

**CARSON CITY PLANNING COMMISSION**

**Minutes of the November 19, 2008 Meeting**

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A regular meeting of the Carson City Planning Commission was scheduled for 3:30 p.m. on Wednesday, November 19, 2008 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

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

**STAFF:** Lee Plemel, Planning Division Director  
Jennifer Pruitt, Principal 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. These materials are on file in the Clerk-Recorder's Office, and available for review during regular business hours.

**A. CALL TO ORDER, DETERMINATION OF QUORUM, AND PLEDGE OF ALLEGIANCE** (3:31:45) - Vice Chairperson Kimbrough called the meeting to order at 3:31 p.m. Roll was called; a quorum was present. Commissioner Peery was absent. Commissioner Vance led the pledge of allegiance. Commissioner Bisbee arrived at 3:34 p.m.

**B. COMMISSION ACTION ON APPROVAL OF MINUTES** (3:32:32) - None.

**C. MODIFICATION OF AGENDA** (3:32:41) - None.

**D. PUBLIC COMMENTS** (3:32:51) - None.

**E. STAFF PUBLIC SERVICE ANNOUNCEMENTS** (3:33:28) - Mr. Plemel announced that the November 19<sup>th</sup> Airport Authority meeting would follow this meeting at its scheduled time of 6:30 p.m. He further announced that the Community Development Block Grant program would now be administered by the Planning Division. The application process will begin in December.

**F. DISCLOSURES** (3:34:49) - None.

**G. CONSENT AGENDA** (3:34:58) - None.

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#### H. PUBLIC HEARING MATTERS:

**H-1. AB-08-091 ACTION TO MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING AN APPLICATION FOR AN ABANDONMENT OF PUBLIC RIGHT-OF-WAY FROM JOHN PROCACCINI, BREWERY ARTS CENTER (PROPERTY OWNERS: BREWERY ARTS CENTER / CARSON CITY) TO ABANDON A 66-FOOT WIDE SECTION OF MINNESOTA STREET, BETWEEN WEST SECOND STREET AND WEST KING STREET, APNs 003-206-02 AND 003-207-04 (3:36:11)** - Vice Chairperson Kimbrough introduced this item. Ms. Pruitt reviewed the staff report, and noted changes to conditions of approval 1, 4, 6, 7, 8, 9, 10, and 11 from the October 29, 2008 commission meeting. She further noted the applicant's agreement that, if the proposed abandonment is approved, the existing street configuration would remain and not be barricaded except to accommodate events for which a special events permit has been issued by the City. She noted 11 conditions of approval which mitigate impacts associated with the proposed abandonment. She narrated pertinent slides, and reviewed the public noticing process associated with the October Planning Commission and Regional Transportation Commission meetings. She noted three letters in support of the abandonment received from vicinity property owners, as well as a petition in support of the abandonment, with 32 signatures, submitted at the October commission meeting. She further noted staff's recommendation of approval, based on the conditions and the finding of fact that the public will not be materially injured by the proposed abandonment.

In response to a question, she advised of a special use permit which addresses the shared parking situation. She expressed the understanding that any issues of parking would be addressed by the special use permit required in conjunction with the conceptual plan. In response to a question, Mr. Sharp advised of the applicant's agreement that a future design solution may address the surface water issue. He further advised, "... we have the language in the proposed conditions to keep this a City street until such time as the engineering is done and resolve all these issues." In response to a further question, he advised that Minnesota Street is currently on the "sand bagging plan" as one of the corridors to accommodate surface water flow during a storm event. "It's yet to be determined whether that will continue ... indefinitely or whether there will be a design solution."

(3:45:13) Attorney Joan Wright expressed appreciation for the meeting between Brewery Arts Center representatives and City staff following the October commission meeting. She expressed agreement with the conditions of approval. In response to a previous question, she referred to the conceptual plan and advised, "We actually stay even on parking. What we lose on the street, we gain on the ends and in the small lot that we were planning to be in another spot." Discussion followed, and she assured the commissioners of the intent to resolve any parking issues.

