

CARSON CITY PLANNING COMMISSION

Minutes of the March 26, 2003, Meeting

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A regularly scheduled meeting of the Carson City Planning Commission was held on Wednesday, March 26, 2003, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 3:30 p.m.

PRESENT: Chairperson Richard Wipfli, Vice Chairperson John Peery, and Commissioners Ron Allen, Mark Kimbrough, Roger Sedway

STAFF PRESENT: Community Development Director Walter Sullivan, Senior Planner Lee Plemel, Senior Engineer Rob Fellows, Deputy District Attorney Melanie Bruketta, Recording Secretary Katherine McLaughlin, Associate Planner Jennifer Pruitt (P.C. 3/26/03 Tape 1-0012)

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 3:30 p.m. Roll call was taken. A quorum was present although Commissioner Christianson was absent. (There were only six members on the Commission at this time due to Commissioner Pedlar's resignation.) Commissioner Peery led the Pledge of Allegiance.

B. APPROVAL OF MINUTES - December 4, 2002 (1-0031) - Commissioner Peery moved to approve the Minutes as submitted. Commissioner Kimbrough seconded the motion. Motion carried 5-0.

C. PUBLIC COMMENTS (1-0039) - Chairperson Wipfli indicated that an unnamed Silver Oak item is agenzized for the Board of Supervisors consideration on April 3. Comments could be made on it at this time as it had not been agenzized for the Planning Commission's consideration. No public comments were given.

D. AGENDA MODIFICATIONS (1-0052) - Staff requested Item G-8, the sign ordinance, be discussed between 4:30 p.m. and 4:45 p.m. and Item G-7, the Redevelopment item, be considered between 5:15 p.m. and 5:30 p.m.

E. DISCLOSURES (1-0067) - None.

F. CONSENT AGENDA - ACTION ON THE REVIEW OF A PREVIOUSLY APPROVED SPECIAL USE PERMIT FROM T. E. BERTAGNOLLI (1-0072) -

Commissioner Kimbrough expressed concern that the item appeared to be agenzized for action rather than a continuance to the next meeting. Mr. Sullivan indicated that the requested action is for a continuance to the next meeting. Commissioner Sedway moved to continue the Item to the next meeting per staff's direction. Commissioner Peery seconded the motion. Public comments were solicited but none were given. Motion carried 5-0

G. PUBLIC HEARINGS

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G-1. AB-02/03-2 - ACTION ON AN ABANDONMENT OF AN ALLEY REQUEST FROM BLAINE HANSEN (1-0112) - Associate Planner Jennifer Pruitt, Blaine Hansen - Discussion indicated that only a portion of the alley is to be abandoned. Mr. Hansen had read the staff report and agreed with it. The alley had never been used or paved. The properties on the west side are already using the alley. There are no utilities located in it. The alley exists only on the map. Public comments were solicited but none were given. Discussion explained the court ruling prohibiting the City from charging for rights-of-way in the original town site. The abutting property owners have the ability to obtain an equal share of the alley. Commissioner Kimbrough moved to approve a motion to recommend that the Board of Supervisors approve application AB-02/03-2, an abandonment of a ten foot wide portion of the right-of-way, the alley way, located south of West Seventh Street, north of West Eighth Street, and east of South Nevada Street and west of South Curry Street, based on seven findings and subject to four conditions of approval contained in the staff report. Commissioner Allen seconded the motion. Motion carried 5-0.

G-2. U-02/03-34 - ACTION ON A SPECIAL USE PERMIT REQUEST FROM TOM YOUNG (1-0243) - Associate Planner Jennifer Pruitt, Tom Young - Mr. Young had read the staff report and agreed with it. Public comments were solicited but none were given. Commissioner Peery moved to approve U-02/03-34, a Special Use Permit request from Thomas and Laura Young to allow a detached garage/guest/great room structure of 2,024 square feet, which exceeds 75 percent of the primary structure, on property zoned Single Family 21,000, located at 2331 Empire Ranch Road, APN 008-296-04, based on seven findings and subject to eight conditions of approval contained in the staff report. Commissioners Allen and Sedway seconded the motion. Motion carried 5-0.

