

CARSON CITY PLANNING COMMISSION
Minutes of the November 17, 2004, Meeting
Page 1

A regularly scheduled meeting of the Carson City Planning Commission was held on Wednesday, November 17, 2004, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 3:30 p.m.

PRESENT: Chairperson John Peery and Commissioners Craig Mullet, Steve Reynolds, Roger Sedway, Roy Semmens, Bill Vance

STAFF PRESENT: Community Development Director Walter Sullivan, Principal Planner Lee Plemel, Senior Planner Jennifer Pruitt, Deputy District Attorney Mary Margaret Madden, Parks Planner Vern Krahn, Senior Engineer John Givlin, Recording Secretary Katherine McLaughlin, and Associate Planner Sean Foley (P.C. 11/17/04 Tape 1-0007)

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 3:35 p.m. Roll call was taken. A quorum was present although Commissioner Reynolds had not yet arrived and Commissioner Kimbrough was absent. Commissioner Semmens led the Pledge of Allegiance.

B. APPROVAL OF MINUTES (1-0053) - None

C. PUBLIC COMMENTS (1-0055) - None.

D. AGENDA MODIFICATIONS (1-0060) - Community Development Director Sullivan explained that the Cingular Representative for Item G-2a and b would not be able to attend the meeting before 4:15 p.m. He asked that the item be delayed pending the Representative's arrival. Mr. Piccolo had asked that his Special Use Permit be continued to the December meeting to allow him additional time to discuss the use with the property lessee. Supervisor Aldean wishes to be present for the discussion on Item G-8. She hopes to arrive between 5:45 p.m. and 6 p.m. Mr. Sullivan asked that this item be delayed pending her arrival.

E. DISCLOSURES (1-0086) - None.

F. CONSENT AGENDA - SUP-04-171 ACTION ON A WITHDRAWAL OF A SPECIAL USE PERMIT APPLICATION FROM THE CARSON CITY UTILITIES DIVISION (1-0089) - Community Development Director Walter Sullivan - Commissioner Semmens moved to withdraw SUP-04-171 to be scheduled at a later date. Following Mr. Sullivan's explanation of the Division's request to permanently withdraw the application, Commissioner Semmens amended his original motion to permanently withdraw the application. Commissioner Mullet seconded the motion. Mr. Sullivan explained that a special use permit is not required for well rehabilitation. A new well is not being drilled. The rehabilitation will return the well's production capacity to that of a high producer. The motion was voted and carried 5-0.

G. PUBLIC HEARING

G-1 MPA-04-127 - PRESENTATION, DISCUSSION AND PUBLIC COMMENT TO UPDATE THE PLANNING COMMISSION ON ACTIVITIES RELATED TO “ENVISION CARSON CITY,” THE UPDATE OF THE CARSON CITY MASTER PLAN AND THE PARKS, RECREATION AND TRAILS PLAN (1-0125) - Principal Planner Lee Plemel, Parks Planner Vern Krahn, Community Development Director Walter Sullivan - Mr. Plemel explained the public attendance at the recent workshops. The comments that were received will be used to create the framework for the master plan policies and issue papers. Staff is working with the Consultant to develop a concept on how the City will appear at buildout and to determine the amount of land that will be vacant. A joint meeting with the Board of Supervisors has been scheduled for January 6 at 1:30 p.m. Its purpose was limned. Mr. Krahn explained the status of the Parks, Recreation, and Trails Plan. The Parks and Recreation Commission will conduct a workshop on it on January 5. Public comments received to date indicate that the community likes having large regional parks even though the community is short on neighborhood parks. The public also wants more trails and bicycle paths, connectivity between the parks, and another large regional park that will compliment Mills Park. It should be at least 30 to 40 acres in size. The growth in Hispanic Soccer and the demand for indoor recreational facilities were described. Both Mr. Plemel and Mr. Krahn were pleased with the public turnout at the workshops. Discussion between Mr. Krahn and Chairperson Peery explained the request for an additional indoor aquatic playground. Commission comments complimented the public on the turnout and positive participation. Public comments were solicited but none were given. Mr. Sullivan complimented Messrs. Plemel and Krahn on their efforts to involve the public in the workshops and urged the Commission to review the public comments. The comments on the sign ordinance will be used during the second phase of the master plan update process. Chairperson Peery reiterated the Commission’s comments on the amount of effort that had been put into the process to date and the complimented the public on its participation. No formal action was required or taken.

G-2a. VAR-04-158 - ACTION ON A VARIANCE APPLICATION FROM MEREDITH PARKIN OF CINGULAR WIRELESS AND G-2b. SUP-04-157 - ACTION ON A SPECIAL USE PERMIT APPLICATION FROM MEREDITH PARKIN OF CINGULAR WIRELESS (1-0060) (1-0390) - Continued.

G-3. SUP-04-041 -ACTION ON A SPECIAL USE PERMIT APPLICATION FROM THE ROBERT POLICHIO FAMILY TRUST (1-0393) - Associate Planner Sean Foley read Mr. Polichio’s letter requesting a continuance into the record. Public comments were solicited but none were given. Commissioner Mullet moved to extend to the December meeting Item G-3, Special Use Permit 04-041, action regarding a Special Use Permit on a billboard. Commissioner Semmens seconded the motion. Motion carried 5-0.