Vice Chairperson Kimbrough called for public comment and, when none was forthcoming, entertained comments, questions, or a motion of the commissioners. **Commissioner Bisbee moved to recommend that the Board of Supervisors approve an abandonment of public right-of-way application, AB-08-091, for a portion of a public right-of-way known as South Minnesota Street, being an 11,220-square-foot area, more or less, located north of West Second Street and south of West King Street, and adjacent to APNs 003-206-02 and 003-207-04, based on seven findings and subject to the conditions of approval contained in the staff report. Commissioner Wendell seconded the motion. Motion carried 6-0.** Vice Chairperson Kimbrough thanked the applicants and staff.

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**H-2. LDM-08-101 ACTION TO CONSIDER A TENTATIVE MAP FOR DIVISION OF LAND INTO LARGE PARCELS APPLICATION FROM RESOURCE CONCEPTS, INC. (PROPERTY OWNER: WILLIAM MICHAEL FAGEN, TRUSTEE) TO SUBDIVIDE APPROXIMATELY 281 ACRES INTO A TOTAL OF THREE PARCELS, RESULTING IN TWO PARCELS OF APPROXIMATELY 40 ACRES EACH AND ONE PARCEL OF APPROXIMATELY 201 ACRES, ON PROPERTY ZONED CONSERVATION RESERVE (CR), LOCATED ON KINGS CANYON ROAD, APN 007-051-78 (3:48:56) -** Vice Chairperson Kimbrough introduced this item. Ms. Pruitt reviewed the staff report, and narrated pertinent slides. She noted staff's recommendation of approval, and introduced Open Space / Property Manager Juan Guzman.

Mr. Guzman provided detailed background information on development of the conservation easement in conjunction with displayed photographs and a map. In response to a comment, he provided background information on the Board of Supervisors' consideration of an action to declare Kings Canyon Road a public thoroughfare; however, the width wasn't defined. The action by Mr. Fagen established the 50-foot right-of-way along the edge of the property which he controls. Mr. Guzman acknowledged that the conservation easement will not guarantee public access. "Like most conservation easements, ... public access is not part of the deal." Mr. Guzman advised that the conservation easement would be discussed, in concept, at the November 20<sup>th</sup> Board of Supervisors meeting. The value cannot be appraised until the conservation easement language is finalized. "Once that's done, we will have sixty days to record the conservation easement and be in compliance with the laws of the IRS." In response to a question, Mr. Guzman advised that if the conservation easement is not transacted, Mr. Fagen is under no obligation to file the map and complete the division.

(4:03:07) Michael Fagen introduced Darrell Harris, of Resource Concepts, Inc., and provided additional background information on the City's fee simple purchase of 400 acres on the north and west of the property which was concluded in 2004 with the understanding that the conservation easement would be completed soon thereafter. He discussed his original plans for the property to construct a retreat center and nature lodge, and explained the reason for retaining two lots in conservation reserve for his two children. Mr. Fagen acknowledged his agreement with the five conditions of approval. Vice Chairperson Kimbrough applauded Mr. Fagen's patience and his willingness to transact a conservation easement. The commissioners thanked Mr. Fagen.

Vice Chairperson Kimbrough called for public comment and, when none was forthcoming, entertained a motion. **Commissioner Wendell moved to approve application LDM-08-101, a tentative map for division of land into large parcels to subdivide a parcel of approximately 201 acres into three parcels, resulting in two parcels of approximately 40 acres each and one parcel of approximately 121 acres, APN 007-051-78, subject to the conditions contained in the staff report. Commissioner Vance seconded the motion. Motion carried 6-0.**

**H-3. SUP-08-105 ACTION REGARDING A SPECIAL USE PERMIT REQUEST FROM JOSEPH GONI FOR CUMULATIVE ACCESSORY STRUCTURES THAT EXCEED 75 PERCENT OF THE SQUARE FOOTAGE OF THE PRIMARY STRUCTURE, ON PROPERTY ZONED SINGLE FAMILY 6000 (SF6), LOCATED AT 7300 SCHULZ DRIVE, APN 010-671-02 (4:08:27) -** Vice Chairperson Kimbrough introduced this item. Ms. Pruitt reviewed the staff report, and narrated pertinent slides. She reviewed the public noticing process, as outlined in the staff report, and noted the letter in support of the proposal, copies of which were distributed to the commissioners and staff prior

