

CARSON CITY REGIONAL PLANNING COMMISSION  
Minutes of the February 28, 1996, Meeting  
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A regularly scheduled meeting of the Carson City Regional Planning Commission was held on Wednesday, February 28, 1996, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 3:30 p.m.

**PRESENT:** Chairperson Alan Rogers, Vice Chairperson Vern Horton,  
and Commissioners Allan Christianson, William Mally,  
Maxine Nietz, and Deborah Uhart

**STAFF PRESENT:** Community Development Director Walter Sullivan, Deputy  
District Attorney Mark Forsberg, Senior Planner Juan  
Guzman, Senior Engineer John Givlin, Associate Planner  
Tara Hullinger, and Recording Secretary Katherine  
McLaughlin (R.P.C. 2/28/96 Tape 1-0001.5)

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

**A. ROLL CALL, DETERMINATION OF A QUORUM, AND PLEDGE OF ALLEGIANCE -**  
Chairperson Rogers convened the meeting at 3:33 p.m. by leading the Pledge of Allegiance. Roll call was taken and a quorum was present although Commissioner Pozzi was absent and Commissioners Mally and Uhart had not yet arrived.

**B. COMMISSION ACTION - APPROVAL OF JANUARY 3, 1996, MINUTES (1-0025.5) -**  
Commissioner Nietz corrected the typographical error on Page 7 to be "'An aviation easement" rather than "A navigational easement". (Commissioner Mally arrived during the correction--3:35 p.m. A quorum was present as indicated.) Commissioner Nietz moved that the Regional Planning Commission approve the January 3, 1996, meeting minutes as amended. Commissioner Horton seconded the motion. Motion carried 6-0.

**PUBLIC COMMENTS (1-0043.5) -** Community Development Director Sullivan introduced Deputy Utilities Director Jay Ahrens. Mr. Ahrens then introduced the new Acting Health Officer Daren Winkelman. Mr. Winkelman gave a brief synopsis of his background. Chairperson Rogers welcomed him.

**AGENDA MODIFICATIONS (1-0078.5) -** Mr. Sullivan explained the request to continue Items F-5, F-6, F-7, and F-10. Direction from staff indicated Items F-5, F-6, and F-7 could be considered as part of the Consent Agenda.

**E. CONSENT AGENDA (1-0100.5)**

**F-5. MPA-95/96-6 - DISCUSSION AND POSSIBLE ACTION ON A RESOLUTION FROM CARSON CITY**

**F-6. Z-95/96-6 - DISCUSSION AND POSSIBLE ACTION ON A CHANGE OF LAND USE REQUEST FROM CARSON CITY**

**F-7. Z-95/96-7 - DISCUSSION AND POSSIBLE ACTION ON A CHANGE OF LAND USE REQUEST FROM CARSON CITY -** (Commissioner Uhart arrived during the introduction--3:40 p.m. A quorum was present as previously indicated.) Commissioner Nietz moved that Items F-5, F-6, and F-7 on the Consent Agenda be continued to the next regular meeting. Commissioner Mally seconded the motion. Motion carried 6-0.

**F. PUBLIC HEARINGS (1-1035.5)**

**F-1. U-94/95-6 - DISCUSSION AND POSSIBLE ACTION ON AN AMENDMENT TO A PREVIOUSLY APPROVED SPECIAL USE PERMIT FROM ROCHELLE HOSKINS -** Associate Planner Tara Hullinger and Rochelle Moniz-Lewis - Ms. Moniz-Lewis corrected her name. She indicated she had read the

staff report and agreed with it. She had not contacted her neighbors about the request and is purportedly a good friend of the individual who had voiced her opposition to the original request. Commissioner Christianson explained his personal investigation which indicated there were several unhappy neighbors. He noted that staff had not received any complaints during the last six months on the facility nor comments from the 65 individuals contacted. Based on his personal investigation and his original opposition to having this type of facility in a residential neighborhood, he indicated he would vote against the increase. Chairperson Rogers noted the investigation conducted by staff due to the complaints six months ago and staff's indication that those allegations were unfounded. Public testimony was solicited but none given. Commissioner Nietz moved that the Regional Planning Commission amend U-94/95-6 to allow a child care facility for a maximum of 12 children on property zoned Single Family 6,000 at 2509 Pinebrook Drive, APN 10-413-16, based on seven findings and subject to five conditions of approval contained in the staff report and with the understanding that any acknowledgement 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 4-2-0-1 with Commissioners Horton and Christianson voting Naye and Commissioner Pozzi absent.

**F-2. U-95/96-22 - DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT APPLICATION FROM MARK FAEDI (1-0262.5)** - Senior Planner Juan Guzman, Senior Engineer John Givlin, Mark Faedi, Deputy Utilities Director Jay Ahrens - Mr. Guzman gave the Commission a poster with photographs showing the site. Discussion between staff and the Commission explained that the buildings would be on a well and have a septic system, have only one dwelling, that conversion of the building back to a house could not occur, the second access road from Kings Canyon, the drainage plan, the easement required from Voltaire Canyon, and the reasons the Hillside Ordinance is not mandated for this site. Commissioner Uhart explained her personal knowledge and involvement with the site. She felt that only one individual could see the site and he was located in Kings Canyon.

(1-0395.5) Mr. Faedi had read the staff report and is in favor of it. He indicated that Kings Canyon Road could be accessed from his property and is his second access. The property is located in a dry lake bed. The drainage would be diverted around the house via a French drain system and into its natural drain. He then explained that the marks on the site plan are not a driveway. It is walkway which vehicles would not use. It will be used for horses to access the barn. The driveway terminates at the barn. New plans have been completed and will not include a patio off of the master bedroom.

Public testimony was solicited but none provided. Mr. Faedi then explained his contact with the Fire Department and experience with fire sprinklers. He is still considering the sprinkler requirement. The new well produces 60 gallons per minute. He is considering creating a pond for irrigation of the meadow area which should contain an adequate water source to meet fire fighting requirements. Purportedly, Mr. Mihelic had not mandated the sprinklers. Mr. Faedi understood that the fire fighting requirements would have to be his responsibility. This was the reason he was seriously considering the sprinklers. (1-0500.5) Public testimony was again solicited but none given. Mr. Ahrens noted the State Water Engineer's requirements for water rights and his approval for any water usage beyond that required for residential use and irrigation of more than one acre. Mr. Faedi indicated he was aware of these requirements. Commissioner Mally moved to approve U-95/96-22, a special use permit from Mark Faedi for the purpose of conducting construction within the skyline area of Carson City, based on seven findings and subject to seven conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission or Board by the applicant may be considered as further stipulations or conditions of approval on this application. Commission Uhart seconded the motion. Following discussion on the number of conditions, Commissioner Mally amended his motion to be subject to six conditions of approval. Commissioner Uhart continued her second. Motion carried 6-0.

