

CARSON CITY PLANNING COMMISSION

Minutes of the January 30, 2008 Meeting

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

PRESENT: Chairperson John Peery
Vice Chairperson Mark Kimbrough
Connie Bisbee
Craig Mullet
Steve Reynolds
William Vance
George Wendell

STAFF: Walter Sullivan, Planning Division Director
Lee Plemel, Principal Planner
Jennifer Pruitt, Senior Planner
Kathe Green, Assistant Planner
Kevin Gattis, Chief Building Official
Jeff Sharp, Deputy City Engineer
Joel Benton, Senior Deputy District Attorney
Kathleen King, Recording Secretary

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

A. CALL TO ORDER, DETERMINATION OF QUORUM, AND PLEDGE OF ALLEGIANCE (3:31:41) - Chairperson Peery called the meeting to order at 3:31 p.m. Roll was called; a quorum was present. Commissioner Mullet led the pledge allegiance.

B. COMMISSION ACTION ON APPROVAL OF MINUTES - December 19, 2007 and January 4, 2008 (3:32:32) - Commissioner Reynolds moved to approve the December 19th minutes. Commissioner Wendell seconded the motion. Motion carried 6-0-1, Commissioner Bisbee abstaining. Commissioner Bisbee moved to approve the minutes of January 4, 2008. Commissioner Mullet seconded the motion. Motion carried 6-0-1, Commissioner Reynolds abstaining.

C. MODIFICATION OF AGENDA (3:33:32) - None.

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

E. STAFF PUBLIC SERVICE ANNOUNCEMENTS (3:34:21) - Mr. Sullivan announced an APA audio presentation, entitled "Mastering Density," scheduled for February 13, 2008 at 1:30 p.m.

F. DISCLOSURES (3:34:50) - Chairperson Peery advised of having been contacted by a member of the press to whom he provided a statement regarding the sign moratorium. Vice Chairperson Kimbrough advised of a similar contact.

G. CONSENT AGENDA (3:35:20) - None.

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H. PUBLIC HEARING MATTERS:

H-1. VAR-07-121 ACTION TO CONSIDER A VARIANCE APPLICATION FROM LESLIE J. AND JoANNE KYNETT TO VARY FROM REQUIRED SETBACKS TO ALLOW ENCROACHMENT INTO SIDE YARD SETBACKS OF EAVES, LANDINGS, STAIRS, AND RAILINGS, ON PROPERTY ZONED MULTI-FAMILY APARTMENT (MFA), LOCATED AT 919, 925, 935 EAST FIFTH STREET, APN 004-042-24 (3:36:33) - Chairperson Peery introduced this item. Ms. Green reviewed the staff report, and narrated pertinent slides. Ms. Pruitt advised that the required findings, on pages 8, 9, and 10 of the staff report, had not been met by the applicant. She read the findings into the record as well as a portion of Carson City Municipal Code 18.02.085(2)(b), as cited in the staff report.

Ms. Pruitt advised that representatives of Money Pit Partnership, property owners to the east of the subject property, had participated in the administrative hearing process. Said representatives voiced concerns, at that hearing, regarding the requested variance. After further review of the plans, however, the representatives of Money Pit Partnership withdrew their opposition. With the further encroachment requested by the applicant, the representatives of Money Pit Partnership provided a letter in opposition. Ms. Pruitt noted that copies of said letter were included in the agenda materials. In response to a question, Ms. Green advised that an adjacent building encroaches into the setback; “however, the setbacks at that time were probably different than they are today.” In response to a further question, she advised that the cantilever on the subject building was reviewed and approved by Fire Department officials.

(3:51:58) In response to a question, JoAnne Kynett expressed disagreement with the staff report. She advised that she and her husband, Les Kynett, are the property owners. She read a prepared statement into the record. She advised of a “misunderstanding ... as to the allowed encroachment.” She stated that the Notice of Decision on ADM-05-200 “allows five feet or sixty inches into the setback,” and advised “this is what is mainly in dispute.” Mr. Kynett distributed to the commissioners and Planning Division staff copies of the ADM-05-200 conditions of approval as well as a letter from Attorney Jeffrey Rahbeck. Mr. Kynett displayed drawings prepared by Applied Engineering. Ms. Kynett advised that Mr. Hopper, of Applied Engineering, was hired in January 2004. “... eventually, due to many problems,” the Kynetts filed a complaint with the Nevada State Board of Engineers because of Applied Engineering’s incorrect representation of building setback dimensions on a site and grading plan, “along with a retaining wall structure horizontally tied to an unknown and undocumented property boundary ...” Ms. Kynett referred to the Stipulated Agreement between Gary Hopper and the Nevada State Board of Professional Engineers, which was included in the agenda materials.

Ms. Kynett provided background information on site plans drawn by a new engineer. “These plans were also given to the building department and they were approved by the building department. They were not just grading plans. They were also new building plans.” Ms. Kynett reviewed revisions to the plans, and advised that the “second engineer was also taken to the State Board of Engineers for many reasons.” She referred to the Stipulated Agreement between Blaise D’Angelo and the Nevada State Board of Professional Engineers, copies of which were included in the agenda materials. She advised that Western Engineering conducted a record of survey and developed a new site plan “to determine the true property line and the total encroachment.” The first two measurements were incorrect, “but now we believe we have the correct measurements and the amount of the encroachment.” Ms. Kynett narrated pertinent slides. Mr. Kynett displayed and described exemplars of the existing siding, trimboard, and roofing materials. Ms. Kynett

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read a portion of the Administrative Permit Review Notice of Decision, dated October 17, 2005, into the record. Copies were included in the agenda materials. Ms. Kynett advised of having believed “and still believe that this says that the eaves may extend an additional two feet past the stairs which would then be five feet into the east side yard setback.” She advised that her attorney, Jeff Rahbeck, also reads condition number 6 of the ADM-05-200 Notice of Decision in the same way. She advised of having been “very confused in a meeting with Larry Werner and Kevin Gattis,” and that Mr. Werner and Mr. Gattis had also expressed confusion over “the wording of condition 6 of the variance approval.” Ms. Kynett advised that her confusion stemmed from being told she was not reading the approval correctly with regard to the eaves.