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to the start of the meeting. She further noted the conditions of approval outlined in the staff report, and read condition of approval 10 into the record. In response to a question, she advised of no limit with regard to square footage for farm accessory structures under the previous zoning. In response to a question regarding condition of approval 6, she explained that single family zoning districts have a maximum building height. The method by which the building height of a structure is measured is directly prescribed by the Building Code.

(4:14:58) Joseph Goni thanked Planning Division staff and the commissioners “for all the time and energy ... put into these particular items.” He acknowledged having reviewed the conditions of approval and his agreement with the same. (4:15:43) Mike Stevenson, of Palmer Engineering, advised of having assisted Mr. Goni with preparation of the application. He commended Ms. Pruitt’s presentation and advised he had nothing to add.

Vice Chairperson Kimbrough called for public comment and, when none was forthcoming, entertained additional comments, questions, or a motion of the commissioners. **Commissioner Mullet moved to approve SUP-08-105, a special use permit application to allow construction of a detached accessory structure which exceeds 75 percent of the existing primary structure, on property zoned single family 6,000, located at 7300 Schulz Drive, APN 010-671-02, based on seven findings and subject to the conditions of approval contained in the staff report. Commissioner Wendell seconded the motion. Motion carried 6-0.**

**H-4. SUP-08-106 ACTION REGARDING A SPECIAL USE PERMIT REQUEST FROM DEBRA SISCO (PROPERTY OWNER: CAPITAL CHRISTIAN CENTER) TO ALLOW A FREESTANDING SIGN 13 FEET TALL, 18 FEET WIDE, WITH TEXT COVERING 121.25 SQUARE FEET, INCLUDING A RED L.E.D. MESSAGE BOARD OF FOUR FEET BY 13 FEET, OR 52 SQUARE FEET, RELOCATION OF AN EXISTING FREESTANDING SIGN ON THE SITE WHICH IS 10 FEET TALL BY FIVE FEET WIDE WITH TEXT COVERING APPROXIMATELY 24 SQUARE FEET, AND A PERMANENT METAL STORAGE CONTAINER, ON PROPERTY ZONED PUBLIC REGIONAL (PR), LOCATED AT 1600 SNYDER AVENUE, APN 010-221-15** (4:17:30) - Vice Chairperson Kimbrough introduced this item. Mr. Plemel reviewed the staff report, and oriented the commissioners to the subject property using a displayed aerial photograph. He reviewed the public noticing process, as outlined in the staff report, and noted two letters in opposition to the sign received from adjacent neighbors. He noted an additional letter of opposition to the sign and the lighting which was distributed to the commissioners and staff prior to the start of the meeting. He continued reviewing the “Signage” portion of the staff report. In consideration of the conditions and the findings, outlined in the staff report, Mr. Plemel noted staff’s recommendation of approval.

In response to a question, Mr. Plemel advised that external lighting for the monument sign would have to comply with the City’s lighting standards regarding shielding and structure. In response to a further question, he advised that the LED portion of the sign will project on both sides, the sign being perpendicular to Snyder Avenue. In response to a further question, he advised that Carson Street would be the nearest location of another LED sign. In reference to condition of approval 10, Commissioner Mullet expressed concern that shrubbery may obscure the address numerals. Mr. Plemel agreed that the address numerals would need to be visible above any landscape. In response to a further question, he advised that the master plan designation for the subject area is quasi-public. Commissioner Vance

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expressed concern over establishing a precedent regarding the LED signage, and Mr. Plemel noted that many churches are located in residential districts. He explained the commission's purview to consider the proximity of the proposed signage to the residential neighborhood. In reference to the concern expressed regarding other churches around town, he expressed the opinion that "some of those circumstances are a little bit different than this one in that there are literally houses right across the street and right next door." He assured the commission there was no concern over establishing a precedent for any future special use permit application. Commissioner Vance construed the sign as commercial in nature.