G-4. VAR-04-186 - ACTION ON A VARIANCE APPLICATION FROM PALMER & LAUDER ENGINEERS, LLC (1-0430) - Associate Planner Sean Foley, Applicant’s Engineer and Representative Mark Palmer - Mr. Foley’s introduction explained staff’s recommendation of approval and indicated that if the Commission is unable to find a hardship to grant the variance that staff had included findings for denial in the staff report. Photographs of the site were explained. The driveways do not meet current City standards. Development of the parcel will negatively impact the driveway for the adjacent parcel. The applicant will increase the landscaping on both the rear and front of the parcel. The site plan indicates that the landscaping density will be 150 percent of the required amount. He was uncertain of the

CARSON CITY PLANNING COMMISSION
Minutes of the November 17, 2004, Meeting
Page 3

reasons the applicant proposed asphaltting both ends. He asked that the applicant be asked the reasons. (Commissioner Reynolds arrived at 4:07 p.m. A quorum was present.)

Mr. Palmer indicated that the property is in escrow. He had read the report and agreed to all of the items. He explained the community's need for large RV storage areas. Justification for using the site for RV storage was provided. He agreed that the City's Code requirement regarding the distance between driveways will not be met by the project. Fire Chief Giomi had purportedly agreed to allow the use so long as an adequate turnaround area is provided on the parcel for his emergency vehicles. The size of modern RV's will require additional storage space. This reduces the rear setback to 20 feet. The AIP zone mandates a 30-foot setback for aesthetic reasons. The GI zone allows a zero rear setback. He recommended increasing the rear landscaped area to 20 feet as a method to mitigate the aesthetics issue. He also suggested that the same approach be used for the front setback which will create a unique setback. He wanted to treat all of the buildings. A parking and washing area was described. Paving the middle section allows Fifth Wheel and motorized RVs to be backed out of the structure and turned around. Discussion pointed out that the plan is unique and a hybrid from the normal structures. Public comments were solicited but none were given. Discussion explained the proposal to allow the motorized RVs to be maintained/cleaned in front of the storage unit. This area also provides adequate space for the vehicles to turnaround. Mr. Palmer felt that a lot of coming and going from the facility would not occur. Therefore, a conflict between users would not arise. Commissioner Mullet believed that the usage would not create a concern to the other industrial entities in the area. Mr. Palmer agreed and expressed his belief that the use would be similar to apartment parking areas. Discussion indicated the structures may be 24 feet in height. The zoning district allows structures to be 45 feet high. The structure will be more aesthetically pleasing after the trees reach maturity as they will be taller.

Commissioner Semmens moved to approve VAR-04-186, a Variance request from Palmer and Lauder Engineers, Inc., Jane A. Hancock Trust, to reduce the required rear yard setback from 30 feet to 20 feet for a recreational vehicle storage warehouse on property zoned Air Industrial Park, AIP, located at 2900 Arrowhead Drive, APN 008-402-09, based on three findings and subject to the 12 conditions of approval as contained in the staff report. Commissioner Vance seconded the motion. Commissioner Mullet explained his desire to maintain setbacks and that he understood the need for a variance particularly since others have been granted in the neighborhood. He felt that it is a special condition and may not be allowed in another industrial park. The landscaping makes it a better plan. It must be done as proposed. The adjacent property owners have not voiced an objection. He also indicated that he does not like a lot of variances. The motion to approve the variance was voted and carried 6-0-1 with Commissioner Kimbrough absent.

G-5a. P-93/94-1 - ACTION ON A REQUEST FROM PALMER AND LAUDER ENGINEERS, LLC, FOR AN AMENDMENT TO THE SILVER OAK PLANNED UNIT DEVELOPMENT; G-5b. ZMA-04-187 - ACTION ON A ZONING MAP AMENDMENT APPLICATION FROM PALMER & LAUDER ENGINEERS, LLC; AND, G-5c. MPA-04-188 - ACTION ON A MASTER PLAN AMENDMENT REQUEST FROM PALMER AND LAUDER ENGINEERS, LLC (1-0775) - Senior Planner Jennifer Pruitt; Applicant's Engineers/Representatives Mark Palmer of Palmer and Lauder Engineers, LLC, and Paul Solaegui of Solaegui Engineers, Ltd.; Senior Engineer John Givlin; Children's Home Board Member Bruce Scott; Carson-Tahoe Hospital Chief Operating Officer Kevin Stansbury; Community Development Director Walter Sullivan - Commissioner Sedway indicated that he will abstain from voting on these items due to his employment at the Hospital.

CARSON CITY PLANNING COMMISSION
Minutes of the November 17, 2004, Meeting
Page 4

RECESS: A recess was declared at 4:21 p.m. A quorum of the Commission was present when Chairperson Peery reconvened the meeting at 4:30 p.m. Commissioner Kimbrough was absent as indicated.

Ms. Pruitt's introduction explained that the items should be considered in the following order: P-93/94-1; MPA-04-188, and ZMA-04-187. Amendments to the conditions were read and explained. The Hospital was purportedly aware of the proposed changes.

Mr. Palmer indicated that they had read the staff report and agree with the amendments as read. He then explained the Hospital's acquisition and the proposed uses for the property. The uses will change the original PUD which proposed the use the property for residential purposes. He then limned the Hospital's plans for the site. He felt that the roadway revision would improve the traffic circulation and that the proposed water and sewer line locations would provide a better loop and improve the service. The proposed use will reduce the water and sewer demands from that required for residential development. The increased storm drainage can be handled on the golf course and in its detention basin and is part of its master plan for storm drainage. He acknowledged that the traffic volume would be increased by the proposed use and will require two signals.

