A regularly scheduled meeting of the Carson City Planning Commission was held on Wednesday, March 9, 2000, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 3:30 p.m.

PRESENT: Chair Allan Christianson, Vice Chair Alan Rogers, and

Commissioners Gayle Farley, William Mally, Roger Sedway,

and Richard Wipfli

STAFF PRESENT: Community Development Director Walter Sullivan, Deputy

District Attorney Melanie Bruketta, Senior Engineer John Givlin, Assistant

Planner Jennifer Pruitt, and Recording Secretary Katherine McLaughlin (P.C. 3/29/00 Tape 1-0008)

NOTE: Unless otherwise indicated, each item was introduced by the Chairperson. Staff then presented/clarified the staff report/supporting documentation. 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 Chair Christianson convened the meeting at 3:30 p.m. Roll call was taken. A quorum was present although Commissioner Larkin was absent. Chair Christianson lead the Pledge of Allegiance.
- **B. COMMISSION ACTION ACTION TO APPROVE 2/23/00 MINUTES (1-0038) -** Commissioner Rogers corrected the attendance to show that he was present and is the Vice Chair and typographical errors on Page 5 changing the word meant to met and on Page 17 changing the word Commission to Commissioner. Commissioner Rogers then moved to approve the Minutes as corrected. Commissioner Mally seconded the motion. Motion carried 6-0.
- C. PUBLIC COMMENTS (1-0062) None.
- **D. MODIFICATIONS TO THE AGENDA (1-0070) None.**
- **E. DISCLOSURES** (1-0077)- Chairperson Christianson disclosed his business relationship with James Stemler's employer. Mr. Stemler is the applicant for Item G-6. Chair Christianson did not feel that this business relationship would influence his ability to make a decision and indicated that he would participate in the discussion and vote. Deputy District Attorney Bruketta agreed that the relationship did not pose a conflict of interest.
- **F. CONSENT AGENDA (1-0097)**
- F-1. U-98/99-45 DISCUSSION AND ACTION ON THE ANNUAL REVIEW OF A PREVIOUSLY APPROVED SPECIAL USE PERMIT FROM GEORGE WEDDELL, VICTORY CHRISTIAN CENTER
- F-2. AB-99/00-2 DISCUSSION AND ACTION ON A REQUEST FROM WILLIAM D. LANDRY TO ABANDON PUBLIC RIGHT-0F-WAY
- F-3. U-99/00-31 DISCUSSION AND ACTION ON A SPECIAL USE PERMIT APPLICATION FROM STEVE KASTENS, PARKS AND RECREATION DIRECTOR Commissioner Mally moved to accept and approve the Consent Agenda items as read. Commissioner Wipfli seconded the motion. Motion carried 6-0.
- **G. PUBLIC HEARING** (1-0137) Chair Christianson welcomed Commissioner Farley and Assistant Planner Pruitt and complimented them on their appointments.
- G-1. U-99/00-29 DISCUSSION AND ACTION ON A SPECIAL USE PERMIT APPLICATION FROM ROY W. ENGELHARDT Assistant Planner Jennifer Pruitt, Roy Engelhardt Ms. Pruitt corrected the colors for the barn to be brown with gray slumpstone and Condition No. 2 to read: "The applicant shall submit a landscaping plan to the Community Development Department for approval for the proposed barn structure". Mr.

Engelhardt indicated he had read the staff report. He then explained the colors of the house and requested the colors be changed to gray with brown trim. The roof will be brown. He felt that these colors would better coordinate with the house and garage colors. Ms. Pruitt agreed to the change. Mr. Engelhardt then explained the purpose of the building and intent to work with Community Development on the landscape plan if trees did not have to be planted over the sewer line. Public testimony was solicited but none given. Commissioner Wipfli moved to approve U-99/00-29, a special use permit request from Roy W. Engelhardt to allow a detached barn structure of approximately 1,920 square feet, which exceeds 50 percent of the square footage of the primary structure, in the Single Family One Acre zoning district located at 1370 South Sutro Terrace, APN 8-483-01, based on seven findings and subject to eight conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission/Board by the applicant may be considered as further stipulations or conditions of approval on this application. Following discussion concerning an amendment, Commissioner Wipfli amended his motion include Condition No. 8 requiring the applicant to submit the landscape plans to the Community Development Department for approval for the proposed barn structure Commissioner Mally seconded the motion. Motion carried 6-0.

