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A regularly scheduled meeting of the Carson City Planning Commission was held on Thursday, January 22, 2003, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 5:30 p.m.

PRESENT: Chairperson Richard Wipfli, Vice Chairperson John Peery, and Commissioners Allan

Christianson, Mark Kimbrough, Craig Mullet, Roger Sedway and Roy Semmens

STAFF PRESENT: Community Development Director Walter Sullivan, Principal Planner Lee Plemel,

Senior Engineer Rob Fellows, Deputy District Attorney Mary Margaret Madden, Recording Secretary Katherine McLaughlin, and Associate Planner Jennifer Pruitt

(P.C. ½2/04 Tape 1-0010)

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

- **A. ROLL CALL, DETERMINATION OF A QUORUM AND PLEDGE OF ALLEGIANCE -** Chairperson Wipfli convened the meeting at 5:30 p.m. Roll call was taken. The entire Commission was present, constituting a quorum. Chairperson Wipfli led the Pledge of Allegiance.
- **B.** APPROVAL OF MINUTES DECEMBER 17, 2003 (1-0049) Commissioner Semmens moved to approve the Minutes of November 18 and December 17. Discussion indicated that corrections had been made to the drafts prior to the meeting. Commissioner Peery seconded the motion. Motion carried 7-0.
- C. PUBLIC COMMENTS (1-0059) None.
- **D. AGENDA MODIFICATIONS** (1-0070) Community Development Director Walter Sullivan requested a recess following the first item.
- **E. DISCLOSURES** (1-0080) Commissioner Peery disclosed a discussion with Reverend Parker regarding an unidentified piece of property. He had referred him to the City's realtor.
- **F.** CONSENT AGENDA SUP 03-153 ACTION ON AN AMENDMENT TO A PREVIOUS APPROVED SPECIAL USE PERMIT APPLICATION FROM SCOTT TATE (1-0089) Commissioner Semmens moved to approve SUP 03-153 as amended, a Special Use Permit request from Scott Tate, the Applicant, Northern Nevada Comstock Investments LLC, the Owner, to allow the increase of the permitted total sign area from 466 square feet to 807 square feet and to increase the permitted sign height from 20 feet to 30 feet for a commercial use and allow flags that exceed two per site at 24 flags at Assessor's Parcel Number 008-124-21, on property zoned Limited Industrial located at 3680 Goni Road based on seven findings and subject to 11 conditions of approval contained in the staff report. Commissioner Peery seconded the motion. Motion carried 7-0.

#### G. PUBLIC HEARINGS

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## G-1. SUP 03-165 - ACTION ON A SPECIAL USE PERMIT APPLICATION FROM

RICHARD CAMPAGNI (1-0125) - Community Development Director Walter Sullivan, Applicant's Representative Cliff Sorensen - Mr. Sorensen indicated that he had read the staff report and concurred with it. Public comments were solicited but none were given. Commissioner Peery moved to approve SUP 03-165, a Special Use Permit request from Richard and Mary Campagni/Richard and Mary Campagni Family Trust, to allow a monument sign eight feet in overall height on a secondary frontage in the General Commercial zoning district based on seven findings and subject to seven conditions of approval contained in the staff report. Commissioners Semmens and Mullet seconded the motion. Motion carried 5-0.

RECESS: A recess was declared at 5:42 p.m. The entire Commission was present when Chairperson Wipfli reconvened the meeting at 5:47 p.m., constituting a quorum.

G-2. SUP 03-167 - ACTION ON A SPECIAL USE PERMIT APPLICATION FROM DOUG THIMM, MHTN ARCHITECTS, INC. (1-0198) - Associate Planner Jennifer Pruitt, Architect Doug Thimm, Senior Engineer Rob Fellows, Rose Frame Romero Architect Ken Rose, Community Development Director Walter Sullivan, Applicant's Traffic Engineer Paul Solaegui - Ms. Pruitt distributed revised Conditions 18 and 19 to the Commission. (A copy is in the file.) Condition 15 was modified to read: The Applicant shall submit a landscape plan for review to the Planning and Community Development Department. Condition 16 was modified to read: The Applicant shall submit exterior light fixture details for review to the Planning and Community Development Department.

Mr. Thimm had read the staff report and agreed with the staff report and the modifications with the exceptions of the traffic study which needed a minor modification due to NDOT requirements. He asked that the pedestrian crossing be moved to the intersection rather than remain at the plan's proposed mid-block crossing. The engineers had purportedly submitted a letter requesting the pedestrian crossing be located at Stewart and Little Lane. Mr. Fellows indicated that he had received the letter and concurred with the proposed location. Mr. Thimm then introduced State Public Works Board Representatives Gus Nunes and Ron Crook, Construction Executive in Charge of the Project Terry Wright, Rose Frame Romero Architect Ken Rose, and (1-0354) Stantech Engineering Civil Engineer Scott Barns.

