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A regular meeting of the Carson City Planning Commission was scheduled for 3:30 p.m. on Wednesday, February 27, 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, Development Services Director
Lee Plemel, Planning Division Director
Jennifer Pruitt, Senior Planner
Jeff Sharp, City Engineer
Joel Benton, Senior Deputy District Attorney
Kathleen King, Recording Secretary

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

A. CALL TO ORDER, DETERMINATION OF A QUORUM, AND PLEDGE OF ALLEGIANCE (3:33:18) - Chairperson Peery called the meeting to order at 3:33 p.m. Roll was called; a quorum was present. Vice Chairperson Kimbrough led the pledge of allegiance.

B. COMMISSION ACTION ON APPROVAL OF MINUTES (3:34:13) - None.

C. MODIFICATION OF AGENDA (3:34:16) - None.

D. PUBLIC COMMENTS (3:34:20) - None.

E. STAFF PUBLIC SERVICE ANNOUNCEMENTS (3:34:56) - Mr. Sullivan announced an audio conference scheduled for Wednesday, March 19th, entitled "Confronting NIMBYs."

F. DISCLOSURES (3:35:18) - Chairperson Peery advised of having been quoted in a recent newspaper article regarding signage for Carson City.

G. CONSENT AGENDA (3:35:36) - None.

H. PUBLIC HEARING MATTERS:

H-1. SUP-07-213 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM SEAN DAWLEY (PROPERTY OWNER: McBRYDE PROPERTIES, LLC) TO ALLOW A TATTOO PARLOR AS A CONDITIONAL USE IN A LIMITED INDUSTRIAL (LI) ZONING DISTRICT, LOCATED AT 1501 FAIRVIEW DRIVE, SUITE 20, APN 010-061-83 (3:36:47) - Chairperson Peery introduced this item. Mr. Sullivan oriented the commissioners to the subject property using a displayed aerial photograph. He reviewed the staff report, and advised of staff's recommendation

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of approval subject to seven findings and nine conditions. He specifically noted condition of approval 9 that the tattoo parlor must meet all requirements of the Health and Human Services Department. In response to a question, Mr. Sullivan clarified that the tattoo parlor is located at the south end of the building. In response to a further question, he advised of having received no complaints regarding the previous establishment.

(3:39:49) Sean Dawley acknowledged having read the staff report and his agreement with the same. In response to an earlier question, he clarified that the freeway right-of-way will take two feet from the northern property line, not any portion of the building. He advised that the proposed tattoo parlor location will expand an existing South Lake Tahoe business.

Chairperson Peery called for public comment and, when none was forthcoming, entertained questions, comments, or a motion of the commissioners. **Commissioner Vance moved to approve SUP-07-213, a special use permit application from Sean Dawley to allow a tattoo parlor, as a conditional use on property zoned limited industrial, located at 1501 Fairview Drive, #20, APN 010-061-83, based on seven findings and subject to the conditions of approval contained in the staff report. Commissioner Reynolds seconded the motion. Motion carried 7-0.**

H-2a. SUP-07-198 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM DENNIS FREITAS (PROPERTY OWNER: BROWN, R.H. AND A.M. REV. FAMILY TRUST) TO ALLOW OFF-STREET PARKING AS REQUIRED BY THE DEVELOPMENT STANDARDS PARKING DIVISION ON PARCELS WITHIN 300 FEET OF THE SUBJECT SITE, ON PROPERTY ZONED RETAIL COMMERCIAL (RC), LOCATED AT 3727, 3733, 3777 NORTH CARSON STREET AND 10 COLLEGE PARKWAY, APNs 002-391-32, -34, -38; and H-2b. VAR-07-199 ACTION TO CONSIDER A VARIANCE APPLICATION FROM DENNIS FREITAS (PROPERTY OWNER: BROWN, R.H. AND A.M. REV. FAMILY TRUST) TO REDUCE THE REQUIRED 240 PARKING SPACES FOR THE EXISTING AND PROPOSED USES TO THE 182 SPACES CURRENTLY PROVIDED ON SITE, ON PROPERTY ZONED RETAIL COMMERCIAL (RC), LOCATED AT 3727, 3733, 3777 NORTH CARSON STREET AND 10 COLLEGE PARKWAY, APNs 002-391-32, -34, -38 (3:42:34) - After consultation with Mr. Benton, Chairperson Peery combined and introduced items H-2a and H-2b. Ms. Pruitt oriented the commissioners to the location of the subject parcels using a displayed aerial photograph. She reviewed the staff report, and noted the six mitigation measures delineated therein. She advised that mitigation measures 2 and 6 could be combined. She reviewed the two additional mitigation measures included at page six of the staff report. She requested the commission to include the building division comments, at the bottom of page six of the staff report, as a fourteenth condition of approval.