G-2. U-99/00-30 - DISCUSSION AND ACTION ON A SPECIAL USE PERMIT APPLICATION FROM CRAIG AND MARY ANN HOLMES (1-0249) - Assistant Planner Pruitt, Community Development Director Walter Sullivan, Craig Holmes - Reasons the application had been sent to the Airport Authority were noted. Comments from the Airport Authority had not been received. Mr. Holmes had read and agreed to the report recommendations. He had contacted his adjacent neighbors and felt that they understood his plans. They supported the project. The letter of opposition was from a neighbor who lives some distance away. A map illustrating this individual's parcel and his was given to the Commission and Clerk. (A copy is in the file.) His computer enhanced photographs of the area were explained. (A copy is in the file.) Public testimony was solicited but none given. Commissioner Mally moved to approve U-99/00-30, a special use permit request from Craig and Mary Ann Holmes to allow a private workshop/RV storage structure of approximately 2,280 square feet, which exceeds 50 percent of the square footage of the primary structure in a Conservation Reserve, CR, zoning district located at 2103 Kelvin Road, APN 8-816-10, based on seven findings and subject to eight conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission/Board by the applicant may be considered as further stipulations or conditions of approval on this application. Commissioner Wipfli seconded the motion. Motion carried 6-0. Mr. Sullivan briefly described the appeal process including the 15 day filing period.

G-3a. U-99/00-32 - DISCUSSION AND ACTION ON A SPECIAL USE PERMIT APPLICATION FROM KEVIN AND ELLEN FALLON, AND G-3B. V-99/00-32 - DISCUSSION AND ACTION ON A VARIANCE REQUEST FROM KEVIN AND ELLEN FALLON (1-0376) - Principal Planner Rob Joiner, Kevin Fallon, Roy P. Semmens - Two letters of opposition had been received and were included in the packet. Discussion between the Commission and Mr. Joiner indicated that the proposed building will be a two story structure as is the residence. Mr. Joiner had discussed with the applicant another location for the structure but had not discussed reducing the height. Mr. Fallon indicated he had read the report and agreed with its findings. The two story structure was proposed as it matched the residence and would meet their space requirements. He had purportedly discussed the plans with his neighbors who were amenable to the plans. His efforts to make the structure the least obtrusive as possible were noted. Computer enhanced photographs were discussed with the Commission. (At the close of the discussion, they were returned to Mr. Fallon.) Reasons for the proposed location were reiterated. Other locations were discussed. Commission comments indicated that if the building is moved southward, the topography would reduce the height. The need for the retaining walls may be eliminated as well as all or part of the setback encroachment. Unfortunately, this placed the structure in a landscaped area. Commissioner Wipfli explained his tour of the site and supported Commissioner Sedway's proposed location. He also suggested a location which was in front of the residence that would be even less obtrusive to the neighbors. Mr. Fallon indicated that the garage would be connected to the septic system. Commissioner Wipfli suggested the structure be made one story with a small guest house. Mr. Fallon reiterated his comments regarding discussions with the neighbors prior to filing the application. He was aware of the prohibition against using the space as a rental. The application should indicate there will be restroom facilities in the structure. The second story is to be used for office space and storage. Commissioner Mally explained that if the facility is moved as Commissioners Sedway and Wipfli suggested, the variance may not be required. Mr. Fallon then agreed that the structure could be

moved to the south and expressed a willingness to do so. Discussion indicated that he could withdraw the variance. The location would need to be determined as part of the special use permit. Mr. Fallon then explained the reasons for selecting the original site and expressed his willingness to withdraw the variance request.

Mr. Joiner then explained that if the structure is attached to the house, a special use permit would not be required. The minimum setback from the house is six feet. Commissioner Rogers suggested that Mr. Fallon request a continuance and reassess the location options. Mr. Fallon described his original concept and reviewed his options. He then requested a continuance.

Public testimony was solicited. Mr. Semmens described Mr. Fallon's access easement through his property, the drainage ditch through Mr. Fallon's property, and his work with Mr. Fallon on the site selection for the building. He did not feel that the location impacted his neighbors' views. The structure would be an asset to the area and similar to another structure in the vicinity. He also used the photographs to explain the location of a fence and the proposed location. He urged the Commission to visit the site and "lay out a string" to understand the proposal. Commissioner Rogers expressed the Commission's desire to preserve the setbacks. Mr. Semmens indicated that relocating the structure as the Commission had suggested would destroy landscaping. It may be possible to move it six feet to the south. He reiterated his contention that the proposed site did not impact the north property or its view. The drainage ditch will restrict this movement. The structure and its landscaping will be an attribute to the area. Mr. Sullivan agreed to have Mr. Joiner visit the site. Commissioner Rogers then explained a concern and desire that Mr. Fallon rescind his withdrawal of the variance until staff can work with him on the site. Both Mr. Fallon and Mr. Semmens agreed to work with staff. Mr. Joiner suggested that Mr. Fallon meet with the neighbors again and attempt to resolve their problems. Additional public comments were solicited but none provided.