Ms. Kynett continued reading from her prepared statement, and advised that the result of a denial would impose a hardship on the property owners. She expressed the belief that the contractor should have been “able to build from and rely on the approved set of plans that were given to the contractor by the building department.” She expressed the further belief that granting the requested variance “should not damage the neighboring property because the 925 building is located across from a landing that is almost a duplicate of this porch landing. And the 935 porch landing is across from an open parking lot. The porch landings are on a second level and do not cause any space restraints. Also, the landing does not encroach on the privacy of the persons residing to the east as the porch would still be in the exact place.” Ms. Kynett advised that the existing structure has been in place for “at least six months ... and has not caused any hardship.” She expressed the opinion that aspects of the requested variance “only apply to this property and not other properties in the neighborhood.” She expressed the belief that the “circumstances that caused this error do not usually happen to others and that it would only do justice to us without extending a special privilege.” She advised that the property owners started the subject project in 2003. She noted that the existing house, built in 1940, at 919 East Fifth Street “is less than four feet from the property boundary and is into the setback more than the improvements and does not cause any damage or prejudice to the other properties in the vicinity.” She stated “this was an honest mistake” and requested to not be “punished for following the building plans, as approved.” She further stated “in no way is there a health and safety issue and, to the contrary, this small space added to the three-foot area is a definite improvement for health, safety, and welfare.” She requested to rebut any comments from Planning Division staff and from the audience.

Ms. Kynett acknowledged the belief that the property owners had been victims of engineering errors, possible building errors, poor advice, a failure to properly inspect and advise the property owners, and a reliance on past setbacks as a guide. She added that the encroachments should have been pointed out at the time of inspection. Chairperson Peery advised that the 1940 building cannot be used as a guide for setbacks because newer municipal codes supercede the old ones. Ms. Kynett expressed understanding. She acknowledged that the existing stairs are the only means by which to access the second floor. She responded to questions regarding the drawings entitled “corrections made by applicant to building plans” which were included in the agenda materials. Commissioner Vance noted that the plans “plainly state that the stairs should be three foot wide and that the overhang should be flush to the outside of the stairs.” Ms. Kynett explained that, at the time, she wasn’t as familiar with the plans and intended to bring the “eave back to the line of the landing.” She admitted her mistake in accepting what Planning Division staff had asked her to do. She acknowledged having brought back the eave to the “line of landing” which is what she thought she had done. She responded to additional questions regarding the drawings marked “corrections made by applicant to building plans.”

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Chairperson Peery inquired as to technical errors, as stated by the applicant. Ms. Pruitt advised that, from staff's standpoint, there are no technical errors. "... the page that we've been discussing that the applicant noted that the stairs would be three feet wide and the overhang would be flush with the stairs, that was the plan that staff was approving at the time the applicant made the changes on the plan." Ms. Pruitt further advised that the provisions for encroachment of stairs and overhangs "has been in the code for ... twenty years." She further advised that staff works with the subject section of the code quite often. The code provides for exterior stairs to encroach into the setback by three feet. Additionally, the roof overhang of a single family residence is allowed to encroach into the setback by two feet. Ms. Pruitt reiterated that Planning Division staff refers to the subject section of the code on a weekly basis, and advised there have been no previous issues of confusion. She reiterated that the plans approved by staff indicate a three-foot stair and an overhang to that point.

Ms. Green pointed out that the corrections by the applicant depict a three-foot stair and that the stairs and the landing were changed to three feet. She acknowledged that the depiction by the applicant indicated understanding. With regard to the timing of the administrative permit review, she advised that "the applicant had made these changes to the ... pages of these plans. Then the applicant ... came in and met with us, we had a drawing ... which we have in the file to say 'this is how far you can go, this is the point you have to stop at.' We were very clear in this drawing. It was an understanding while we were meeting with the applicant. ... This was in November of '05 and then six months later we had other plans that came in that were not corrected. And so those plans were not changed to reflect what we had in November '05." Ms. Green acknowledged staff's opinion that the existing situation represents a self-imposed hardship on the part of the property owner.

Vice Chairperson Kimbrough referred to hand-written notes, included in the agenda materials, and inquired as to whether these are considered official documents as part of the application. Ms. Green explained this is not allowed "under today's processing, but this applicant did make these corrections." She referred to the time line included in the staff report, and noted the difficulty associated with getting plans from the applicant. "... so we finally had them correct their own plans." Vice Chairperson Kimbrough noted that the plans distributed by the applicants, at this meeting, didn't have any of the handwritten notes or measurements depicted on the plans included in the agenda materials. One of them was entitled "as built" which would indicate "the final drawings submitted after construction." Vice Chairperson Kimbrough inquired as to whether staff had been provided copies of the same documentation distributed by the applicants at this meeting. In response to a question, Ms. Green displayed plans which had been submitted to and were reviewed in the building division; "... the plans that we copied, that were corrected by the applicant as the plans we were using. These plans that came in six months later were submitted as drainage plans and they were not reviewed for those elevation changes." In response to a further question, Mr. Gattis advised that the documents distributed to the commissioners, at this meeting, were not part of the "review process. Those were a part of Ms. Kynett's submittal package for the planning commission to show actually what is on site; however, ... they are different than what's in the approved set of plans."

Chairperson Peery allowed Ms. Kynett three minutes for rebuttal. In reference to the "plans that came in six months later," Ms. Kynett advised that Mr. Gattis required those plans to be redrawn, "not only the building plans but the drainage plans." Ms. Kynett advised that the building plans were required to be redone because the property owners were not allowed to continue using the plans drawn by Applied Engineering. Ms. Kynett further advised that the building plans were drawn by Chris Kynett and "we had to submit new plans there because the floor plan had to be turned 90 degrees and the cantilever taken off

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the end of the building in order to be in code and not be encroaching.” In response to a question, Mr. Gattis advised that neither he nor any City staff person ever required the Kynetts to change engineers. “This first came to light when the inspector went out to do a foundation inspection for the new structures.” At that time, the requirement to provide a letter from a surveyor “and / or approved property corners to verify setbacks” was explained to the Kynetts. Mr. Gattis advised that Ms. Kynett had “wholeheartedly disagreed” at that time. However, after the lot was surveyed, the Kynetts found they had built six feet onto the neighbors’ property with a retaining wall. Since that time, the Kynetts had to reduce the size of the structures because they would no longer fit on the lot due to fire department constraints “because your lot was actually smaller than you had thought.” Ms. Kynett reiterated that Mr. Gattis had required new building plans “because of that.” She admitted that the construction had encroached into the neighbor’s property, “...and that’s why the State Board of Engineers reprimanded and disciplined Applied Engineering.” She stated “this certainly was not our intention to do this. It’s unfortunately the way that it worked out from the first engineer to the second engineer.”

Chairperson Peery noted the number of times Ms. Kynett had made such statements as “it was not our intention;” “I thought;” “it was my mistake;” “I realized;” as part of her presentation. He pointed out that ignorance of the code is no excuse. Ms. Kynett acknowledged Chairperson Peery’s statement and requested to rebut public comment. Chairperson Peery denied the request and opened this item to public comment. When none was forthcoming, he called for additional commission discussion.