Commissioner Reynolds recalled that the commission had no purview to consider the applicant as a church, but as any other applicant. Mr. Benton acknowledged the accuracy of the statement in that the content of the sign could not be evaluated. Mr. Plemel listed similar use examples, in the public zoning district, including parks, libraries, community centers, etc. He acknowledged that the applicant would likely have comparison information between the dimensions of the proposed sign and other signage around town. He advised that staff had not researched the dimensions of signage at the Carson City Library or Carson High School.

(4:36:22) Debra Sisco, of Capital Christian Center, advised of having read the recommended motion and of her agreement with the conditions of approval. She expressed appreciation to Planning Division staff for their assistance and their recommendation of approval. In response to a question, she reminded the commissioners that school facilities and a daycare are also operated on the property, and discussed the importance of the LED signage to advertise scheduled events.

(4:37:40) Mark Lipkowitz, of Custom Sign, circulated photographs among staff and the commissioners and advised that the sign "is totally shielded from that neighborhood." He explained the method by which advertising will be accomplished on the LED sign. "There won't be any red backgrounds; there'll just be lettering on the board." He referred to the Carson High School signage as an example of a similar size sign. He advised that high schools in Reno are "all moving towards" similar signage, and discussed his involvement in a design review committee in his residential neighborhood near a Reno high school. He circulated photographs of the Galena High School readerboard sign, and advised that the sign is dimmed and eventually turned off each night. He emphasized that the signage is used to convey information, not advertising.

Mr. Lipkowitz acknowledged that the subject sign would usually be turned off at 10:00 p.m. each evening. He noted the Nevada State Prison located across the street from the church property, and suggested "the only place that'll see it is [vehicles on] Snyder Avenue and the [Stewart] Indian School." He further noted that the freeway bypass will be located less than one mile away and is anticipated to be complete by 2015. He advised that the area is "going to be developed." He suggested that if the signage "was closer and more glaring to the people on the east, ... that would be a problem. ... with the new, big building that they have there, there's no way any of those houses will see the sign day or night." In response to a further question, Mr. Lipkowitz advised that the Galena High School sign is turned off each evening by 10:00, "... and they had a dimming provision" similar to that which is included in the subject conditions of approval. He explained the reason for the proposed sign size is that it accommodates four rows of nine-inch copy with 22 characters. This allows for adequate spacing to publicize four events. In response to a further question, Mr. Lipkowitz advised that "people that use the center come from both directions and they get the same

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amount of traffic from both directions.” Commissioner Mullet discussed concerns over establishing a precedent. Mr. Lipkowitz discussed practical issues associated with the increasing popularity of LED signage.

(4:45:34) Ms. Sisco requested Mr. Plemel’s input with regard to the adjacent neighbors. In reference to the information contained in the staff report, Mr. Plemel reiterated that the Edmonds Sports Complex is adjacent to the subject property on the north, that the Nevada State Department of Prisons owns the property to the south, and west of the property line is owned by the Washoe Tribe of Nevada and California. Ms. Sisco emphasized that the church is not located within a residential area. In response to a previous question, she assured the commissioners that the address numerals will be affixed well above the landscape so as to be easily visible by all emergency personnel.

Commissioner Bisbee commended the sign, “if you take away the red LED part,” as “beautiful.” She expressed concern over the proposed signage as an eyesore. Ms. Sisco discussed the importance of readable signage in consideration of traffic safety. She acknowledged the purpose of the signage to convey information. “Our business is communication nowadays, and this is a really relevant way that we communicate with members who are out at our end of the center and that come through different times on their way home from work.” Ms. Sisco advised of several annual events which are scheduled through midnight, and that hours of operation for the sign could be provided. In response to a question, she referred to Mr. Lipkowitz’s drawings and advised that most of the residents “are behind us. ... It’s not directly in their neighborhood. It’s not across. It’s not two houses down. ... And, as Mark mentioned, we are shielding most of it with the back of our building so not too many of them would see this sign.”

