

CARSON CITY REGIONAL PLANNING COMMISSION
Minutes of the April 29, 1998, Meeting
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A regularly scheduled meeting of the Carson City Regional Planning Commission was held on Wednesday, April 29, 1998, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 3:30 p.m.

PRESENT: Chairperson Verne Horton, Vice Chairperson Deborah Uhart,
and Commissioners Allan Christianson, William Mally,
Archie Pozzi, Alan Rogers, and Richard Wipfli

STAFF PRESENT: Community Development Director Walter Sullivan, Health
Director Daren Winkelman, Principal Planner Rob Joiner,
Deputy District Attorney Melanie Bruketta, Senior Planners Juan
Guzman and Tara Hullinger, and Recording Secretary Katherine McLaughlin (1-0001.5)

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 -
Chairperson Horton convened the meeting at 3:35 p.m. Roll call was taken. A quorum was present although Commissioners Uhart and Mally had not yet arrived. Chairperson Horton lead the Pledge of Allegiance.

B. APPROVAL OF MINUTES - January 7 and February 25, 1998 (1-0012.5) - Commissioner Wipfli moved to approve the Minutes of January 7 and February 25, 1998, as presented. Commissioner Christianson seconded the motion. Motion carried 5-0.

C. PUBLIC COMMENTS (1-0018.5) - None.

D. AGENDA MODIFICATIONS (1-0027.5) - Mr. Sullivan requested Items F-3 and F-5 be pulled from the Consent Agenda for discussion. The property owner and the applicant had requested Item G-14 be withdrawn. (Commissioner Mally arrived at 3:38 p.m. A quorum was present as indicated.)

E. DISCLOSURES (1-0044.5) - None.

F. CONSENT AGENDA

F-1. D-97/98-8 - DISCUSSION AND POSSIBLE ACTION ON A REQUEST FROM CARSON CITY

F-2. AB-97/98-10 - DISCUSSION AND POSSIBLE ACTION ON A REQUEST FROM THE DIVISION OF STATE LANDS

F-4. U-96/97-54 - DISCUSSION AND POSSIBLE ACTION ON A REQUEST FROM LINDA AND DAVID LAW (1-0045.5) - Discussion indicated Item F-2 was to be continued at the applicant's request and that F-3 and F-5 would be discussed following action on the remaining items. Commissioner Wipfli moved to approve the Consent Agenda items 1, 2, and 4. Commissioner Mally seconded the motion. Motion carried 6-0.

F-3. U-96/97-56 - DISCUSSION AND POSSIBLE ACTION ON THE ANNUAL REVIEW OF A PREVIOUSLY APPROVED SPECIAL USE PERMIT APPLICATION FROM CARSON DETOX CENTER (1-0062.5) - Principal Planner Rob Joiner and Community Development Director Walter Sullivan - Mr. Sullivan stipulated that Carson City Capital Projects Advisory Committee had committed to including the infrastructure improvements with the Public Safety Complex improvements and concurred with the findings and conditions of approval. Public testimony was solicited but none given. Commissioner Mally moved that the Planning Commission approve a review of U-96/97-56, a request from Carson Treatment Center for expansion and improvement of their facility, with no further annual reviews, located at 915 East Musser Street, formerly 120 North Harbin Street, based on eight findings and eleven conditions of approval contained in the staff report dated

April 30, 1997, and in reference to the conditions of approval of U-91/92-18 and U-91/92-18a, with the understanding that any acknowledgements to the Commission or Board by the applicant shall be considered as further stipulations or conditions on this application. Commissioner Wipfli seconded the motion. Motion carried 6-0.

F-5. U-91/98-37 - DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT APPLICATION FROM FRANK SNOPKO (1-0125.5) - Mr. Sullivan explained the applicant's written request for a continuance and staff's recommendation that the continuance be for an indefinite period. Public comments were solicited but none given. Commissioner Wipfli moved to continue U-91/92-37 for an indefinite period. Commissioner Christianson seconded the motion. Motion carried 6-0.

G. PUBLIC HEARINGS

G-1. U-97/98-38 - DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT APPLICATION FROM MICHAEL HYAMS, VICE PRESIDENT OF MARKETING (1-0176.5) - Principal Planner Joiner, Ormsby House Chief Executive Officer Bob Cashell, David Piel, Carson City Convention and Visitors Bureau Executive Director Candice Duncan - Mr. Joiner's introduction included a correction to the dates to be from May 22 through November 1 and that the parking lot abutting Sixth Street on the east side of the casino would not be affected by the events. Discussion between Mr. Joiner and the Commission indicated Carson Street would be closed just prior to and during the four firework events. Traffic is rerouted onto Stewart Street from South Carson to Williams Street. Mr. Cashell introduced Michael Hyams and Fred Nietz and thanked staff, his surrounding neighbors, and NDOT for their cooperation and assistance throughout the process. Events will be held every weekend. Some of the events will be tied to different charitable organizations. Approximately 12 concerts will be held in the convention center. He agreed that the first year may be aggressive but would help make Carson City a destination point. His employees and community supported the plans.