Mr. Rose gave a brief overview on the study used to select the location and the building's five story design. Mr. Thimm described the parking area, landscaping, the utility location, and design amenities. Conservation and Natural Resources plan to locate their offices in the building. Mr. Rose described the exterior of the building. Mr. Thimm explained that the roof mounted mechanical equipment will be enclosed in the penthouse. He described the roof plain, the screening of the ground level enclosed electrical equipment, the air handlers, and the building renderings. Discussion indicated the State master plan's intent to tie the architecture of the buildings currently owned by the State through the design of the buildings which will be constructed during the next 25 years.

Public comments were solicited but none were given. Mr. Sullivan explained for the record that staff had sent notices to the 30 most adjacent property owners who are within 330 feet of the site. There has been media coverage on the plans. Staff appreciated the consultants, Public Works Director Dan O'Brien, and his staff's cooperation. It is an exceptionally well designed building. He looked forward to seeing the entire complex constructed. Chairperson Wipfli concurred. Commissioner Christianson moved to approve SUP-03-137, a Special Use Permit application from Doug Thimm, MHTN Architects, Inc., to allow the construction of a new

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office building of 120,500 square feet on Assessor's Parcel Number 004-022-01 on property zoned Public located at 673 South Stewart Street based on seven findings and subject to the recommended conditions of approval contained in the staff report with the addition of the Conditions 18 and 19 modifications. Commissioner Semmens seconded the motion. Motion carried 7-0.

RECESS: A recess was taken at 6:06 p.m. The entire Commission was present when Chairperson Wipfli reconvened the meeting at 6:12 p.m., constituting a quorum.

G-3A. SUP 03-168 - ACTION ON A SPECIAL USE PERMIT APPLICATION FROM EN ENGINEERING; AND, G-3B. AB 03-164 - ACTION ON AN ABANDONMENT REQUEST FROM AL BERNHARD (1-0495) - Principal Planner Lee Plemel, Community Development Director Walter Sullivan, Senior Engineer Rob Fellows, EN Engineering Representative Kris Munn, Walmart Regional Director of Community Affairs Amy Hill, Architect Randy Anderson with BRR Architects, Jim Smolinski, Penelope Smith, Charles Radtke, Lisa Figueroa, EN Engineering Engineer Matt Loser, Patrick Hartman, RTC Engineer Harvey Brotzman, Rosalyn Carter, Steve Howell, Property Owner's Attorney Scott Heaton, Applicant's Traffic Engineer Paul Solaegui of Solaegui Engineers - A stack of letters/emails was given to the Commissioners during the recess. (A copy was not given to the Clerk.) This correspondence was received by the Department between Friday afternoon and commencement of the meeting. A recess was declared to allow the Commissioners time to read the correspondence.

RECESS: A recess was declared at 6:16 p.m. The entire Commission was present when Chairperson Wipfli reconvened the meeting at 6:23 p.m., constituting a quorum.

Mr. Plemel introduced the item. He also explained that staff had been out of town for training which had compressed the timetable for the meeting. He thanked the Commission for taking the time to read the correspondence. The Northridge Subdivision had originally included connecting Hot Springs Road to Table Rock. Staff recommended that Table Rock allow pedestrian access but not vehicular access. The topography was described through the use of photographs. The realignment and abandonment proposed for portions of Hot Springs Road were limned. NDOT supported terminating Hot Springs Road at Roop. The Walmart site will encompass 20 of the 26 acres. An adjacent property owner will need Table Rock to access his/her property. A description of the exterior of the building was given. The building will be located approximately 60 feet from the Northridge residents' property line. Reasons for requiring the Applicant to obtain a Special Use Permit were explained. Both the Limited Industrial and Retail Commercial zoning districts allow the proposed use. The media learned about the project following staff's major project review. At that time staff was not aware of the tenant's name. The media has since identified the retailer. The developer had held an open house with the neighbors. Its turnout was limned. Mr. Plemel summarized the correspondence which had been received. The conditions of approval which attempt to mitigate the writers' concerns were highlighted. (1-0954) Mr. Plemel corrected Condition No. 12 to add "....provided the other property owner(s) within the 50-acre center agrees to participate pursuant to his/her proportional impact." This condition also relates to Condition No. 10 regarding the improvement agreement. The Applicant has asked that the hours for delivery/receipt of merchandise be from 5:30 a.m. to 11 p.m., which is consistent with other Special Use Permits, e.g., Costco.

Mr. Fellows explained the questions which the developer's traffic engineer and the study asked. Originally Table Rock was to connect to College Parkway. Staff's understanding of the topography, the size of the

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proposed building, and the residents' concerns indicates that Table Rock should be closed to vehicular traffic but allow pedestrian and bicyclist access. This will require the developer to include in the traffic study the impact closure of Table Rock will have on the intersection of Roop and Northridge and to make improvements to this intersection. Therefore, staff recommended Condition 8 read as indicated in the second alternative. Mr. Fellows then explained that other Conditions of Approval require the developer to construct other roadway improvements as part of the first phase of construction and seek reimbursement through participation agreements with the adjacent property owners when their projects are constructed. The conditions also require infrastructure improvements for sewer, water, fire protection, etc., to be constructed for the entire center as part of the initial phase of the project. The freeway drainage facilities are to be used for drainage/runoff from the site. The bicycle facilities on College Parkway and Roop Street are to remain. His conditions of approval are on Pages 22, 23, and 24 of the staff report.