Mr. Lipkowitz responded to questions regarding the proposed location for the sign. He acknowledged that it will be perpendicular to Snyder Avenue, and advised of the requirement to locate it at least 28 feet from the edge of the roadway. Ms. Sisco pointed out the location of the existing sign and the proposed signage on a displayed aerial photograph. Mr. Lipkowitz advised that over one-half mile separates Edmonds Drive and the proposed location of the sign. Commissioner Vance reiterated disagreement with having LED signage on both sides. Mr. Lipkowitz advised that “the way the road turns, there’s going to be visibility, and we believe that people use both ways to get there.”

Commissioner Mullet requested to add to condition of approval 11 the requirement to turn off the sign by 10:00 p.m. each evening. Ms. Sisco expressed a preference to work with staff “only because there are nights when we are open and having those upcoming events, it would be very beneficial to have that readerboard on later in the evening ...” In response to a question, she advised that the LED signage is currently only a red-letter readerboard. She was unwilling to agree, without consulting with the church pastor, to a condition of approval which would prohibit expanded use of the LED signage capabilities in the future.

In response to a question, Mr. Plemel expressed concern over approving a sign that could change in the future. He expressed the opinion that a corresponding condition of approval would appropriately relate to discussion regarding impacts to the adjacent neighbors. Ms. Sisco requested to operate the readerboard sign on those nights when events are scheduled later in the evening. She agreed to usually turning the sign off at a certain time, as requested. In response to a question, Mr. Lipkowitz advised that the proposed sign is “only red; it can’t do any other colors.” He further advised that it has no graphic capability; only text.

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In response to a question, Mr. Benton expressed concern that there are no standards for staff to make a determination regarding an appropriate night to keep the sign turned on later than 10:00 p.m. He advised that such a request be difficult for staff. Mr. Plemel suggested a condition of approval requiring the sign to be turned off by 10:00 p.m. except on nights which are tied to a specific event. Mr. Benton agreed this would be acceptable. Mr. Lipkowitz agreed to this condition of approval. Ms. Sisco expressed a willingness to work with Planning Division staff to resolve any future issues.

Vice Chairperson Kimbrough opened this item to public comment. When none was forthcoming, he entertained additional questions or comments, and requested each of the commissioners to provide input prior to a motion. Commissioner Reynolds advised of having had initial concern over “context with the neighborhood.” The fact that the proposed signage is a text-only readerboard “does make a big difference in the visual impact it has.” Commissioner Reynolds relayed the dimensions and discussed the design of the Community Center sign, and expressed the opinion that “those old-fashioned readerboards with the light inside are much more obtrusive ... than the dimmed-down, single-color LEDs when the LED signs don’t have the graphics flashing.” The signs in front of the Carson City Library and Carson High School “are not obtrusive whatsoever.” Commissioner Mullet expressed a preference to “be a little firmer on the time and the number of special occasions” when the signage would be allowed to stay on. Discussion followed.

Commissioner Wendell read a portion of condition of approval 11 into the record, and suggested that the lighting from the Edmonds Sports Complex and from the Nevada State Prison create more “light pollution” than would the sign. He noted that the applicant had agreed to the conditions of approval, which indicate in condition 11 that the sign will be dimmed 45 percent at night. He further noted Mr. Lipkowitz’s assurance that the design is a text-only LED readerboard without graphic capability. He expressed concern over attempting to over-regulate the application, and referred to the findings included in the staff report. He noted that Mr. Lipkowitz had indicated the sign will be a sufficient distance from the residential area that light from the sign, if not the sign itself, will be obscured. Commissioner Bisbee reiterated concern that approving the subject sign doesn’t prevent the applicant from adding graphic capabilities at some point in the future. Commissioner Wendell reiterated that the proposed sign is designed as a text-only, red-letter LED readerboard. In response to a comment, he suggested considering the application at “face value,” and expressed the belief that the issues had already been addressed by the staff. He offered to make a motion.