Mr. Solaegui concurred with Mr. Palmer's revised traffic numbers. He also indicated that the total traffic impact at the time the Hospital's plans are built out will be at a low level "C" which is acceptable according to the current City policy. Discussion indicated that the road along the northern boundary of the property will have three lanes with left and right turn lanes at 395/Carson Street. The signal at Broadleaf will be installed when the intersection meets warrants. Funding has been set aside for it. This may not occur until after the freeway is constructed and Silver Oaks is built out. This may take 20 years to complete. It is also possible that demand may create the need for it before that time. Commission comments indicated the desire to have the signal as soon as possible. Comments also indicated that when the freeway is completed, NDOT will deed 395/Carson Street back to the City. The City's signal warrants will be the same as NDOT requirements.

Ms. Pruitt indicated for the record that notices had been sent out to 30 property owners. A portion of the letter received from Garth Richards supporting the project was read into the record.

Mr. Palmer explained an internal memo from Engineering regarding the approved square footage which he felt was a "little misleading". It was purportedly based on the status of a Special Use Permit that was approved for the main Hospital itself. A second Special Use Permit was approved for the surgical hospital that covered a second area and "MOBs". The master plan was positioned a little differently from the present concept. The square footage is in just these two Special Use Permits. Discussions with Senior Engineer Rob Fellows purportedly indicated that he understood the square footage of the approved buildings in these permits. Mr. Fellows' memo indicates that the Hospital is now in excess of that amount by 11,000 square feet. He had not considered that the Hospital has a lot of square footage in its master plan for total area and that some of these facilities do not require a Special Use Permit. They are part of the master plan. All of the studies that have been done for the area have included the entire square footage for the whole area including the sewer study performed by Capitol Engineering who had looked at the Hospital's total buildout as well as the Children's Home and the remainder of Silver Oaks. The document is correct when it considers the square footage approved by the Special Use Permits, however, it does not include the 400,000 square footage in buildings which are included in the studies that do not require a Special Use Permit. This is the reason for the arterial roadway, the size of the detention basin, etc.

Discussion indicated that the notches in the parcel were originally to be part of an access to the golf course

CARSON CITY PLANNING COMMISSION
Minutes of the November 17, 2004, Meeting
Page 5

and the club house. The Hospital is attempting to acquire them.

Mr. Givlin then indicated that he would agree with the statements on the engineering comments. He also indicated that Engineering does not have a problem with the water and sewer studies. It is not in agreement with the storm drainage plan. He believed that it could be accommodated, however, this would not be on the golf course. The proposed usage will have three times the runoff projected for residential usage. Staff can work with Mr. Palmer on it. He also indicated that City Engineer Larry Werner will be looking at updating the master plan and may address the width of Silver Oak Drive, its level of service, and access to the adjacent parcels. He was willing to proceed if the Applicant/his Representatives will agree to work with staff on these issues.

Public comments were solicited. Mr. Scott requested clarification. They are working on the access and utility issues. Condition 2 as modified is acceptable. He requested an opportunity to review and comment on the proposed master plan due to concerns about its impact on the Children's Home. The Hospital had purportedly agreed to allow it. He asked that the process not be handled administratively as he wanted to provide input. Justification for the request was provided. He also indicated that he was relying on Item 4 on Page 10 of the elements and that the understanding is that they are talking about this one portion of the Silver Oaks PUD and not alternating it with any other portion of the approved PUD. Justification for this understanding was indicated. He expressed a willingness to respond to any questions from the Commission and indicated the Children's Home Board's recommendation and support of the Hospital's request based on these understandings. The Hospital is a wonderful asset for the community but the Children's Home must be able to continue its functions. He repeated the request that they be able to coordinate their activities with the Hospital.

Additional comments were solicited. Mr. Stansbury thanked the Commission and community for its previous and continued support. He committed to working with the Hospital's neighbors to make it a viable project for the community. He agreed to meet with the Children's Home representatives and to work with them and Silver Oaks to resolve all issues.

Additional public comments were solicited. None were given. Mr. Sullivan indicated that the documents, when submitted to the City, become public information. He will include the Hospital and the adjacent neighbors in the staff review of access, utilities, and other issues. He also indicated that the notched area had not been noticed. It will require rezoning at some future date as it is part of another parcel. He committed to noticing the adjacent neighbors when and if the Hospital submits its plans. Mr. Palmer concurred that the notched area is part of the golf course. Discussion indicated that a change of zoning on it will require a full hearing and could not be handled as a Consent Agenda item. Staff consensus indicated that it could be handled as an amendment to the application which would not require an additional/new fee.

Commissioner Reynolds moved to recommend to the Board of Supervisors approval of a request from Ed Epperson, Carson-Tahoe Hospital Chief Executive Officer, property owner: Carson-Tahoe Hospital, to remove a 7.73-acre parcel from the Silver Oaks Planned Unit Development located on Eagle Valley Ranch Road, Parcel No. 007-531-01, subject to the recommended conditions of approval including revisions to Item No. 3 and Item No. 4 as noted earlier and based on the findings contained in the staff report and expecting a future amendment to this due to the notch that was brought up moments ago. Commissioners Semmens and Vance seconded the motion. Motion carried 5-0-1-1 with Commissioner Kimbrough absent and Commissioner Sedway abstaining.