With regard to the variance application, Ms. Pruitt noted the existing 182 on-site parking spaces. She noted staff's opinion of the "very realistic" concept, presented by the applicant, of building uses which would require 240 parking spaces. She further noted that the applicant was not proposing any expansion of the structure sizes or elimination of any existing landscape. In addition, there is no change proposed to the existing parking configuration. Ms. Pruitt advised that the site has been functioning for retail and warehouse uses "for decades." She further advised of having received no complaints with regard to the existing parking configuration. She further advised that the applicant is not requesting to provide or to utilize any parking other than that which exists on the three parcels currently owned and occupied. She noted staff's support of the applicant's request to utilize all three parcels in a shared configuration, in

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addition to providing for future occupants to utilize the site, as designed for retail and / or warehouse use. She noted the applicant had completed a lot line deletion, as required. She narrated pertinent slides, and noted the letter in support of the application included in the agenda materials.

Mr. Sullivan commended Ms. Pruitt on the outstanding staff report, and provided historic information on the origins and uses of the building. He commended the applicant as well. He advised of concerns over parking at Silver State High School, and discussed the subsequent parking study and resulting parking pass program. He expressed the opinion that the conditions of approval and “self policing by the owner” represent a win-win situation.

Chairperson Peery thanked Mr. Sullivan and Ms. Pruitt for the excellent presentation. In response to a question, Ms. Pruitt expressed the understanding, from the site visits conducted, that all the present uses co-exist. There are certain times with more parking demands, but “no singular use dominates.” Ms. Pruitt expressed appreciation for the letter of support from Walt Roskoski, of Roskoski Properties / Investments, representing the Mi Casa Too Restaurant. Vice Chairperson Kimbrough expressed concern that parking requirements would be enforced at the subject site, and Mi Casa patrons would be unable to use the overflow parking. Ms. Pruitt advised of several conversations with the applicant, who communicated the proposal with the adjacent property owners. In response to a further question, Ms. Pruitt reviewed the role of planning division staff to provide continuous oversight and monitoring from this point forward. She advised that planning division staff evaluates every single business license in Carson City, as part of the approval process. Parking is evaluated as part of the business license process. Mr. Sullivan advised of the owner’s intention to annually submit a parking report to the planning division. He referred to page five of the staff report, and noted the owner’s intent to work with the adjacent property owners. In response to a further question, Ms. Pruitt advised that each proposed use is evaluated on a case-by-case basis. In response to a further question, she advised that any use outside the parameters of the variance would have to be resubmitted for commission review. She noted the specificity of the variance, and advised that the applicant is aware of the associated requirements. Commissioner Mullet suggested requiring employees to park behind the buildings. Ms. Pruitt noted the proximity of multiple transit service stops in the area.

(4:04:54) Broker and Development Partner Brad Spires, representing property owner Robert Brown, provided background information on previous interest in the subject site, and reviewed the special use permit and variance applications. He discussed the intent to continue to use the property as it has been for the past thirty-eight years. He thanked Ms. Pruitt and Mr. Sullivan for all their assistance. He expressed agreement with the staff reports, and requested the commission’s approval of the applications.

Chairperson Peery opened these items to public comment. When none was forthcoming, he entertained additional comments, questions, or a motion of the commissioners. Commissioner Wendell commended Planning Division staff and the property owner in working together to address issues associated with buildings which have been vacant for several years. Chairperson Peery entertained a motion. **Commissioner Wendell moved to approve SUP-07-198, a special use permit application from Dennis Freitas, Building Concepts, owner Brown, R.H. and A.M. Rev. Family Trust, to allow off-street parking, as required by the development standards parking division, on parcels within 300 feet of the subject site, located 3727, 3733, 3777 North Carson Street and 10 College Parkway, APNs 002-391-32, 002-391-34, and 002-391-38, based on the findings and subject to the conditions of approval contained in the staff report, and to approve reduction in parking spaces, as specified in the materials provided.** In response to a question, **Commissioner Wendell amended his motion to adopt the building division comments as condition of approval 14. Commissioner Mullet seconded the motion. Motion carried 7-0.**