Commissioner Vance expressed the opinion that the “lack of comfort is that probably the vast majority of planning commissions across this country have seen LED signs go in and find them vastly different than what they approved.” He stated, “We’ve seen that and ... Reno has because I’ve read about it and I think I’ve read about it in some of the little bulletins we get.” He expressed discomfort with “an LED sign being out in the middle of nowhere. It just doesn’t seem right.” Commissioner Wendell noted that the sign was being manufactured and installed “by an individual of a very reputable background,” and couldn’t imagine Mr. Lipkowitz presenting something in writing and subsequently changing the sign.

Given the discussion, Commissioner Reynolds suggested adding to condition of approval 11 that the changing message sign is restricted to letters only with a single-color display. Vice Chairperson Kimbrough agreed, and expressed the opinion that the sign should be turned off at 10:00 p.m. He expressed concern over “reviewing a new sign that we haven’t seen before in a community that we haven’t had to deal with before,” and expressed appreciation for the discussion in consideration of future meetings. He inquired as to the number of nights per year that the sign would need to be left on past 10:00 p.m. Ms. Sisco estimated 26 annual events for which the sign would be left on past 10:00 p.m. Commissioner Bisbee

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expressed confusion over “why anybody there between 10 and midnight wouldn’t already know what was going on.” Ms. Sisco discussed the importance of using every opportunity to announce upcoming events, as vital to the church’s ongoing growth. She responded to additional questions of clarification. Mr. Lipkowitz discussed the importance of announcing events, and noted the provision in the conditions of approval for the applicant to work with staff on any future issues.

Commissioner Reynolds reminded the commissioners that there was no purview over the “operation ... on the site.” He suggested requiring a further reduced dimness at 10:00 p.m. rather than requiring the sign to be turned off, “and that’s something that staff can work with them on.” He expressed concern over consideration being given to turning the sign off “if it was anything else other than a church.” He expressed further concern over “the same concerns we run into when we start looking at spot zoning. Are we making judgments on something that we wouldn’t make for another operation in a different manner?” Commissioner Bisbee advised that her “whole issue with the red readerboard is where it is, not what it’s connected to.” She advised of traveling frequently on Edmonds Drive, and “it’s an oddball place to have a readerboard and it is close to a neighborhood.”

Vice Chairperson Kimbrough entertained a motion. Commissioner Wendell moved to approve SUP-08-106, a special use permit application from Capital Christian Center to allow a new freestanding sign with LED readerboard, a metal storage container, and relocation of an existing sign, on property in the public regional zoning district, located at 1600 Snyder Avenue, APN 010-221-15, based on the findings and conditions of approval contained in the staff report, as well as the findings of fact and conclusions of law. In response to a question, Commissioner Wendell read condition of approval 3 into the record, as an example of conclusions of law. Motion died for lack of a second.

Vice Chairperson Kimbrough entertained a motion. **Commissioner Reynolds moved to approve SUP-08-106, a special use permit application from Capital Christian Center, to allow a new freestanding sign with an LED readerboard and metal storage container, relocation of the existing sign, on property in the public regional zoning district, located at 1600 Snyder Avenue, APN 010-221-15, based on the findings and conditions of approval contained in the staff report, and including, in condition of approval 11, that the changing message sign is restricted to letters only and a single-color display, and that Capital Christian Center representatives will work with staff to reduce nighttime lighting to the appropriate brightness. Commissioner Wendell seconded the motion.** In response to a comment, **Commissioner Reynolds amended his motion to include a revision to condition of approval 10 to ensure address numerals are visible above landscaping. Commissioner Wendell continued his second.** Vice Chairperson Kimbrough advised that he would vote no because the motion did not include a 10:00 p.m. restriction on the sign. He called for a vote on the pending motion; **motion failed 2-4.**

Vice Chairperson Kimbrough referred to finding 2, and entertained a motion. Mr. Benton provided direction with regard to possible action. Vice Chairperson Kimbrough advised he would vote in favor of a motion which included a requirement to turn the sign off at 10:00 p.m.