Commissioner Bisbee referred to the ADM-05-200 Notice of Decision, filed November 8, 2005, which “clearly shows the three feet wide all the way up.” She suggested there certainly appeared to have been an agreement “after this was filed and agreed upon that it was only going to be three feet wide the whole way up.” In response to a question, Ms. Pruitt reiterated that staff addresses eaves and overhangs according to the code. It was staff’s intention, from the administrative permit review hearing to the building permit process, with supportive notes that have “repeatedly been identified on the building permit, that the maximum encroachment would be three feet.”

Chairperson Peery expressed reluctance for a property owner to be penalized for a building error, but “in this particular case, it seems like there were a bunch of them.” He recalled a certain situation in which a property owner was required to remove a portion of a roof due to a measurement error associated with neighborhood height requirements. He suggested the present situation is no different in that respect. He expressed the opinion that attention to detail, on the part of the owners and builders, was missed. He expressed understanding of the City’s requirements, and a lack of understanding as to “where the rest of this got injected in terms of misunderstanding.” Vice Chairperson Kimbrough agreed with a reluctance to cause monetary loss to a property owner. However, “having looked at the drawings, looked at the history, looked at the staff report,” with respect to the fact that the applicant provided a good presentation, Vice Chairperson Kimbrough expressed the belief there was “knowledge but miscommunication ... on the part of the applicant not on the part of the City.” He expressed the opinion the City did a good job documenting and working to resolve the issues with the property owners. He noted the commission’s responsibility to assist City staff in applying City codes consistently “so that people don’t come in and ask for forgiveness instead of permission.” He expressed support for Chairperson Peery’s comments. Chairperson Peery entertained a motion.

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Commissioner Wendell advised of having reviewed the agenda materials provided by staff, and that the information contained therein was very detailed with a good time line. He further advised of having listened to and considered the testimony provided by Ms. Green, Ms. Pruitt, and the applicant. He suggested the “bottom line” amounted to “a violation of regulations” which needs to be corrected. **Commissioner Wendell moved to deny VAR-07-121, a variance application from Leslie and JoAnne Kynett, on property at 925 and 935 East Fifth Street, APN 004-042-24, to allow an encroachment from the flat wall to the property line beyond the allowed 36 inches from 4 9/16 inches to 31 7/16 inches for stairs, railings, landings, and eaves, into the eastern side yard setback on a duplex and a single unit, on property zoned multi-family apartment (MFA), due to the applicant’s inability to meet the findings as required by the Carson City Municipal Code. All encroachments beyond the allowed 36 inches into the setback must be removed and corrected to a maximum 36 inches of encroachment from the flat wall to the property line. If more than 36 inches is required to comply with the building department’s restrictions regarding required width of stairs and railings, then removed to a point to comply with their minimum requirements. These corrections must be completed within six months after date of decision of the planning commission, or at the time of sale of the property, whichever first occurs.** Commissioner Wendell noted the written testimony provided by the adjacent property owners that they want the problem corrected. **Vice Chairperson Kimbrough seconded the motion. Motion carried 7-0.**

Mr. Sullivan provided information on the appeal process to the applicants. In response to a question, Mr. Gattis advised that the existing guardrails encroach into the setback in addition to the landings at the top of the stairs and the roof overhang. “All of that can be corrected. The type of construction ... utilized will be different than what is currently there in order to achieve that. So we will need revised plans.” Chairperson Peery thanked the applicants and City staff.

H-2. SUP-07-197 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM JIM PECKHAM OF THE CARSON CITY CHILDREN’S MUSEUM (PROPERTY OWNER: CARSON CITY) TO ALLOW TWO BANNER SIGNS (APPROXIMATELY 48 INCHES BY 31 INCHES EACH) TO BE PERMANENTLY LOCATED ON THE PORCH RAILING, AND TO ADD A WILDHORSE THEATER SIGN (APPROXIMATELY 3 FEET BY 7 FEET) TO EXISTING CHILDREN’S MUSEUM SIGN, ON PROPERTY ZONED PUBLIC COMMUNITY (PC), LOCATED AT 813 NORTH CARSON STREET, APN 002-164-01(4:38:17) - Commissioner Reynolds left the meeting room. Chairperson Peery introduced this item. Mr. Sullivan reviewed the staff report, and narrated pertinent slides. He advised that the requested signage had been reviewed and approved by the Historic Resources Commission. He reviewed the Historic Resources Commission’s conditions of approval. He advised of staff’s recommendation of approval, subject to eight conditions, as outlined in the staff report.

(4:41:52) Children’s Museum Executive Director Jim Peckham acknowledged his agreement with the staff report. He expressed appreciation for the commission’s consideration of the special use permit application, and reviewed the same.

(4:43:33) Chairperson Peery opened this item to public comment; however, none was forthcoming. He entertained comments, questions, or a motion of the commissioners. **Commissioner Vance moved to approve SUP-07-197, a special use permit application from Jim Peckham, of the Carson City Children’s Museum, to allow two banner signs, approximately 48 by 31 inches each, to be**

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permanently located on the porch railings, and add a sign panel, approximately 2 x 7 to the existing pole sign, on property zoned public community, located at 813 North Carson Street, APN 002-164-01, based on seven findings and subject to the recommended conditions of approval contained in the staff report. Commissioner Bisbee seconded the motion. Motion carried 6-0-1, Commissioner Reynolds abstaining.

H-3. SUP-07-143 REVIEW AND POSSIBLE ACTION REGARDING SUP-07-143 (APPLICANT: METCALF BUILDERS; PROPERTY OWNER: V&OUT, LLC) LOCATED AT 3449 SOUTH CARSON STREET, APN 009-112-02, AND APPLICANT'S COMPLIANCE WITH APPROVED CONDITIONS OF APPROVAL (4:44:53) - Chairperson Peery introduced this item. Mr. Sullivan read a portion of the staff report into the record, and provided an overview of the time table associated with the subject project. He recommended considering a revision to the applicant's construction schedule. He noted that the modular building is scheduled to be removed July 2, 2008, and recommended the date remain fixed.

(4:48:28) Metcalf Builders Vice President Ken Rose acknowledged his agreement with the staff report. He advised that the project is behind schedule, and explained it is still in the design stage. After having submitted the design to City building division staff, the applicants are in the process of correcting several deficiencies which Mr. Rose explained. He advised that the plans are anticipated to be resubmitted to the building division by Friday, February 1st. He provided, to the commissioners and staff, a letter dated January 23, 2008, from MBI Project Manager Michael Fondi, together with a revised construction schedule. At Chairperson Peery's request, Mr. Rose summarized the contents of the letter and the construction schedule. In response to a question, he advised that the temporary structure is permitted to remain until July 2nd. He further advised that it would be in everyone's best interests to remove the temporary structure at the time construction begins. "The reason being, if that building stays in our way, it's going to add about a month to our construction time and that adds to overhead and our costs." The property owner is in the process of determining how and when to relocate vehicles to Reno for a short period of time. Mr. Rose acknowledged that removal of the temporary structure will be conducive to the construction schedule. He clarified that the object is to minimize financial difficulties for the property owner.

