

CARSON CITY PLANNING COMMISSION
Minutes of the August 25, 2004, Meeting
Page 1

A regularly scheduled meeting of the Carson City Planning Commission was held on Wednesday, August 25, 2004, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 3:30 p.m.

PRESENT: Chairperson John Peery, Vice Chairperson Mark Kimbrough, and Commissioners Steve Reynolds, Roger Sedway, Roy Semmens, and Bill Vance

STAFF PRESENT: Community Development Director Walter Sullivan, Principal Planner Lee Plemel, Senior Engineer Rob Fellows, Senior Planner Jennifer Pruitt, Deputy District Attorney Mary Margaret Madden, Recording Secretary Katherine McLaughlin (P.C. 8/25/04 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 Peery convened the meeting at 3:36 p.m. Roll call was taken. A quorum of the Commission was present although Commissioner Mullet was absent. Vice Chairperson Kimbrough led the Pledge of Allegiance.

B. APPROVAL OF MINUTES (1-0025) - None.

C. PUBLIC COMMENTS (1-0026) - None.

D. AGENDA MODIFICATIONS (1-0032) - None.

E. DISCLOSURES (1-0036) - None.

F. CONSENT AGENDA - SUP-04-130 - SPECIAL USE PERMIT APPLICATION FROM ROBERT HART FOR THE CARSON CITY CHURCH OF THE NAZARENE (1-0039) - Community Development Director Walter Sullivan explained the request to continue the item. Public comments were solicited but none were given. Commissioner Reynolds moved to continue SUP-04-130 to the September 29, 2004, meeting. Commissioner Semmens seconded the motion. Motion carried 6-0.

G. PRESENTATION (DISCUSSION ONLY) BY MAGGIE TRACEY OF THE NORTHERN NEVADA INTERNATIONAL DARK SKY ASSOCIATION REGARDING PRESERVATION OF DARK SKIES THROUGH QUALITY OUTDOOR LIGHTING (1-0068) - Community Development Director Walter Sullivan welcomed and introduced Maggie Tracey. Chairperson Peery explained former Chairperson Wipfli's interest in the dark sky program and expressed his belief that several other Commissioners have similar interests. Ms. Tracey explained her education on the concept and displayed a large packet of information on the topic. She stressed that businesses will not voluntarily comply with requests to reduce the light pollution unless the community/City adopts ordinances and statutes mandating their compliance. She referenced a recent news article regarding the Western Nevada Community College's

CARSON CITY PLANNING COMMISSION
Minutes of the August 25, 2004, Meeting
Page 2

observatory and encouraged the Commission/public to visit it. The benefits reaped in Hawaii from its observatory were cited to illustrate the tourist benefits of an observatory. She encouraged the community to address light pollution. A slide presentation created by Northern Nevada Dark Sky Association was given. The slides illustrated the increased light pollution that has occurred since 1908. Examples of good and bad light fixtures were also shown. It is estimated that \$1 billion was wasted in 1996 by using poor lighting methods. Today it is estimated that \$1.5 billion is lost. Health concerns were cited to illustrate how the loss of the dark sky impacts humans. A book on light pollution and how to curb it was displayed. She urged the Commission/City to pay attention to the aesthetics, health and welfare of the community. Light pollution needs to be curbed. Her reasons for becoming involved with the program were described. Her efforts to reduce light pollution were noted. Quotes stressing the importance of dark skies were given to illustrate the need. She felt that forcing people to live without the stars was unacceptable. She volunteered to work on the ordinance if the community/Commission wanted to improve the community's dark sky. The email address for additional information was provided as www.darkskys.org. She also indicated that Western Nevada Community College has additional information on the program. Questions were solicited but none were made. Chairperson Peery thanked her for her presentation. No formal action was required or taken.

H. PUBLIC HEARING

H-1. TSM-04-132 - ACTION ON A TENTATIVE SUBDIVISION MAP APPLICATION FROM PALMER & LAUDER ENGINEERS, INC. (1-0339) - Senior Planner Jennifer Pruitt, Mark Palmer, Eugene Collins, Senior Engineer Rob Fellows, Dennis Smith of Western Engineering, Jan Baldwin, Community Development Director Walter Sullivan - Ms. Pruitt's introduction included a request that a Condition 25 be added to the list requiring the drainage basin to be privately maintained. She noted for the record the surrounding land uses and the existing residence and accessory structures on the southern most portion of the site. She read into the record Crystal Marker's letter of support and request that a park be included in the subdivision. (A copy is in the file.) Computer enhanced slides of the area were shown and described. Discussion among Commissioner Kimbrough, Senior Planner Pruitt, Community Development Director Sullivan, and Shade Tree Council Member Roy Trenoweth indicated that the City does not have an ordinance on Elm Trees.