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Chairperson Peery entertained a motion. **Commissioner Mullet moved to approve VAR-07-199, a variance application from Dennis Freitas, Building Concepts, owner Brown, R.H. and A.M. Rev. Family Trust, to reduce the required 240 parking spaces for the proposed uses to the 182 spaces currently provided on site, on property zoned retail commercial, located at 3727, 3733, 3777 North Carson Street and 10 College Parkway, APN 002-391-32, -34, and -38, based on three findings and subject to the recommended conditions of approval contained in the staff report. Commissioner Wendell seconded the motion. Motion carried 7-0.**

H-3a. MPA-07-218 ACTION TO CONSIDER RESOLUTION 2008-PC-2 RECOMMENDING TO THE BOARD OF SUPERVISORS APPROVAL OF A MASTER PLAN AMENDMENT APPLICATION FROM GEORGE SZABO (PROPERTY OWNER: VIDLER WATER COMPANY, INC.) TO MODIFY THE MASTER PLAN LAND USE DESIGNATION BOUNDARY OF THREE PARCELS FROM LOW DENSITY RESIDENTIAL (FIVE ACRES) AND CONSERVATION RESERVE (APPROXIMATELY 40 ACRES) TO LOW DENSITY RESIDENTIAL (APPROXIMATELY SIX ACRES) AND CONSERVATION RESERVE (APPROXIMATELY 39 ACRES), ON PROPERTY LOCATED AT 5080 HELLS BELLS ROAD, APNs 010-581-05 AND -06 AND 010-582-06; and H-3b. ZMA-07-219 ACTION TO CONSIDER A ZONING MAP AMENDMENT APPLICATION FROM GEORGE SZABO (PROPERTY OWNER: VIDLER WATER COMPANY, INC.) TO CHANGE THE ZONING OF APPROXIMATELY SIX ACRES (OUT OF APPROXIMATELY 45 ACRES) FROM AGRICULTURE (A) TO SINGLE FAMILY ONE ACRE (SF1A), ON PROPERTY LOCATED AT 5080 HELLS BELLS ROAD, APNs 010-581-05 AND -06 AND 010-582-06 (4:13:30) - Chairperson Peery introduced these items. Mr. Plemel reviewed the staff report and narrated pertinent slides. He provided background information on the master plan and zoning map amendment applications. He narrated additional slides and continued reviewing the staff report. He reviewed responses to the public noticing process. He advised of staff's recommendation of approval, based on the findings contained in the staff report and as further substantiated by the applicant's written justification.

In response to a question, Mr. Plemel reviewed Exhibit A to the staff report. Mr. Sharp provided additional explanation of Exhibit A. In response to a question, he explained the requirement for flood elevation certificates. He advised that, in this case, no additional fill would be required as the proposed sites are already above the base flood elevation. In response to a question, Mr. Sullivan advised of photographs depicting the extent of flooding which took place during the last significant flood event. He was unaware as to whether the subject property was flooded. Commissioner Reynolds advised of being fairly familiar with the subject properties and that, in both the 1997 and the most recent flood event, it appeared the location of the pads was well above the water line. Vice Chairperson Kimbrough provided historic information on the origins of the Carson River Advisory Committee, and expressed appreciation for Vidler's donation to the Open Space Program. Mr. Sullivan provided historic information on development proposals submitted for the subject property. He complimented the developers on the low density development proposal, and the donation to the Open Space Program.

(4:33:46) Vidler Water Company Vice President and Counsel Steve Hartman acknowledged agreement with the staff report, and introduced Vidler Water Company representatives who were present in the meeting room. He discussed the intent to recognize the pre-existing agricultural use on the subject property, to donate approximately 37 acres to the Carson City Open Space Program, and to finish the trail, thus creating a connection to the south side of the Empire Ranch Golf Course. He reiterated agreement with the staff report. In response to a question, he advised of preliminary discussions regarding a low crossing on the south side of the property.