Mr. Joiner noted that a request for a continuance would waive the timelines required for the public hearings. Mr. Fallon then requested a continuance of both the special use permit and the variance requests. He agreed to meet with his neighbors. He also indicated that he understood that this would extend the timeline for action on his applications. Commissioner Wipfli moved to continue V-99/00-16 and U-99/00-32 until the next meeting which is the April meeting. Commissioner Mally seconded the motion. Motion carried 6-0.

G-4. U-99/00-34 - DISCUSSION AND ACTION ON A SPECIAL USE PERMIT APPLICATION FROM JAMES HADDEN, AND G-4b. V-99/00-17 - DISCUSSION AND ACTION ON A VARIANCE REQUEST FROM JAMES HADDEN (1-1020) - Principal Planner Joiner, Cactus Jack's General Manager Bill Hissam - Mr. Hissam indicated he understood the concern and reasons for coming back to the Commission. Public testimony was solicited but none given. Discussion explored the reasons the lots were not equal in size. Mr. Hissam agreed with the staff report, its conditions and findings. Commissioner Wipfli moved to approve V-99/00-17, a variance request from Peter V. Investment Company and Carson City to vary from the minimum setback requirements for properties zoned Downtown Commercial and for lot area requirements for the Downtown Commercial zoning district; and move to approve U-99/00-34, a special use permit to allow development of a parking lot on property zoned Residential Office and Downtown Commercial on property located at 412 North Curry Street, APN 3-225-01, based on five findings for V-99/00-17 and five findings for U-99/00-34, and subject to five conditions of approval for V-99/00-17 and seven conditions of approval for U-99/00-34 contained in the staff report and with the understanding that any acknowledgements to the Commission/Board by the applicant may be considered as further stipulations or conditions of approval on this application. Commissioner Mally seconded the motion. Motion carried 6-0.

G-5. V-99/00-15 - DISCUSSION AND ACTION ON A VARIANCE REQUEST FROM STEVE BOECHE (1-1195) - Principal Planner Rob Joiner, Steve Boeche - Discussion indicated the flags were not part of the signage. The sign does not rotate or having flashing lights. Mr. Boeche indicated he had read the staff report and that he totally agreed with the conditions of approval. Public comments were solicited but none given. Commissioner Mally moved to approve V-99/00-15, a variance request from Stephen and Kathleen Boeche, property owners, to exceed the sign provisions on property zoned General Commercial located within a shopping center located at 3190 Highway 50 East, APN 8-302-41, based on five findings and subject to six conditions of approval as contained in the staff report and with the understanding that any acknowledgements to the Commission/Board by the applicant may be considered as further stipulations or conditions of approval on this

application. Commissioner Wipfli seconded the motion. Motion carried 6-0.

- G-6. V-99/00-14 DISCUSSION AND ACTION ON A VARIANCE REQUEST FROM JAMES STEMLER (1-1325) Senior Planner Juan Guzman, James Stemler Photographs illustrating the drainage and flooding on the site in 1997 were distributed to the Commission. Discussion indicated the applicant also owns the parcels to the east and west of the subject parcel. Mr. Stemler indicated his total concurrence with staff's recommendations. Public testimony was solicited but none given. Commissioner Farley moved to approve V-99/00-14, a variance request from James Stemler to vary the sideyard setback from the required 15 feet to the proposed seven feet on property zoned Single Family One acre located at 3800 Lakeview Road, APN 7-161-06, based on five findings and subject to six conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission/Board by the applicant may be considered as further stipulations or conditions of approval on this application. Commissioners Sedway and Wipfli seconded the motion. Motion carried 6-0. (The photographs were given to Mr. Sullivan during discussion on the following item.)
- **G-7.** U-99/00-27 DISCUSSION AND ACTION ON A SPECIAL USE PERMIT APPLICATION FROM MARK A. LOPICCOLO (1-1460) Community Development Director Walter Sullivan, Mark Lopiccolo Discussion indicated the request was required as the building is within the required setbacks. New elevations had been distributed to the Commission and Clerk. (A copy is in the file.) Mr. Lopiccolo indicated he agreed with staff's findings. The sixth finding should be that the project would not burden any public safety services as only one individual would be living there. It would be an small addition which should not impact anyone. Public testimony was solicited but none given. Commissioner Farley moved to approve U-99/00-27, a special use permit from Mark Lopiccolo, property owner: Karen Pecorilla, to allow the expansion of a nonconforming building on property zoned Single Family 6,000 located at 1004 West King Street, APN 3-187-04, based on seven findings and subject to five conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission/Board by the applicant may be considered as further stipulations or conditions of approval on this application. Commissioners Mally and Sedway seconded the motion. Discussion noted Mr. Lopiccolo's sixth finding. Motion carried 6-0.