**F-3. Z-95/96-8 - DISCUSSION AND POSSIBLE ACTION ON A CHANGE OF LAND USE REQUEST FROM RANDALL HARRIS (1-0510.5)** - Mr. Guzman, Mark Palmer, and Matthew Brantingham - Discussion between the Commission and staff included surrounding uses, the timing issue involving the request, staff's recommendation, concerns about spot zoning if the request is approved, the density factor and size of the parcel, its present zoning, the lack of City utilities in this area, the location, and the need to have the Master Plan Element which is now being considered by the Commission approved before considering the request. Mr. Palmer

indicated concurrence with several points in the staff report and his feeling that the points used for recommending denial would support his request for approval. He used a map of the general area to explain his reason for feeling that the area is in transition and that it is the correct time to consider the request. The current Master Plan fails to reflect the current changes which have occurred in this area. Good planning practices recognize buffering conflicting uses with less densities as the area develops, e.g., commercial would be buffered with high density residential which is buffered by medium density residential which is then buffered by low density residential. Infrastructures will only be extended to the area as it develops. The new Master Plan Land Use Element will support the request. The Bypass would close the southern access to the area and could serve to buffer development south of the area. City water is available at the parcel. Discussion indicated the sewerline would reach this area this spring. Mr. Palmer indicated he had discussed participating in cost sharing this extension. If the new Master Plan Land Use Element had been adopted, staff would have additional support to recommend denial. Mr. Guzman recommended rezoning a larger area at one time rather than piecemeal. Mr. Palmer noted that there are only 12 lots in that area which would not provide a large area for rezoning. He had talked to some of the property owners about the apartment complex and its need for another right-of-way. He felt that the Master Plan would have been adopted by the time the request reached the Commission. Discussion between Mr. Palmer and Commissioner Uhart agreed that the request may be the best use of the parcel. Commissioner Uhart felt, however, that it could be spot zoning as the area's composition does not support the use at this time. Mr. Sullivan explained the current zoning and the question before the Commission is whether the conditions in the surrounding area have changed enough to support a zoning change. He then outlined a possible step down zoning program which would provide a density change for the area and the apartment complex could be considered in the commercial area if a special use permit is obtained. Discussion explained the area which NDOT now owns. Mr. Sullivan reminded the Commission of the issues which must be considered in granting a change of land use request. Mr. Palmer used a parcel map to explain the zoning and land use in the area.

(1-1068.5) Public testimony was solicited. Mr. Brantingham explained his location and requested the Commission maintain the Single Family One Acre zoning. He had not been contacted by the applicant about the proposal and felt that none of the other neighbors were aware of the proposal. He opposed the project due to the increase in traffic and crime which would be created by the project.

Commissioner Nietz explained that zoning lines are drawn in the mid-block and not down the middle of a street. This allows facing properties to match. This is the same for the area under discussion. The Commission could not consider the economic viability of the property. The Commission could not guarantee the final project if the zone change is granted as a resolution of intent had not been proposed. Sidewalks would be required as part of the project if the multi-family apartment request is approved, however, there is a long distance between sidewalks in the area. There are no sidewalks along Snyder and the pedestrians would be forced to walk along a very busy arterial. The entire area along Snyder is rural. There is no multi-family apartment zoning in the vicinity. She did not believe this is the appropriate time for a zoning change in this area based on the current uses. Commissioner Christianson noted that testimony had indicated the area would be zoned as requested on the new Master Plan Land Use Element. Clarification indicated zone changes and master plan amendments could not be held by stipulations. Once the zoning is changed, any project allowed by the zoning could be developed. The abandonment request is a separate action and not required for this request.

(1-1182.5) Commissioner Nietz moved that the Planning Commission recommend to the Board of Supervisors the denial of Z-95/96-8, a change of land use on a one acre portion of APN 9-191-09 from General Commercial into Multi-Family Apartments based on one finding as discussed in the staff report. Commissioner Mally seconded the motion. Motion was voted and carried 5-1-0-1 with Commissioner Christianson voting Naye and Commissioner Pozzi absent. Mr. Sullivan indicated the Board of Supervisors would consider this Item on March 21.

**F-4. AB-95/96-4 - DISCUSSION AND POSSIBLE ACTION ON AN ABANDONMENT REQUEST FROM RANDALL HARRIS (1-1201.5)** - Mr. Guzman, Mr. Sullivan, and Mr. Palmer - Discussion explained the location. Other access routes are provided to all the properties abutting the area being abandoned. Clarification indicated the Dufur property was comprised of two parcels and explained how they had been created. Elimination of this section of Patrick Street would assist the City by eliminating confusion between this Patrick Street and another Patrick Street found in a different area. Mr. Sullivan explained the reasons the property would

revert to the adjacent property owners at no cost. Public comments were solicited but none made. Mr. Palmer indicated they had read and supported the staff report. Public testimony was again solicited but none made. Public testimony was closed. Commissioner Nietz moved that the Planning Commission recommend the Board of Supervisors approve AB-95/96-4 from Randall S. Harris, an abandonment of East Patrick Street right-of-way, consisting of 60 feet in width by 600 feet in length, based on two findings and subject to three conditions of approval contained in the staff report, and with the understanding that any acknowledgements to the Commission by the applicant may be considered as further stipulations or conditions of approval on this application. Commissioners Mally and Horton seconded the motion. Motion carried 6-0. Mr. Sullivan explained that the Board of Supervisors would consider this Item on March 21.

**F-8. A-95/96-5 - DISCUSSION AND POSSIBLE ACTION ON A REQUEST FROM ROBERT HUGHES TO AMEND CCMC SECTION 18.06.129 (1-1319.5) - Senior Planner Sandra Danforth, Deputy District Attorney Mark Forsberg, and Robert Hughes -**

Mrs. Danforth modified the definition to add "A group home is similar to multi-family facility with each guest having its own room." She also requested direction from the Commission, if the request is approved, on whether to bring forward the appropriate ordinance modifications which would allow a Home for the Aged in the Residential Office, General Office, and Neighborhood Business districts. Discussion between the Commission and staff indicated the proposal would place the Homes in the MFA district and would be characterized by facilities without nursing care, however, the ordinance modifications provided indicated nursing care would be included. The facility proposed by the applicant would not include this amenity. The guests could hire a nurse to come in and provide this service. Discussion ensued on the different levels of medical care which should be provided in the different facilities. Commissioner Uhart suggested using "home health care visits" as the majority of the guests in a Home for the Aged would be ambulatory but may need physical therapy, occupational therapy, oxygen, etc. They may be able to live in a group setting and take care of themselves. Facilities in Carson City are currently considered group care. Commissioner Mally explained his experience and knowledge of group care facilities in Lyon County. Commissioner Nietz supported Commissioner Uhart's recommendation that the term nursing be replaced with "home health care" which could be defined as "i.e., respiratory therapist or occupational therapist or nurse". Commissioner Nietz also suggested modifying 18.03.490 so that it would read "....in which nursing, dietary and other personal services are furnished...." to "....nursing, dietary or other personal services....". Mr. Forsberg suggested the Item be continued to allow staff time to research the technical definitions. He agreed to do this research. Commissioner Nietz stressed the need to provide a difference in the facilities. Commissioner Mally suggested the term "nursing" be included in the research. Commissioner Uhart suggested other operators be contacted and ordinances researched from other areas including Washoe County. Mr. Forsberg expressed a willingness to contact the national association to obtain its model and obtain direction on how it should be drafted. Commissioner Mally questioned whether a limit could be placed on the number of guests allowed in a facility. Mr. Forsberg agreed to research this issue also. Commissioner Christianson suggested research include insurance issues related to long-term care policies and the ability to provide home health care. Mr. Forsberg agreed to include these issues in his research. Chairperson Rogers indicated that his concerns had been related to the Statutes and how the Health Department controls the operations including the number of guests, type of care, licensing requirements, etc. He was also concerned about creating a facility which is not found under the State guidelines. Mr. Forsberg noted his ability to exchange information on these facilities with the Attorney General's office. Commissioner Uhart suggested the senior care, elder care facilities be located within walking distance to the main part of the City. Commissioner Nietz noted previous Commission action which had removed the MFA uses from the RO zone. Mrs. Danforth felt that it would be allowed in the RO district if a special use permit is obtained. A special use permit would be required in any district. Commissioner Mally opposed requiring the facilities to be within walking distance of the main part of the City. Chairperson Rogers felt that Commissioner Nietz' suggestion was to put the facilities in the GO and MFA zones as the services required for such a facility would not be found in the RO districts. Commissioner Uhart felt that medical services are in the RO zone and that these services are required by older individuals. Commissioner Nietz responded by explaining her feeling that the historic district requires another review process with special conditions and requirements which could mitigate any problems. Commissioner Uhart felt that the Special Use process would accomplish the same review. Clarification indicated that the Commission was suggesting the use be allowed in other districts, including MFA, which would allow the density and are close to the hospital.