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Chairperson Peery opened these items to public comment. (4:37:14) Danny Froberg advised he is the property owner at 5050 Hells Bells Road “which is one five-acre parcel separated from” the subject property. He expressed support for the proposed development, and commended the open space donation as an asset to the public and residents of the area. He acknowledged Mr. Hartman’s comments, but expressed concern “that there not be a problem with our present agricultural zoning.” He requested that the developers be required to disclose to potential buyers the present agricultural uses.

(4:41:07) Sandra Lawrence, a resident of Marsh Road, expressed agreement with Mr. Froberg’s comments in support of the proposed development. She expressed concern over the 50-foot public utilities and roadway easement, “whether that’s going to be remaining in place or be moved.” She shared Mr. Froberg’s concern over not limiting future equestrian and agricultural uses. Mr. Sullivan explained that neither staff, the commission, nor the Board of Supervisors could condition a master plan amendment and zoning change. He noted Mr. Hartman’s intent to recognize the present agricultural uses in the sales agreement. Mr. Plemel advised that the 50-foot public roadway easement will remain, subject to a public abandonment process. He pointed out and described the route of the 50-foot easement north of Hells Bells Road using a displayed map.

Chairperson Peery called for additional public comment and, when none was forthcoming, additional comments of the commissioners. In response to a question, Mr. Sullivan reviewed various scenarios which would be required to be submitted for review by the commission and those which would be reviewed administratively. Chairperson Peery entertained additional comments, questions, or a motion.

(4:47:07) Mr. Hartman advised that CC&Rs will be included as part of the parcel map process, detailing the agricultural uses as a restriction. He expressed a willingness to meet with Ms. Lawrence to discuss the 50-foot easement. He provided historic information on the 50-foot easement, and advised that it would remain open. In response to a question, he described the current condition of the easement.

Chairperson Peery called for additional questions or comments and, when none were forthcoming, a motion. **Commissioner Wendell moved to adopt Resolution 2008-PC-2, recommending to the Board of Supervisors approval of MPA-07-218, a master plan amendment to modify the boundary between low density residential and conservation reserve, as proposed on property located 5080 Hells Bells Road, APNs 10-581-05 and -06 and 10-582-06, based on the findings contained in the staff report. Commissioner Reynolds seconded the motion. Motion carried 7-0.**

Chairperson Peery entertained a motion. **Commissioner Vance moved to recommend to the Board of Supervisors approval of ZMA-07-219, a zoning map amendment to change the zoning of an approximately six acre portion of property located at 5080 Hells Bells Road, APNs 10-581-05 and -06 and 10-582-06, from agriculture to single-family one acre, based on the findings contained in the staff report. Commissioner Bisbee seconded the motion. Motion carried 7-0.** Mr. Sullivan anticipated the commission’s recommendation would be forwarded to the Board of Supervisors on March 20th.

H-4. ZCA-07-172 ACTION TO CONSIDER AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE TITLE 17, DIVISION OF LAND, SUBDIVISION OF LAND AT CHAPTER 17.03, PARCEL MAPS, LOT LINE ADJUSTMENTS AND DELETIONS, REVERSION TO ACREAGE MAPS, AND MERGER AND RESUBDIVISION OF LAND, SECTION 17.03.020 LOT LINE DELETIONS BY ADDING THE REQUIREMENT FOR A LEGAL DESCRIPTION OF PROPERTY (METES AND BOUNDS DESCRIPTION); TITLE 18, ZONING, CHAPTER 18.02, ADMINISTRATIVE PROVISIONS, SECTION 18.02.055, FEES AND SERVICE CHARGES FOR