Public testimony was solicited. (1-0342.5) Mr. Piel and Ms. Duncan supported the request based on the potential tourist attractions it would create. Mr. Piel indicated that he had volunteered to provide some drawings to support the event and noted the Ormsby House's January support of the Carson Advocates for Cancer Victims. Additional comments were solicited but none given.

Commissioner Christianson moved to approve special use permit U-97/98-38, a request from Michael Hyams, Ormsby/Carson LLC and Bob Cashell, to allow outdoor festivals and events on weekends between May 22 and November 1, 1998, on property located at 600 South Carson Street and 515 South Carson Street, APNs 3-092-01, 4-061,-02, and 3-094-01, based on five 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 Pozzi seconded the motion. Following discussion, Commissioner Christianson amended his motion to modify Condition 8's date to November 1. Commissioner Pozzi concurred. Motion carried 6-0.

Mr. Sullivan noted for the record that all the property owners within 300 feet of the project site had been sent written notices. Staff had received no adverse comments from those individuals.

G-2. U-97/98-39 - DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT APPLICATION FROM EDWARD SHAW (1-0410.5) - Principal Planner Joiner, Edward Shaw, Elinor Benes, Chris Rojo - Discussion between the Commission and Mr. Joiner indicated that if there are more than adequate parking spaces available, outdoor sales/display could be allowed if approved by staff. Fuel storage and waste facilities would meet City standards. Mr. Shaw distributed to the Commission and Clerk renderings of the floor plan, which he explained.

Public testimony was solicited. Ms. Benes expressed her concern about the noise which would be created by the motorcyclists using the facility and described her awareness of motorcycles at the shopping center and on 395. Mr. Rojo, the adjacent business proprietor, supported the proposal. Additional public comment was solicited but none given.

Commissioner Wipfli moved to approve U-97/98-39, a special use permit request from Shaw Construction Company, Harry Berlin, owner, to allow a motorcycle sales and service facility on property zoned Retail Commercial located at 2749 North Carson Street, APN 2-061-03, based on seven findings and subject to seven conditions of approval contained in the staff report and with the understanding that any acknowledgments to the Commission or 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-3. U-97/98-41 - DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT APPLICATION FROM GEORGE GEORGESON (1-0555.5) - Principal Planner Rob Joiner, George Georgeson, Frank Page - Mr. Joiner clarified the request as being to increase the current 175 parking spaces to between 215 and 220. He also indicated that there are several abandonment requests to follow. Future plans will require additional special use permits. He amended Condition 7 to require the submittal of, review by, and approval by the staff of the final landscaping plans. Mr. Georgeson thanked staff for its assistance in submitting the required information and application. He described the current and proposed landscaping and parking area by using area maps. His description included the current drainage problems, the proposed improvements and landscaping plans, and the abandonment requests. He indicated that there are no manholes in the Walsh Street area under consideration for abandonment. An easement will be granted for the maintenance of the waterline. The proposal will maximize the parking area and allow the public and more employees to use the lot. Plans at this time do not call for irrigating the landscaping with effluent. The irrigation lines and meters will be replaced. The drainage plan was explained and should mitigate all of the current problems. The pedestrian walkways in the area were discussed. Commissioner Rogers suggested the State be required to install a sidewalk along the west side of Roop Street between Musser and Second. Mr. Georgeson described the parking plan in detail. He indicated that parking spaces will be eliminated rather than have vehicles park over manholes. No buildings will be constructed on streets containing utilities or manholes. If or when this such a site is planned in the future, the State will pay to relocate the manholes and utilities.

Public comments were solicited. Mr. Page requested the following abandonments be discussed as a part of this application. Chairperson Horton ruled that they were separate issues and would not be discussed together. Mr. Page then indicated he would hold his comments until the next item. Additional public comments were solicited but none made.

Commissioner Rogers requested the following items be included in the discussion. Mr. Joiner acknowledged that the four items were inter-related and agreed to combine them.

G-4. AB-97/98-7 - DISCUSSION AND POSSIBLE ACTION ON A REQUEST FROM THE DIVISION OF STATE LANDS; G-5. AB-97/98-8 - DISCUSSION AND POSSIBLE ACTION ON A REQUEST FROM THE DIVISION OF STATE LANDS; AND, G-6. AB-97/98-9 - DISCUSSION AND POSSIBLE ACTION ON A REQUEST FROM THE DIVISION OF STATE LANDS (1-0975.5) - Senior Planner Tara Hullinger, Mr. Joiner, Mr. Georgeson, State Public Works Board Project Manager Dan Daily, Mr. Page, Acting Public Works Director Tim Homann - Discussion among Commissioner Rogers, Mr. Joiner, and Mr. Page indicated there is no sidewalk on the west side of Roop Street. The proposed plan did not correct this deficiency. Mr. Georgeson explained the reasons for requesting the abandonments, the building expansion for Employment Security, and the area adjacent to the Kincaid Building designated for public and handicapped parking. Mr. Daily explained the State activities in the Kincaid Building. Funding for the parking area is available. Construction should occur within six months. Building expansion sites were noted. He agreed that the sidewalk along Roop Street could be added to the project as an alternate and, if funding is available, it may be constructed. Mr. Joiner explained the Code requirement for frontage improvements. He supported having the sidewalk added as Mr. Daily had stipulated, i.e., as an alternate and if funding is available included in the construction.