(1-1736.5) Mr. Hughes concurred with staff's request for a continuance. The State Health Department requires operators with more than two guests to be licensed. Some of the smaller operators are upset about this requirement. He did not feel that there is a limit on the number of "residents" under the State regulations, however, this could be addressed under the special use permit process. Large facilities need a specific ratio to be economically feasible. He agreed to work with staff. Discussion explained his association with a firm which operates in several other States. He was unaware of any restrictions on the number of guests allowed per home. Nevada does require a per person square footage, however, a room could be shared which would allow three or four individuals per room. His proposal was for one person per room. Mrs. Danforth indicated her proposal would have one person per room and be based the facility's size. The facility size would be governed by the zoning. Clarification by Mr. Hughes indicated his guests would require minimal medical care as regulated by the State. Examples were provided to clarify the services which would be provided in the facility and the term ambulatory. Public testimony was solicited but none given.

Commissioner Nietz encouraged staff to provide a clear difference in the definitions of convalescent home, group care, and home for the aged which would indicate the different type of individuals served and services provided. (1-1899.5) Commissioner Nietz moved that Item F-8 be continued for additional language in the ordinance. Commissioner Uhart seconded the motion. Motion carried 6-0.

**F-9. U-95/96-23 - DISCUSSION AND POSSIBLE ACTION REGARDING A SPECIAL USE PERMIT APPLICATION FROM WESTERN NEVADA COMMUNITY COLLEGE (1-1912.5) -** Mr. Sullivan; Principal Planner Rob Joiner; Mr. Ahrens; Mr. Givlin; Western Nevada Community College Representatives Bill Davies, Bill Schulz, Max Hershenow, and Jess Holmes; Utilities Director Dorothy Timian-Palmer; Ken Scarbrough - Mr. Sullivan explained that he would abstain from the discussion due to a conflict of interest. Discussion between staff and the Commission indicated the parking space/area is in excess of the Code requirement. Staff will review the landscaping plans and the drainage created by the parking lot asphalt will be mitigated. A meeting had been held with the College and an agreement reached that the College will make improvements to the water system, however, the actual improvements and costs have not been finalized. The traffic counts have been completed on College Parkway and Winnie Lane, however, a trend has not yet been established/analyzed. Copies of the report will be provided when it is available. Commissioner Christianson questioned the purpose and design of the dirt road going around the child care facility located on the north side of the College. Mr. Givlin felt that this was only an easement designation and not an actual roadway. Mr. Givlin requested Condition 5 be modified to include "that the applicant construct half-street improvements along Coombs Canyon Road frontage including curb, gutter, sidewalk, and "tie-in" pavement to a point fifty feet west or beyond the edge of the westerly most building". The College had indicated there is no budget to meet this requirement and agreed to a development agreement which would defer these improvements to a future date. Chairperson Rogers questioned whether the expansions would eliminate the use of modular buildings and staff deferred to the representatives.

Mr. Davies had read the staff report and was only concerned that the record reflect their efforts to work with Ms. Timian-Palmer and Mr. Ahrens on the water requirements. This issue is still in negotiation and includes the State Public Works Department. Additional time was requested to resolve these issues. He agreed that the issues would have to be resolved before Phase V is closed. State Public Works Board Representative Schulz stressed that the State could not commit to the water improvements until the final details are established. He was willing to agree that water improvements were needed. He requested this issue be left "open ended" until the final details are resolved.

Ms. Timian-Palmer explained the water pressure problems found in the area and its inability to provide for any College expansion. Negotiations are defining the portion for which the College should be responsible. She supported an agreement stipulating a requirement based on proportion of need, however, without the improvements, she would not bring the College on line as it would jeopardize other service areas. Reasons for the delay in addressing this issue had been created by the State's failure to contact the City about the expansion plans until recently.

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Architect Hershenow briefly reviewed the plans and indicated the line Commissioner Christianson had questioned earlier was in fact a utilities easement and not a street right-of-way. One of the modulars would be demolished and one would be used for other services. An emergency access will be provided to meet Fire requirements. The trade schools will meet all of the State OSHA requirements. The auto paint shop has been temporarily placed on hold due to the budget. When it is developed it will also meet the OSHA requirements. He clarified the property owned by the College. Mr. Davies indicated the College may at some future time sell the property on the north side of the canyon. Mr. Hershenow indicated the parking lot lighting would be the same as is currently used. Efforts will be taken to keep the lighting on the parking lot and not have it shine into the apartments. Renderings of the facility were displayed and discussed with Mr. Holmes. The windows will be glazed and have a "bonnet" to reduce the sun's impact during the summer. The "glass, serpentine curtain wall" on the north side of the building and the plans for the portables were explained. Mr. Davis indicated that both portables would remain although one would become a permanent structure. Once the expansion area is opened, Phase VI of the expansion plans will be needed. Mr. Hershenow then explained the purpose of the fenced yard and its sight-obscuring slats. Discussion indicated that vinyl slats would not be allowed. Mr. Hershenow agreed to discuss this issue with staff. (1-2679.5) A lengthy discussion ensued on the area's present water pressure problems, the improvements which Silver Oaks would be providing, the potential for the College to share/expand Silver Oaks' improvements, reasons a cost estimate for water improvements had not been provided, and the College's lack of funding for those improvements. Both Ms. Timian-Palmer and Mr. Davies stressed throughout their comments that the College would be responsible for only its proportionate share of the improvements. Mr. Davies also committed to working with Ms. Timian-Palmer on the improvements although Mr. Schulz continued to stress the lack of a funding source for them. Chairperson Rogers expressed a desire to address the request this evening rather than to continue it. He suggested that two conditions be added to the motion. One would include the proposed development agreement for Public Works improvements. The other would include the proportionate share of the water improvement costs. Mr. Forsberg requested the condition not be made contingent upon the College's ability to pay for the improvements. Mr. Davies indicated the funding would be found before Phase V is completed. Commissioner Uhart noted the ability to appeal any conditions which are determined to impractical at a future time.

(1-3035.5) Public testimony was solicited. Mr. Scarbrough, a resident of Silver Oak, supported the College by indicating that the public need warranted the expansion. He felt until questions concerning drainage mitigation, the traffic plan, and the water source could be answered including the costs, the request should be denied. Silver Oaks does not at this time have an adequate water source nor meet current fire flow requirements. He urged the Commission to modify the terms to restrict the adjustment. He was also concerned that once construction begins, the lack of funding for offsite infrastructure requirements would not halt completion or use. Additional public comments were solicited but none made.

Mr. Givlin did not feel that signalization had been included in the RTC priority funding list for College Parkway. He was unsure whether the traffic counts would warrant a signal at this location at this time. If and when it is warranted, RTC will undertake the funding and construction.

Chairperson Rogers noted Public Works' request to add a condition to the requirements addressing deferral of certain improvements under the Development Agreement process. Mr. Givlin indicated the timeframe for Development Agreements is normally five years which could be extended. It is also possible to construct these requirements before end of the period. Chairperson Rogers also noted the Utility Department's request to clarify Item 2 of their memo to indicate that a proportionate share of the cost of the development of the storage tank, transmission main, and booster pump facility will be paid by the applicant.