G-3. U-02/03-35 - ACTION ON A SPECIAL USE PERMIT REQUEST FROM KEITH AND LINDA MARTIN (1-0324) - Associate Planner Jennifer Pruitt, Community Development Director Walter Sullivan, Keith Martin - Mr. Sullivan explained that the issues contained in Lynn Winter's 2/25 memo had been resolved. A building permit was issued on either 3/14 or 15. Mr. Martin indicated that he had read staff's report and agreed with it. They had learned a lot since beginning the project and complimented staff on its willingness to work with them. The building will be brought to Code including having a thick fire wall. Mr. Martin agreed that the adjacent building will be a challenge for others in the future. They did not have any problems with its present use. Chairperson Wipfli complimented them on their ability to provide a mixed use as it provides more security for the area. Public comments were solicited but none were given. Commissioner Kimbrough moved to approve U-02/03-34, a Special Use Permit request from Keith and Linda Martin to allow an expansion of a legal non-conforming use to accommodate a 2,120 square foot residential addition on property zoned Retail Commercial located at 205 East John Street, APN 002-155-03, based on seven findings and subject to eight conditions of approval contained in the staff report. Commissioner Sedway seconded the motion. Motion carried 5-0.

G-4. U-02/03-36 - ACTION ON A SPECIAL USE PERMIT REQUEST FROM RIBEIRO CORPORATION (1-0483) - Senior Planner Lee Plemel, Senior Engineer Rob Fellows, Community Development Director Walter Sullivan, Corporation Vice President Ed Yuill, Mountain West Engineer Cary Chisum, Jack Fralinger, David Ruf - Mr. Fellows explained that the bike trail is a standard development condition even though it had not been listed within the Conditions of Approval. A major project review will be held. Engineering concerns will be addressed at that time. This includes drainage and flood plain matters. If the Commission wishes, the bike trail can be added to the conditions. Discussion clarified the surrounding zoning. Discussion indicated that the details

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for the signage had not been included in the packet information. Condition 12 dealt with signs. A permit for the sign has not yet been submitted. The Commission will consider a variance/special use permit for the sign when a request for the permit is submitted if the sign exceeds the maximum allowed for shopping centers.

Mr. Yuill had read the staff report and agreed with it. He asked to see the site plan and explained the agreement with City Engineer Larry Werner regarding the removal of one western access/egress from Curry Street. The accesses will be from Rhodes Street and Carson Street/Highway 395. Justification for closing the other accesses were explained. The Rhodes access route was relocated further west to eliminate any conflict with the Wells Fargo access. Reasons for not having an access from Curry Street were also explained. Mr. Chisum described the site plan including the surrounding uses and accesses. Possible shopping center tenants were noted. The plan had purportedly been through a master plan review and the issues raised during it will be addressed. He committed to meeting whatever conditions are placed upon the project. Discussion pointed out that the City/developer will have to address the traffic issues. A traffic survey had indicated that there will be minor impacts. The plans included a right-hand deceleration lane. Traffic wishing to go left/north from the site should use Curry Street and its signalized cross streets. North bound traffic will not be allowed onto Highway 395. Discussion indicated that a right turn lane on Curry Street will be "cleaned up" by the City. The right turn lane may not be dedicated to the City.

Public comments were solicited. Mr. Fralinger questioned the lighting plan and asked that light pollution be avoided if at all possible. Chairperson Wipfli supported his concern and retention of the "night sky". Mr. Fralinger also felt that it is unsafe for vehicles to attempt to go north on Highway 395/Carson Street. Mr. Plemel explained the lighting standards and Condition 7, which address light pollution. (Commissioner Sedway stepped from the room at 4:24 p.m.—a quorum was still present.)