Commissioner Mullet noted a commitment made by Tom Metcalf, at the October 24, 2007 commission meeting, to provide planning division staff with weekly status reports. Mr. Rose apologized for the oversight, and advised that the status reports would be forthcoming.

(4:55:17) Chairperson Peery opened this item to public comment. When none was forthcoming, he entertained additional comments, questions, or a motion of the commissioners. Commissioner Reynolds suggested that the item be reagendaized only if there are staff concerns over the construction schedule. Mr. Sullivan advised that condition of approval 11 would therefore need to be revised. Chairperson Peery expressed support for Commissioner Reynolds' suggestion. Mr. Sullivan reiterated the requirement for the temporary structure to be removed by July 2nd.

Mr. Gattis anticipated a three-week review period for the plans, and advised this would not cause any problem. He acknowledged agreement with Commissioner Reynolds' suggestion. He expressed no concern over not receiving the requested weekly updates, as assured by Mr. Rose. Chairperson Peery entertained a motion. **Commissioner Reynolds moved to continue the special use permit that has been granted, 07-143; in reference to condition of approval 11, there will be new plans submitted before**

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the end of next week, February 8th, and if staff has an issue with those plans, the special use permit will be reagentized for review by the commission; and that the date for removal of the temporary office remains the same as specified in the original special use permit 07-143. Commissioner Wendell seconded the motion. Motion carried 7-0.

H-4. ZMA-07-175 ACTION TO CONSIDER A ZONING MAP AMENDMENT APPLICATION FROM WESTERN ENGINEERING TO CHANGE THE ZONING FROM SINGLE FAMILY ONE ACRE (SF1A) TO SINGLE FAMILY 21,000 (SF21), ON PROPERTY LOCATED AT 4094 CENTER DRIVE, APN 009-775-27, AND INCLUDING THREE PARCELS LOCATED AT 3820 - 4040 CENTER DRIVE, APNs 009-775-24, -25, -26 (5:00:18) - Chairperson Peery introduced this item. Mr. Plemel reviewed the staff report in conjunction with displayed slides. He provided a brief overview of the written responses to the public noticing process, one which was included in the agenda materials and another which was provided to the commissioners and staff prior to the start of the meeting.

(5:06:59) Dennis Smith, of Western Engineering representing the applicant, expressed agreement with the staff report and provided background information on this item. He expressed agreement with changing the zoning designation of the subject parcels, and the opinion "... it's a good transition zone between the 6,000 square foot lots in the South Pointe subdivision and the one acre lots across the street."

Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained additional comments, questions, or a motion of the commissioners. **Commissioner Wendell moved to approve ZMA-07-175, a zoning map amendment to change the zoning from single family one acre to single family 21,000, on property located at 4094 Center Drive, and including three parcels located at 3820 through 4040 Center Drive, APNs 009-775-24, -25, -26, and -27, based on the findings contained in the staff report and on the testimony provided by the staff and the applicant's representative. Commissioner Vance seconded the motion. Motion carried 7-0.** Chairperson Peery recessed the meeting at 5:09 p.m. and reconvened at 5:18 p.m.

H-5. ZMA-07-205 ACTION TO CONSIDER A ZONING MAP AMENDMENT APPLICATION FROM CARSON TAHOE REGIONAL MEDICAL CENTER, REPRESENTED BY TAMMY KINSLEY OF WESTERN ENGINEERING, (PROPERTY OWNER: CARSON-TAHOE REGIONAL MEDICAL CENTER) TO CHANGE THE ZONING FROM PUBLIC COMMUNITY (PC) TO RESIDENTIAL OFFICE (RO), LOCATED AT 990 MINNESOTA STREET, APN 001-201-28 (5:19:07) - Chairperson Peery introduced this item. Mr. Plemel reviewed the staff report in conjunction with displayed photographs and the current zoning map. He noted staff's recommendation of approval.

(5:22:10) Dennis Smith, of Western Engineering representing the applicant, expressed agreement with the staff report and reviewed the application. He advised that use of the building will remain the same. "It's a matter of a paper work shuffle more than a land use change."

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Chairperson Peery called for public comment and, when none was forthcoming, entertained comments, questions, or a motion of the commissioners. **Vice Chairperson Kimbrough moved to approve ZMA-07-205, a zoning map amendment to change the zoning from public community to residential office, on property located at 990 North Minnesota Street, APN 001-201-28, based on the findings contained in the staff report. Commissioner Mullet seconded the motion. Motion carried 7-0.**

H-6. SUP-07-191 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM CARSON CITY PUBLIC WORKS DEPARTMENT (KEN ARNOLD) (PROPERTY OWNER: CARSON CITY) TO CONSTRUCT A NEW WELL BUILDING, PIPELINE, AND UNDERGROUND POWER LINE, ON PROPERTY ZONED PUBLIC COMMUNITY (PC), LOCATED AT 5100 MORGAN MILL ROAD / 4600 FURGERSON RANCH ROAD, APN 010-581-17 (5:23:55) - Chairperson Peery introduced this item. Mr. Sullivan reviewed the staff report, and oriented the commissioners to the subject property using a displayed aerial photograph. He reviewed the conditions of approval of other City departments, as provided in the staff report. He noted staff's recommendation of approval based on the 21 conditions outlined in the staff report.

(5:27:21) Public Works Operations Manager Ken Arnold acknowledged his agreement with the staff report. Vidler Water Company Vice President Dave Merrill acknowledged his agreement. In response to a question, Mr. Merrill described the purpose and function of a storage well. He responded to additional questions regarding the skylight proposed for the storage well building.

Chairperson Peery opened this item to public comment. (5:30:50) Maggie Stillwell, owner of an equestrian center and small working ranch, oriented the commissioners to the location of her property using a displayed map. She pointed out a river crossing and described it as the "only river crossing that we have that doesn't require riding on the City streets to go to the Riverview Park." She requested that the crossing not be disrupted as the well is constructed. She suggested designating Morgan Mill Road for construction access. She expressed the opinion that the area is "real sensitive ... it's kind of a watershed anyway." She summarized her comments as follows: concern over construction access and requesting consideration for the natural habitat during construction. She expressed confusion over a flyer she received advising of plans to drill a new well. She advised that a well was "dug there last summer."

(5:33:39) Beth Scott, of the Sierra Nevada Equestrian Alliance representing local and regional equestrian interests in the Carson River area, advised that the project area is within a "critical crossing." She further advised there are very few areas for equestrians to cross the river. She noted that the subject project area is the only one "north of Riverview Park where horses can cross."