CARSON CITY PLANNING COMMISSION
Minutes of the November 17, 2004, Meeting
Page 6

Commissioner Vance moved to approve MPA-04-188, a Master Plan Amendment application from Carson-Tahoe Hospital, and adopt Resolution 2004-PC-4 to change the land use designation of the subject parcel identified in the application from Low Density Residential to Commercial based on the findings contained in the staff report and, in addition, we will be applying the same to the so called notch on the southern boundary of the parcel. Commissioner Semmens seconded the motion. Motion carried 5-0-1-1 with Commissioner Kimbrough absent and Commissioner Sedway abstaining.

Commissioner Mullet moved to approve ZMA-04-187, a Zoning Map amendment application from Carson-Tahoe Hospital to change the zoning of the subject parcels identified in the application from Single Family One Acre to Retail Commercial based on the findings contained in the staff report also including the notch that will appear at a later date. Commissioner Semmens seconded the motion. Motion carried 5-0-1-1 with Commissioner Kimbrough absent and Commissioner Sedway abstaining.

G-2a. VAR-04-158 - ACTION ON A VARIANCE APPLICATION FROM MEREDITH PARKIN OF CINGULAR WIRELESS AND G-2b. SUP-04-157 - ACTION ON A SPECIAL USE PERMIT APPLICATION FROM MEREDITH PARKIN OF CINGULAR WIRELESS (1-1438) - Principal Planner Lee Plemel, Deputy District Attorney Mary Margaret Madden, Cingular Representative Bruce Piland, Community Development Director Walter Sullivan, Property Owner Scott Ford - Mr. Plemel's introduction explained the reasons Ms. Parkin was not able to attend the meeting and that the property owner, Mr. Ford, was in attendance. He also disclosed the public contact that had occurred when he visited the site. His comments stressed that there are specific circumstances at the proposed location that are unique to only that area and cannot be found at any other valley residential location. He also stressed that the cellular tower must be architecturally constructed to integrate with the environment of the surrounding area. Modern day technology will allow this to occur. The section of the staff report relating to the uniqueness of the location was read into the record. His introduction also included photo simulations of the tower, photos of the surrounding area, an explanation of their uses and the uniqueness of the location. Steve Courtright's letter was referenced. Neighborhood support for the tower was limned. The engineering conditions found on Page 10 are to be considered a part of the staff's conditions of approval and are to be included in the notice of decision. These conditions were read into the record. Discussion explained staff's justification in recommending approval of the proposed location even though a cellular structure does not currently exist on the site as pointed out in Mr. Courtright's letter. The structure will provide services as allowed in the telecommunications act and can be aesthetically constructed to comply with the ordinance. These circumstances cannot be found in other areas of the community. Discussion indicated that the intent of the ordinance is to mitigate the impact on residential areas. The impact is being mitigated by the structure's architecture and the increased setbacks. The property owner currently resides on the other half of the parcel. Commissioner Mullet disclosed his personal visit to the site and his confusion regarding the property's address and access routes. Mr. Plemel indicated that the property can be accessed from Highway 50. The Code mandates that the side of the property abutting a right-of-way is the front side. Highway 50, by definition, is the right-of-way that abuts the property. Therefore, it is considered the front of the property. Access from the south is possible through easements. They are not rights-of-way.

Mr. Sullivan also explained that the zoning for the State Lands property to the south, which is the Clear Creek Camp, is Conservation Reserve which is a holding zone. A Special Use Permit would allow the use on it. He also explained his concerns with the item, specifically, the setback requirement and Mr. Courtright's letter. He requested a continuance.

CARSON CITY PLANNING COMMISSION
Minutes of the November 17, 2004, Meeting
Page 7

Commissioner Mullet explained the location of a similar cellular pine tree tower at Glen Brook. He felt was obvious that it is a fake tree. The tower should be located on public property at a location which could not be observed from Highway 50. His discomfort with the proposal was indicated.

Discussion between Ms. Madden and Commissioner Semmens indicated that the language in CCMC 18.15.025 is clear and requires a structure to be in existence on the property.