(1-3178.5) Commissioner Nietz moved to approve U-95/96-23, a request to allow an additional building and additions to existing buildings to the Western Nevada Community College of approximately 111,000 square feet on property zoned Public based on seven findings and subject to nine conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission or Board by the applicant may be considered as further stipulations or conditions of approval on this application; Condition 9 will be the condition which was previously read by Mr. Givlin and Condition 8 will be the condition that the Utility Department report amended to indicate that contributions to the water improvements will be made based on a proportionate share. Commissioners Mally and Christianson seconded the motion. Motion carried 6-0.

**RECESS THE PLANNING COMMISSION AND CONVENE THE GROWTH MANAGEMENT**

**COMMISSION (1-3222.5)** - Chairperson Rogers recessed the Planning Commission and immediately reconvened the meeting as the Growth Management Commission. He noted for the record that a quorum was present.

**F-10. GM-95/96-1 - DISCUSSION AND POSSIBLE ACTION FROM CARSON CITY TO AMEND TITLE 18.82 (1-3225.5)** - Commissioner Nietz moved that Item F-10 be continued to the next regular meeting. Commissioner Horton seconded the motion. Motion carried 6-0.

**RECESS THE GROWTH MANAGEMENT COMMISSION AND RECONVENE THE PLANNING COMMISSION (1-3228.5)** - Chairperson Rogers recessed the Growth Management Commission and immediately reconvened the Planning Commission. (A quorum was present as previously indicated.)

**DINNER RECESS (1-3230.5)** - Chairperson Rogers then recessed the Planning Commission - 6:20 p.m. At 7:08 p.m. Chairperson Rogers reconvened the Planning Commission. A quorum of the Commission was present although Commissioner Pozzi was absent as previously indicated. Staff present included: Community Developer Director Sullivan, Fire Chief Buckley, Deputy District Attorney Forsberg, Senior Planner Guzman, Senior Planner Danforth, Associate Planner Hullinger, and Recording Secretary McLaughlin.

## **G. PUBLIC HEARINGS**

**G-1. DISCUSSION AND POSSIBLE ACTION REGARDING THE ADOPTION OF THE CARSON RIVER MASTER PLAN (2-0015.5)** - Mr. Sullivan and Carson River Advisory Committee Member Mark Kimbrough - Mr. Kimbrough briefly defined the changes made since the last meeting. Public testimony was solicited but none given. Chairperson Rogers indicated the Commission would take action on the element at a special meeting in March. The actual date is to be selected later in the meeting. Public testimony was again solicited but none given. Commissioner Nietz moved that Item G-1, adoption of the Carson River Master Plan be continued to a special meeting to be scheduled later in this meeting. Commissioner Mally seconded the motion. Motion carried 6-0.

**G-2. MPA-95/96-5 - DISCUSSION AND POSSIBLE ACTION ON A RESOLUTION FROM DON LANGSON; AND, G-3. Z-95/96-5 - DISCUSSION AND POSSIBLE ACTION ON A CHANGE OF LAND USE REQUEST FROM DON LANGSON (2-0181.5)** - Carol Dotson and Glen Martel from Lumos and Associates, Don Langson, Associate Planner Hullinger, Senior Planner Danforth, Attorney Scott Heaton who represented Mr. Langson, Bill Mabray, John Lubich, Deputy District Attorney Forsberg, Carson City Airport Authority Chairperson Neil Weaver, Carson City Airport Authority Member and Carson City Fire Chief Louis Buckley - Ms. Dotson reviewed the request, the application's history, staff and neighborhood concerns and efforts to mitigate same. A primary access has been acquired from Hot Springs Road. Architectural standards and setbacks have been created and are contained in the CC&Rs. The project purportedly will not impact the surrounding property values. The project is outside the Airport's clear zone. The project and its CC&Rs were then explained.

Mr. Martel expounded on the details and mitigation measures. The project is within the airport approach zone and noise impact zone, however, it is outside the clear zone. He indicated that any items contained in staff's January 9, 1995, letter which were not addressed by his comments were considered either non-issue items, not applicable, or had been agreed with earlier. Another access from Hot Springs Road had been acquired. The proposal is a more compatible use than other permitted uses regarding density, other potential conflicts, etc., indicated in Item 2. Numerous standards referenced in Item 3 had been met or exceeded, i.e., open space requirements, landscaping, layout, lighting, and the density. The project had a lower density than allowed under the other uses. The lighting indicated was double that required. Item 10 had been accomplished. A buffer zone along the west and south sides of the property had been provided as requested in Item 11. Walkways were also included as well as access to the open space and public areas on the north. The parking area had been relocated as recommended in Item 15. The detention pond had been converted as recommended in Item 16 and will serve a dual purpose. Sidewalks and wider streets will be provided as recommended in Items 17 and 18. Item 20 has been provided by the applicant. He felt that the project had been redesigned due to these changes. Mr. Martel then reference the January 11th

letter and indicated that the applicant has applied for a major project review of an RV park for the site. This project is a permitted use allowed under the zoning and would allow a greater density. The airport would allow the RV park as a compatible use. Mr. Martel indicated the applicant would have been allowed to construct the mobile home park on the project in 1983, which was before the FAA airport grant had been obtained. Therefore, he felt that this would be a non-issue item and not violate the FAA contract requirements placed on the City when the grant was obtained. In response to the February 9th letter, Mr. Martel felt that the applicant could apply for another project in less than one year if the second project is not "substantially similar" and indicated that the applicant may return with a "substantially different" mobile home park within one year. The applicant felt that the project would be a better neighbor and a more compatible use than allowed under Paragraph 1 at the bottom of Page 4. There are other residential structures in the airport's approach zone. The applicant had initiated a couple of meetings with the neighbors and staff as suggested in Paragraph 2 on Page 5. Modifications to the original plan as a result of these meetings were noted. The original block wall was eliminated from the plan when it was determined that staff would not reduce the 30 foot buffer requirement. The applicant then proposed the 30 foot heavily bermed and "treed" buffer along the west and south sides and a 90 percent sight obscuring permanent, chain-linked type fence around the entire property. This was the only change made regarding Paragraph 4 on Page 5. He requested clarification as to whether this fencing and buffer was adequate to replace the block wall. This buffer, the wall, and the lease disclaimer should adequately notify any lessees of the noise and animals adjacent to the park. He agreed that it may not eliminate all of the complaints. He felt that the noise and safety issues would plague any project proposed for the site in reference to Paragraph 1 on Page 6. He reiterated his reasons for feeling that the proposed density was a better use of the site and much safer than an RV park. The applicant had not been advised that noise testing would be conducted on the property which was indicated in Paragraph 2. Therefore, the decibel data is misleading as the "ldn" noise contour master plan map does not directly correlate to a direct dba reading. The complex formula for establishing this correlation was noted. Approximately half of the project is under the map's 65 noise contour area. He then explained the purpose of the airport master plan in response to Paragraph 3 on Page 6. There are several conflicts in the surrounding area with this plan. The property was added to the airport's 1995 wish list for acquisition. There has not been a short-term funding program established for this acquisition. The buffer and bermed area addressed Paragraph 2 on Page 7. He felt that the proposal was compatible with the property on the east side as the 90 percent sight-obscuring fence would appropriately buffer the two parcels. He reiterated his comments concerning the property's 1982 land use designation, the airport's master plan, and reasons for feeling that the City would not have a problem with its 1993 FAA grant in response to Page 7, Paragraph 4. The Title 18 changes reference on Page 8, Paragraph 1, would impose a hardship to the property owner by the removal of the mobile home park from the list of primary permitted uses as he would incur numerous time delays due to the master plan amendment and change of land uses requirements and their related financial impositions mandated for additional engineering and planning costs.