(5:35:07) Sierra Nevada Equestrian Alliance President Troy Dennis inquired as to whether the project will affect general public use of the area. Chairperson Peery advised that he would request the applicant's representative to address the question as well as others raised during the public comment period.

Chairperson Peery called for additional public comment. When none was forthcoming, he requested the applicant to address the previous questions. Vice Chairperson Kimbrough read condition of approval 16 into the record for the benefit of Mr. Dennis. Mr. Sullivan also referenced condition of approval 17.

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Mr. Merrill anticipated the project will not affect the equestrian crossing area. He described the design of the structure as “a small footprint in an open area adjacent to the golf course but ... there’s no fencing involved except at the very top ... perimeter section around the well.” He explained the requirement to build the well above the 100-year flood plain. “At that point, we’d have a fence around it so we really don’t have anything that would restrict that.” Mr. Merrill advised of no intent to disrupt any access to the area. He further advised that the existing well is a test well, “small diameter” pumped to determine the water quantity. He described the location of the new well approximately 75 feet north of the existing well. He advised that the best construction access will be from the south. Vidler Water Company owns property south of the golf course and will thus access the subject site. (1-0021) Once the well is developed, Vidler Water Company plans to “create more trails through our property, the forty acres to the south ...” Mr. Merrill committed to doing “all we can to keep everything open and be as least disruptive as possible.” In response to a question, he anticipates that drilling will take 8 to 10 weeks with an additional two months to construct the building and install the water line. In conjunction with a displayed map, Mr. Merrill responded to questions regarding the project construction area. In response to an earlier question, Mr. Sullivan anticipated the construction would not interfere with the River access described by Ms. Stillwell and Ms. Scott. (5:41:07) Following Mr. Sullivan’s explanation, Mr. Merrill was able to acknowledge that the construction will not disrupt the River access. Mr. Arnold noted that the larger construction equipment will be more stationary at the project site; pick up trucks will travel in and out each day. He expressed understanding for the concerns conveyed.

Chairperson Peery entertained additional comments, questions, or a motion. **Commissioner Bisbee moved to approve SUP-07-191, a special use permit from Ken Arnold, Carson City Public Works Operations Manager, property owner Carson City, to approve a new production and storage well, well building, potable water pipe line, underground power line, fence, and antenna, in a public community zoning district, subject to the conditions and based on the findings contained in the staff report. Commissioner Mullet seconded the motion. Motion carried 7-0.**

H-7. SUP-07-206 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM M. HADI SOLTANI, DDS, FOR AN INCREASE IN ALLOWED SIGNAGE (TOTALING APPROXIMATELY 155 SQUARE FEET), ON PROPERTY ZONED RETAIL COMMERCIAL - PLANNED UNIT DEVELOPMENT (RC - P), LOCATED AT 3641 GS RICHARDS BLVD., APN 007-461-31 (5:43:40) - Chairperson Peery introduced this item. Ms. Pruitt reviewed the staff report, and narrated pertinent slides. She noted staff’s recommendation of denial based on the applicant’s failure to meet three of the seven findings required for approval. In response to a question, Ms. Pruitt referred to page 3 of the staff report and advised that the 6-foot tall, 18.3 square foot monument sign complies with the applicable provisions of the Carson City Municipal Code. The CCMC provides for a maximum of 15-square feet of building signage; the applicant is requesting 137 square feet. In response to a further question, Ms. Pruitt advised that the CCMC does not preclude the applicant from having an internally illuminated, free-standing sign. She noted, for the record, that signs in the vicinity of the subject property “are all externally illuminated.”

(5:54:13) Hadi Soltani introduced himself for the record. In response to a question regarding his agreement with the staff report, he advised of having made every effort “to make our building pleasant in that area and our architectural design is designed to carry signs. Most of the buildings surrounding, architecturally, they are not designed to carry a sign on the building. They just didn’t plan it ahead.” Dr. Soltani advised that his practice is “full-service” dentistry. He expressed concern over patients having to travel to Reno for

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emergency dental care. He noted that the proposed signage simply advertises “dental.” He expressed a willingness to work with the City to make it possible for the public to see the sign. He offered to accommodate the City if internal illumination is an issue. He advised the proposed signage “is not intended to be a nuisance in any shape or form.” He noted that one side of the building faces the freeway and “is visible through the Save-Mart.” He advised of “just trying to let people know” of the available dental services. In response to a question, he expressed disagreement with the staff report. He further advised of no intent to adversely affect any of the neighboring properties, and expressed a willingness to work with City representatives. He noted an adjacent property which is not visible from the freeway, and reiterated that his property is visible. He reiterated that the building was designed to carry signs. He advised that the signage “would be done in good taste.”

Chairperson Peery inquired as to how Dr. Soltani would address the request for “almost five times the signage allowed under code ... as well as the lighting source itself.” With regard to the 16-foot dental sign, Dr. Soltani stated that “by code, we are allowed to have that sign pretty much.” He advised that the other sign “is not even going to be visible from the entire golf course area.” Depending upon the tenants, he advised he may not install the monument sign. He advised of “no problems” with external illumination, if necessary. In response to a comment, he advised there was no consideration given to neon signage. He advised of having considered LED or external illumination. In response to a question, he advised of not having been previously personally aware of the issues associated with staff’s recommendation of denial. He expressed a willingness to work with City staff to “make the signs visible to the public but at the same time not disturbing anyone in the area.” Dr. Soltani acknowledged the likelihood of development to the north of his property, and discussed the reasons for purchasing and developing the subject property.

Ms. Pruitt noted, for the record, that signage in Carson City is by use, not by zoning district. She advised that Planning Division staff reviews “dozens and dozens of sign requests.” Signage for office use has always been limited to the same standards applied to the subject application. Ms. Pruitt acknowledged Dr. Soltani’s effort in designing the structure, and advised it had been submitted to the major project review process over a year ago. She reiterated that any professional office in Carson City is held to 15 square feet of building signage as well as a monument sign.

(6:09:05) Gilbert Sanchez, of Young Electric Sign Company, advised of having conducted research prior to designing Dr. Soltani’s signs. The proposed design for the free-standing sign was not Dr. Soltani’s primary concern, but “within the code, we designed a sign to allow him to visualize what a sign would look like based on the square footage” allowed. The internal illumination was conceptual only. Mr. Sanchez advised that the proposed building sign could “easily be brought into a 15-square-foot configuration.” Dr. Soltani expressed an interest in keeping his signage statement very simple. The rest of the sign areas were previously designed, as part of the plans, to accommodate multiple tenants in the upstairs portion of the building. Mr. Sanchez advised of Dr. Soltani’s “focus ... to get some visibility from the north and so the larger signs were placed on that, one for his practice and one for a potential tenant.” Mr. Sanchez advised of having been well aware of the code requirements for the building and free-standing signage. The proposal was intended to address the needs of future tenants “is how we arrived at a proposal of 155 square feet. ... Sixty of that is designated as future tenant signage so we don’t know what sizes those will be but they would be within those configurations.”