(1-1210.5) Public testimony was solicited. Mr. Page referenced his letter and questioned the traffic circulation pattern and the need for a traffic signal at Roop and Musser. (A copy of his letter is included in the file.) He suggested the State be required to dedicate to the City additional right-of-way on Roop so that another traffic lane could be constructed if and when it is needed. He also urged the Commission to require the State to conduct a

traffic study. The State should be required to participate in the traffic signal if and when it becomes necessary. He also suggested King Street be abandoned. Discussion between Mr. Page and Mr. Georgeson indicated that Second Street would be able to turn both left and right onto Roop Street. Chairperson Horton also noted that the abandonment is not contingent upon a specific traffic pattern/plan. Mr. Georgeson indicated the plan had not been finalized to indicate the traffic pattern on King Street. Walsh Street would be closed from King to Second Street. The remainder would remain open. Mr. Page expounded on his reasons for requesting access to Roop Street be restricted and removing the balance of the parking on Musser Street. Additional public comments were solicited but none given.

Mr. Homann responded to Mr. Page's comments and Sue Newberry's memo by explaining that the project would be phased, that the abandonments would not change the current usage, but future project may create an impact which will have to be mitigated. This process would include another hearing before the Commission. The total impacted area--Musser to Fifth, Stewart to Roop--is all under the State's control and access is restricted unless an individual is wanting to go to one of its offices. A majority of this traffic is generated by the employees. Internal circulation patterns will be considered by the Commission at a future date. Access points and circulation patterns are valid concerns and may dictate another traffic study. He could not at this time require another traffic study. New buildings may also require another traffic study and/or a traffic signal. The City could restrict the parking on Musser Street and may do so in the future. Issues which would be analyzed and require the closure were noted. The Public Safety Complex had required a traffic study which indicated a signal was not warranted at Musser and Roop Street. A second look at this intersection still indicates, by the numbers, that a signal is not warranted. (Commissioner Mally stepped from the room--5 p.m. A quorum was still present.) Political action could, however, require one. He could not at this time quantify the State's share for a signal which is not warranted. In response to Ms. Newberry's comments, he did not feel that the area was part of the street's grid system as the surrounding streets had been blocked off and prevented through traffic. This makes the area an internal campus. The Commission should analyze the proposed parking area and determine if the area is pedestrian friendly. He agreed with Commissioner Rogers about the need for a sidewalk along Roop Street, however, it would be "stretching" the Code to require it. The State had committed to looking at it as part of the overall master plan. Any substandard sidewalks abutting the development should be upgraded. Chairperson Horton pointed out that the special use request was for a parking lot which involves the abandonment of one block of Walsh Street. The balance of the abandonment requests are for rights-of-way. State plans for these abandonments were unknown at this time. Mr. Homann agreed with Mr. Page about the future need to widen Roop Street but could not at this time advise the Commission as to the amount of right-of-way which should be required. When this becomes necessary, the State may lose a few parking spaces. He then explained for Commissioner Rogers the signal requirements and participation terms. Commissioner Rogers supported the overall concept and the amenities. The project is self-contained. A majority of the pedestrian traffic is generated from the State offices. Mr. Homann indicated that the sidewalk upgrades were a part of the approval process. Advantages for the City from the abandonments were noted. The State would have to respond to the Commission if the Commission elects to require the Roop Street sidewalk.

Mr. Georgeson explained that any and all cracked/damaged or uplifted sidewalk areas would be replaced. (Commissioner Mally returned--5:10 p.m. A quorum was present.)

Commissioner Wipfli thanked Mr. Homann for explaining the traffic study and expressed his feeling that Mr. Homann was on top of the street concerns. Chairperson Horton reminded the Commission that the Special Use Permit is separate from the abandonments. Only the parking lot is to be constructed at this time. Special Use Permits for future projects will be required when the State develops the abandoned areas.

Commissioner Mally moved to approve U-97/98-41, a special use permit request from George J. Georgeson, P.E., CSA, Inc., Engineers, property owner - State of Nevada, Division of State Lands, to allow a redesign of an existing parking lot for approximately 200 parking spaces on property zoned Public located on APN's 4-187-02 and 03 and 4-188-01, 02, and 03, 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 or Board by the applicant may be considered as further stipulations or conditions of approval on this application. Commissioners Christianson and Pozzi seconded the motion. Following Commissioner Rogers' request for an amendment, Commissioner Mally amended his motion to modify Condition 7 as staff had requested to indicate that the final landscape plan

will be reviewed and approved by staff and to require a ninth condition that a sidewalk from King Street to Musser on the west side of Roop be included in the project. Commissioner Pozzi concurred. Motion carried 6-0.