(2-0748.5) Mr. Langson explained his relocation to Carson City and years of support donated to the community. Ashton Park would be a nice, desirable, senior park. He had been involved with the project since 1982. Its financial problems were noted to explain the delay in its construction. He had pursued the project whenever "windows of opportunities" opened. In 1994 he actively began again, however, the City eliminated mobile homes parks from the list of primary permitted uses in the Tourist Commercial district. During the last year he had been working with the City in an attempt to mitigate the many staff and neighborhood concerns at a great expense. The need for the project was stressed to emphasize his reasons for feeling that the project would be a more compatible project for the area than other designated uses. He then explained his request for a major project review of a recreational vehicle resort as an alternative to the mobile home park.

Ms. Hullinger then reviewed the staff report and emphasized staff's concerns with the proposed project and its incapability. FAA indicated in a January 11, 1996, that the project is not an compatible use and support for the Tourist Commercial zoning. The Airport Authority supported this letter. Staff's on-site noise study was explained. It determined that the aircraft noise level on the property is 65 dba. Her comments stressed the need for the applicant to provide facts to support his application for the change of land use and master plan amendment. Reasons for feeling that the applicant had failed to provide these findings/facts were outlined. A mobile home park requires a change of land use even if it is a primary permitted use in that zoning district. This would require justification and findings to support his request. Therefore, staff did not feel that the elimination of the mobile home park from the primary permitted uses created an impact on the request. When the buffer was initially discussed, staff had recommended using larger lots, i.e., one acre parcels, with a transition to smaller lots as a more

acceptable buffer. The applicant did not accept this suggestion, therefore, staff had recommended larger than 6,000 square foot lots and a buffer in combination with the solid masonry wall. Staff was still concerned about the potential for nuisance complaints in view of the large animals allowed on the abutting parcels. Disclosures are useful but do not mitigate the adverse impacts. Complaints are still made. The City would still be responsible to mitigate those complaints. The Code restriction on projects which are denied was explained. Notices were sent to 40 property owners and two written objections received.

(2-1025.5) Staff and the Commission discussed the FAA letter, the applicant's failure to provide findings to mitigate it, and the major project review request for an RV park.

(2-1068.5) Mr. Heaton indicated the applicant would pursue other primary permitted uses allowed under the Tourist Commercial designation. This project will be an RV park. A RV park would eliminate the Commission, Board of Supervisors, and the neighbors from the discussions. This was not the applicant's first choice. He questioned the reasons a higher density as provided by the RV park would be more compatible than the mobile home park proposed. A RV park would not require review by the FAA nor the Airport Authority. Neither proposal would address the FAA and Airport Authority concerns regarding the noise and safety issues. If they do not wish to see the property developed, they should acquire it. It was not fair to force the applicant to mitigate the safety and noise concerns. The property is not located in the clear zone. If asked, the FAA and the Authority may support a 221 space mobile home park rather than have 1,000 RV spaces. The neighbors may also find the same density issues more compatible. His legal opinion indicated the FAA grant did not state a prohibition against zoning changes. He claimed that the grant indicated that to the extent reasonable, the City would not change zoning to an incompatible use. In 1993 when the grant was obtained, a mobile home park was a primary permitted use. The FAA knew at that time that the property was zoned for a mobile home park. The City excluded it in 1995 during the processing of the application. He felt that staff had misstated the requirements when it is indicated that the zoning must be changed to mobile home park when it is a primary permitted use. It should not be a discretionary function of either the Board of Supervisors nor the Planning Commission.

(2-1190.5) Mr. Martel explained that his review of the FAA letter indicated that a RV park is an allowed use under the 65 dba contour, which half of the property is.

(2-1205.5) Public testimony was solicited. Mr. Mabray, Eagle Valley Vista Subdivision representative, explained that the neighbors had elected two spokespersons to represent them. This was the reason only two objections had been received by staff. Chairperson Rogers requested a sign-up sheet be circulated and that all of the individuals who were represented by Mr. Mabray sign it. The neighborhood has had concerns with the project since January 1995. Several of the mitigation efforts indicated had not been discussed by the neighborhood. The original presentation had indicated that the park would contain only double and triple wide units which were placed on foundations. The streets would be 60 feet wide. Mr. Langson had discussed the fencing with him. Mr. Mabray felt that only a block wall would be appropriate. At the end of the second meeting, the neighbors had not voiced any opinions as none of the concerns had been addressed. Legal access is from Mark and Holly Way. This would create a traffic problem for the neighborhood. The rural residential neighborhood was explained. Only today was it known that they had obtained an access from Hot Springs. Their January 17, 1996, letter was cited to illustrate that it originally was only an offer to obtain the access which was based on approval of the project. He then questioned the reasons the density had fluctuated since January 1995 as well as the actual size of mobiles which would be allowed in the park, which had been changed between September 1995 and December 1995. The construction period for the project was questioned as it was felt that five years was a long time for the neighborhood to be disrupted. Concerns were expressed about the impact the park would have on the rural lifestyle of the neighborhood regardless of the notification procedures given to the lessees. He also questioned the size of the park and outlined the areas designated for open space, streets, etc., which indicated the calculations were incorrect. He stressed that the neighborhood was present only to fight the mobile home park proposal and not any other proposal. He indicated that it had been explained that the RV park could be developed without considering the neighborhood or its concerns in response to Commissioner Mally's question. Mr. Mabray indicated the reason for leaving the second meeting so quietly had been due to the applicant's failure to address any of the concerns for a year. Commissioner Mally urged the neighborhood to work with the applicant.

(2-1412.5) Mr. Lubich, another spokesperson for Eagle Vista Subdivision, explained that originally the applicant

would be responsible for the landscaping, however, the news article indicated each lessee would be responsible for the landscaping. The Hot Springs easement was obtained from his brother and questioned the difficulty in obtaining same. Four paragraphs from a January 30, 1996, Washoe County Airport Authority press release was read to illustrate the need to maintain open space/rural areas around an airport. Costs incurred to relocate the adjacent residents in Washoe County were explained. Mobile homes cannot be retrofitted, therefore, they are not relocated. Modular homes are the same. Recommendations encourage the elimination of any uses in 65 dba noise zones due to the lawsuits and Federal rules and regulations. He displayed a letter from City Assessor Kit Weaver which indicated that his review of the financial impact to residences adjacent to Park de Maison shows no reduction in value. Mr. Lubich then explained that Assessor Weaver's response to his January 3rd letter had indicated that the best or most harmonious use of the area would be to leave the property vacant although a good quality, single family residences would also be a harmonious use. A copy of this letter was given to the Commission. Mr. Lubich then noted a Boulder, Colorado, open space project which supported retention of open spaces. The By-pass is proposed to cut between Mark Way and College Park Way. This would cut the one acre residential area off and place it adjacent to the mobile home park which he felt was poor planning. He then explained several aircraft accidents in the area to support his safety concerns. He commended the staff for listening to the neighborhood concerns. He indicated that he did not wish to live adjacent to an RV park. Discussion ensued between Commissioner Mally and Mr. Lubich on this proposal and Mr. Langson's ability to construct an RV park. Discussion noted all of the homes are located in the take-off pattern from the airport which is the worst area to be in. Commissioner Mally encouraged the residents to acquire the property. Mr. Lubich expounded on his safety concerns if a RV park is constructed and encouraged Mr. Langson to construct single family one acre residences.

Chairperson Rogers request anyone who had not yet signed the sheet to come to the podium and do so.