Mr. Piland explained his reasons for attending the meeting. He supported the staff report and agreed with it. He understood the concern regarding the Code's language. He felt that the intent of the Code was being met and that the structure would blend with the environment. Justification for wanting to use the proposed site and for rejecting other areas was provided. The site will provide continuous coverage for the area "as close as possible". The location is critical for coverage. The topography and trees make it a difficult area to provide coverage. Cingular's signal is in the 1900 megahertz range and does not bend. It must go in a straight line. It will handle more phone calls and data but requires more sites. He reiterated his agreement with the report and support of the conditions of approval. Discussion between the Commission and Mr. Piland pointed out that the service area map shows that there are areas that will have spotty reception which may drop a call for a "second or two". Mr. Plemel indicated that a special use permit would be required for the property on the other side of Highway 50. Commissioner Mullet pointed out that if the site is moved approximately one-quarter of a mile, it would eliminate any conflict with the Code. Mr. Piland was unsure why the location had been selected. Constructability, line of site with another microwave site, access, etc., have impacts on the location decision. He was unsure whether it would be possible to construct on Commissioner Mullet's suggested site due to the topography. A continuance would allow him to check into other sites. If it is not possible to use those sites, it may be necessary to move forward with the proposed site. Discussion indicated that Cellular has a tower similar to the proposed tower at Dollar Point. Mr. Piland agreed to provide the Commission with either an address or map showing locations of similar towers. Commissioner Sedway felt that guidelines should be developed so that suppliers will understand the requirements in the future. Discussion with Mr. Piland indicated that Cingular intends to construct additional towers in the community in the near future. Growing demand for cellular phones is forcing them to expand the coverage area. Mr. Piland indicated that he understood the ordinance and reasons for the restriction. Commissioner Sedway pointed out the need to balance cellular requirements with the community's aesthetics and view shed desires. Mr. Sullivan indicated that staff will develop a global map showing the locations and discuss with the Commission the guidelines and ordinance. Mr. Piland explained the change in architectural designs which blend the towers into the scenery. Examples were sited illustrating his point. He also pointed out that flag poles and church bells can be used to blend the tower with the surrounding environment. Mr. Sullivan suggested that Mr. Piland provide examples/photographs illustrating the blending. Discussion indicated that if the tower is located on property zoned Conservation Reserve, the access and tower must comply with zoning, engineering and hillside regulations regarding the pad and building location, access route, drainage, environmental impact, etc. Mr. Piland explained the desire to have users collocate on a tower. He indicated that all of the cellular companies have service deficiencies in the proposed area. Commissioner Reynolds explained the public safety needs found in the area and expressed his belief that the proposal could be beneficial to the public. He felt that the "modified" tree was less intrusive than other concepts. Mr. Piland expressed his willingness to accept a continuance if necessary. He felt that the need for the proposed site would require reopening the application for the site. He was willing to consider other sites in the vicinity, however, difficulty in construction and hillside factors could prevent relocation.

Public comments were solicited. Mr. Ford indicated that there are changes which will occur in the area during

CARSON CITY PLANNING COMMISSION
Minutes of the November 17, 2004, Meeting
Page 8

the next six to eight months. Among these changes is the creation of an interchange at Highway 50 and the proposed site and of a loop road off Old Clear Creek Road that will connect to the interchange within 300 feet of the proposed tower. This will place the tower between Highway 50 and a new connector road to Old Clear Creek Road. His discussions with State Lands regarding future uses of the Clear Creek Camp indicate that it may be renovated or sold. He also noted that Clear Creek Ranch development is proposed to the south of Old Clear Creek Road and will need the interchange. The proposed site has access to power and telephone service and is within 500 feet of Forest Service property. The City is purportedly considering acquiring the property on the other side of Highway 50. Ownership and zoning of the surrounding property was limned. He felt that State Lands would not allow the tower on its property. He suggested that the State Lands' property be rezoned Conservation Reserve. The proposed interchange will create a vast change in the area. The proposed use will not be detrimental to the area. Cingular had allegedly already searched the area extensively for a location and the proposed site is the only viable one. His contact with the neighbors indicated that they did not object to the proposal. The Carson City has ignored these residents. Telephone service is needed in the area and specifically in the canyon. He had not heard any objection from anyone regarding the proposal. It is needed and wanted. Discussion indicated that the interchange will have an underpass with deceleration ramps, a grade separation, and tie into Old Clear Creek Road. Additional public comments were solicited but none were given.

Discussion between Mr. Sullivan and Commissioner Semmens explained the reasons for continuing the item. Mr. Sullivan felt that the concerns could be addressed and that the item could be brought back at the December 15 meeting. Mr. Piland agreed to a continuance. Commissioner Semmens moved to continue APN 007-051-66 to the December 15 meeting. Commissioner Sedway indicated that he would second the motion although he did not see a need to continue the item. He did not have any concerns, however, if other Commissioners and Mr. Sullivan have concerns, they should follow up on them. He did not have a problem with a continuance if there are concerns. Commissioner Semmens agreed. Commissioner Reynolds indicated that he may have supported a motion to approve if one had been made. Commissioner Sedway agreed. Commissioner Semmens indicated that he did not see a problem with the concept, however, Mr. Sullivan had requested a continuance. The motion to continue the item was voted and carried 6-0.

G-6. MPA-04-178 - ACTION ON A MASTER PLAN ELEMENT FROM SIERRA PACIFIC POWER COMPANY (1-2575) - Community Development Director Walter Sullivan, Sierra Pacific Power Company's Land Use Consultant Bill Bennett, Sierra Pacific Power Company's Local Manager Eric Troska Al LeBalch - Mr. Sullivan's introduction explained the need for additional discussions with Sierra Pacific and indicated that the public comments that have been received have been shared with the Company. He recommended a continuance of the item. Discussion noted the staff packet had included comments from the Parks and Recreation Commission and the Carson River Advisory Committee. Mr. Sullivan also asked the Commissioners to keep the packet for the next meeting on the master plan element. Additional information will be provided in the future to supplement it.

Mr. Bennett introduced the other team members who were present and distributed a packet of information to the Commission and Clerk. (A copy is in the file.) He then reviewed Page 14 relating to the definition of a substation and listed several to illustrate the definition. He then reviewed Page 16 relating to the definition common system voltage and Page 17 regarding the meter for a residence.