Commissioner Mally moved that the Planning Commission approve and recommend to the Board of Supervisors approval of AB-97/98-07, an abandonment request from the State of Nevada to abandon an approximate 66 feet wide by 420 feet long portion of North/South Walsh Street located between East Musser Street and East Second Street adjacent to APNs 4-185-03, 4-185-04, 4-184-01, 4-184-05, 4-187-02, 4-187-03, 4-188-01, and 4-188-03 based on two findings and subject to four conditions of approval as contained in the staff report, and with the understanding that any acknowledgements to the Commission or Board by the applicant may be considered as further stipulations of approval on this application. Commissioner Pozzi seconded the motion. Motion carried 6-0.

Commissioner Mally moved to approve a motion to recommend that the Board of Supervisors approve AB-97/98-08, an abandonment request from the State of Nevada to abandon an approximate 80 feet wide by 879 feet long portion of East King Street located between North/South Stewart Street and North/South Roop Street adjacent to APNs 4-193-01, 4-194-01, 4-187-01, 4-185-04 and 4-186-01 based on two findings and subject to four conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission or Board by the applicant may be considered as further stipulations or conditions of approval on this application. Commissioner Pozzi seconded the motion. Motion carried 6-0.

Commissioner Mally moved to approve a motion to recommend that the Board of Supervisors approve AB-97/98-09, an abandonment request from the State of Nevada to abandon an approximate 66 feet wide by 879 feet long portion of East Second Street adjacent to APNs 4-194-01, 4-081-01, 4-083-01, 4-083-04, 4-187-01, and 4-187-03 based on two findings and subject to four conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission or Board by the applicant may be considered as further stipulations or conditions of approval on this application. Commissioner Pozzi seconded the motion. Motion carried 6-0.

BREAK: A 15 minute recess was declared at 5:15 p.m. A quorum of the Commission was present when the meeting was reconvened at 5:30 p.m. although Commissioner Uhart had not yet arrived.

G-12. M-97/98-13 - DISCUSSION AND POSSIBLE ACTION ON A DETERMINATION BY THE PLANNING COMMISSION AT THE REQUEST OF THERESA BALENTINE (1-1790.5) - Senior Planner Juan Guzman, Jerry Balentine - Mr. Balentine thanked the Commission and staff for their time and consideration. Mr. Balentine explained his reasons for feeling that a special use permit should not be required. The firm manufactures and fabricates products. There are small firms who manufacture/fabricate similar items in the air industrial park and his building. No customers will come to the site. An outside sales person goes to the customer's worksite and brings back the item. There will not be any walkin traffic. Public testimony was solicited but none given. Commissioner Mally moved that the Planning Commission find that a printing office with limited contact of the general public may be conducted within the Airport Industrial Park, AIP, zoning district subject to approval of a special use permit. Commissioner Wipfli seconded the motion. Commissioner Pozzi explained the original commitment by the Board of Supervisors to develop the area as an industrial area. Encroachments by other firms downgrade this commitment. He urged the Commission to maintain the time honored commitment to keep the area restricted to industrial uses. For this reason he indicated that he would oppose the motion. Chairperson Horton indicated his appreciation of the comments, however, he had been convinced of the applicant's parallel to his actual being an industrial operation in that he manufactures a product. The product just happens to be on paper at the time. But it is basically an industrial type of operation as opposed to a retailer. He agreed that the Commission had been a little to lenient on some occasions in the past, such as when the dance studio, etc., have been allowed. Additional comment were solicited but none made. The motion to find that a printing office with limited general public contact may be conducted within the Airport Industrial zoning district subject to approval of a special use permit was voted by roll call with the following result: Wipfli - Aye; Mally - Aye; Rogers - Aye; Christianson - No; Pozzi - No, Uhart - absent; and Chairperson Horton - Aye. Motion carried 4-2-0-1.

G-7. U-97/98-40 - DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT

APPLICATION FROM NOWLAND R. PRATER (1-1969.5) - Mr. Joiner, Nowland Prater - Public comments were solicited but none given. Commissioner Wipfli moved to approve U-97/98-40, a special use permit request from Nowland R. Prater to allow an accessory structure exceeding 50 percent of the square footage of the primary structure, located at 512 Mountain Street, APN 3-241-01, based on seven findings and subject to six conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission or 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-8. U-97/98-34 - DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT APPLICATION FROM STEVEN D. HANA (1-2069.5) - Senior Planner Sandra Danforth, Steven Hana - Public testimony was solicited but none given. Commissioner Christianson moved to approve U-97/98-34, a special use permit request from Steven D. Hana to allow accessory structures with total square footage exceeding 50 percent of the square footage of the primary structure on property zoned Mobilehome One Acre, located at 7626 Parker Drive, APN 9-322-22, based on seven 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. Commissioner Wipfli seconded the motion. Motion carried 6-0.