(2-1678.5) Airport Authority Chairperson Weaver explained that the property is on the Authority's wish list, however, he was unsure of when funding would be available for its acquisition. The best use for the property according to the airport needs would be to maintain it in an open and unused state. The airport safety concerns were cited to support this recommendation. Property surrounding Mr. Langson's had been acquired. He cautioned the Commission against approving any use which would jeopardize the Federal AIP funding even though he was unsure whether this program would continue to be funded by Congress. FAA could not make a commitment on funding for acquisition of the property due to this problem. Current projects and their funding were noted to illustrate the cost to operate the airport. He urged the Commission to consider the economic impact which would be created in Carson City if the airport is lost based on a bad decision. He indicated there is a report showing that the airport is worth millions of dollars and provides hundreds of jobs to the City. The safety concerns were noted to emphasize the need for a clear zone around the airport. He was willing to meet with Mr. Langson or his attorney, however, a firm commitment could not be given as funding is unknown. Discussion ensued between Commissioner Nietz, Chairperson Weaver, and Airport Authority Member Buckley regarding a question of a potential conflict of interest involving Mr. Paul Lumos, whose firm had done a considerable amount of work at the airport and was involved with Mr. Langson and other property owners surrounding the airport. Mr. Buckley indicated that there had not been a conflict of interest shown and discussions are now centering around extending a contract to Mr. Lumos for additional services or seeking another RFP for general response.

(2-1818.5) Mr. Forsberg advised the Commission against considering the proposal RV park. Chairperson Weaver indicated the Authority had not considered this proposal and he could not respond to questions on it. Chairperson Weaver responded to Chairperson Rogers' question by expressing his opinion that the highest and best use of the property due to the airport's concerns would be the safest use which is to leave it open. Mr. Buckley, as the Fire Chief, then expressed his feeling that the more people who are located on the site, the higher the risk. This would increase his concerns. The Airport Authority, however, may not receive as many complaints from the RV park users as compared to the permanent mobile home park residents. This is the reason for the FAA and Airport Authority's feelings on compatible uses. He then suggested that the Commission contact either San Francisco or Orange County to determine the impact on the airport created by development. He did not have the report on the number of complaints currently made. There are certain individuals who oppose the airport/airplanes who are continuously calling.

Chairperson Rogers then explained the procedures and again solicited public comments. No response was made

and public testimony was closed.

(2-1942.5) Ms. Dotson responded to Chairperson Rogers' request for clarification of issues presented by Messrs. Mabray and Lubich. Purportedly a commitment had not been made at the neighborhood meeting concerning the foundations. This is an optional feature depending on the home. Mr. Langson corrected her to indicate that all of the homes would be located on foundations. She then agreed that a condition could be placed on the project requiring foundations for all mobile homes and would be added to the park specifications. She also agreed that all of the park specifications could become park conditions. She felt that the design for the project had included large style and scale streets. They would be "subdivision style with sidewalk elements". There will be single, double, and triple wide homes located in the park due to the difference in lot configurations. The block wall had been dropped from the project due to the costs incurred with other buffer requirements. She was willing to consider it as an option if crucial to the project. The Fire Department had approved the access route from Hot Springs. Fire Chief Buckley indicated this had occurred and that all of the fire criterion had been met. Ms. Dotson felt that the Mark and Holly access had been a strong point of contention in the original neighborhood meeting. For that reason an access from Hot Springs was obtained. The density is 5.7 units per acre. There will be larger lots abutting the western property line which was a change from the original plan and had reduced the original density. She agreed that when the second meeting with the neighborhood had adjourned, the residents had left very quietly and would not respond to their questions seeking comments. For that reason only the previous comments had been considered and efforts expended toward their mitigation. She felt that the additional setbacks, buffer, berming, and landscaping had been efforts to mitigate the noise and animal concerns. The only change had been to eliminate the block wall fence. The park rules include notification to the lessees of these adjacent land uses.

(2-2134.5) Mr. Martel explained his math calculations in the report which had overlapped several uses, i.e., open space is landscaping, park area is either open space/landscaping, etc.

(2-2162.5) Ms. Dotson then explained that the public areas would be landscaped by the Langsons. This would be 16 percent of the project. The individual lots would be landscaped by the lessees. Their landscaping plans would be submitted for review to the property owners. The park standards would mandate an acceptable maintenance level. She then indicated that Mr. Weaver's letter had been a response to the neighborhood's fears that their property values would be decreased due to the mobile home park.

(2-2205.5) Mr. Martel then explained that it had not been the intent to exclude the neighbors. It was felt that the neighbors had a "long standing, cooperative relationship with staff" and that their issues were being addressed. The traffic issues had been mitigated by changing the access to Hot Springs rather than Mark and Holly. Mr. Martel's letter on the legal access route is correct as it was originally from Mark and Holly, however, this project would change that access to Hot Springs. This easement will be obtained if the project is approved. He felt it was irreverent that the property would have to be obtained from Mr. Langson's brother. He then explained that the project was within three to four percent throughout. His request for information as to what is needed for approval was based on a need for clarification of the items required for final approval of the mobile home park after the 180 day project review process. He noted that the landscaping issue had been clarified and that there had been an apparent misunderstanding there. The safety and noise issues would remain regardless of the type of project proposed.

Discussion ensued between the Commission and Mr. Martel explaining the reasons for the location of the detention basin, the area not included in the project which will be left as open space at this time, the park view of this hillside, and the ability to "stroll a dog" along the hillside.

(2-2338.5) Discussion ensued between the Commission and Mr. Forsberg concerning the approval process for the RV park and the issues which the Commission should consider this evening. Mrs. Danforth then explained the normal procedure for a project of this nature. This applicant had requested the approval be based on a resolution of intent which would depend solely upon the approved mobile home park design. This design has not been finalized. The Code requires the applicant to provide findings supporting his request. The applicant has provided some findings concerning its match of the residential area, however, none have been made regarding the airport and adjacent Tourist Commercial property. Mr. Forsberg noted the statements indicating the best use of the property would be to leave it vacant. This, however, may not be the highest and best legal use of the land. There

are a number of other legal uses which could be placed on the property besides the three indicated in the discussion, i.e., vacant, mobile home park, or RV park. His contention was supported by the FAA letter. Chairperson Rogers pointed out the Commission's awareness of the list of items which could be done on the property which was a result of the Commission's involvement with the Title 18 modifications.

Commissioner Uhart expressed her safety concerns with the site. She did not feel that these issues had been addressed. She supported property rights and expressed her feeling that it was a beautifully designed project. She could support it in almost any other location in the City. It had addressed some of the Code and the neighborhood concerns, albeit, not to the level desired by the neighborhood. She would vote against the project due to her safety concerns. Commissioner Nietz noted that 16 percent of the project was included in the landscaping plan, however, the buffer zone would be included in the backyards and not accessible to the public or common space. She questioned whether the project would meet open space requirements for mobile home landscaping. Mrs. Danforth indicated that it had at one point but had not seen any revised figures and could not answer. This was part of the outstanding design information. The maintenance yard was also new information. Staff had not been informed that this area would be left as open space. Mr. Forsberg indicated that the property would be owned by Mr. Langson and that none of the area would be held in common by the lessees. This is not a PUD concept. Chairperson Rogers also questioned Mr. Martel's statements that the buffer was being left open but would not be designated as permanent open space. Mr. Martel explained that after discussion with staff on the maintenance requirements for the storage area, Mr. Langson decided to eliminate the building and that it would be open space under the project. Commissioner Nietz then questioned the practicality of having lighting in the detention basin. Mrs. Danforth felt that the lighting would be along the rim which would be used for "jogging, walking, etc."