Mr. Palmer indicated that he had reviewed all of the conditions and agreed with them. He had worked with staff on the tentative map. A lot of work had already been done to meet the requirements. There have been a number of meetings with the abutting property owners and staff. Discussion highlighted the traffic report which indicated that overall there will be ten vehicle trips per residence. Carmine Street will be widened. The speed limit will be 25 miles per hour. The peak traffic volume in the morning and afternoon will be 22 to 24 vehicles. The project does not have a lot of traffic associated with it. The parcel map was used to illustrate the portion of Carmine that is to be widened and the access route from Highway 50 for what appeared on the map to be a land locked parcel. This access route and drainage easement is approximately 20 feet wide. The applicant is being required to pave this access. There will be two access/egress routes for the subdivision. Mr. Palmer explained that Janice Shafer is his employee. Access from Mercury Road was explained. Mr. Palmer was unsure whether the access from Mercury will be gated as it must be kept open for the parcel to the west. The residents will be encouraged to use the access from the north, e.g., Carmine, rather than Mercury. Mercury is to be used by those living in the southern area only. Discussion indicated that the curb, sidewalk, and gutter will be contiguous to those located on the west side of the project. Curb, sidewalk, and gutter do not exist on the east side.

CARSON CITY PLANNING COMMISSION
Minutes of the August 25, 2004, Meeting
Page 3

Mr. Collins indicated that he did not oppose the project although it will create a “down side” for him. At night headlights will shine into his home from the proposed access/egress site. He felt that there is too much traffic on Carmine now. The curb, gutter, and sidewalk will dump additional water into the street and increase the volume of flooding currently found on his parcel. The flooding was created by the City’s Carmine Street overlay that had increased Carmine Street’s height and forced the water onto his property. Berms are needed to stop this flooding. Chairperson Peery indicated that it will be hard to stop the light pollution. The proposed access/egress route will increase the current light pollution due to the increased traffic. Mr. Collins’ property does not have anything on it to stop the light pollution. Mr. Collins indicated that his rose hedge will help reduce the light pollution, however, the subdivision will create the problem which has not been there before. Mr. Fellows explained the “dry lane requirement” which may require the applicant to install a storm drain system. The curb and gutter will force the water into the street to the level of the street’s crown. The “dry lane requirement” must be met. If it is not, then a storm drainage mitigation system must be installed.

Mr. Smith indicated that he represented Ms. Baldwin. They see several problems with the proposal and potential impacts to Ms. Baldwin’s property on the east of the subject parcel. Some of their concerns will be mitigated during the design phase if the Commission approves the map. He asked that the waterline in Mercury be tied into the City’s eight inch line for the subdivision. This will provide a better service level for the existing and the new homes. This will allow adjacent properties to be developed without impacting the developer’s new road. They also requested they be allowed to work with the developer to extend and stub the utilities to Ms. Baldwin’s parcel or to the edge of the pavement. This would also eliminate the need to tear up the street. They requested an access to the existing homes be provided during construction and do not wish to have her tenants’ impacted by the development. The final map should correct the private driveway to indicate that it is a private easement. City Engineer Werner had purportedly indicated a willingness to convert the private easement to a public roadway if they grant a wider easement and construct it to City standards. He expressed an intent to work City staff to place terminology on the final map that will preclude conversion of the easement to a public roadway until the right-of-way is provided. He asked that additional right-of-way be required for the public cul-de-sac to allow them to extend a roadway south to their property. The cul-de-sac currently terminates at their property line. This would eliminate any potential conflict with private driveways and the public right-of-way to the south. Discussion indicated that Ms. Baldwin will be responsible for the benefits to her property created by extending the eight-inch line to her property. Ms. Baldwin explained that there are three rental residential units located on her property. They have a private driveway, e.g., Mercury Way. It has serviced the property since 1948. She wanted a safe fire access route. Water and gas lines are located in the street. She also indicated that the residences are closer to the street than indicated on the map.

Discussion between Commissioner Kimbrough and Mr. Fellows explained that Condition 5 addresses the access way until it is made into a public street. It will be privately maintained until converted to a public street. Water and sewer utilities are currently located in it. Access to these utilities must be maintained. Mr. Sullivan pointed out that minor street signage and stripping will be required. The traffic report indicates that during peak periods there will be one car every three minutes. Ms. Shafer had allegedly indicated at meeting to change the zoning that there will be a 30 to 50-foot setback to mitigate the friction area between the residences and the commercial property to the south. The map indicates there will be a 20-foot setback. His desire to research the Minutes to check this stipulation was indicated. Staff will check the final map against the tentative map to ensure that they are in accord. There may be a 50-foot easement and a lessor number

CARSON CITY PLANNING COMMISSION
Minutes of the August 25, 2004, Meeting
Page 4

of units. Mr. Fellows indicated that the lots with private driveways drain to the south/Highway 50. The other lots will drain to the cul-de-sac and onto Carmine. Discussion between Commissioner Sedway and Mr. Sullivan reiterated that there is a 20-foot public utility easement. The 50-foot setback is to be from the southern property line. Unit No. 15 does not appear to meet the setback requirement. It may have to be adjusted. Mr. Sullivan also believed that Ms. Shafer had stipulated to having a 50-foot setback along the southern property line.