G-9. U-97/98-36 - DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT APPLICATION FROM ROBERT AND LAURA FITZ (1-2138.5) - Mrs. Danforth, Robert Fitz - Mrs. Danforth indicated that the computer program would provide staff adequate notice to avoid counting the parking spaces on the adjacent parcel twice if it is developed at a future date. Mr. Fitz indicated he "did not object to any of the stipulations" placed against the project. Public testimony was solicited but none given. Commissioner Christianson moved to approve U-97/98-36, a special use permit request from R. and L. Fitz to allow a three-space off-site parking area within 300 feet of the building site on property zoned Retail Commercial located at 3150 Carmine Street, APN 8-302-01, to provide a portion of required parking for 3188 Carmine Street, APN 8-302-16, based on seven findings and subject to nine 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.

G-10. U-97/98-35 - DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT APPLICATION FROM MAX JONES (1-2238.5) - Mrs. Danforth, Max Jones - Discussion noted the cabins would be located in Spooner Lake State Park. Reasons for having two cabin sizes were noted. The cabins will be constructed from dead Lodge Pole Pines found in the vicinity. Public testimony was solicited but none given. Commissioner Mally moved to approve U-97/98-35, a special use permit request from Max Jones, DBA Spooner Lake X-L Ski Area, property owner - State of Nevada, to allow construction of two cabins on property zoned Conservation Reserve located within the Nevada State Park on Assessor's Parcel No.s 7-021-11 and 7-021-19 as shown on the attached maps, based on seven findings and subject to six conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission or 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-11. U-97/98-33 - DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT APPLICATION FROM SID WILLIAMS (1-2344.5) - Mr. Guzman, Applicant's architect Scot Barbour, Lumos and Associates Engineer Carl Cavolick, Senior Engineer John Givlin, Acting Utilities Director Jay Ahrens, Mike Kechely, Jim McGee, Bob Bondiott, Elaine McGee, Alba Reese, Sid Williams, Deputy District Attorney Melanie Bruketta, Community Development Director Walter Sullivan - Discussion between the staff and Commission indicated the signage plan had not been submitted for staff's review. The Commission could restrict the signage to less than that allowed by the Code if specific findings supporting the restriction are made. The landscaping details are to be provided by the architect. Mr. Barbour gave the Commission a poster board containing photographs, explained the current zoning and surrounding uses, and reviewed the plans. (After the vote, he took the poster board back.) He felt that the current zoning made the commercial lot undevelopable. The project is a visual and acoustical buffer for a small, interesting shopping center which would serve as a transitional use between the SF1A

and the larger Albertson's shopping center. The landscaping plans exceed the City Code requirements. It also serves as a buffer between the two uses. The signage is one-third of that allowed by Code. He explanation included a description of the view which the adjacent neighbor would have over the project. The zoning line for the property to the south is in front of the property and not at the rear of it. Therefore, it could not be developed as commercial property. His site is the exception. The center is proposed as a small neighborhood mall with small businesses. The traffic study was noted. The developer had agreed to pay a five percent portion of the cost of the signal improvements at Clearview and Carson. The location for the trash receptacle was indicated. The water and sewerlines will be extended to the area. A detention basin will be constructed in the southeast corner of the property. He explained the purpose of the "visual tower", building height, the air conditioning location, the fence height and locations. The plan had not been discussed with the neighbors. Commissioner Wipfli expressed safety concerns about having the nine foot fence adjacent to the neighbor's. Mr. Barbour agreed that an additional safety wall/fence should be located in that area to keep the neighbor, etc., from walking over the fence. Mr. Cavolick explained the current storm drain flow pattern. He proposed an extension to the storm drain line down Cochise to the existing flowing line location, which he offered to construct. He was opposed to the plan to extend the storm line along the south side of Cochise in an area where the flow does not occur today. He was willing to install the catch basins as required by Public Works and attach a head wall on the north end of the existing ditch. The ditch is to be shaped and contoured to flow into the storm drain pipe.

Mr. Givlin concurred with this revision and suggested Public Works' Condition 5 be amended to delete the portion starting with "and on Clearview Drive west of Cochise Street to the end of the property". Mr. Cavolick agreed. Mr. Cavolick then explained their concern about the requirement to connect to the sewer at a manhole in the intersection of Clearview and Cochise and extending 200 feet of sewer main west on Clearview Drive. The staff report also requires reimbursement of the sewerline in Cochise Street. This is additional sewer which he could not use and requested elimination of the new sewer or elimination of the reimbursement requirement. Mr. Ahrens explained the Code requirements for reimbursement of sewerlines. It had been his intent to have the developer either extend the sewerline in Clearview or reimburse the Cochise sewerline extension. The Board of Supervisors could waive the requirement. Clarification indicated that it is an either or situation and not a both. The pros and cons to both the extension and reimbursement were noted. Discussion between the Commission and Mr. Ahrens indicated the residences are all on septic systems. (Commissioner Uhart arrived at 6:30 p.m. The entire Commission was present constituting a quorum.) Clarification between Mr. Givlin and Mr. Guzman indicated that there is a condition within the report mandating a five percent participation fee for future signal improvements at Clearview and 395. Mr. Barbour indicated that a letter has been written to RTC Engineer Brotzman committing to participating in the cost of this signal. He agreed to add this condition to the requirements, if the Commission so desired. He also indicated that the elevation difference between the northern neighbor and the property along the fence line is only four feet and not his indicated nine feet. The six foot fence should be adequate in that area. He indicated a willingness to install a 4-1/2 foot fence along the undeveloped area where a fence had not been proposed originally as a safety measure. He then stipulated to this statement.