Mr. Troska described his and Zena Randall's positions at Sierra Pacific. He explained the transmission system and described the network system. He listed the transmission lines coming into and leaving Carson

CARSON CITY PLANNING COMMISSION
Minutes of the November 17, 2004, Meeting
Page 9

City and the five substations found in Carson City. He explained the difference between Carson City's system and the Reno/Sparks system. Networks are tied together to provide better reliability and can provide service if one line is lost. The need to have a distribution tie to Douglas County was noted. Clarification indicated that the map illustrates six substations in Carson City. The Fairview substation has not yet been constructed. The master plan indicates that a new substation is required every three to four years. Mr. Bennett explained that the master plan map indicates locations where substations will be needed in the next 20 to 30 years in addition to the ones presently in service. Mr. Troska then explained that his job is to analyze the electrical needs for a one to five year period. The master plan projects the load growth. A similar master plan is being developed for Douglas County. He and Ms. Randall perform an annual reality check on its projections. Sierra Pacific does not want to build unless the capacity or reliability is there. Comments indicated that "Jack's" will eventually be tied to a substation in southern Carson City. It is currently tied to a substation in Johnson Lane. It is included on the master plan map in an effort to show where the location will be for tying the two systems together at some future date.

(1-3070) Mr. Bennett then explained that the integrated resource plan had just been accepted by the Public Utility Commission. It includes "a future view of the entire Sierra Pacific grid for Northern Nevada" and addresses the "backbone requirements for Sierra Pacific's entire electrical system" including transmission and substation improvements. Sierra Pacific must consider regional network needs. They are responsible for cost effectiveness, efficiency, and reliability to the customers. This requires consideration and planning for the entire region. The long range engineering includes extensive modeling based upon input, projected future growth, electric growth needs, etc. The modeling determines the future infrastructure needs. Mr. Bennett then summarized the master plan element that had been submitted and explained the process used to establish future substation locations. An aerial map was used to explain the location of the five substations in Carson City.

Commissioner Sedway thanked him for his presentation and the master plan element. He explained that he was on the Commission when the Emerson substation was debated. He was disappointed that the master plan element had not been submitted before Fairview was considered. He acknowledged the need for the Company to be fiscally prudent and responsible in its expansion. He expressed his desire to see more site specific locations in the master plan's designated three future substation areas and allow the community to debate the issue of where the substations should be constructed before surrounding development occurs. This will allow property owners to know about the future use. Mr. Bennett explained that this requires partnering with the City. The City can tell the Company where it can be located.

Mr. Sullivan explained that he and Mr. Bennett had already talked about this point. Staff currently has some ideas regarding the locations and is working with the Company to fine tune the sites. It is possible that three substations may not be needed. Mr. Bennett pointed out that future electrical loads are the best guesstimates possible at the time.

(2-0029) Public comments were solicited. Mr. LeBalch indicated that he had reviewed the proposal. He pointed out that there are 18,000 vacant acres in Carson City that can be built on, however, the State demographer indicates that only 10,000 more people will live here during the next 20 years. He felt that a better estimate of the power needs was warranted. Truckee Meadows did a "regional quarter plan". Mr. Sullivan indicated that Mr LeBalch's memo and the plan were included in the staff report. Mr. LeBalch asked that a Sunfish Lake, Minnesota, resolution be added to the packet. It included a comprehensive study on electrical

CARSON CITY PLANNING COMMISSION
Minutes of the November 17, 2004, Meeting
Page 10

needs and concerns. Mr. Sullivan agreed to add it. Additional public comments were solicited but none were given.

Commissioner Semmens moved to continue MPA-04-178, the Sierra Pacific Power Company Master Plan, indefinitely until staff and Sierra Pacific Power Company have completed their revisions on said Master Plan. Commissioner Vance seconded the motion. Motion carried 6-0.

G-7. SUP-04-153 - ACTION ON A SPECIAL USE PERMIT APPLICATION FROM SIERRA PACIFIC POWER COMPANY (1-0079) - Senior Planner Jennifer Pruitt, Sierra Pacific Power Company's Land Use Consultant Bill Bennett, Bill Hayes, Community Development Director Walter Sullivan - Ms. Pruitt's introduction included noting for the record that the Applicant proposed in combination with the proposed addition to remove approximately 200 feet of overhead lines on the site. This is included in the application under review by the Commission today. The Company also proposes to remove an existing structure and anchors that are on site. She also noted that she had been working with Mr. Bennett on the Special Use Permit. He had furnished all of the information that had been requested. Mr. Bennett had purportedly indicated that it is not likely that additional expansion will occur at this substation site. She requested that this information be included in the record. She then indicated that only one email had been received as a result of the public notification process. She read Bill and Sarah Hayes' email into the record. It expressed concerns about the lack maintenance, fire protection, and landscaping. They questioned whether there is a time limit on the completion of the project and the impact on their property values. A copy of the comments was given to Mr. Bennett. Ms. Pruitt then indicated for the record that the Hayes' concerns were legitimate and asked that Mr. Bennett stipulate on the record that Sierra Pacific will handle the fire protection issues and also noted that there is a sight distance issue with the property. The City has Codes regarding fencing and sight distances. As there will be right-of-way dedications to the City, the sight distance issue may be mitigated. She requested that Mr. Bennett also stipulate to addressing this issue. She had personally visited the site on two occasions. She had not noted any garbage at the time of those visits. It is a realistic concern. Mr. Bennett had purported that there will be occasional maintenance done on site. She suggested that the garbage matter be added to the maintenance and that Mr. Bennett also stipulate to doing it. The landscaping issues are addressed in the Conditions of Approval. Plan checkers will review the landscaping plans. The plans have not been submitted as of this date but will be in the future. She then explained that the Conditions of Approval include a 12-month time frame for completion of the expansion. A one year extension is allowed if a request for an extension is made 30 days before termination of the 12-month completion requirement. She asked that the record include this information. She then described the computerized photographs of the site. Her comments included noting the landscaping concerns. Discussion among Ms. Pruitt, Mr. Bennett, and the Commission explained the overhead lines that are to be removed, the renovation and expansion plans. Commissioner Mullet explained his personal knowledge of the landscaping and suggested that mature trees be planted at the site. The original plan had indicated that the trees would hide the lines. This did not happen as the trees did not mature/grow.