Mr. Ruff explained the semis' use of Rhodes. He urged the Commission/staff to maintain Rhodes as a two lane road. He also asked that an acceleration lane be installed on Carson Street/395 due to safety concerns. (Commissioner Sedway returned at 4:27 p.m.—a quorum was still present.) Chairperson Wipfli felt that staff understood the concerns. Additional public comments were solicited but none were given. Commissioner Peery moved to approve U-02/03-36, a Special Use Permit application to allow the construction of a "Community/Regional Commercial Center" exceeding 50,000 square feet of gross floor area on property zoned General Commercial and Retail Commercial located at 2340 South Carson Street, APN 009-052-01, based on seven findings and subject to ten conditions of approval contained in the staff report. Following a request for a correction, Commissioner Peery amended his motion to be for 12 conditions of approval. Commissioner Allen seconded the motion. Motion carried 5-0. The Commission complimented the applicant and his team on the plan's preparedness.

GROWTH MANAGEMENT (1-1005) - Chairperson Wipfli recessed the Planning Commission and immediately convened the Growth Management Commission. (For Minutes of its meeting, please see its file.)

RECESS: A recess was declared at 4:32 p.m. A quorum of the Commission was present when Chairperson Wipfli reconvened the meeting at 4:40 p.m. (Commissioner Christian was absent and there were only six members on the Commission for this meeting.)

G-6. ACTION TO APPROVE A RESOLUTION COMMENDING WAYNE PEDLAR FOR

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HIS DEDICATED SERVICE TO CARSON CITY (1-1010) - Chairperson Wipfli read the Resolution into the record and thanked Mr. Pedlar for his dedication and service on the Commission. Commissioner Peery moved to adopt Resolution No. 2003-PC-4, A RESOLUTION COMMENDING WAYNE PEDLAR. Commissioner Allen seconded the motion. Motion carried 5-0.

G-8. A-02/03-12 - DISCUSSION ONLY - DISCUSSION ON PROPOSED MODIFICATIONS TO THE CARSON CITY SIGN ORDINANCE, DEVELOPMENT STANDARDS, DIVISION 4 (1-1075) - Senior Planner Lee Plemel, Chamber of Commerce Chief Executive Officer Larry Osborne, Community Development Director Walter Sullivan - Justification for continuing the item was provided. A workshop has been scheduled on the revisions. The proposal makes substantial changes to the current sign ordinance. Skip Canfield's comments were noted. Reasons for revising the ordinance were indicated. Mr. Plemel summarized the changes and distributed copies of various tables to the Commission and Clerk. (A copy is in the file.) Discussion indicated that K-mart's recent sign additions were allowed only three days a month and should not be located in the right-of-way. Mr. Plemel then explained reasons for adding the tables to the ordinance and explained their purpose. Staff is still evaluating the Committee's recommendation regarding the sign area. The final concept may be different from the suggested ordinance. Discussion explained the amount of signage allowed at Frontier Plaza and Lowe's shopping center. Mr. Plemel indicated that the majority of Mr. Canfield's concerns had been addressed and requested anyone wishing to have a copy of the suggested modifications to contact the Department.

Mr. Osborne explained that the sign ordinance had been reviewed due to the concerns expressed about the number and amount of window signage that was occurring. A lot of discussions and give and take had occurred in developing the suggested ordinance. It was felt that the final result was a good compromise and made good business sense. A matrix had not been developed. It does contain a few things which may need to be addressed. The Commission's input was requested. The ordinance had been circulated to the Chamber members and their comments will be considered. Another public hearing will be held before the Commission is asked to approve the ordinance. Additional public comments were solicited.

Mr. Sullivan explained that Steve Reynolds and Robin Shields had represented the sign companies. Sign enforcement needs to be consistent. The committee had attempted to provide a mechanism that will be easier for the Code Enforcement Officer to follow. A public education effort will be implemented if the ordinance is revised. The amendments will eliminate some of the vagueness found with the current ordinance. There had been a lot of debate over the revisions. Chairperson Wipfli felt that the modifications were an indication of the City's efforts to work with businesses and develop a clear, understandable, and balanced process. He also indicated that it may take more time to complete the process and that it is the right thing to do. Additional comments were solicited but none were given. Chairperson Wipfli closed the item. No formal action was required or taken.