Mr. Sullivan explained a telephone conversation he had with Clara Cliff regarding her concerns about the noise, lighting, landscaping, and traffic impacts on the Roop intersections at Winnie and Hot Springs. Conditions of Approval address the lighting and landscaping. The redesign of Hot Springs and Roop Street will provide a safer design than currently experienced at this intersection. He then explained the zone changes created in 1990s, the master plan's consideration of the Limited Industrial and Retail Commercial sites abutting the residential areas and its mitigation efforts. He noted the 11 Conditions of Approval dealing with mitigation of the friction issues. The design standards also include mitigation measures. These mitigation measures were implemented in the Conditions of Approval for the project.

Discussion between the Commission and Mr. Fellows described NDOT's requirement that there be two eastbound right turn lanes from Table Rock onto College Parkway to the freeway on-ramp. NDOT will not allow west bound left turns from College Parkway onto Table Rock. Vehicular traffic must travel to the signals at either the College Parkway and Hot Springs intersection or the College Parkway and Roop intersection. There will be three entrances to the Walmart parking lot—one from Roop Street, one from Table Rock, and one from Hot Springs Road.

Mr. Plemel noted that staff had recommended approval of the Special Use Permit based on 33 conditions and the abandonment of a portion of Hot Springs Road based on four conditions. Discussion indicated that Limited Industrial zoning allows all of the commercial uses. Mr. Plemel also indicated that one of the Limited Industrial property owner is present. A change to a different district would require a master plan zone change. Discussion indicated that a traffic study had been provided to staff earlier in the day. The turning movements at the intersections are being studied. Mr. Fellows felt that "they are close to having an approved traffic study". The Conditions of Approval include this issue. NDOT owns College Parkway and must approve the turning movements. The turning movements and signals on College Parkway at Roop and Hot Springs had allegedly been discussed and modeled for NDOT. Roop Street's access to the site will be provided in the current right-of-way. Alternative Condition 8 requires the developer to participate in the Northridge and Roop intersection. The original Roop and Northridge intersection plan was for the signal to be installed when the adjacent commercial property is developed. The traffic volume increase created by the closure of Table Rock may justify a signal at Northridge and Roop. Staff is aware and concerned about the intersection.

(1-1358) Mr. Munn had read the staff report and concurred with the Conditions of Approval. He indicated that they were willing to block Table Rock completely if the residents do not want the pedestrian walkway.

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He requested Condition 26 be modified to match the hours Costco is allowed to accept deliveries, e.g., 5:30 a.m. to 11 p.m.

Ms. Hill explained the reasons for requesting that 5:30 a.m. deliveries be allowed and described the dock and its trailer sealing mechanism, which keeps the unloading noises inside the store. The tractor portion of the truck leaves the site once the trailer is docked. The landscaping and the grading will shield the trucks. The trucks may come from Washington, Oregon or Utah. Ms. Hill agreed to stipulate that the trucks will not be allowed to sit idling which is a Condition of Approval. It takes the trucks approximately 30 minutes to drop a trailer and leave. Ms. Hill felt that little noise escapes from the store. Therefore, the trash compactor should not create a problem/concern for the residents. Clarification pointed out that the trash compactor is located outside the building in a screened walled area without a roof. Ms. Hill felt that Walmart would not leave if the deliveries are not allowed before 6 a.m. She also indicated that other individuals should respond to the questions regarding the trash compactor and the fork lift.

During discussion between Mr. Sullivan and Mr. Munn, Mr. Munn agreed to another "CMU" sound/screening wall along the southern property line to mitigate some of the truck noises. Commissioner Christianson encouraged them to use trees that are asphalt tolerant and that the landscaping be taken care of. His reasons for making these recommendations were explained. Mr. Munn pointed out the Condition of Approval requiring submittal and approval by City staff of the landscaping plan prior to planting.

Mr. Fellows explained staff's condition requiring a pedestrian access/walkway from Table Rock. Vehicles will not be allowed.

Mr. Munn then used a "site line diagram" to explain the site elevations and the locations that will be cut and/or filled. The houses at the top of the grade will be able to look into the loading dock area adjacent to the grocery portion of the building. Others located down the grade will be looking at the parapet area.