Mr. Bennett then explained that he had not intended to indicate that future expansion would never occur at the site. He did not intend to put in another transformer or more capacitance into the substation at this time. It is, however, contained in the master plan. Growth may make it necessary for the Company to install one in ten years. Justification for installing the 120KV switches was provided. He asked for a copy of the fire prevention manual/guideline. Ms. Pruitt indicated for the record that a copy of the manual will be provided. At Ms. Pruitt's request, Mr. Bennett agreed with the staff report, the conditions, and stipulations.

CARSON CITY PLANNING COMMISSION
Minutes of the November 17, 2004, Meeting
Page 11

Public comments were solicited. Mr. Hayes explained the location of his residence and elaborated on their fire concerns, the lack of landscaping, and his traffic concerns. He was glad to learn that some poles will be removed. He urged the Company to clean up the site and make it safer. He suggested that the entire lot be bladed as it would remove any fire hazard. Mr. Sullivan explained the need to have a balance between the current landscaping and denuding the lot as it would create a dust problem. He suggested that low growing plants be used as they are more fire retardant and help keep the dust down. Mr. Hayes then explained his effort to help his neighbors protect their homes by removing the sagebrush. Mr. Sullivan agreed to work with Mr. Hayes and Sierra Pacific. Additional public comments were solicited but none were given.

Commissioner Semmens moved to approve SUP-04-153, a Special Use Permit application from William R. Bennett, property owners: Sierra Pacific Power Company, to allow the expansion of an existing electric substation on property zoned Single Family One Acre located at 1251 Clearview Drive, APN 009-185-02, based on seven findings and subject to the Conditions of Approval contained in the staff report. Following a request for an amendment, Commissioner Semmens amended his motion to include the stipulations as indicated by staff for the record. Commissioner Vance seconded the motion. Motion carried 6-0.

G-8. ZCA-04-190 - ACTION ON A ZONING CODE AMENDMENT APPLICATION FROM CARSON CITY PLANNING AND COMMUNITY DEVELOPMENT DIVISION TO AMEND TITLE 18 (2-0432) - Community Development Director Walter Sullivan, Ward 2 Supervisor Shelly Aldean - Mr. Sullivan apologized for being unable to attend the last meeting when this item was discussed. He explained the purpose, intent, and justification for the ordinance revisions. The revisions are supported by Assessor Dave Dawley. Mr. Sullivan revised Paragraph B on Page 2 to read: "Any mobile or manufactured home installed in Carson City must be constructed or manufactured not more than 15 years prior to the date of the application for the mobile home or manufactured home lot development permit or a replacement mobile home permit for mobile home parks." The lot development permit and the noticing process were described. His comments stressed that the ordinance would not prohibit relocation of mobile homes or manufactured homes that are currently located in Carson City. It would prohibit importation from outside the City limits. Lyon, Douglas, and Washoe Counties have similar ordinances.

Supervisor Aldean explained her reasons for bringing the matter to staff's attention. Lyon County's preamble to its ordinance was cited to explain the reasons it had adopted the prohibition. As other surrounding counties had addressed the issue, she believed that Carson City is vulnerable to being a dumping ground for older mobile homes. Property value concerns were also noted. As manufactured homes have a five-year age restriction on them when being moved into a stick built area, the same type of ordinance could be adopted and enforced on mobile homes. This will protect the value of the mobile homes as they are fully depreciated at 20 years. She urged the Commission to approve the ordinance as it will protect the property values and provides enforcement for health and safety reasons.

Discussion between the Commission and Mr. Sullivan explained the difference between modular and manufactured homes and referenced a *Reno Gazette Journal* article explaining the difference. Mr. Sullivan relayed his discussions with Assessor Dave Dawley, Fire Chief Stacy Giomi, and City Building Official Phil Herrington regarding the ordinance. All of them supported it. Comments indicated that the new mobile homes are safer if a fire occurs. Commission comments suggested that a date be selected rather than using the term "15 years". This would make it date specific rather than changing the year annually. Comments suggested that 1990 be used as it is the year that HUD upgraded the construction standards. Mr. Sullivan explained the statutory requirement mandating that a park owner must relocate his tenants if the park is closed. The ordinance will allow relocation of older Carson City mobile homes within the City limits. It will