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CHANGES, INCLUDING CORRECTING THE NAME CHANGE OF LAND USE TO ZONING MAP AMENDMENT, ADDING AND CLARIFYING FEES AND SERVICE CHARGES, INCLUDING ADDING COSTS AND FEES FOR PROCESSING OF A MINOR ADMINISTRATIVE VARIANCE, RECREATIONAL VEHICLE PARK, AND MANUFACTURED HOME IN SINGLE FAMILY ZONING; CHAPTER 18.03, DEFINITIONS AT 18.03.010, WORDS AND TERMS DEFINED, TO ADD THE DEFINITION OF MEDICAL DURABLE GOODS USED AS ASSISTIVE DEVICES USED TO AID THE DISABLED; 18.04.110.3, RESIDENTIAL OFFICE CONDITIONAL USES TO ADD MEDICAL DURABLE GOODS TO CONDITIONAL USES; TITLE 18.16, DEVELOPMENT STANDARDS, DIVISION 1, LAND USE AND SITE DESIGN AT SECTION 1.6, CHILD CARE FACILITIES PERFORMANCE STANDARDS TO CLARIFY AREAS OF RESPONSIBILITY FOR STATE OF NEVADA DIVISION OF CHILD AND FAMILY SERVICES AND CARSON CITY HEALTH DIVISION, INCLUDING ALL CONCERNS MUST BE SATISFIED PRIOR TO ACTIVATION OF A SPECIAL USE PERMIT; SECTION 1.9, WIRELESS TELECOMMUNICATION FACILITIES AND EQUIPMENT, TO CLARIFY REQUIREMENTS ADDING THE WORD "FREESTANDING" TO SAY THAT "FREESTANDING" FACILITIES SHALL NOT EXCEED 120 FEET IN HEIGHT ABOVE GRADE, AND "FREESTANDING" FACILITIES AND EQUIPMENT SHALL BE LOCATED NO CLOSER THAN FOUR TIMES THE FACILITY HEIGHT FROM ANY RESIDENTIALLY-ZONED PROPERTY, AND ADD AN ADMINISTRATIVE PERMIT OR SPECIAL USE PERMIT MAY BE REQUIRED FOR FACILITIES WHICH EXCEED THE HEIGHT RESTRICTIONS OF THE ZONING DISTRICT WHERE THE FACILITY IS PROPOSED; TYPOGRAPHICAL CORRECTIONS, AND OTHER MATTERS PROPERLY RELATED THERETO (4:51:04) - Chairperson Peery introduced this item. Mr. Sullivan provided background information and reviewed the staff report. In response to a question, Ms. Pruitt provided background information on the fees for minor variance, as listed in the agenda materials. In response to a further question, Mr. Sullivan discussed requirements for manufactured homes in a single-family zoning district. In response to a further question, he discussed the process for presenting fees to the commission and the Board of Supervisors. Mr. Benton suggested a revision to Section IV, 1.9, 2(c) at page 8 of the staff report. In response to an earlier question, he advised of a statutory process established to implement or increase fees.

Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained additional comments, questions, or a motion of the commissioners. At Mr. Sullivan's request, Chairperson Peery recessed the meeting at 5:02 p.m. and reconvened at 5:08 p.m. Mr. Sullivan read the corrected language of Section IV, 1.9, 2(c), as follows: "An Administrative Permit or Special Use Permit may be required for facilities which exceed the height restrictions for a zoning district where the facility is proposed, pursuant to CCMC 18.15.025." Mr. Benton acknowledged his agreement with the stated language. Mr. Sullivan provided an explanation for the revision. Chairperson Peery entertained a motion. **Commissioner Reynolds moved to recommend to the Board of Supervisors approval of ZCA-07-172, a zoning code amendment to clarify various provisions of Title 17 and Title 18 of the Carson City Municipal Code, as published on the agenda and as amended by the commission. Commissioner Wendell seconded the motion. Motion carried 7-0.**

H-5. 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 (5:10:20) - Chairperson Peery introduced this item. Mr. Plemel provided background information and thanked the commissioners and citizens for written

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comments and suggestions submitted to date. He reviewed the staff report in conjunction with a PowerPoint presentation. He advised of a planning commission workshop tentatively scheduled for Monday, March 24th at 5:30 p.m. in the Cooperative Extension Conference Room. He referred to written comments provided to the commissioners and staff prior to the start of the meeting. He summarized the written comments of John Lubich, provided via e-mail.