G-7. M-02/03-6 - DISCUSSION ONLY - DISCUSSION ON A PROPOSAL TO ADOPT A REDEVELOPMENT PLAN FOR THE COMMERCIAL CORRIDORS OF CARSON CITY (1-1505) - Senior Planner Lee Plemel, Consultant Charlie Long, Redevelopment/Economic Development Manager Joe McCarthy, Community Development Director Walter Sullivan, Richard George - Mr. Long indicated that the proposal was a progress report on the plan and its implementation. The presentation was part of the public outreach program. He introduced the members of the committee who were present and had worked on the proposal. A

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twenty minute power point program was shown illustrating the concept. Its five goals were explained. The three redevelopment areas were: North Carson Street including the College Parkway retail area; Highway 50 East between the present Redevelopment project to beyond Deer Run Road; and South Carson Street to the area east of the Costco site. Justification for redeveloping these areas was provided. Incentive programs used for redevelopment and the goals of the plan were noted. The importance of these commercial corridors to the City and the need to retain auto sales were limned. The areas of concern about process were noted including the need to use eminent domain laws. At this time the plan includes a prohibition against the use of eminent domain to condemn owner occupied single family real property. It was hoped that this prohibition will reassure the public that the plan is developing/supporting the community values. The plan also added a requirement mandating that the process develop a special report showing the economic benefits of the acquisition and reconveyance of commercial property. This is not a statutory requirement but one that the committee wanted. A cooperative agreement is being developed that will address the School District's loss of property taxes under the redevelopment process. Although Redevelopment requires a finding of blight, Mr. Long felt that the properties should not be stigmatized as blighted in order to receive the economic development opportunities provided under the program. The timeframe for adoption of the program was limned including the public outreach plan. Discussion questioned how Douglas County had been able to use Redevelopment laws to develop the commercial site at the northern portion of the county. Mr. Long felt that the Board of Supervisors, Planning Commission and the public would be relied upon to enforce compliance with the Redevelopment laws. Appropriate findings must be made before the areas can be designated for redevelopment. The MPO area had been included within the plan in order to address transportation and transit issues. The areas designated for consideration have been experiencing a decrease in property values, a loss in economic redevelopment interest, and a significant reduction in sales tax due to the loss of businesses or lack of economic development. Comments also pointed out the need to develop a fiscal impact and budget for the plan. Mr. Long indicated an implementation analysis should anticipate the amount of growth that will be provided in the assessed value and the Redevelopment funding that will be needed. He also indicated that Redevelopment's ability to fund the project(s) will depend upon the amount of private investment that occurs. The effort will try to induce private investment to participate.

(1-2112) Discussion between Mr. McCarthy and Commissioner Sedway indicated that hypothetical questions regarding the impact that the freeway will have on commercial establishments along Carson Street have been considered. Efforts are being made to reduce the impact by encouraging commercial investment along the corridors. Comments reiterated the concern regarding the loss of auto dealers and their concern about the loss of traffic. Mr. Long indicated that the dealers are interested in having a freeway location. He also explained that the loss of the through traffic will return the City streets to locals. Redevelopment can be the tool that creates a more "boulevard" like environment that provides a pedestrian friendly area. Redevelopment will work with investors who want this type of an environment. Examples were cited to illustrate the concept. Mr. McCarthy limned the Redevelopment success that has occurred in the downtown area to show how it can provide economic opportunities as more investment occurs.