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Chairperson Peery called for any other applicant representatives. When none were forthcoming, he opened this item to public testimony. (6:12:52) Al Fiegehen, owner of Glen Eagle's Restaurant and "most all the adjacent property to this proposed development," suggested Dr. Soltani should have purchased a building adjacent to Highway 395 if he wanted to have signage visible from Highway 395. Mr. Fiegehen described the view from and the peaceful ambience of the restaurant. He stated "all the offices ... that are being built along Garth Richards Boulevard are architecturally correct; they don't mess up the environment or the views ... Putting signage that's going to shine out to Highway 395 is just going to be absolutely awful." Mr. Fiegehen expressed the opinion that digital LED signage is "far brighter than any neon sign." He advised of his intention to develop "office-type properties ... high-end kinds of properties as ... we have along Garth Richards Boulevard." He suggested directing the signage toward College Parkway instead, "not trying to cross the views of people on my property." He expressed strong objection to the application.

(6:15:37) Dr. Rob Bauter, a local dentist and resident of the subject area, expressed concern that the "reason for this signage increase doesn't seem to really benefit anybody except the applicant." He advised there are approximately 20 general dentists in Carson City. "Their signage is the monument type of sign and ... there are maybe two signs that are slightly larger." Dr. Bauter didn't "see what this is going to accomplish other than a pure advertising for" Dr. Soltani. He expressed the belief that the Planning Commission has worked very hard over the years to avoid "sign alley where there's a sign, a bigger sign, another sign; this sign is covering mine so I'm going to have a bigger one ..." "Carson City has really been careful in keeping the uniqueness and the hometown quality of its structure ..." Dr. Bauter advised there are many busy dental offices in town. He suggested that any patient would be able to find a local dentist in an emergency without "driving down the road and look for a sign to go and find somebody to take care of your problem." He further suggested that dental advertisement is more effective in the yellow pages. He stated "there are reasons for regulations and this application really has no added value to the area." He expressed opposition to the application and the opinion that the commission should not "change the regulations for one person to take a nice area and turn it into a sign alley."

(6:18:41) Richard Wipfli, a homeowner in the area, commended Ms. Pruitt's presentation and the comments of Dr. Bauter and Mr. Fiegehen. He expressed the opinion that upholding the provisions of the sign ordinance is one of the "greatest duties" of the commission "because it's part of the visual preference survey and part of what we look like as a town." He advised of having driven around town and photographed "all the other dental offices." He further advised that the dental offices on Washington Street "actually fall below what they could do." He provided historic information on the sign ordinance, and expressed the opinion that one of the greatest successes in the City is "the ability for professional offices to be professional." He discussed existing signage along Garth Richards Boulevard, and expressed the opinion that the subject proposal "is out of taste, it's not necessary, and it could start something escalating ..." He requested the commissioners' careful consideration "because this could ruin 25 years of a lot of hard work and a lot of meetings people sat through."

Chairperson Peery called for additional public comment and, when none was forthcoming, entertained additional comments, questions, or a motion of the commissioners. Ms. Pruitt acknowledged the use of the subject building defines it as an office building. Chairperson Peery entertained a motion. **Commissioner Wendell moved to deny SUP-07-206, a special use permit application from M. Hadi Soltani, DDS, for an increase in allowed signage totaling approximately 155 square feet, on property zoned retail commercial / planned unit development (RC-P), located at 3641 GS Richards Boulevard, APN 007-461-31, based on failure of the applicant to meet three of the seven findings pursuant to**

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CCMC requirements for special use permit approval, as well as upon the testimony provided by Ms. Jennifer Pruitt and the objections provided by representatives of the general public. Commissioner Mullet seconded the motion. Motion carried 7-0.

Chairperson Peery advised that the application is out of bounds with the CCMC, and that the commission is very bound in this regard. He advised Dr. Soltani he would have to make due with that which is allowable under the provisions of the CCMC. Mr. Sullivan advised the applicant of his right to appeal the commission's decision, and reviewed the appeal process. Commissioner Wendell advised Dr. Soltani that the Planning Division staff is very knowledgeable about signage as well as the applicable ordinances. He suggested that Dr. Soltani contact the Planning Division and work with the staff to develop signage which is compliant with the ordinance, appropriate to the adjacent properties and neighbors.

H-8. SUP-07-200 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM THE STATE OF NEVADA (STANTEC CONSULTING, INC.), PROPERTY OWNER: STATE OF NEVADA, TO ALLOW AN EMERGENCY VEHICLE OPERATIONS CENTER TRAINING COURSE FOR POLICE AND EMERGENCY VEHICLE DRIVERS, ON PROPERTY ZONED PUBLIC (P), LOCATED IN THE NORTHWEST PORTION OF THE PRISON FACILITY PROPERTY AT 1721 SNYDER AVENUE, APN 010-281-46 (6:24:40) - Chairperson Peery introduced this item, turned the gavel to Vice Chairperson Kimbrough, and advised he would be leaving the meeting room. Mr. Sullivan acknowledged Chairperson Peery's employment with the Nevada State Department of Prisons, but advised there would be no conflict of interest. Chairperson Peery agreed, but recused himself to avoid any appearance of impropriety. Mr. Plemel reviewed the staff report, and oriented the commissioners to the subject site using a displayed aerial photograph. He introduced Gordon Murray, of Stantec Consulting; Project Manager Mark Davis, of the Public Works Board; and Peace Officers Standards and Training ("POST") Bureau Chief Scott Johnston. Mr. Plemel narrated pertinent photographs.

(6:32:40) Mr. Murray expressed agreement with the staff report, and reviewed the application in conjunction with a SlideShow presentation. He advised that the proposed training course is consistent with adjacent land uses, has manageable impacts and provides a valuable service to the community as a permanent training base for emergency services providers. He noted numerous letters of support included with the application materials. He requested the commission's approval of the special use permit, as proposed, in accordance with the conditions of approval included in the staff report. He further requested the commission to extend the permit period to two years "to allow us to start construction in the spring or summer of 2009 on phase 1 of the facility."

In reference to a particular slide, Mr. Plemel advised that the POST Academy currently conducts training exercises in the Edmonds Sports Complex parking lot. He further advised of having been provided two letters of support prior to the start of the meeting, copies of which were included in the record. He noted that the Carson City Sheriff's Department provided legislative testimony in support of construction of the facility.