Mr. Guzman then expressed his disagreement with Mr. Barbour's comments for the record. The zoning line in the block to the immediate south is the same as Mr. Williams', i.e., at the back of the property line. Three additional properties further to the south have the same situation. He then explained the illumination plans for the building. There will be small exit lights/signs on the doors on the west side of the building. The City's arborist, Molly Sinnott, had commented on the landscaping plan. She had recommended that the trees be eight feet in height due to the line of sight concerns. Any height lower than that will barely be visible from the adjacent properties.

Mr. Barbour iterated that the signage would total one-third of that allowed by Code including the monument sign which would be located at Clearview and Cochise. The monument signage plan will be submitted at a future date. The building sign is the primary signage. He stipulated to a monument sign which would not be higher than six feet. He also agreed to the landscaper's recommendations. The site plan states that the evergreens are six to eight feet in height.

(1-3368.5) Public testimony was solicited. Mr. Kechely felt that the appropriate buffer was the single family one acre zoning. The residents do not oppose construction of a commercial retail center on the portion of the property zoned retail commercial. His poll of the neighborhood only found two individuals who support the project. Traffic concerns with the intersection of Clearview and 395 were expressed. He used Supervisor Smith's

statements from the Board's decision two years previously to indicate that the only reason the applicant needed the zone change is to increase the property value. He urged the developer to develop the property as currently zoned. It may not be financially viable to do so but the residents had purchased their homes with the understanding that there is a half-acre commercial site and a one acre residential buffer. Former Mayor Teixeira felt that the lay of the land was already set. The area contains a lot of developed SF1A residences. The rules should not be changed at this point. He then indicated his concern that with the allowed growth, the area would grow faster than the permitted three percent and that the intersection of Clearview and 395 would soon reach gridlock. He could not support allowing the development with a five percent participation fee. The report is merely a draft, is not conclusive, and represents only two days of testing. The employees will be required to park on the street which will impact the residential area. Safety concerns for the children who play in the street were noted.

(1-3555.5) Mr. McGee resides on the one acre lot adjacent to the property which the developer had repeated stated had not been developed. One acre lots have an appearance of being undeveloped. Previous Board action denying the zone change was noted. The special use permit is a way to go around the zoning change. Copies of the November 1993 Board's Minutes relating the zone change were distributed to the Commission. (A copy was not given to the Clerk.) Purportedly Supervisor Smith had moved to deny the zone change due to the economic impact on the area as it would devalue the residential property in the area. The applicant must prove that the proposal will not create a negative impact on the neighborhood. The employees will be parking on the street and his property. The sidewalk will stop at Roventini. The pedestrian traffic will be a safety hazard. He had acquired his property five years ago with the assurance that there was Single Family One Acre zoning between him and the commercial property. Two other new residents had purchased their homes with that same assurance. The proposal will remove the buffer zone and destroy the open space. Mr. Williams had acquired the property in 1974 and was aware of the zoning changes as they had occurred. He could have appealed it during the one year period after the zoning change. Now that the residences are there, he wishes to change the rules and zoning. If the request is granted, others will request a change for their property. Where will the intrusion stop? With all of the new commercial development occurring in the City, additional commercial development is not needed. The proposal will destroy the quiet neighborhood and remove a gifted value of private residences. He urged the Commission to deny the request. Discussion between Commissioner Christianson and Mr. McGee indicated that the developer had not contacted Mr. McGee about the plan. Mr. McGee also indicated that if the building is to be a buffer between the residences and Albertson's, it will have to be 35 to 40 feet in height. The proposed 25 foot building will not do it. Also, the building will not stop the vibrations felt from the Albertson's compressors. Moving the commercial area closer will only magnify the problems that much more.

(2-0089.5) Additional public comments were solicited. Mr. Bondiott opposed a commercial development in his rural area due to its impact on his rural lifestyle and the aesthetics. The large commercial dwelling is too close to the residential area and ten times the size of residences. The employees and clients will be parking on their dirt street which will increase the dust in their area.

(2-0119.5) Ms. Magee indicated they had not been contacted by the developer. They had contacted all of the neighbors. A copy of a petition in opposition was given to the Commission and Clerk. (A copy is in the file.) They had purportedly asked Mr. Williams why he had not constructed a residence on the residential site. His response had been a question about who would purchase a home adjacent to a commercial site. This is the same thing he was imposing on her and the other residences.

(1-0145.5) Additional public comments were solicited. Mr. Reese indicated he owned the property south of Mr. Williams. He had purchased the property for the view and its commercial zoning. Until commercial development occurs in that area no flood control measures will be constructed. This project with Home Depot and Target will develop the southern portion of Carson City. Improvements to North Carson were sited to support allowing commercial development in this area. The view from his home was explained. He enjoyed watching Carson City progress. The infrastructure improvements he had made to his property were explained. He supported progress and encouraged the Commission to approve the plans. He did not feel that the project would hurt the view "that much". Additional public comments were solicited but none given.