(5:25:12) Ms. Sisco expressed the understanding that the motion would pass with agreement to turn the sign off at 10:00 p.m. Vice Chairperson Kimbrough acknowledged his intent to vote in favor of such a motion. Ms. Sisco stated, “If that were it, then if I could direct the rest of my question to procedure.” Planning Division staff acknowledged that this would be the condition submitted to the church to approve, sign, and return.

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Vice Chairperson Kimbrough entertained a motion. **Commissioner Reynolds moved to approve SUP-08-106, a special use permit request from Capital Christian Center to allow a new, freestanding sign with LED readerboard, a metal storage container, and relocation of an existing sign, on property in the public regional zoning district, located at 1600 Snyder Avenue, APN 010-221-15, based on the findings and conditions of approval contained in the staff report; amending condition of approval 10 so that the address numerals will be located above the landscape, and condition of approval 11 that the LED message display is restricted to letters only and a single color, and will be turned off at 10:00 p.m. each evening. Commissioner Wendell seconded the motion. Motion carried 5-1.**

**H-5. MPA-08-110 ACTION TO MAKE RECOMMENDATIONS TO THE BOARD OF SUPERVISORS ON THE ANNUAL MASTER PLAN REPORT, INCLUDING RECOMMENDED ACTIONS FOR THE IMPLEMENTATION OF THE GOALS AND POLICIES OF THE MASTER PLAN, AND OTHER MATTERS PROPERLY RELATED THERETO (5:28:25)** - Vice Chairperson Kimbrough introduced this item. Mr. Plemel reviewed the staff report, and advised that the commission's recommendation would not be forwarded to the Board of Supervisors until January thus allowing continuation of this item to the December commission meeting. He referred to the action plan accomplishments and recommendations, as outlined in the staff report.

Commissioner Reynolds read action plan 8.1b, on page 22 of the staff report, into the record. In reference to a previously-approved project, he requested to consider consistency in height and scale of development for particular areas of town. Mr. Plemel explained that action plan 8.1b was specifically addressed with the Downtown Code. He referred to action plans 9.3b and 9.4a, on page 8 of the staff report, and noted that staff had recommended establishing standards and guidelines in 2009. In response to a question, Mr. Plemel requested the commission to include consideration of LED signage in the motion.

Vice Chairperson Kimbrough called for public comment and, when none was forthcoming, entertained a motion. Mr. Plemel thanked Park Planner Vern Krahn, who was present in the meeting room, and the various City departments for providing input into this item. He noted the amount of work invested annually to implement the master plan, and expressed appreciation to the other City departments. **Commissioner Wendell moved to recommend to the Board of Supervisors the Master Plan Action Plan priorities identified in the 2008 Action Plan provided by staff for consideration in establishing City and staff goals for 2009, and that consideration be given to also include LED signage. Commissioner Reynolds seconded the motion. Motion carried 6-0.** Vice Chairperson Kimbrough commended Mr. Plemel on the report format.

**H-6. MPA-08-112 ACTION TO MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING A MASTER PLAN AMENDMENT TO MODIFY THE TEXT OF THE LAND USE PLAN, CHAPTER 8, EASTERN PORTAL / V&T RAILROAD GATEWAY SPECIFIC PLAN (V&T-SPA), TO ADD A POLICY REGARDING THE FUTURE CHANGE OF LAND USE FROM INDUSTRIAL TO MIXED-USE COMMERCIAL AND / OR MIXED-USE RESIDENTIAL FOR PROPERTY LOCATED GENERALLY EAST OF THE BRUNSWICK POWER SUBSTATION AND SOUTH OF ASTRO DRIVE (5:47:11)** - Vice Chairperson Kimbrough introduced this item. Mr. Plemel emphasized the item represented a proposed amendment to the text of the master plan; "to add a policy, ... not a land use change, but the policy does pertain to a specific portion of property ..." He oriented the commissioners to the subject property using a displayed map, and reviewed the staff report. He reviewed the November 18, 2008 letter from Mark Rotter, of Manhard Consulting, Ltd.,

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which was distributed to the commissioners and staff prior to the start of the meeting. He expressed support for Mr. Rotter's suggestion to amend the language of V&T SPA Policy 1.5 to indicate that the land use designation shall be changed from Industrial to Mixed-Use Commercial and / or Mixed-Use Residential, as "fully the intent of the land use map on this property all along." He reviewed the public process associated with the land use designation change. He noted staff's recommendation of approval, noted the resolution included in the agenda materials, and reiterated the recommendation to change the word "may" to "shall" in Policy 1.5.