(2-2564.5) Commissioner Nietz then expressed her concerns about the resolution of intent which was tied to the request for a change of land use. She did not feel that it was such a great project. She opposed removal of the block wall along the west side. She did not support gated communities. There appeared to be too much lighting provided within the project for the neighboring rural areas. Public Works' concern regarding access from Arrowhead Drive had not been considered by the applicant. In her opinion, although there had been meetings with the neighbors, there had not been a strong or sustained effort to work things out with them. When people walk away without saying anything and efforts are not being made to determine why, it does not set well with her. In addition there are issues which, from her viewpoint, relating to the staff concerns regarding findings for the airport compatibility, which had not been addressed. Only the noise issue had been considered. She could not ignore the airport concerns. The project is still in flux and not finished in her opinion. She would prefer to have the applicant indicate that his work had not been completed and request a continuance, however, did not feel that this would happen. She would, therefore, not vote for the project.

(2-2618.5) Chairperson Rogers then commended the audience on its attendance and professionalism throughout the controversial discussion. The arguments had been well prepared. He did not feel that during his tenure there had been the same number of individuals present who had controlled themselves with the degree of maturity exhibited this evening. This was the manner in which it is supposed to be done. He expressed the hope that others would learn from their example.

(2-2643.5) Commissioner Christianson moved to approve a motion to recommend that the Board of Supervisors deny MPA-95/96-5, a Master Plan Amendment, Resolution of Intent, from Don Langson requesting a redesignation of approximately 39 acres of land located approximately 200 feet north of Hot Springs Road, and 900 feet west of Goni Road, APN 8-123-08, from Commercial to Medium Density Mobile Home Use based on three findings contained in the staff report. Commissioner Nietz seconded the motion. Motion carried 5-1-0-1 with Commissioner Mally voting Naye and Commissioner Pozzi absent.

(2-2658.5) Commissioner Christianson moved to approve a motion to recommend that the Board of Supervisors deny Z-95/96-5, a request to change the land use designation, Resolution of Intent, from Tourist Commercial to Mobile Home Park on approximately 39 acres of land located approximately 200 feet north of Hot Springs Road and 900 feet west of Goni Road, APN 8-123-08, based on one finding contained in the staff report. Commissioner Nietz seconded the motion. Motion carried 5-1-0-1 with Commissioner Mally voting Naye and Commissioner Pozzi absent.

Mr. Sullivan explained that the Board of Supervisors would consider these Items on March 21.

**BREAK:** An eight minute recess was declared at 9:35 p.m. When the meeting reconvened at 9:43 p.m., a quorum was present as indicated although Commissioner Pozzi was absent.

**G-4. M-94/95-32 - DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FROM CARSON CITY (2-2697.5) (3-0277.5)** - Continued until later in the meeting. The Commission requested separate meetings be held on the Design Standards even though it would mean additional special meetings rather than to have a meeting on both the Design Standards and Master Plan at the same time. Commissioner Nietz indicated she had additional items. Mr. Sullivan encouraged the Commission to provide Mr. Joiner with suggestions/comments on the guidelines as soon as possible. No formal action was taken.

**G-5. U-95/96-19 AND U-95/96-20 - DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT FROM CARSON-TAHOE HOSPITAL (2-2692.5)** - Mr. Sullivan, Carson-Tahoe Hospital Project Coordinator Roger Sedway, Gene Chaney's Representative Steve Tackes, John Copoulos, Carson-Tahoe Hospital Legal Counsellor Mike Pavlakis, Mr. Givlin - Mr. Sedway explained the Hospital's reasons for appealing Condition 7 concerning the parking lot hours of operation and lighting. As it is a public parking lot, the Hospital should not close the lot during certain hours nor turn off the lights. He had been advised that the City would not be able to do this either. Copies of a letter from his electrical engineer explaining the lighting requirements were given to the Commission. (A copy was not given to the Clerk.) Details of the "compromised" lighting plan were explained. He acknowledged the security issues as well as the light pollution concerns but felt that the plan would minimize both. He also indicated that the parking lot would not be constructed until the Spring/Summer of 1998. He then explained the ballard fixture for Commissioner Mally. He did not feel that vandalism of the four foot lights could be prohibited. The parking lot would remain open 24-hours a day and employees will be encouraged to utilize the area. Reasons for hiring Barrett Engineering to do the lighting plan were explained. Mr. Barrett's daughter is the closest neighbor to the parking lot and had indicated support for the project. The five foot fence would be "solid" and help reduce the light pollution. It would be either a wooden fence or block wall. He did not feel that a landscaped fence would have an adequate growth period within an acceptable timeframe to meet the Hospital's need. Commissioner Nietz felt that the fence was to be six feet high and Mr. Sedway indicated the Hospital would meet the standard. Mr. Sullivan indicated the Code would be met. Mr. Sedway indicated that the majority of the parking lot usage would occur during the daytime. Commissioner Christianson expressed his reluctance to accept the "liability" reasons for not maintaining Condition 7. He felt that the lights could be a pollution problem for the neighborhood. Mr. Sedway responded by explaining the liability concerns if the lot is gated. Commissioner Christianson explained his personal knowledge about the lack of use of the Mountain Street trailhead parking lot after 9 p.m. Those lights remain on all night. Mr. Sedway emphasized that his contact with Public Works indicated the City had the same liability concerns. Commissioner Christianson pointed out that this was the very reason for insurance. Discussion noted the easement to the parcel on the north which indicate it is not landlocked. Commissioner Uhart disagreed with the gate requirement and the original decision to turn off the lights due to the potential for vandalism, etc. She supported the new lighting design.

(2-3070.5) Mr. Tackes indicated his representation of Gene Chaney and explained the restrictions on the parcel, his involvement with the neighbors and the hospital including his personal contacts with the neighbors, Mr. Chaney's agreement to install a fence, the lighting concerns, and his support for the current lighting plan.

(2-3181.5) Public testimony was solicited. Mr. Copoulos explained that his residence is located ten feet to the east of the site. He opposed the request to remove the "safe guards". He felt it would make his property unmarketable and indicated he would be looking to Carson City and the Hospital for a resolution. Reasons for his feeling that his property would be unmarketable was due to the feeling that a buyer would not wish to live adjacent to the parking lot. He did not feel that the Hospital would be interested in the site as it is a small lot. An offer had not been made. There is a six foot hedge and one mature tree adjacent to the parcel. Additional public comments were solicited but none made. Public testimony was closed.

Commissioner Uhart stated for the record that she had in the past represented the Hospital in the acquisition of a residential piece of property. She did not feel that it would affect her ability to make a rational decision in this

situation and would be voting.

(2-3248.5) Mr. Pavlakis explained the Hospital Board of Trustees' vote against proceeding with the proposal if the lot is closed and lights turned off at 6:30 p.m. Reasons for this vote were outlined and based on the Hospital's future expansion needs as well as security and safety concerns, which were defined. Security concerns were defined. There would be another fence installed along Mr. Copoulos' property. The distance between the four foot lighting and Mr. Copoulos' property is over 100 feet which should help mitigate any potential impact. The primary neighbor who would be impacted by the project was Kathryn Barrett, the daughter of the lighting engineer. Mr. Chaney is going to install landscaping on the north which would serve as a lighting buffer. If the City requires a fence, he will also install it. He felt that Public Works had been accommodating in relaxing the lighting standard in order to be neighborly. The lot will not be developed until the Spring or Summer of 1998. Mr. Copoulos had indicated he would sell his house. The condition of the property would not change in the next two years which would maintain his current value. The Hospital had always been interested in acquiring neighboring properties although he was unsure whether the Hospital was interested in Mr. Copoulos' property.