(6:42:25) Mr. Johnston provided background information on and an overview of the videotape. He narrated the videotape. He advised that NAC 289 mandates specific minimum training standards for every peace officer in the state. Therefore, emergency vehicle operations training and certification is a mandatory topic for all peace officers. Mr. Johnston advised that the POST program is standardized statewide. He discussed issues of safety and property damage associated with using the Edmonds Sports Complex parking

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lot. He noted the importance of a training course which is isolated from the public. He responded to questions regarding proposed design of phase 2 of the facility, and elements designed as part of phase 1. In response to a further question, he discussed the regional public safety training facility in Reno. He further discussed the number of agencies interested in utilizing the subject facility.

Vice Chairperson Kimbrough opened this item to public comment. When none was forthcoming, he entertained additional comments or questions. Mr. Sullivan advised that staff had been previously unaware of POST training being conducted at the Edmonds Sports Complex over the past several years. He noted, for the record, there had been no complaints relative to the training exercises being conducted at the Edmonds Sports Complex. Commissioner Wendell discussed the benefits of the training program, and advised the facility is "long overdue." **Commissioner Wendell moved to approve SUP-07-200, a special use permit for the State Public Works Board to allow an emergency vehicle training facility, on property zoned public, located at 1721 Snyder Avenue, subject to the conditions and based on the findings contained in the staff report. Commissioner Vance seconded the motion. Motion carried 6-0-1, Chairperson Peery abstaining.**

H-9. SUP-07-189 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM ALAN MARRIAGE (PROPERTY OWNERS: MARRIAGE TRUST AND RANDALL TRUST) TO ALLOW A GUEST DWELLING IN A SINGLE-FAMILY 12,000 (SF12) ZONING DISTRICT, LOCATED AT 2638 BOYLE STREET, APN 009-041-01 (6:55:49) - Vice Chairperson Kimbrough returned the gavel to Chairperson Peery, who introduced this item. Mr. Sullivan reviewed the staff report. He advised of no comments received as a result of the public noticing process. After reviewing the applicant's findings, he recommended approval based on the 16 conditions outlined in the staff report.

(6:59:11) Alan Marriage introduced Mary Randall. Mr. Marriage reviewed the application, and acknowledged his agreement with the staff report.

Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained additional comments, questions, or a motion of the commissioners. **Commissioner Vance moved to approve SUP-07-189, a special use permit request from applicant Alan Marriage to allow a guest building of 549 square feet, on property zoned single family 12,000, located at 2638 Boyle Street, APN 009-041-01, based on findings and conditions of approval contained in the staff report. Commissioner Mullet seconded the motion. Motion carried 7-0.**

H-10. SUP-07-203 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM CARSON CITY SCHOOL DISTRICT, REPRESENTED BY AUDRA MILLER OF LUMOS & ASSOCIATES, (PROPERTY OWNER: CARSON CITY SCHOOL DISTRICT) TO ALLOW EXPANSION OF THE PARKING AREA AT MARK TWAIN ELEMENTARY SCHOOL, ON PROPERTY ZONED PUBLIC (P), LOCATED AT 2111 CARRIAGE CREST DRIVE, APN 002-101-46 (7:01:38) - Chairperson Peery introduced this item. Ms. Pruitt reviewed the staff report and oriented the commissioners to the subject site using a displayed aerial photograph. Mr. Sharp responded to questions regarding traffic flow patterns from Slide Mountain Drive to Carriage Crest Drive, and from Slide Mountain Drive and the proposed parking lot. He advised that the fine details will be worked out with the project engineer and Transportation Division staff.

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(7:09:40) Audra Miller with Lumos and Associates expressed agreement with the conditions of approval outlined in the staff report. She commended Ms. Pruitt on her presentation of the project, and advised she had nothing to add.

(7:10:32) In response to a question, Carson City School District Director of Operations Mike Mitchell advised of no way to enforce parking on Carriage Crest Drive. He noted one of the purposes of the proposed project to relieve parking congestion along Carriage Crest Drive.

Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained additional comments, questions, or a motion of the commissioners. **Commissioner Wendell moved to approve SUP-07-203, a special use permit request from Audra Miller, Lumos and Associates, Inc., on behalf of the Carson City School District, to allow an additional parking area for safety reasons at Mark Twain Elementary School, located 2111 Carriage Crest Drive, APN 002-101-46, based on the conditions of approval contained in the staff report and with the understanding that any acknowledgments to the commission or board by the applicant may be considered as further stipulations or conditions of approval on this application. Commissioner Bisbee seconded the motion. Motion carried 7-0.**

H-11. SUP-07-201 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM CARSON CITY PARKS AND RECREATION DEPARTMENT AND THE CARSON CITY HISTORICAL SOCIETY (FRED STANIO), PROPERTY OWNER CARSON CITY, TO ALLOW CONSTRUCTION OF A CARRIAGE HOUSE AND FENCE AT THE FOREMAN-ROBERTS SITE IN A PUBLIC COMMUNITY (PC) ZONING DISTRICT, LOCATED AT 1207 NORTH CARSON STREET, APN 002-151-01 (7:14:04) - Chairperson Peery introduced this item. Mr. Sullivan reviewed the staff report, and oriented the commissioners to the subject property using a displayed aerial photograph. He noted the Historic Resources Commission's approval of the proposed project and that of Parks and Recreation Department Director Roger Moellendorf. He advised of having received a recent phone call inquiring as to use of the property; no opposition or support of the project was indicated. He noted staff's recommendation of approval, after having reviewed the findings, based on 20 conditions as outlined in the staff report. He commended Associate Planner Heidi Eskew-Herrmann on a fine staff report. He discussed his work on this project with Parks and Recreation Department staff and representatives of the Nevada Historical Society.

(7:17:48) Fred Stanio, project coordinator and Historical Society Board Member, acknowledged agreement with the staff report. He commended Planning Division staff on the fine staff report.

Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained additional questions, comments, or a motion of the commissioners. **Commissioner Bisbee moved to approve SUP-07-201, a special use permit application from Fred Stanio with the Carson City Historical Society, property owner Carson City, to construct a carriage house and fence as a component of the Foreman-Roberts House Museum, in a public community zoning district, subject to the conditions and based on the findings contained in the staff report. Commissioner Reynolds seconded the motion. Motion carried 7-0.**

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H-12. ZCA-07-208 ACTION TO MAKE RECOMMENDATIONS TO STAFF REGARDING THE PREPARATION OF AN ORDINANCE TO AMEND THE CARSON CITY MUNICIPAL CODE, TITLE 18, ZONING, CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 4, SIGNS, TO ESTABLISH STANDARDS AND REQUIREMENTS FOR COMMERCIAL SIGNS DESIGNED TO BE VIEWED FROM THE FREEWAY (7:20:07) - Chairperson Peery introduced this item. Mr. Plemel provided background information, reviewed the purpose of this item, and the pertinent agenda materials. He discussed staff's interest in public input and direction from the commissioners, and advised that analysis of various alternatives will be provided for review at future meetings. In response to a question, Mr. Plemel noted staff's proposal to use the regular commission meetings to receive public input. In response to a further question, he discussed issues associated with facilitating a neighborhood meeting. In reference to pertinent agenda materials, Mr. Benton and Mr. Plemel responded to questions regarding the characteristics of Mesa, Arizona.