Mr. Sullivan referred to page 7 of the staff report, and requested the commissioners to review the section entitled "Off-Premise Signs." Commissioner Reynolds expressed appreciation for the reference in the staff report that attempting to regulate signage by content "is very, very hard in today's climate." In response to a question, Mr. Sullivan advised that the Harley-Davidson sign is on the same parcel as the building. Rather than continuing to evaluate signage on a case-by-case basis, Vice Chairperson Kimbrough expressed a preference to rely on established standards. He suggested that the height of the freeway sound wall should be considered in determining signage height. He referred to the Freeway Landmark Monument Guidelines from Mesa, Arizona and expressed a preference for main tenants to be displayed above the freeway sound wall but not to allow the entire sign to be visible above the sound wall. In response to a question of clarification, Vice Chairperson Kimbrough acknowledged the preference for certain signage standards to be allowed by right; and beyond that, to review signage on a case-by-case basis. Commissioner Bisbee requested to consider the issue of sign abandonment as part of the public workshop. She noted that the Mesa, Arizona guidelines required damaged or dysfunctional LED signage to be completely shut down until repaired. Commissioner Mullet expressed appreciation for the Mesa, Arizona guidelines which appear to have thoroughly considered the balance between economics, aesthetics, and safety. He agreed with Vice Chairperson Kimbrough's comments with regard to only allowing large tenants to be visible on signage which exceeds the height of the freeway sound wall. He suggested considering a correlation between the size of a parcel and the allowed square footage of signage. In response to a comment, Mr. Sullivan reiterated the request for the commissioners to review that portion of the staff report pertinent to off-premise signage. Commissioner Vance expressed appreciation for establishing standards for by-right signage, but concern over ensuring the opportunity for public input. Mr. Sullivan requested the commissioners to consider whether to have by-right signage or signage by use permit. He advised staff will provide options, but that the commission would have to provide a recommendation to the Board of Supervisors.

Chairperson Peery opened this item to public comment. (5:36:41) Bud Boyer expressed concern over correlating property frontage with signage size. He requested the commissioners' careful consideration of LED signage "especially along the freeway." He compared LED signage to a "pinball arcade."

(5:37:55) Gary Nigro advised of having expressed a "previous position ... that we establish almost a one size fits this parcel and if you have this kind of property or this kind of retail business, you're allowed this or that." He advised of having come to the conclusion "that probably won't work." He agreed with Mr. Plemel "that one size will not fit all." He advised of having previously considered off-premise signs a good idea until learning the "City possibly may be setting itself up for a lawsuit with regard to billboards." He read into the record e-mail correspondence to Mr. Plemel, dated February 15, 2008, copies of which had been provided to the commissioners and staff prior to the start of the meeting. He expressed the opinion that 800 square feet "is a rather large number." He advised that an average billboard is approximately 625 square feet, and recommended this as the maximum square footage for freeway signage. He discussed the importance of his recommendation to require line of sight studies. He requested to participate in the public workshop scheduled for March 24th. He expressed appreciation for Mr. Plemel's efforts, and the hope that "we'll all be able to get together with something that will be workable for everyone."

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(5:45:18) Rose Boyer expressed a preference for no signs along the freeway corridor. She advised of having “lost [her] view of the mountains due to a wall,” and expressed concern over having her “backyard lit up by a sign.” She referred to Chairperson Peery’s comments, as quoted in a *Nevada Appeal* article, and requested the commissioners’ consideration of the residents’ views of “mountain scenery.” She expressed the opinion that a maximum height standard should be established rather than reviewing proposed signage on a case-by-case basis. She expressed the further opinion that the 30-foot maximum height established by the current sign ordinance has been abused by the special use permit process. She expressed the further opinion that the “800-square-foot sign should be pared down to 400 square feet.” She suggested considering a requirement for “day and night intensity levels for LED signs.” She suggested requiring citizen participation, including “notices to residents not only at 300 feet but an additional 15 feet times the height or further.” She referred to a 2006 study conducted by the Chamber of Commerce which included a recommendation to re-evaluate the current sign ordinance as construction extends south of Highway 50 East and to explore community signage programs for drive-through travelers. She suggested the majority of sales tax revenue is derived from the citizens “who have to live with the signs.”

Chairperson Peery called for additional public comment and, when none was forthcoming, entertained additional comments or questions of the commissioners. Commissioner Reynolds acknowledged having participated in the 2006 Chamber of Commerce study. He pointed out that the language of the ordinance provides for signage at a certain height; a special use permit is required for signs above that height. Signs taller than specified in the ordinance are not prohibited. He advised of general consensus among the 2006 Chamber of Commerce study participants to leave the ordinance as it was and “if someone wants a sign along the freeway, then they can go through the special use permit process.” He noted the consensus was based on the recognition that “there’s not a maximum sign lid out there that says you can only have a 20-foot or a 30-foot sign. It says you have to go through a SUP process if you want it taller than that. And that’s what we’ve been doing.” Commissioner Reynolds agreed with constructing a standard framework “where businesses can say I’m allowed this much signage” before having to submit to a special use permit process. He noted the validity of the special use permit process to consider setbacks and residential areas, and discussed the need to consider “what is absolutely prohibited.” He noted the importance of understanding that the special use permit process is not for prohibited signage.