BREAK: A recess was declared at 5:05 p.m. A quorum of the Commission was present when Chair Christianson reconvened the meeting at 5:10 p.m. Commissioner Larkin was absent as previously indicated.

G-8. A-99/00-3 - DISCUSSION AND ACTION ON CODE AMENDMENTS TO CCMC sections 18.02.035(2), 18.02.064, 18.02.083, 18.02.106, 18.05.026, 18.020, AND 18.05.070 (1-1594) - Community Development Director Sullivan - Clarification changed the title for Section 18.05.022 to the number of parking spaces required. Section 18.05.026, Line 6, was amended to read "trash and recycling enclosures". Considerable discussion ensued on the recycling igloos, reasons for having them in public view, and justification for the proposal to place them behind fences with the trash containers. Mr. Sullivan offered to work with these groups and develop appropriate signage and hours when the bins could be used by the public. The Boy Scouts' recycling igloos were used to illustrate the concern and reasons why Mr. Sullivan's suggestion would not work. Commissioner Rogers suggested two categories of receptacles, one for non-profit organizations and the other for businesses. The business recycling bins should be located where the trash is kept. The non-profit organization's need for public access and visibility was stressed. Mr. Sullivan suggested that he be allowed the latitude to consider non-profit requests and approve their location outside the enclosed structures. This flexibility would control the type of bin being used, the location, and period of time allowed. Reasons Sierra Pacific had discontinued its bin were noted. Commissioner Rogers expressed his concern about a time restriction on the nonprofit bins. Chair Christianson felt that this issue should be left to staff's discretion. Commissioner Rogers suggested that if staff approves the site, a time restriction should not be required. If it is a temporary issue, staff could also deal with it. He agreed to leave it to staff's discretion. Discussion ensued on Section 8 dealing with hazardous and offensive animals. Mr. Sullivan indicated that the definition is found in the NRS. Commissioner Rogers moved to approve Item G-8, Code amendments to Sections 18.02.035, Paragraph 2; 18.02.064; 18.02.083; and 18.02.106, and the changes as recommended by the Commissioners. Commissioner Wipfli seconded the motion. Motion carried 6-0.

(1-1917) Following discussion, Commissioner Rogers moved to amend 18.05, to remove 18.05.020, and to remove 18.05.070 which are titled parking and nonconforming uses. Commissioner Wipfli seconded the motion. Following a request for an amendment, Commissioner Rogers amended his motion to include the word "parking" in the title of 18.05.022 so that it reads: Number of Parking Spaces Required. Commissioner Wipfli concurred. Motion carried 6-0.

H. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-1949)

H-1. STAFF BRIEFING ON THE STATUS OF COMMISSION RECOMMENDATIONS TO THE BOARD OF SUPERVISORS AND CORRESPONDENCE TO THE COMMISSION - Mr. Sullivan explained the Board's action on the home occupation ordinance, the Subconservancy's water shed plan, the one year extension on the Hidden Meadows tentative map for Al Bernhard, the merger map for Phase 3 of the Northridge Subdivision, and the budget decision to use one-shot funding for a half-time secretarial position. He thanked the Commissioners for their support. Discussion indicated two formal appeals had been filed on the Costco Special Use Permit and one appeal on the Albertson's Special Use Permit. The concerns regarding one of the appeals have been addressed and the appeal was withdrawn. The second appeal may have to be settled by the Board. Commissioner Rogers questioned the ownership of a parcel which had a large for sale sign on it in the vicinity of the proposed Costco site. Mr. Sullivan was not aware of the sign nor the ownership.

COMMISSION COMMENTS (1-2040) - Chair Christianson explained a suggestion that if the Commissioners no longer used their binders, the Department could save the cost of purchasing pre-punched copier paper. Commission consensus supported his suggestion and encouraged the Department to "analyze" the suggestion. Discussion noted this item had not been agendized. Chair Christianson welcomed Ms. Bruketta back as the Commission's legal counsellor.

- H-2. FUTURE COMMISSION ITEMS AND DATES (1-2035) Comments indicated the April agenda appears to be light.
- **I. ADJOURNMENT** (1-2124) There being no other matters for consideration, Chair Christianson adjourned the meeting at 5:40 p.m.

The Minutes of the March 29, 2000, Carson City Planning Commission meeting

ONMay_31, 2000.	ARE	S O	APPROVED
_/s/	Allan Chris	Allan Christianson, Chair	