Mr. Palmer repeated his agreement with staff's report. He felt that there is a 30-foot setback on the map for Lot 15. He also indicated that there is enough flexibility to push Lot 15 to the northeast to accommodate the setback/drainage easement.

Commissioner Semmens moved to recommend to the Board of Supervisors approval of TSM-04-132, a Tentative Subdivision Map request from Janice Shafer, Palmer and Lauder Engineer, Incorporated, to subdivide two parcels totaling 3.56 acres into 15 residential parcels, each a minimum of 6,000 square feet in area, on property zoned Mobile Home 6,000, MH6, 2751 Carmine Street and 1850 Mercury Way, APN 008-161-20 and 008-161-19, based on the findings and subject to the recommended 25 conditions of approval contained in the staff report and what was discussed in the forthcoming comments on the changes in the map. Commissioner Vance seconded the motion. Motion carried 6-0.

H-2. ZMA-04-137 - ACTION ON A ZONING MAP AMENDMENT APPLICATION FROM CARSON CITY (1-1003) - Community Development Director Sullivan, Deputy District Attorney Mary Margaret Madden - Mr. Sullivan's introduction indicated the City's desire to sell the lot. Nugget General Manager Brian Smith had indicated that it is his belief that the City had committed to maintaining the lot as a public parking area. Mr. Sullivan had been unable to find a record indicating this intent. Individuals who are interested in obtaining the lot were noted. Clarification indicated that the following agenda item's intent to sell the parcel is similar to this request. The museum's parking was explained. The lot is not currently used by the museum due to the distance to the museum. Justification for changing the zoning at this time was noted. Public comments were solicited but none were given. Commissioner Vance moved to approve application ZMA-04-137, a Change of Land Use request from Carson City, property owner Carson City, to change the zoning of a parcel of land from Public Community, PC, to Downtown Commercial, DC, located at 110 West Ann Street, northeast corner of Ann and North Curry Streets, APN 001-188-03, based on the following findings as contained in the staff report. Commissioner Semmens seconded the motion. Motion carried 6-0.

H-3. ZMA-04-138 ACTION ON A ZONING MAP AMENDMENT APPLICATION FROM CARSON CITY (1-1134) - Community Development Director Walter Sullivan - The City well has been capped and closed. The weeds and abandoned cars have been addressed. There are two other accesses to Mills Park. Mr. Sullivan was unsure of the reasons the well was capped. Public Utilities Manager Hoffert is to be present later in the meeting and should be asked the reason(s). Public comments were solicited but none were given. Commissioner Kimbrough moved to approve application ZMA-04-138, a Change of Land Use request from Carson City, property owner Carson City, to change the zoning of a parcel from Public Regional to Single Family 6,000 subject to the four findings. Commissioner Reynolds seconded the motion. Motion carried 6-0.

H-4. SUP-04-149 - ACTION ON A PREVIOUSLY APPROVED SPECIAL USE PERMIT

CARSON CITY PLANNING COMMISSION
Minutes of the August 25, 2004, Meeting
Page 5

FOR CARSON CITY (1-1200) - Community Development Director Walter Sullivan - Discussion explained that the proposed expansion contains 2,000 square feet and will have two stories. The building will be expanded to the columns. The ATM pass through will remain. Public comments were solicited but none were given. Commissioner Reynolds moved to approve application SUP-04-149, a modification to previously approved Special Use Permit, U-96/97-7, that being a request by Carson City to allow an expansion of City offices on property zoned Public Regional located at 201 North Carson Street, Parcel Number 004-201-04, based on seven findings and five conditions of approval contained in the staff report and with the understanding that any acknowledgments to the Commission by the applicant may be considered as further stipulations or conditions of approval on this application. Commissioner Semmens seconded the motion. Motion carried 6-0.