Mr. Sedway indicated that the lighting plan would reduce the lighting. Mr. Givlin then explained the Orange Book requirements for lighting which is different for "public parking lots" and private parking lots. He did not feel that the Hospital's plan was a public lot. Mr. Forsberg advised that it was a public parking as the Hospital is a public facility and encouraged the Commission to not consider this in its deliberations. Mr. Sullivan explained the parking lot lighting requirements under CCMC 18.05.023 which is for all parking lots, private and public. Discussion noted the liability concerns created if the entity does not provide a safe parking lot. Clarification indicated that the gates were part of Condition 6. Mr. Sedway indicated that it had been his understanding that the original requirement would have closed the parking lot at 6:30 p.m. In order to do this he would have fenced and gated the lot. He agreed that a stipulation had been made that the security guard would escort individuals to the parking lot after 6:30 p.m. He agreed to amend his request to include an appeal of Condition 6 as the plan no longer calls for gates. Mr. Sedway also stated for the record that the Hospital is most definitely a public hospital, a public entity, and it is a public parking lot. He would disagree with Mr. Givlin's earlier statements. The Hospital is a part of the City, actually, and we are all tied together. It is a 24-hour hospital, a public hospital at that, and a public parking lot. He realized the Commission may not make its decision based on that fact but he wanted the record to clearly reflect that it is not in any way a private parking lot.

(3-0014.5) Commissioner Mally moved that the Regional Planning Commission reaffirm its approval of U-95/96-18 from the Carson-Tahoe Hospital to allow a parking lot to be developed on property presently zoned Single Family 6,000 located on Fleischmann Way, approximately 120 feet east of Lane Circle, APN 1-141-64, and U-95/96-20 from Carson-Tahoe Hospital, property owners: James and Mary Lou Noel, to allow a parking lot to be developed on property presently zoned Single Family 6,000 located 73 feet north of Fleischmann Way, east of Lane Circle, APN 1-141-54, south portion, deleting the original Conditions 6 and 7. Commissioner Uhart seconded the motion. Following discussion of Condition 6, Commissioner Mally amended his motion to delete only the sentence in Condition 6 regarding the gates. Commissioner Uhart continued her second. Following a request for another amendment, Commissioner Mally again amended his motion to include a condition that the lighting standard shall be of a human scale with a maximum height of 12 feet and that his motion would only delete the section regarding the gates. Commissioner Uhart continued her second. Motion was voted and carried 5-1-0-1 with Commissioner Nietz voting Naye and Commissioner Pozzi absent.

**G-6. P-93/94-2 - DISCUSSION AND POSSIBLE ACTION ON QUAIL RUN P.U.D. (3-0052.5) -**  
Mr. Guzman, Mark Rotter - Discussion ensued between the Commission and staff clarifying the requests concerning the fencing, the construction schedule for the garages and the modular homes placement. Commissioner Nietz felt that the project would become "ticky-tacky" if the patio covers were allowed to encroach into the setbacks and indicated she would not support the request. Mr. Rotter explained the patio covers would enhance the project. He invited the Commission to look at the one which has been constructed. The garages must be constructed jointly due to the common fire wall. He agreed to stipulate that the patio cover is free-standing and could only be purchased from and constructed by the developer. The project is selling quite well. (3-0223.5) Public testimony was solicited but none given. Commissioner Mally moved that the Planning Commission approve a motion to recommend to the Board of Supervisors approval of: 1. the construction of garages prior to single family dwellings within the Quail Run Planned Unit Development; 2. the placement of covered roof

structures in accordance with the provision of the Uniform Building Code to maintain at least a three foot minimum setback from the property lines; and 3. approval of the concept easement to encroach three feet into the proposed lots along the western boundary of the Quail Run Planned Unit Development subject to the original findings, conditions of approval and stipulations. Commissioner Horton seconded the motion. Following clarification of the request for a setback encroachment, Commissioner Mally amended his motion to correct Item 3 to be approval of a three foot setback. Commissioner Horton continued his second. The motion was voted and carried 6-0.

**H. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (NON-ACTION ITEMS)  
(3-0308.5)**

**H-1. CORRESPONDENCE TO THE COMMISSION** - Discussion ensued on the proposed Master Plan meetings dates. The Commissioners were requested to contact Mr. Sullivan if they could not attend. Commissioner Horton indicated he would not be able to make any meeting scheduled on Thursdays. Commissioner Uhart indicated she would not be able to attend the April 25th meeting. Mr. Sullivan outlined various conferences and requested the Commissioners let him know if they are going to any of them. Chairperson Rogers indicated he would be available to attend the June Albuquerque conference. Chairperson Rogers then explained his support for one day conferences and annual or semi-annual in-house training provided by staff. Under his concept staff would attend the conferences and provide training for the Commissioners. If possible, the Commission's training budget should be used to augment staff's training budget for this purpose. (3-0479.5) Discussion noted a March 19 conference in Sparks. Staff encouraged the Commissioners to attend if at all possible. Commission comments directed staff to agendaize this conference so that more than four could attend. Discussion ensued on the staff's training budget and the Commission's inability to transfer the funds for staff training. Commissioner Uhart supported the concept, however, felt that some funding should be retained for the Commission. Chairperson Rogers explained his concept would utilize the funds to bring in out-of-state speakers to provide in-house training and for the Commission to attend in-state conferences. Mr. Sullivan explained other items the funds could be used for such as audio tapes which are available at the conferences and from the American Planning Association, etc. He also suggested using the funds for training in the surrounding States rather than in Florida, etc. His staff training program was outlined.

**H-5. FUTURE COMMISSION ITEMS (3-0459.5) (3-0666.5)** - Discussion indicated the next regular meeting would begin at 3 p.m. and has a lengthy agenda. The Special Meeting with the Carson River Advisory Committee will be scheduled for the week March 11 through 18. Discussion indicated that the Commission could modify the plan if desired. CRAC Chairperson Foerschler and Members Drews and Kimbrough may be the only Committee Members present. Discussion noted the plan's noticing requirement.

**H-2. STAFF BRIEFING ON STATUS OF THE COMMISSION'S RECOMMENDATIONS TO THE BOARD OF SUPERVISORS (1-0592.5)** - The Master Plan Zoning changes were approved. The Hospital's Special Use Permit was returned. Stanton Park's request is on hold pending receipt of some documents from the developer. The \$3,000 funding request for the Master Plan program was approved. Staff has discussed the scope of work with the consultant. Cameron Heights Subdivision was approved and the final map has complied with all of the conditions.

**H-3. COMMISSIONER REPORTS (3-0608.5)** - Discussion ensued concerning the status of the property adjacent to the Juvenile Detention Center. The owner had "cleared off a lot of stuff". Discussion indicated there may be an application for a Special Use Permit for a multi-family project submitted for consideration by the Commission next month. The property may be in escrow. Commissioner Mally noted several problems he had seen with the fence, vehicles, etc. Mr. Sullivan indicated he would have the Code Compliance Officer check the property. Commissioner Nietz explained a conversation she had had with Sierra Pacific concerning underground lines. She had suggested Sierra Pacific establish a program which would underground lines in the Historic District. She had given them a map of the District. Sierra Pacific is to provide her with a cost estimate. She indicated that she would provide this to the Commission and Redevelopment and that the project could be phased. Chairperson Rogers explained his involvement with the ad-hoc sign committee. The committee is currently analyzing all of the definitions. Once this is completed, the definitions will be applied to the ordinances. The committee has been able to reach a consensus on many of the issues and definitions. There will be several definitions added to the Code. Staff had been providing information and assistance.

**H-4. STAFF COMMENTS (3-0664.5)** - None.

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**I. ADJOURNMENT (3-0725.5)** - Commissioner Christianson moved to adjourn. Commissioner Uhart seconded the motion. Motion carried 6-0. Chairperson Rogers adjourned the meeting at 11 p.m.

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ARE SO APPROVED ON \_\_\_\_\_, 1996.

\_\_\_\_\_  
Alan Rogers, Chairperson