Vice Chairperson Kimbrough called for commissioner questions and, when none were forthcoming, entertained a motion. **Commissioner Reynolds moved to adopt Resolution 2008-PC-6 recommending Board of Supervisors approval of MPA-08-112, a master plan amendment to modify the master plan, Chapter 8, Eastern Portal-V&T Specific Plan Area, to add V&T SPA Policy 1.5 to provide for changing the land use designation, of an area near Drako Way, from Industrial to Mixed-Use Commercial or Mixed-Use Residential upon mitigation of an existing landfill, based on the findings contained in the staff report, and amending the term "may" in the first sentence of Policy 1.5 to the term "shall." Commissioner Wendell seconded the motion. Motion carried 6-0.**

**H-7. MISC-08-107 ACTION TO ELECT A PLANNING COMMISSION CHAIRMAN AND VICE CHAIRMAN FOR THE PERIOD DECEMBER 2008 TO NOVEMBER 2009 (5:54:25)** - Vice Chairperson Kimbrough introduced this item, and entertained nominations for chairman. **Commissioner Wendell moved to appoint Mark Kimbrough as the chairman of the Planning Commission for the next calendar year. Commissioner Reynolds seconded the motion. Motion carried 6-0.** Vice Chairperson Kimbrough thanked the commissioners, and commended Chairperson Peery on his ability to chair the commission.

Chairperson-elect Kimbrough inquired as to the commissioners' interest in serving as vice chair. Commissioner Wendell expressed an interest in serving as vice chair. He advised of having served as a member of the Private Investigator's Licensing Board for a period of sixteen years, occasionally as its chair in place of the State Attorney General. He further advised of having served, for a period of several years, as an administrative law judge for the Department of Public Safety regarding matters pertinent to the Department of Motor Vehicles. He expressed the belief that he possesses the necessary background and knowledge in administrative law to serve as vice chair.

Commissioner Mullet advised of having served as a commissioner for two terms, and expressed the hope to serve a third term based on his enjoyment of "participating in the public process and providing services to the City ..." He expressed an interest in serving as vice chair, but clarified "it's not a major one right now in that [his] job is a four-day, ten-hour-a-day week, and I don't personally think that I could probably do the best job that I might be able to do if I was ... reappointed for a third term." He passed on serving as vice chair, but advised he would not object to being nominated. In response to a question, he advised he would be "on the fence." Commissioners Reynolds, Vance, and Bisbee expressed no desire to serve as vice chair.

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Vice Chairperson Kimbrough entertained a motion. Commissioner Bisbee advised of having given “a lot of thought” to the nomination process. She expressed respect for Commissioner Wendell’s background, and an interest in “someone that has had some long-term on the Planning Commission itself ...” She **nominated Commissioner Mullet as vice chair. Commissioner Vance seconded the nomination. Nomination carried 6-0.** Commissioner Mullet expressed appreciation for the commissioners’ confidence.

**I. STAFF REPORTS:**

**I-1. STAFF REPORTS / COMMENTS, DIRECTOR’S REPORT TO THE PLANNING COMMISSION, AND FUTURE AGENDA ITEMS (6:01:13)** - Mr. Plemel reviewed the director’s report which was included in the agenda materials.

**J. ACTION ON ADJOURNMENT (6:05:24)** - Commissioner Vance moved to adjourn the meeting at 6:05 p.m. Commissioner Wendell seconded the motion. Motion carried 6-0.

The Minutes of the November 19, 2008 Carson City Planning Commission meeting are so approved this 28<sup>th</sup> day of January, 2009.

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MARK KIMBROUGH, Chair