In response to a question, Mr. Plemel explained that the community sign program was a concept intended for freeway exit intersections to direct travelers to retail services available in Carson City. In response to a comment, he suggested keeping an open mind with regard to LED signage. He acknowledged the comments indicating a dislike for various LED signage around town. He described LED signage technology and design, and advised that the sign industry will be providing examples. Vice Chairperson Kimbrough commended Mr. Plemel on the staff report. In response to a question, Mr. Plemel recommended incorporating standards for luminosity and display. Commissioner Mullet agreed with Commissioner Reynolds’ suggestion to establish a minimum criteria, with a special use permit required “above that.” In reference to earlier comments, he noted that the Slot World sign had been “toned down” somewhat, but advised it had previously “looked like a fireworks going off in Timberline.” He agreed with giving careful consideration to LED signage.

Commissioner Wendell read into the record a portion of the Proposed Standards section of the staff report, and advised of having reviewed the recommendations outlined therein. He commended Mr. Plemel on the excellent recommendations provided, and expressed support for continuing to follow through on the recommendations. He referenced the due process clause of the 14th Amendment to the U.S. Constitution, and expressed concern over ensuring certain standards in order for the commission to avoid appearing arbitrary. He expressed the belief that there will always be circumstances requiring a special use permit

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process, and noted that Mr. Plemel had thoroughly addressed these circumstances in the staff report. In addition to ensuring due process, he read a portion of the Background section of the staff report into the record and discussed the importance of striking a balance between economics and aesthetics consistent with the goals and policies of the master plan. Commissioner Wendell advised of having lived in Carson City for a significant number of years, and noted the length of time associated with planning and constructing the freeway. "One of the major concerns ... that prevented the freeway for many years was the fact that the businessmen in this community were concerned about the diversion of the public from the downtown area of Carson City." Commissioner Wendell noted this as a viable concern, and suggested that the recommendations of the staff report provide a sensible balance between the residential and business community. He reiterated the suggestion to continue pursuing the recommendations outlined in the staff report to provide a clear understanding of the "big picture": a balance between the businesses and residents.

In response to a question, Mr. Plemel advised that staff is committed to providing alternatives and to pursuing the stated direction. He noted the commission will have choices to make in the end, but reiterated that staff would provide alternatives. Chairperson Peery noted the importance of the public workshop. In response to a comment, Commissioner Reynolds suggested considering information which documents the benefits of signage for shopping centers. Commissioner Wendell offered a meeting room for the public workshop. Mr. Plemel acknowledged sufficient commission direction, and consensus of the commission was that no formal action was necessary. Chairperson Peery, the commissioners, the staff, and the citizens present congratulated Mr. Sullivan, Mr. Plemel, and City Manager Larry Werner on their new positions.

I. STAFF REPORTS:

I-1. STAFF REPORTS / COMMENTS - None.

I-2. DIRECTOR'S REPORT TO THE PLANNING COMMISSION (6:10:33) - Mr. Sullivan reviewed his report. He advised of having attended his first Planning Commission meeting thirty years ago this month. He noted extensive changes to the format of commission meetings over the years. He expressed appreciation for the opportunity to have served the commission, and to have worked with Mr. Sharp and Mr. Benton. He advised of Mr. Sharp's recent promotion to the position of City Engineer and the commissioners expressed their congratulations. He expressed the hope that Mr. Benton will remain as the commission's attorney for a period of time. He expressed the certainty that Planning Division staff, Mr. Sharp, and Mr. Benton will continue to serve the commission well. He advised of having worked with Ms. Pruitt and Mr. Plemel for a number of years, and commended them as outstanding public employees. He cautioned the commissioners regarding the Nevada Open Meeting law, and encouraged the staff to continue ensuring due process. He noted the importance of balance. The commissioners and staff thanked Mr. Sullivan, and expressed their appreciation.

I-3. FUTURE AGENDA ITEMS - None.

J. ACTION ON ADJOURNMENT (6:14:11) - Commissioner Wendell moved to adjourn the meeting at 6:14 p.m. Commissioner Reynolds seconded the motion. Motion carried 7-0.

The Minutes of the February 27, 2008 Carson City Planning Commission meeting are so approved this 23rd day of April, 2008.

JOHN PEERY, Chair