Commissioner Wendell requested to review the comments and input from the working group meetings held to discuss freeway signage over the last two to three years. He suggested inviting representatives of the various working groups to testify before the commission. He expressed appreciation for the information provided from Mesa, Arizona, and an interest in hearing "local testimony" from citizens and sign company representatives. He expressed a further interest in standardization, and a concern over the commission's actions not being perceived as arbitrary. Mr. Sullivan advised that Mr. Plemel had taken the lead on this, and commended his thorough staff report. He further advised that Mr. Plemel had participated in the sign workshops, and had compiled a list of contacts and informed them of these meetings. Mr. Sullivan noted that the public is welcome to attend the meetings. He requested any interested citizen or business representative to provide an e-mail address to the Planning Division. Mr. Plemel provided additional information on staff's approach to the public meeting process, and noted the wide range of opinions regarding freeway-oriented commercial signs. He discussed the importance of the commissioners "understanding both sides" because of ultimately providing a recommendation to the Board of Supervisors.

Commissioner Wendell read a portion of page two of the staff report into the record, and expressed support for a balance between "promoting economic growth and maintaining quality community aesthetics consistent with the goals and policies of the master plan." He expressed further support for not "reinventing the wheel." Commissioner Reynolds provided suggestions with regard to conducting a workshop within the framework of the regular commission meeting. He additionally suggested there are "plenty of rules and laws out there, ordinances from other communities" and "plenty of opinions." He expressed appreciation for the information provided from Mesa, Arizona, particularly addressing LED signage. He suggested reviewing the information as a framework for discussion, and noted the relatively short time period within which to develop a recommendation. Commissioner Mullet expressed appreciation for the information provided in the agenda materials. He referred to Attachment A of the staff report, and requested Mr. Plemel to fill in the limit in the "permitted area" section. He further requested a map showing distances of commercial areas from the freeway, together with a depiction of "where the sound wall started and stopped at the interchanges." Vice Chairperson Kimbrough advised of extensive comments, and requested input with regard to the most efficient method by which to provide them to staff. Chairperson Peery suggested e-mailing the comments which would facilitate a record and save time for the commission and the public. Vice Chairperson Kimbrough and Mr. Sullivan agreed. Vice Chairperson Kimbrough expressed an interest in the permit process and cost associated with NDOT gas / food / lodging signage. Mr. Plemel responded to questions regarding the next phase of freeway construction. Mr. Benton cautioned the commissioners against e-mailing comments to fellow commissioners.

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Chairperson Peery opened this item to public comment. (7:47:55) Rose Boyer, a resident of the Northridge subdivision, expressed a preference for no signs along the freeway. She expressed the opinion that special use permits and variances should be prohibited from the provisions of the freeway sign ordinance. She suggested requiring a buffer zone of trees when commercial development abuts residential. She expressed the opinion that sign height should be reviewed. "65, 70 feet is just way too high ... especially near a residential area." She requested to have an "external meeting" with invitations extended to planners from adjacent counties. She expressed a preference for "a standard for all of northern Nevada freeways mainly to protect the majestic mountain views that we have and still be compatible with residents, businesses, and our freeway travelers." "When a business is closed, their name goes away and there's an empty sign." Ms. Boyer suggested including a requirement in the ordinance to have "something" in place of an empty sign.

(7:51:22) Gary F. Nigro expressed support for staff and the commissioners' suggestions. He noted the number of special use permit applications agendized for this meeting "involving signs." He expressed the opinion "it's a very contentious subject" with "very diverse opinions" and "competing interests." He expressed the further opinion that time constraints should not be a consideration in order to provide for a carefully-planned ordinance. He expressed agreement with Ms. Boyer's comments to establish a standard with no exceptions. He expressed the opinion there should be no special use process with regard to signs. "It should be eliminated from the code." He suggested requiring a "line of sight study" for any sign "that would exceed the normal requirements." He strongly recommended establishing or reinstating the previous working group "with members of the Chamber of Commerce, sign companies, residents of Carson City, people from the Historical Society, other vested interests ..." to hopefully strike a balance "that will try to attempt to meet all of our needs as best we can." Mr. Nigro acknowledged having been present in the meeting room during the commission's hearing of agenda item H-7. He further acknowledged support for the manner in which the item was heard and decided upon by the commission. He reiterated the opinion that there should be "hard and fast rules" associated with signage.

(8:00:02) Bud Boyer, a resident of Northridge, referred to item H-7 and stated it is the property owner's responsibility "to look at what they're buying and then after they buy it, then they want all these changes. They knew what they were getting into." Chairperson Peery commented that former Planning Commissioner Allen Christiansen used to remind property owners of the saying, "buyer beware."

(8:01:27) Tim Bixby, of Young Electric Sign Company, provided background information on his experience helping various counties their sign ordinances. He advised of having offered to Mr. Plemel his assistance in developing criteria. He agreed with Commissioner Reynolds' suggestion of addressing LED signage within the ordinance. He reiterated his offer to staff, and discussion took place regarding LED signage.

(8:07:50) Gilbert Sanchez, of YESCo, advised of having offered his assistance to the process. He provided background information on YESCo and its available resources.

Chairperson Peery called for additional public comment; however, none was forthcoming. Mr. Plemel advised that staff had sufficient direction with regard to information to return to the commission. He advised that formal action wasn't necessary. He offered to obtain additional information on the NDOT gas / food / lodging signs. No formal action was taken.

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I. STAFF REPORTS

I-1. STAFF REPORTS / COMMENTS

DIRECTOR'S REPORT TO THE PLANNING COMMISSION (8:10:49) - Mr. Sullivan referred the commissioners to his report included in the agenda materials. He encouraged the commissioners' participation in the upcoming APA Conference, but noted associated budget constraints. He provided a brief overview of his Director's Report. In response to a question, he explained the reason for the Board of Supervisors' continuance of SUP-07-161 to the first meeting in February.

FUTURE AGENDA ITEMS - None.

J. ACTION ON ADJOURNMENT (8:14:34) - Commissioner Wendell moved to adjourn the meeting at 8:14 p.m. Vice Chairperson Kimbrough seconded the motion. Motion carried 7-0.

The Minutes of the January 30, 2008 Carson City Planning Commission meeting are so approved this 26th day of March, 2008.

JOHN PEERY, Chair