Clarification indicated that the only area along the freeway presently being tentatively considered for redevelopment is the area at College Parkway. It may not be included in the final recommendation. Mr. Long then explained the proposal to work with the property owners on the east side of South Carson and south of the Armory to create either through joint ownership or a buy-sell agreement a large parcel for development. Redevelopment laws require that

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land owners be given an opportunity to participate in the process. He proposed meetings be held with the property owners to talk about a large scale development that could attract investors. Commissioner Sedway explained his understanding of the concept is that it stimulates development through the use of taxpayer funds as seed money. These funds are then repaid through an increased tax base, room taxes, etc. Based on this understanding of the concept, he felt that other areas should also be considered for inclusion in the process. Mr. Long explained that the Redevelopment laws have changed since Douglas County used it for its North Valley development. It now requires that 75 percent of the area must be improved. The suggested areas can meet this criteria. He then explained that as growth/development occurs creating large metropolitan areas, the center of the communities are being "hollowed out". The core areas, therefore, must do things to revitalize and retain their locations. Redevelopment laws provide a method of competing with the undeveloped sites. He also indicated that discussions have not occurred with Lyon County. Its residential growth will eventually attract retailers along Highway 50. The development challenges along Highway 50 were noted including the need for large parcels. Mr. Long felt that as there are few large parcels along it, developers will go further east, i.e., into Lyon County.

Mr. Sullivan thanked Mr. Long, the economic vitality committees, its subcommittees, and other individuals who had worked on the concept. He also indicated that the concept will be brought back to the Commission for approval in the future. Chairperson Wipfli also thanked all of the individuals who had worked on the program. If redevelopment can occur in Denver and Harlem, for example, it should be able to occur in Carson City. It will reinvent the downtown area. Public comments were solicited.

Mr. George explained his employment at Walmart and suggested that Walmart construct a store on Highway 50 East so that the grocery portion is in one county and the retail portion is in another county. This process will use the economic opportunities of both Counties to the best advantage while providing both Counties with additional revenue and meeting their residential needs. Commissioner Allen explained that the V&T Reconstruction Project goes through the area he was discussing. Mr. George pointed out that unless cooperation occurs, Lyon County could provide land at a location which will be detrimental to the City. Additional public comments were solicited but none were given. No formal action was required or taken.

H. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-2575)

H-1. STAFF BRIEFING ON THE STATUS OF COMMISSION RECOMMENDATIONS TO THE BOARD OF SUPERVISORS - Community Development Director Walter Sullivan explained that the Hospital Master Plan amendment and its rezoning had been approved on first reading. Second reading will occur on March 20. The Community Development Block Grant process has been revitalized by Kathy Laster. She sent two projects to the State for consideration along with a planning grant application. The Hospital will make a presentation to the Board regarding its regional project on March 20. Silver Oak has requested an extension of its tentative map as it is not ready to proceed. The Boys and Girls Club application for a change of land use will be heard on 4/3. The Board will be considering a request for acceptance of the Silver Oak PUD for planning and growth management purposes due to a change of ownership of different phases of the project as ordered by the courts. Two Commissioners have been scheduled to attend the American Planning Conference where a presentation on the neotraditional planning of Millennium Project will be made.

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Discussion explained that the applications for the Commission vacancy closed last week. There were 13 applications. The Board may elect to interview the candidates. The applicants were commended on their willingness to serve. It was hoped that another Commissioner will be on board by the next meeting. Preparations for the next Growth Management Commission meeting were described. Public participation in the process, including the need for media assistance, was encouraged. Mr. George indicated that he had applied for the vacant Commission seat. Mr. Sullivan indicated that a training session will be held with the Commission after the Legislature adjourns. A lot of planning law proposals were submitted to the Legislature. No formal action was taken on any of these items.

H-2. FUTURE COMMISSION ITEMS AND DATES (1-2680) - Community Development

Director Walter Sullivan indicated that the agenda for the next meeting may have a dinner recess. Commissioner Sedway announced that the Hospital will have its groundbreaking ceremony for the regional facility on July 18 at 11:30 a.m. and invited the public to participate. No formal action was taken.

I. ADJOURNMENT (1-2835) - Commissioner Peery moved to adjourn. Commissioner Allen seconded the motion. Motion carried 5-0. Chairperson Wipfli adjourned the meeting at 6:05 p.m.

The Minutes of the March 26, 2003, Carson City Planning Commission meeting

ARE SO APPROVED ON May 28, 2003.

/s/
Richard Wipfli, Chairperson