H-5. MPA-04-135 - ACTION TO MAKE RECOMMENDATIONS TO THE BOARD OF SUPERVISORS REGARDING IMPLEMENTATION STRATEGIES FOR THE CARSON CITY MASTER PLAN AS PART OF AN ANNUAL MASTER PLAN REVIEW PER NRS 278.190 (1-1299) - Principal Planner Lee Plemel, Community Development Director Walter Sullivan - Mr. Plemel's introduction included a status report on the master plan update and a listing of the scheduled workshops. He urged the public to attend these meetings. The email addresses were provided. Individuals who do not have access to the internet were urged to call the office and copies of the updates will be provided. There are some developers waiting for the master plan update before submitting their plans. Others are eager to start their developments and are urging staff to expedite the process. The process for specific plan areas (spa) could be used to address these developments now and not require the developer to wait until the update is completed. The issues related to these sites are known and do not have to be researched. The public process will be included in both the spa and the master plan processes. Mr. Plemel reiterated that the spa process will not circumvent the public process and indicated that more neighborhood meetings may occur during the spa process. Discussion indicated that the update process may take 18 months to complete. The process began in June. It is hoped that it will be completed in December 2005. The process was limned. Alternatives will be presented to the public in early 2005. The preferred update should be completed in late 2005. Clarification of the spa process also indicated that if the developers do not wish to wait for the master plan update, they could develop under current land use and zoning regulations. Pros and cons for doing so were noted. Staff comments stressed that either process would not be a "slam dunk". There are issues which need to be addressed under each procedure. Public participation will be included for each method. The spa plans will be folded into the master plan update next spring. Public comments were solicited but none were given. Commissioner Semmens moved to recommend to the Board of Supervisors: 1. That the goals and object of the Carson City Master Plan continue to be evaluated and implemented through the current Master Plan update process; and 2. That there are special planning areas that may be identified that warrant expedited planning review and land use consideration in order to be included in the overall Master Plan in a comprehensive manner, and that the Board of Supervisors should support such planning efforts in furtherance of the implementation of the current Master Plan and the Comprehensive Master Plan update. Commissioner Vance seconded the motion. Motion carried 6-0.

I. ADJOURN THE PLANNING COMMISSION AND CONVENE THE GROWTH MANAGEMENT COMMISSION (1-1660) - Following adjournment of the Planning Commission, Chairperson Perry immediately convened the Growth Management Commission. Please see its folder for Minutes of its meeting.

CARSON CITY PLANNING COMMISSION
Minutes of the August 25, 2004, Meeting
Page 6

J. ADJOURN THE GROWTH MANAGEMENT COMMISSION AND RECONVENE THE PLANNING COMMISSION (1-2641) - Following adjournment of the Growth Management Commission, Chairperson Peery reconvened the Planning Commission. (A quorum of the Commission was present, although Commissioner Mullet was absent.)

RECESS: A recess was declared at 5:55 p.m. A quorum of the Commission was present when Chairperson Peery reconvened the meeting at 6:04 p.m. Commissioner Mullet was absent as indicated.

K. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS

K-1. PRESENTATION REGARDING THE WATERFALL FIRE AND BAER REPORT (1-2652) - Senior Engineer Rob Fellows gave a slide presentation on the Waterfall Fire, the Burned Area Emergency Response Report (BAER), erosion mitigation measures which have been taken and/or are planned, the estimated cost of the fire and mitigation measures, weed control measures, the need to protect the archeological sites, the informational signage replacement program, wildlife displacement and concerns, roadway concerns and need for rehabilitation due to heavy usage, and the potential insect and disease damage that may occur. The need for volunteer assistance in rehabilitating the area was repeatedly stressed. Discussion explained the impact of the fire and the total area it covered. Chairperson Peery expressed the hope that the Andrews Fire in Washoe County, which started earlier in the day, can be controlled soon. No formal action was required or taken.

K-2. STAFF BRIEFING ON THE STATUS OF COMMISSION RECOMMENDATIONS TO THE BOARD OF SUPERVISORS (2-0080) - Community Development Director Sullivan explained that the Board approved the housekeeping ordinance revision, the Growth Management Resolution, the Hickory Drive Street abandonment, and the Redevelopment Project 2 Area master plan map amendment. He explained his purpose in distributing the letter regarding an outside lighting violation which may be coming to the Commission. Discussion ensued between Commissioner Kimbrough and Mr. Sullivan regarding the dark skies ordinance. Mr. Sullivan explained that the design standards were adopted after Ms. Tracy made her original presentation. He indicated that he will send a copy of the ordinance to Ms. Tracy for her review. Commissioner Kimbrough then distributed pamphlets on the Sierra Business Conference on lighting and its prices to the Commissioners and Mr. Sullivan. (A copy was not given to the Clerk.) Commissioner Sedway complimented staff on the new letterhead design. Chairperson Peery complimented Mr. Fellows on his Waterfall Fire and BAER reports. No formal action was required or taken.

L. ADJOURNMENT (1-0130) - Commissioner Semmens moved to adjourn. Commissioner Vance seconded the motion. Motion carried 6-0. Chairperson Peery adjourned the meeting at 6:39 p.m.

The Minutes of the August 25, 2004, Carson City Planning Commission meeting

ARE SO APPROVED ON September 29, 2004.

/s/

John Peery, Chairperson