ACTION ON A SPECIAL USE PERMIT APPLICATION FROM WAL-MART STORES, INC. (1-0589) - Associate Planner Jennifer Pruitt, Community Development Director Walter Sullivan, Applicant's Representative James Bareno - Discussion between the Commission and staff questioned the type of sales items which would be sold in the parking lot. Commission comments indicated that it should not be automobiles. Mr. Bareno indicated that he had read the staff report and agreed with it. He explained the intent to sell merchandise that would not be moved to the new store in Douglas County. Sixty percent of the sidewalk sales will be plant material. The remainder will be clothing. The parking lot area will be used to sell seasonal materials like the swimming pools, palletized or clearance items. The new store should open on August 14. The current store will close 20 days later. The area will be enclosed with plants and pallets of merchandise for safety reasons. Ms. Pruitt hoped that the Commission was aware of the fact that the engineering reports for this item and the following item had been switched. Public comments were solicited but none were given. Commissioner Farley moved to approve U-01/02-38, a Special Use Permit request from Wal-Mart Stores, Inc., applicant, Wal-Mart Realty Company, owner, to allow outside sales and activities for a period exceeding 30 days on Assessor's Parcel Number 009-125-07, property zoned General Commercial, located at 4209 South Carson Street, 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 of approval on this application. Commissioner Pedlar seconded the motion. Discussion indicated that the time limit on the sale is August 13, 2002. The motion was voted and carried 5-0.

G-4. Z01-02-8 - DISCUSSION AND ACTION ON A CHANGE OF LAND USE REQUEST FROM ANGELA BRANTINGHAM-CLARK (1-0770) - Associate Planner Jennifer Pruitt, Community Development Director Walter Sullivan, Applicant's Representative Erin Riccio - Discussion between staff and the Commission indicated the site is adjacent to the storage unit on Oak. The west side of Oak Street is the dividing line between commercial and residential uses. The site is located on the west side of Oak. The parcel is the final piece to be considered for a zone change as the remainder has already been rezoned General Commercial of Multi-Family Apartment. If the Change of Land Use to Multi-Family Apartment is approved, the plans for the apartment building can be submitted for a building permit. Ms. Riccio indicated that they had read and concurred with the report. The owner is not a developer. There are no plans for development of the one acre parcel at this time. The owner cannot enjoy her rural area due to the traffic, noise and development which have occurred around her. Public comments were solicited but none were given. Commissioner Mally moved to approve Z-01/02-8, a Change of Land Use request from Angela Brantingham-Clark, applicant and owner, to change the zoning designation from Single Family One Acre to Multi-Family Apartments, APN 009-191-13, located at 4870 Oak Street, and recommend to the Board of Supervisors approval of the request based on the ability to make the findings contained in the staff report. Commissioner Peery seconded the motion. Motion carried 5-0.

G-5. DISCUSSION AND ACTION TO APPROVE A RESOLUTION OF COMMENDATION TO WILLIAM MALLY (1-0902) - Community Development Director Walter Sullivan read the resolution into the record. He explained Commissioner Wipfli's comments regarding Mr. Mally's retirement and Commissioner Wipfli's wish for him to have the best in the future. He felt that Mr. Mally was "Mr. Planning Commissioner". Mr. Sullivan thanked him for his service, time and support during his 12-1/2 years

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on the Commission. He was the longest serving Commissioner for the City and County since 1969. Mr. Sullivan also explained Commissioner Mally's doctrine and efforts to ensure that mother-in-law apartments would not be converted to rental units and that they would be connected to water and sewer services. Chairperson Christianson expressed his regret at losing him as a Commission member and indicated his support for the resolution. Commissioner Mally explained his desire to protect the best interest of the community through his decisions. He had also worked hard to ensure that the City would protect its interest by requiring bonds from the developers. He thanked the Commission for the recognition. Mr. Sullivan explained that the Board of Supervisors will be making a special presentation of a similar resolution to Mr. Mally on July 3rd and asked that he attend that meeting. Commissioner Peery moved to approve Planning Commission Resolution 2002-PC-2, a Resolution honoring Commissioner Mally. Commissioner Farley seconded the motion. Motion carried unanimously. Chairperson Christianson explained the length of Commission meetings during his tenure. He also recalled the names of several former Planning Commissioners with whom he and Commissioner Mally had served, including Jeff Fontaine, Alan Rogers, Maxine Nietz, and Archie Pozzi. They had seen a lot of changes in the City. They had always considered the good of the community. He congratulated him on his tenure.

H. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS - NON-ACTION ITEMS (1-1182) - Discussion indicated that the Chairperson and Vice Chairperson appointments are typically considered in November.

(1-1232) Commissioner Mally, Mr. Sullivan and Chairperson Christianson discussed their recollection of various meetings and their lengths. They felt that lengthy meetings were much too long for the good of all those involved. Chairperson Christianson complimented Mr. Sullivan on his tenure with the Department and "bringing along" his staff members such as Juan Guzman and Rob Joiner.

H-2. FUTURE COMMISSION ITEMS AND DATES (1-1092) - Mr. Sullivan explained the need for a special meeting on July 11 at 5:30 p.m. in the Sierra Room to consider a Code amendment for the Carrie Henson's childcare facility situation and to brief the Commission on Associate Planner Pruitt and the consultant's work on the application fees. There had been a time and motion study done on the fees. The last increase was in 1986. The Code revision is based on the Commission's comments at the hearing on Ms. Henson's special use permit application. (1-1172) Staff had been discussing holding a workshop with the Commission. Input on the date and time will be solicited in the future. The workshop will include training materials and meeting management concepts. (1-1199) Discussion indicated a desire to have a presentation on the economic development strategic plans made to the Commission as it includes recommendations on items which the Commission should consider. The Commission could then establish its priorities. Chairperson Christianson explained his attendance at the economic development meeting last night which he felt was quite an extensive, well organized group of committees who had presented several good ideas. Mr. Sullivan limned the staff involvement on this effort and complimented Kathy Laster on the booklet. The Commission will be provided copies of this booklet. It is an interesting concept with opportunities and challenges which should be considered.

H-1. STAFF BRIEFING ON THE STATUS OF COMMISSION RECOMMENDATIONS TO THE BOARD OF SUPERVISORS AND COMMISSION CORRESPONDENCE (1-1130) - The Board

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had approved the Tentative Map and Change of Land Use for Saliman Estates and the Legislative Counsel Bureau's Change of Land Use. The Commission's denial of the Legislative Counsel Bureau's Special Use Permit was not appealed. Although the Board had approved Randy and Donna Harris' Change of Land Use, the Board had voiced similar concerns as that expressed by the Commission. It had been approved on a 3-2 vote. The public zoning proposal was finally approved. The amendments to Titles 15 and 18 regarding the RV parks and the Residential Construction Tax were approved. The Board had conducted interviews of the Planning Commission applicants and reappointed Commissioner Sedway and appointed Mark Kimbrough. Mr. Kimbrough will be at the July 11th special meeting.

I. ADJOURNMENT (1-1280) - Commissioner Mally moved to adjourn. Commissioner Peery seconded the motion. Motion carried 5-0. Chairperson Christianson adjourned the meeting at 4:50 p.m.

The Minutes of the June 26, 2002, Carson City Planning Commission meeting

ARE SO APPROVED ON July 31, 2002.

/s/
Allan Christianson, Chairperson