Mr. Anderson explained that the trash compactor is located inside a "CMU" block wall that matches the building's decor. Trash does not escape from the enclosure. It does not have a roof. The compactor is a mechanical unit but does not create a lot of noise. It does requires air circulation due to the heat generated by its use. The top of the compactor is a flat glossy surface. There will be ten foot "CMU" block walls from the natural grade along the two docks. The docks are recessed. It has a four-foot drop. This creates a 14-15 foot screen. This should mitigate the view and noise concerns. Commissioner Sedway pointed out that, according to the plan, the light fixtures mounted on the building are at a 12-foot height. The wall is only 10 feet high. Mr. Anderson explained the wall lighting. He committed to controlling the light and keeping it from hitting the neighbors. Mr. Sullivan read Condition No. 20 mandating the lights shine downward, their maximum height be 12 feet, that the parking lot lights located on the side of the building be shielded to eliminate glare onto the neighbors, and that the maximum height for the parking lot lights is 35 feet.

Public comments were solicited. The speakers were asked to limit their comments to three minutes and to not repeat the statements others have made.

(1-1720) Mr. Smolinski questioned what would happen with the Table Rock entrance and whether it would allow pedestrian access to Walmart from the Northridge subdivision. He requested the record indicate his opposition to any access from the southern portion of the Table Rock area. If it is opened to pedestrians, the

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residents will have shopping carts on their front porches. It was explained to him that a "CMU" wall is a concrete masonry unit. He questioned the difference between a CMU and a screening wall. He also explained that at the open house they had discussed the different vegetation that will be used. Trees that will mature to 50 foot heights were to be part of the landscaping plan. In front of the building they will have trees that will mature to 20 feet. He questioned the reasons for using 50 foot trees when the building is only 25 feet in height. It will cause the residents to lose their view of the mountains. Mr. Anderson indicated that the screening will be done with concrete masonry units which has a decorative finish as opposed to a concrete slab without texture. All screening will be done with CMUs. Mr. Munn indicated a willingness to adjust the tree heights in the final plan which must be approved by staff. Mr. Fellows explained that if all access from the south is cutoff, it will increase the impact on the remaining accesses. It is possible to make the access viable and provide a cart storage area with facilities that stop the cart when the pedestrians reach a certain point. Staff wanted pedestrian access from Northridge but not vehicular access. Mr. Sullivan explained Condition 32 which requires the store manager to be responsible for rounding up the carts on a daily basis. This had been required of the former K-mart manager and had worked relatively well. When the resident(s) called, the cart(s) was/were retrieved. Commissioner Kimbrough pointed out that the landscaping plan does not at this time make good sense, however, the final plan will be submitted to staff before the vegetation is planted. Mr. Sullivan indicated that staff will consider the 25-foot tree height. Commissioner Mullet indicated that he understood the residents' concerns, however, did not believe that he would want to drive around to reach the store if he could walk there. The area could become a parking lot for Walmart customers.

Ms. Smith explained that the truck traffic will be within 24 feet of her property line. The building will be 60 feet from it. The proposal allows truck traffic 17 hours a day for 365 days a year. She also noted that the tire operation is on her side of the building. The noise from the air compressor and tire wrenches was described. She had personally visited a Walmart and a Costco site. You can hear the equipment and people yelling at 60 feet. She hoped that a 10-foot sound wall will be placed at the back of the building. She also found that there is trash from the stores blowing around. A wall will make her feel more secure. The Costco store hours were explained. She wanted the ability to return if the noise is intolerable. She suggested that the building be cut/lowered into the slope. Otherwise, it will eliminate the view of the mountains. She also did not want Table Rock open for traffic. Chairperson Wipfli explained that the property is zoned Limited Industrial and listed some of its uses. He felt that it was naive of the residents to believe that the property will remain as it currently is. Ms. Smith indicated that she had expected a retail store without a lot of noise, that it would be located closer to College Parkway, and would not have the tire shop and the deliveries. Chairperson Wipfli explained that the developer had the right to put the building within 30 feet of her property line. She indicated that the property was zoned "RC" when she moved there. She also felt that the residents were naive about the terms. She asked the City to keep the noisy operations away from the residences.

Mr. Radtke suggested that the Commission visit the neighborhood and that the building be moved further north and away from the residences. Chairperson Wipfli disclosed his personal visit to the area and thanked him for the invitation.

(1-2094) Ms. Figueroa indicated she is a frequent Walmart shopper, enjoyed the benefits of having them, and understood the benefits the City will derive from having a store in the community. She questioned the reasons Walmart had left the community if the benefits were so great, and whether it is better to "recope the mistake" or find a better revenue source. Her research of the Gilroy, California, store was limned. Based on its tax and employment base, and its ability to attract other companies to the area, she encouraged the City