CARSON CITY PLANNING COMMISSION
Minutes of the November 17, 2004, Meeting
Page 12

not allow importation from another county/state if a unit is more than 15 years old. Commissioner Vance expressed his belief that the ordinance was unfair to individuals who own older mobile homes. Comments expressed the belief that older mobile homes are harder to move and noted the difficulty encountered attempting to obtain a loan for the older mobile homes. Commissioner Sedway felt that the industry is policing itself and eliminating the older homes based on these circumstances. He also pointed out the difficulty in obtaining a safety seal. He felt that the ordinance was exclusionary and had reservations about it for that reason. Commissioner Reynolds felt that if an older mobile home is able to be transported to the City and can obtain a seal, it should be allowed in. Discussion ensued on potential reasons Lyon County used 15 years rather than a set date. Mr. Sullivan explained his desire to be consistent and to establish a set time. Chairperson Peery felt that Carson City should not have a different cutoff than Lyon County. Mr. Sullivan indicated that there are several firms who renovate mobiles. It is their practice to rehab late 1990 and 2000 models as they see the value in the homes. Concerns about individuals setting up mobiles that have not obtained a safety seal were noted. The lack of criteria prevents staff from considering including a process that could grant a variance to the 15-year cutoff. Mr. Sullivan's understanding of the process for placing a mobile home was described. A "CofO" cannot be issued without a State safety seal. He also indicated that it is possible for an individual to connect it to utilities without the safety seal or "CofO" and move into the unit. Commissioner Semmens pointed out that the ordinance only prohibits individuals from bringing older units into the City. It does not impact anyone living in an older mobile home currently in Carson City. Discussion between Mr. Sullivan and Commissioner Sedway indicated that the real estate disclosure laws would protect the City if someone acquires a lot and want to bring an older mobile home into the City. For this reason staff will have to educate the realtors and mobile home dealers about the ordinance. A problem encountered with a manufactured home off Goni Road several years ago was discussed. The owner had acquired the unit in Oregon and had allegedly moved it to Carson City and attempted to set it up without permits. This unit had not met the neighborhood standard. Commissioner Mullet expressed concerns about it becoming a policing problem and being able to adequately educate the public about the prohibition. His personal experience when he had attempted to acquire real estate was cited to illustrate the difficulty encountered in educating the public. He felt that the problem with mobile homes within the City limits is larger than the perceived problem with imported older mobile homes. These problems include established mobile homes that are not connected to utilities. Mr. Sullivan agreed that a better education program is needed. Chairperson Peery felt that a line needed to be drawn somewhere as there is no protection now. Mr. Sullivan suggested a motion. Commissioner Semmens moved to recommend that the Board of Supervisors approve an ordinance amending Carson City Municipal Code Title 18 Zoning adding Chapter 18.04.081, manufactured or mobile homes authorized to limit the age on a manufactured home or mobile home to be placed on a lot within a mobile home zoning district or mobile home park to not more than 15 years old and other matters properly related thereto with the correction that Ms. Pruitt (Mr. Sullivan) had made in Part B regarding the requirement for a mobile home permit. Commissioner Reynolds seconded the motion. Motion carried on a 5-1-0-1 vote with Commissioner Vance voting Naye and Commissioner Kimbrough absent.

RECESS: A recess was declared at 7:32 p.m. A quorum of the Commission was present when Chairperson Peery reconvened the meeting at 7:38 p.m. Commissioner Kimbrough was absent as indicated.

G-9. ACTION TO ELECT A CHAIRMAN AND VICE CHAIRMAN OF THE CARSON CITY PLANNING COMMISSION (2-1164) - Chairperson Peery requested nominations for the Vice Chair. Commissioner Semmens nominated Commissioner Kimbrough for Vice Chair. Commissioner Vance and Sedway seconded the motion. Motion carried 6-0.

CARSON CITY PLANNING COMMISSION
Minutes of the November 17, 2004, Meeting
Page 13

Chairperson Peery requested nominations for the Chair. Commissioner Semmens moved to nominate Commissioner Peery. Commissioner Reynolds seconded the motion and moved to close the nominations. Chairperson Peery thanked the Commissioners for their vote of confidence. The motion was voted and carried unanimously.

G-10. ACTION TO APPROVE THE CHANGE OF DATE FOR THE PLANNING COMMISSION MEETING FROM DECEMBER 22, 2004, TO DECEMBER 15, 2004 (2-1200) - Mr. Sullivan explained the need to move the meeting date and that the Airport Authority had generously agreed to allow the Commission to have the Sierra Room on December 15. Commissioner Semmens moved to move the meeting date for the Planning Commission meeting from December 22 to December 15. Commissioner Vance seconded the motion. Motion carried 6-0.

H. STAFF REPORTS - REPORT ON BOARD OF SUPERVISORS' ACTION ON PREVIOUSLY REVIEWED PLANNING COMMISSION APPLICATIONS (2-1240) - Community Development Director Walter Sullivan - The Board approved the rezoning of the two City properties, the Dori Way abandonment, and the Hawthorne Hotel. Tomorrow's agenda listing of items for consideration by the Board was provided. Mr. Sullivan also explained that there are six items for consideration at the next Planning Commission meeting. The number included the Cingular cellular tower. He was uncertain whether the billboard item would be ready for that meeting. He complimented the Commission on its willingness to examine the items and issues. Chairperson Peery complimented staff on its efforts.

I. ACTION ON ADJOURNMENT (2-1289) - Commissioner Semmens moved to adjourn. Commissioner Vance seconded the motion. Motion carried unanimously. Chairperson Peery adjourned the meeting at 7:45 p.m.

The Minutes of the November 17, 2004, Carson City Planning Commission meeting

ARE SO APPROVED ON December 15, 2004.

/s/

John Peery, Chairperson