Discussion ensued between the Commission, Mr. Guzman and Mr. Williams on the size of the RC lot which indicated the actual line for the zoning district had not been determined. The plans had "scaled" the district at 96

feet. The Retail Commercial lot was felt to be of this size. The setbacks for commercial buildings is 30 feet. Commissioner Wipfli indicated that a 50 foot building could be constructed on this site with parking along the sides. Mr. Barbour agreed that this plan would provide for a 4,000 square foot building, however, did not feel that this would support the amount of improvements required for the site. Commissioner Wipfli suggested that a two story building may make it feasible. Mr. Barbour questioned whether this improved the site appropriately. He also felt that the residence would incur the same problems as the neighbors were voicing. Commissioner Wipfli felt that this complied with the current master plan and could be a compromise. Mr. Barbour agreed that this is an option. Commissioner Rogers suggested that the building be located on the front of the lot and that its design be that of a residential office with the parking at the rear. The landscaping plan would help create an open space between the residences and the building. The building could fit on the retail zoned portion. A variance would be required for this plan. Mr. Barbour indicated that this had been the original plan which the neighbors had opposed several years ago due to the traffic and trash receptacle which would be on the residential side. Also, the double loaded parking plan creates more paved surface than the proposed plan.

Commissioner Uhart questioned Ms. Bruketta concerning whether she should participate in the vote as she had not heard the applicant's presentation. Ms. Bruketta felt that she could abstain although she did not feel that it was required. Commissioner Uhart felt that she had reviewed the packet and was as well prepared as possible. New information comes to light during the discussion. She did not wish for her vote to be a point of contention. She also noted that she knew Mr. Barbour, had briefly worked with him on another project in the past, and may have sold Mr. Williams a house a long time ago. Therefore, she stated she would abstain.

Commissioner Rogers then moved to approve U-97/98-33, a special use permit application, in accordance with the provisions of CCMC 18.04.040(6) to allow the development of a 16,330 square foot single-story retail commercial center 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, and, for the record the applicant had made four stipulations, one is regarding the fencing along the northwest side, also, the signage stipulation, another stipulation was that he would participate at a rate of five percent of the cost of the intersection improvements; and that the landscaping on the west side of the property would be at a minimum of six to eight feet in height; and included the correction to the sewage understanding which is that it is an either or situation; they will either participate in the existing sewer line cost or construct a new sewer line to support the development. Clarification by Commissioner Rogers indicated the sewer line issue is not a stipulation but rather an understanding of clarification from the Utilities letter. Commissioner Mally seconded the motion. Commissioner Wipfli indicated that he had just reviewed Ms. Magee's petition and that his parents' names were among the signers. He had not discussed the issue with them. Upon the advice of Ms. Bruketta, Commissioner Wipfli indicated he would abstain. The motion was then voted and carried 3-2-2-0 with Commissioners Pozzi and Christianson voting Naye and Commissioners Uhart and Wipfli abstaining.

Mr. Sullivan then explained the appeal procedures. (Commissioners Pozzi and Mally stepped from the room--7:10 p.m. A quorum was still present.) Commissioner Rogers directed staff to analyze the parcels which Mr. Guzman had indicated have the same zoning situation as it was not the Commission's intent to go through a parcel. The Commission should correct such situations. Mr. Sullivan agreed to perform the research and indicated there may be between 100 and 200 similar zoning situations in the City. He briefly described the process for such rezoning. Commissioner Rogers felt that handling the areas all at one time would be beneficial to the public. Commissioner Uhart suggested that the review begin with the high friction points first. (Commissioner Pozzi returned--7:15 p.m. A quorum was present as previously indicated.) Mr. Sullivan indicated that staff would commence with the area surrounding Mr. Williams' parcel. The process may require handling one a month until all of them have been addressed.

G-13. M-96/97-20 - DISCUSSION AND POSSIBLE ACTION ON A SECOND ONE-YEAR EXTENSION OF TIME FOR A PREVIOUSLY APPROVED REQUEST BY ROGER C. MITCHELL (2-0482.5) - Mr. Sullivan, Roger C. Mitchell - Commissioner Mally returned during Mr. Sullivan's introduction--7:17 p.m. (A quorum was present as previously indicated.) Mr. Mitchell indicated he is the owner-builder. He had requested a one year extension so that the home could be completed in a reasonable amount of time. He wished to