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to support Walmart. Walmart is a large national company. She hoped it was returning to the City to support the community. She was also concerned about the noise, including that created by the fork lift, and the friction zone issues. She urged the Commission to consider the proposal from the residents' views as the store will be open 24 hours a day. She asked the Commission to help maintain the residents' property values. She urged them to include larger trees for planting and not ones that are six feet in height. She suggested that a sound wall be placed against the trees. She did not want the pedestrian access from Table Rock. Commissioner Christianson explained the reasons Walmart had left the community. Ms. Figueroa indicated that she understood the business reasons for its relocation and felt that it would do so again in order to maintain its bottom line. She pointed out the issues Reno is presently encountering with a Walmart store and its sound walls and lighting. Commissioner Christianson explained that her suggestion to lower the building places the parking area in a flood zone. His personal knowledge of the area when a flood occurred in 1985 was described. Ms. Figueroa agreed that the flood potential is another concern that should be addressed. She expressed her belief that Walmart had left the City "high and dry" when it relocated outside the City. Chairperson Wipfli explained the drainage and noted ADA requirements which impact the ability to lower the building. He felt that the City engineers would look at the suggestion. He expressed his sympathy for the residents, however, the zoning allowed the different uses. Staff and the Commission were attempting to mitigate the impacts. The Applicant has added more landscaping than is required and extended the setback area beyond the Code requirement. Commissioner Peery pointed out that there is a huge difference in revenue between retail sales and casino operations to the City. He was certain that Walmart would not return to the City unless it is certain that it will make money.

During discussion between Mr. Munn and Commissioner Kimbrough, Mr. Munn stipulated that he would extend/create a new wall which is not on the site plan at this time. Mr. Munn also indicated he was agreeable to blocking Table Rock completely if desired by the residents.

Commissioner Mullet felt that Walmart had attempted to mitigate the zoning frictions by doubling the setback. When he had viewed the site, he saw problems with the winter weather, its snow and ice. The Chamber of Commerce supports the project. He did not wish to see the City/Commission impose unnecessary burdens upon the firm. He felt that the store front should face east. He described his and the Chamber of Commerce Chief Executive Officer's personal experiences with ice in front of different stores that was left as a result of a recent storm. He hoped that Walmart considers this concern in its design. He also indicated his desire to see a Home Depot store adjacent to the proposed Walmart site.

Commissioner Sedway acknowledged the extension of the setback area. He suggested that the store be pushed back 40 feet and that the employee parking be located across the back. Mr. Loser indicated his involvement with the parking and the parking count. Putting parking at the rear of the building will require additional lighting for security reasons. This lighting could create a problem for the neighbors. He then described the topography and further defined the cut and fill areas. To increase the cut area, additional blasting would be required to remove the rock base. They do not want to have to blast. Moving the building further north will create "wasted land economics". They were paying a premium price for the land and need to maximize their funds. Ms. Hill also felt that relocation of the building will increase the lighting and parking noise impacts to the adjacent neighbors. Moving the store will create additional impacts that they cannot control, i.e., customer revving of vehicle motors, a customer's radio volume, etc. They can control the truck deliveries and trash compactor noises. Mr. Loser did not believe that the substrata contained enough rock in front of the proposed location to require blasting. Additional public comments were solicited.

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Mr. Hartman described the problems he currently encounters at the intersection of Roop and Northridge. He felt it is an accident waiting to happen. The street needs to be widened and a signal installed. The "huge" impact created on a Reno neighborhood was cited to explain his concerns with the proposal. Mr. Brotzman explained the RTC project which widens Roop Street between Winnie and Washington. It does not widen Roop Street at the intersection of Northridge. Traffic counts taken in August 2002 and yesterday indicate that the intersection does not meet the necessary warrants for a signal at this time. Commissioner Christianson felt that the RTC project should include widening Roop to College Parkway. Mr. Brotzman reiterated that it is not part of the project at this time. He also indicated that the signal would cost \$200,000. Commissioner Christianson suggested that sales tax funds be used for its acquisition. Mr. Hartman explained that at the open house it had been indicated that a light will not be required as it is to close to a 90-degree turn into the Walmart parking lot. Mr. Fellows explained that the signals will be synchronized to reduce the conflicts. A signal will be required at the Roop and Northridge intersection when the adjacent commercial property is developed or when the warrants are met. If the traffic study indicates that the Walmart project creates the warrants, it will be required. He also indicated that there is an ideal distance between signals. Staff is concerned about the intersection. Discussion between Commissioner Peery and Mr. Brotzman explained that the signals on Carson Street have the ability to be "pre-empted" for emergency vehicles. Mr. Brotzman indicated that a signal at Northridge and Roop could be included in this program. Additional public comments were solicited.

(1-2600) Ms. Carter indicated that she was a long time resident of the community. She questioned the policy change to eliminate the wetlands and build in areas with high ground water tables. She did not like to shop in areas with lots of puddles, which she felt would be encountered in the proposed parking area. She suggested that a central drain for the parking area be considered. She also explained the "Mayor's" survey asking the residents to pay for a drainage program. She objected to having to incur this cost. The project should mitigate its drainage. It should not be allowed to be constructed and then "bandaided" together with a community drainage program. She also indicated that at one time the wetlands had been a "touchy subject for the Army Corps of Engineers". She questioned when this had changed. Commissioner Christianson explained that the location of the wetlands is a quarter of a mile east of the proposed site. He also explained the large drainage facility that is being created as part of the freeway project that will alleviate the problem. Commission comments also indicated that the puddle problems she had noted were the reasons the parking lot is not being lowered. The proposed project will be used as a precedence for development on the remaining 6-1/2 acres. Chairperson Wipfli indicated that the proposed ordinance change allowing residential uses in commercial districts will be discussed later in the meeting. He also indicated a desire to close public comments.

Mr. Howell explained the location of his residence and his concern regarding allowing 5:30 a.m. deliveries. He did not believe that the proposed wall will mitigate the noises. He urged the Commission to maintain the 6 a.m. schedule during the work week and to make it later on the weekends.

Discussion between the Commission and Walmart representatives included Walmart's policy of addressing graffiti quickly and that the surface of the CMU makes it less appealing as a canvas. Ms. Hill expressed her desire to continue to work with staff on the landscaping and Table Rock issues. Mr. Munn expressed their appreciation for staff's recommendation that an open house be conducted. It helped address the concerns. Chairperson Wipfli indicated a willingness to address the wall and 5:30 a.m. delivery issue and to limit access via Table Rock. He felt that its pedestrian access could be beneficial. Mr. Fellows explained that in another

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area a padlocked gated access to a high school had been used initially to restrict pedestrian access to just the residents of the area. The gate is now left open. People do not park in the area and walk to the school. He suggested that the access be for pedestrians and, if it becomes a problem, staff will address it at that time. Chairperson Wipfli pointed out that residential parking, indicated by a painted curb, could also be used. Commissioner Kimbrough supported having the pedestrian access. Chairperson Wipfli felt that the usage should be allowed initially and revised if problems occur. Commissioner Semmens felt that the access could pose a problem for law enforcement. Discussion between Commissioner Sedway and Mr. Brotzman indicated that RTC will pay for the signal at Northridge and Roop when it is installed. Commissioner Sedway's concern about the lack of an approved traffic study was indicated. The signal at Hot Springs and College Parkway will be controlled by NDOT. A "progressive analysis" is being performed on both Roop and College Parkway. NDOT is aware of the proposal to abandon a portion of Hot Springs Road and of the commercial development potentials south of College Parkway. Mr. Brotzman reiterated the master plan and Northridge development commitments to signalize Roop and Northridge when warrants are met. He felt that Walmart and City growth may reduce the intersection to a service level of D. This service level does not meet the warrants for a signal. Walmart will improve the intersection of Roop and Hot Springs. Mr. Fellows explained that the portion of Hot Springs which will be abandoned will revert to the adjacent property owners. The need for a utility easement in the abandoned section will limit its use to a parking area. Mr. Sullivan indicated that the Applicant's traffic engineer is present. It was his understanding that 90 percent of the traffic study had been accomplished. There are a few minor issues remaining. Mr. Fellows agreed. The last refinements are in the process of being completed. The Conditions of Approval address these items.

Mr. Heaton explained NDOT's original freeway analysis of the traffic needs for access to the parcel including its commitment to the signal at Hot Springs and College Parkway. There is an agreement with the City for a signal at Roop and Hot Springs. He did not believe that the remaining traffic issues were a concern. When NDOT finalizes the traffic plans, all of the issues will be resolved.

Mr. Solaegui indicated that, until the Roop and Northridge intersection meets specified traffic warrants, it cannot be signalized. Walmart will not create an addition impact to it that will cause it to meet the warrants. Roop currently carries a lot of traffic. Walmart may increase this volume. Northridge's left turning movement will not be increased significantly by Walmart. Therefore, it will not meet the warrants for a signal. Mr. Brotzman will monitor the usage. If and when the volume meets warrants, a signal may be added. This may occur when the abutting commercial property is developed. Commissioner Christianson limned his concern that widening Roop from Winnie to Washington could increase the traffic volume as it will be used as a bypass to Carson Street. This usage may create another bottleneck at Beverly. He thought that the plan was to expand Roop to College Parkway. His personal use of Roop indicates that the Northridge intersection is hazardous. Mr. Solaegui explained that the traffic analysis indicates that 15 percent of the traffic from the south going to Walmart will use Roop Street. This is not a large impact. Mr. Brotzman explained that the traffic model indicates that when the freeway is completed, a need for widening Roop Street north of Winnie will not be warranted. Mr. Solaegui concurred with this analysis. Commissioner Mullet pointed out that the problem at Northridge and Roop is the southbound to eastbound turning movement. He urged the residents to modify their driving patterns. Mr. Sullivan pointed out that the Commission's concern is the Special Use Permit. The traffic issue should be discussed at an RTC meeting. Chairperson Wipfli agreed. Mr. Sullivan also explained that the staff report was completed more than a week ago. Staff has been meeting with the Applicant's representatives since that time and reviewed the traffic study. There are several minor issues which are still being worked on. He understood the Northridge and

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Roop concern. Staff has considered and addressed this issue. He appreciated the neighbors' comments and concerns. His personal experience with the intersection was described. The issue, however, remains with RTC. Discussion with Commissioner Mullet pointed out staff's recommendation that Condition 8's alternative be included in the motion. Commissioner Christianson indicated his belief that the project had merit even though there were concerns which needed to be discussed with the community.