be in the home by Christmas, if at all possible. Chairperson Horton expressed his concern that the applicant would continue to request additional extensions. Mr. Mitchell gave the Commission photographs of the building showing the progress which had occurred. (After the vote, he took the pictures back.) Discussion ensued between the Commission and Mr. Sullivan on the reasons for recommending a six month extension. Mr. Sullivan suggested that if only two months more time is needed at the end of the six month extension, staff could be authorized to grant the additional extension. Another year is a long time. He corrected the staff report to be for a six month extension which would be to October 1989. Commissioner Mally supported a one year extension. Mr. Mitchell indicated he began construction on May 20 two years ago. Commissioner Rogers stated that from the photographs and the size of the house, he felt that Mr. Mitchell had been very busy. There is a significant investment in the home. He did not believe that Mr. Mitchell would walk away from it now. He also supported granting a full year rather than forcing Mr. Mitchell to return. Commissioner Wipfli commended him on his willingness to undertake such a project and expressed his concern about creating a precedence for future requests similar circumstances. If neighbors were present/complaining, he would oppose the request. He urged Mr. Mitchell to complete the project as quickly as possible. Mr. Mitchell reiterated his desire to have the home constructed by Christmas. Commissioner Rogers also pointed out that the applicant is keeping the site fairly clean. The advantage to keeping the site clean was noted. Public comments were solicited but none given. Commissioner Mally moved to grant a one year extension until April 25, 1999, to Roger Mitchell for the use of a mobile home as a temporary dwelling while constructing a single family residence in accordance with the original conditions of approval on property zoned Single Family Five Acres, located at 2562 Snyder Avenue, APN 10-491-14. Commissioner Uhart seconded the motion. Motion carried 7-0.

G-14. U-97/98-32 - DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT APPLICATION FROM ANN MARIE CARDINAL (2-0647.5) (2-0698.5) - Withdrawn.

H. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS - NON-ACTION ITEMS

H-1. CORRESPONDENCE TO THE COMMISSION (2-0650.5) - No discussion.

H-2. STAFF BRIEFING REGARDING STATUS OF COMMISSION RECOMMENDATIONS TO THE BOARD OF SUPERVISORS (2-0652.5) - Mr. Sullivan explained the Board's action on the change of land use from MFA to MH6000 for Al Bernard on second reading. The Board had heard the Open Space Advisory Committee's report as well as the downpayment assistance report, its two grant requests, and the low income housing program status report. He gave the Commission a brief summary of the assistance program. The Board also approved staff's request to allow the applicants to seek financing from any bank which meets the City's financing requirements, i.e., Fair Housing Rules, etc.

H-3. COMMISSION REPORTS (2-0712.5) - Chairperson Horton urged the Commissioners to attend a workshop in Seattle in April.

H-4. OPEN SPACE ADVISORY COMMITTEE MEMBER OR STAFF REPRESENTATIVE REPORT (2-0728.5) - The Nevada Department of Transportation had provided a status report on the Bypass design and its open space plans. The survey should be mailed out soon.

H-5. STATUS REPORT ON DIRECTOR'S ZONING REVIEW SUBCOMMITTEES AND STAFF REPORTS (2-0756.5) - Mr. Sullivan distributed and explained his memo to the Commission delineating the topics and dates for the subcommittee meetings. (A copy is in the file.) Funding had been found and a contract issued to Andy Burnham to facilitate at these meetings. The RV standards were included. Commission direction to extend the length of stay allowed in an RV park were noted. Mr. Guzman will be contacting one or two of the Commissioners for assistance with the ordinance. Attendance at the initial meeting and the interest in the subcommittees were explained. Mr. Sullivan then explained the budget, including the supplemental requests, which were to be presented to the Board on Monday. Commission support for the supplementals was requested. Comments ensued regarding the supplemental requests, the amount of discretionary funds available for such requests, the letter of support, and staff's workload. (2-0912.5) Mr. Sullivan then noted the "booklets" he had distributed earlier to the Commission on sustainability. A special Growth Management meeting was being planned for May on this issue. The Commission was encouraged to read the booklets before that meeting. Commissioner Rogers expressed his concern that the public did not understand this concept and that public education program had been dropped. Commissioner Rogers encouraged staff to distribute the information obtained in Boston on sustainability to the public. Mr. Sullivan explained CATF's efforts to assist in disseminating this information. Previous suggestions had included having a quarterly or monthly televised program on the topic.

The status of this program was described. Commissioner Rogers suggested the Chamber's leadership program include this topic. Discussion indicated the Commission should and could attend any or all of the Subcommittee meetings. Mr. Sullivan expressed a willingness to discuss each Subcommittee's activities as part of this agenda item. Each Subcommittee will have a mission statement. The Commission will receive the end products.

H-6. FUTURE COMMISSION ITEMS (2-0879.5) - Commissioner Uhart reiterated a request for the Commission to reconsider the issue of elder care in residential neighborhoods. Reasons for requesting reconsideration were noted. She felt that it should not be handled under the Special Use Permit process which pits neighbor against neighbor. Mr. Sullivan indicated that the Subcommittee on General Issues would address this concern. She is to be notified when the Subcommittee considers this issue.

I. ADJOURNMENT (2-1051.5) - Commissioner Mally moved to adjourn. Commissioner Pozzi seconded the motion. Motion carried 7-0. Chairperson Horton adjourned the meeting at 7:50 p.m.

The Minutes of the April 29, 1998, Carson City Regional Planning Commission meeting

1998.

ARE SO APPROVED ON ___June_24___,

_____/s/_____

Verne Horton, Chairperson