Mr. Plemel summarized the staff report as containing 33 Conditions of Approval with modifications to Conditions 8 and 12. He asked that the motion include these modifications and the hours for deliveries if a revision is to be made to Condition 26. He noted the agreement that a screen wall will be added at the rear of the property, the commitment to use smaller/shorter tree species at the rear of the property, the desire to have more mature trees at planting than the City's minimal standard of two inch caliber, the screen wall, and its extent. Chairperson Wipfli indicated that the landscaping should be dealt with by staff. Mr. Sullivan agreed that staff could address the landscaping. He also indicated that letters from a Mr. Smith and two other unnamed individuals also addresses the tree issue. He felt that staff will require 25 to 35 foot tree species instead of the proposed 50 foot trees. Commissioner Christianson summarized these modifications. During discussion with Mr. Munn, Mr. Munn stipulated that they will construct a screen wall starting at the vehicular closure of Table Rock and extend to the middle "site line". The houses in that location are well above the screen wall. Their location will make the screen wall ineffective at that point. His clarification indicated that Table Rock would be open for pedestrian traffic. Discussion between the Commission and Mr. Sullivan explained the logic behind not extending the wall past that point as the elevation of the homes placed them higher than a ten-foot wall. Commissioner Mullet indicated that the wall would start at the eastern corner and terminate at the point where the wall transects the grade line. Mr. Munn agreed. Commissioner Christianson felt that this definition is the same stipulation. Discussion between Commissioner Semmens and Mr. Plemel corrected Page 5 of the staff report regarding the site development information number three to be 203,500 feet instead of the indicated 20,300. Discussion between the staff, Mr. Munn, and the Commission also pointed out the 255 day buildout plan and the restricted construction hours. Mr. Sullivan read the conditions and explained for the audience that during construction periods when concrete is being poured, construction will not be limited to the construction hours listed in the staff report. Justification for allowing the concrete to be poured outside the constructions hours were provided. The Applicant pays for the envelopes and stamps used for noticing. The staff report included these requirements. This process has been used at other construction sites.

(2-0170) Commissioner Christianson moved to approve SUP-03-168, a Special Use Permit request from EN Engineering, property owner Bernhard Family Trust, to allow 1. A regional commercial center that exceeds 50,000 square feet in total floor area as a condition use; 2. Outdoor sales and merchandise display as a conditional use; and 3. An increase in permitted wall signage from 600 square feet to 1,150 square feet in conjunction with the construction of a retail store approximately 203,091 square feet in area on property split zoned Retail Commercial and Limited Industrial located at 740 Hot Springs Road, APN 008-125-51, based on the findings and subject to the recommended conditions of approval contained in the staff report with a change to Condition 8 to allow access down Table Rock for pedestrian traffic being allowed, Condition 12 provides that other site owners take part in the studies on the traffic generation, and 26 that the loading dock hours be 5:30 a.m. to 11 p.m., and other stipulations as presented by Mr. Sullivan, Mr. Plemel, and the Applicant. Commissioner Semmens seconded the motion. Motion carried 7–0.

Mr. Sullivan briefly noted the ten-day appeal process. Copies of the application to appeal the decision were

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available at the meeting and at the Department.

Commissioner Christianson moved to recommend that the Board of Supervisors approve application AB-03-164, a request to abandon a portion of Hot Springs Road between College Parkway and Roop Street adjacent to APNs 008-125-51 and 008-126-01 based on seven findings and subject to four conditions of approval contained in the staff report. Commissioner Semmens seconded the motion. Motion carried 7-0.

**GROWTH MANAGEMENT COMMISSION** (2-0390) - Chairperson Wipfli recessed the Planning Commission and immediately convened the Growth Management Commission. (For Minutes of its meeting, please see its folder.)

**PLANNING COMMISSION (2-0580) -** Chairperson Wipfli recessed the Growth Management Commission and immediately reconvened the Planning Commission. The entire Commission was present, constituting a quorum.

G-3. ZCA 03-178 - ACTION ON AN AMENDMENT TO CCMC 18.04.125 TO ALLOW RESIDENTIAL USES IN THE DOWNTOWN COMMERCIAL (DC) ZONING DISTRICT AS A PRIMARY PERMITTED USE (2-0585) - Associate Planner Jennifer Pruitt, Evelyn Westsmith, Community Development Director Walter Sullivan, Rosalyn Carter - Discussion pointed out that the review process involves staff, the Historic Commission, the Downtown Design Review Hearing Officer, and/or the Redevelopment Authority. The proposal does not change the current downtown district's zoning boundaries. Public comments were solicited.

Ms. Westsmith explained that this use is allowed throughout Europe. At the present time only the Horseshoe Club has the joint uses. She felt the joint uses will reduce burglaries as there are people who live in the area and "guard" it. Chairperson Wipfli supported the concept. His personal knowledge of its use in Europe was noted. He agreed that the program works well in Europe. He hoped that the program will be beneficial here. Ms. Westsmith explained that her father's dental practice had been conducted in his home. Commissioner Mullet explained his personal knowledge of the joint use practiced in Europe. He, too, supported the program. Mr. Sullivan disclosed Ms. Westsmith's former role as a Planning Commissioner during the early 1980s.

Mr. Sullivan explained that the proposal allows both single family residences and commercial uses in the same building within the district for Ms. Carter. An example of a two-story conversion utilizing both uses and the benefits of the joint use were limned. Ms. Carter indicated her support for the concept but felt that the community needed to refocus its efforts to locate and entice additional commercial activities to the area rather than mix residential uses with commercial activities. She felt that residents purchase property to get away from commercial activities and noises. She, herself, had acquired property to get away from commercial development. Mr. Sullivan asked that she give him her telephone number and that he would have Economic Development and Redevelopment Manager Joe McCarthy contact her regarding her concerns. Ms. Carter expressed a willingness to talk with him and explained her need to know what the City would be doing in the downtown area. She also indicated her need to know what is happening so that she can make a decision regarding two parcels she owns particularly if noisy commercial development is going to occur adjacent to them. Commissioner Christianson suggested that the proposal may allow additional retail development to occur in the downtown area and noted the possibility that remodeling grants could be used for such develop-

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ments. Ms. Carter asked how the proposal would impact her taxes. Commissioner Christianson indicated that this is a complex formula and encouraged her to meet with Mr. Sullivan/McCarthy. Additional public comments were solicited but none were given.

Commissioner Semmens moved to recommend to the Board of Supervisors approval of ZCA-03-178, a Zoning Ordinance Amendment modifying the Carson City Municipal Code Title 18, Section 18.04.125, to allow Residential Uses as a primary permitted use in the Downtown Commercial zoning district based on the four findings identified within the staff report. Commissioner Mullet seconded the motion. Motion carried 7-0.

DISCUSSION REGARDING THE REVIEW OF CODE ENFORCEMENT G-4. MEASURES REGARDING RECREATIONAL VEHICLE PROCEDURES AND CCMC PROVISIONS (2-0842) - Community Development Director Walter Sullivan described the Board's direction to return the item to the Commission and that workshops be held on the ordinance. The majority of the phone calls staff has received on the issue relate to parking recreational vehicles in the street. At this time staff does not have a proposal that will address this issue. He felt that this issue will revolve around the period of time that the vehicles should be allowed on the street. Discussion indicated that people use both motorized and non-motorized recreational vehicles as an extra room and are hooking them up to the utilities. Commissioner Christianson felt that such vehicles when used in said fashion should not be parked on the street. Mr. Sullivan felt that the resident should be able to park the unit on his property or in the driveway. It should not extend into the sidewalk area. The subdivision's CC&Rs should be able to control the location where the vehicles are parked. The Sheriff's Office must investigate and enforce ordinances related to vehicles that are parked in the street. Engineering enforces the ordinances related to blocking sidewalks. Other ordinances related to the parking and use of the vehicles are enforced by other Departments. A centralized enforcement program is needed. Discussion also pointed out the need to discuss the aesthetics, property value, health, welfare, and safety issues related to these vehicles and their usage. Mr. Sullivan indicated that he would provide the forum for these discussion and then make a presentation to the Commission and will forward its recommendation to the Board. Commissioner Semmens explained that in order to cite an individual for vehicular violations, the individual must be a Class 1 peace officer. It cannot be a parking enforcement officer. No formal action was taken or required on this item.

OTHER MATTERS (2-0975) - Commissioner Mullet questioned whether the storage units similar to the one approved by the Commission for the Chevrolet dealer were being approved and monitored. They are being used throughout the community. There are three at the college. Mr. Sullivan indicated that he would have to check into these units. They are allowed in the industrial/manufacturing zone and with a special use permit in the commercial zone. The college is a public zone. The units are not allowed in a residential zone.

Discussion with Mr. Sullivan described the status of the elder care facility proposed for Lakeview as having been withdrawn in writing by the Applicant's attorney. The Applicant can have up to ten seniors with disabilities without a Special Use Permit according to the District Attorney's opinion. Mr. Sullivan felt that the Applicant will not be back to the Commission. Commissioner Peery felt that the Commission would be surprised to learn what constitutes a disability. Comments indicated that the residents/community had taken the issue to heart. This may not be the last word on this issue. Mr. Sullivan thanked Ms. Pruitt for attending the meeting and the Commission for its decisions.

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**H. ADJOURNMENT (2-1055) -** Commissioner Peery moved to adjourn. Commissioner Semmens seconded the motion. Motion carried 7-0. Chairperson Wipfli adjourned the meeting at 9:38 p.m.

The Minutes of the January 22, 2004, Carson City Planning Commission meeting

ARE SO APPROVED ON <u>April 28</u> , 2004
/s/ Richard Wipfli, Chairperson