

CARSON CITY PLANNING COMMISSION

Minutes of the March 26, 2014 Meeting

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A regular meeting of the Carson City Planning Commission was scheduled for 5:00 p.m. on Wednesday, March 26, 2014 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson George Wendell
Vice Chairperson Paul Esswein
Commissioner Malkiat Dhami
Commissioner Mark Kimbrough
Commissioner Mark Sattler
Commissioner Kent Steele

STAFF: Lee Plemel, Community Development Department Director
Susan Dorr Pansky, Planning Manager
Joseph Ward, Senior Deputy District Attorney
Kathleen King, Deputy Clerk / Recording Secretary

NOTE: A recording of these proceedings, the commission's agenda materials, and any written comments or documentation provided to the recording secretary, during the meeting, are part of the public record. These materials are available for review, in the Clerk's Office, during regular business hours.

A. CALL TO ORDER, DETERMINATION OF A QUORUM, AND PLEDGE OF ALLEGIANCE (5:00:43) - Chairperson Wendell called the meeting to order at 5:00 p.m. Roll was called; a quorum was present. Commissioner Owens was absent. At Chairperson Wendell's request, Vice Chairperson Esswein led the pledge of allegiance.

B. PUBLIC COMMENTS (5:01:55) - Chairperson Wendell entertained public comment. (5:02:34) In reference to the demolition of the McDonald's Restaurant on the corner of Carson Street and Winnie Lane, Denny French discussed concerns relative to demolition of the trees at the site. He requested the commission to consider requirements for future projects to avoid demolition of trees. Chairperson Wendell entertained additional public comment; however, none was forthcoming.

C. POSSIBLE ACTION ON APPROVAL OF MINUTES - January 29, 2014 (5:06:31) - Chairperson Wendell entertained suggested revisions to the minutes and, when none were forthcoming, a motion. **Commissioner Sattler moved to accept the minutes, as presented. Commissioner Steele seconded the motion. Motion carried 6-0.**

D. MODIFICATION OF AGENDA (5:06:57) - Chairperson Wendell entertained modifications to the agenda; however, none were forthcoming.

E. DISCLOSURES (5:07:17) - None.

F. PUBLIC HEARING MATTERS:

F-1. SUP-12-019 POSSIBLE ACTION TO REVIEW A PREVIOUSLY-APPROVED SPECIAL USE PERMIT FROM SILVER STATE CHARTER SCHOOL (PROPERTY OWNER: SILVER STATE CHARTER SCHOOL) FOR THE MESSAGE CENTER FREE-STANDING SIGN, REVIEWING THE OPERATION OF THE SIGN, SUCH AS BRIGHTNESS AND SIGN ANIMATION, ON PROPERTY ZONED GENERAL COMMERCIAL ("GC"), LOCATED AT 788 FAIRVIEW DRIVE, APN 009-551-31 (5:07:30) - Chairperson Wendell introduced this item, and Mr. Plemel reviewed the agenda materials in conjunction with displayed slides. Mr. Plemel responded to questions of clarification, and discussion followed.

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(5:19:40) Silver State Charter School Superintendent Steve Knight acknowledged agreement with the conditions of approval, as outlined in the staff report. He responded to questions regarding the brightness settings. Chairperson Wendell entertained additional questions of the commissioners; however, none were forthcoming.

Chairperson Wendell entertained public comment. (5:21:54) Denny French discussed concerns relative to the distracting nature of LED signs.

Chairperson Wendell entertained additional public comment and, when none was forthcoming, a motion. **Commissioner Kimbrough moved to approve the review of previously-approved SUP-12-019 and deleted condition #10, for continuation of an existing freestanding sign, related to the display and illumination of signage, on a parcel zoned General Commercial, at 788 Fairview Drive, APN 009-551-07. Commissioner Sattler seconded the motion.**

RESULT:	Approved [6 - 0]
MOVER:	Commissioner Mark Kimbrough
SECOND:	Commissioner Mark Sattler
AYES:	Commissioners Kimbrough, Sattler, Dhami, Steele, Vice Chair Esswein, Chair Wendell
NAYS:	None
ABSENT:	Commissioner Walt Owens
ABSTAIN:	None

RECESS PLANNING COMMISSION (5:23:51) - Chairperson Wendell recessed the Planning Commission at 5:23 p.m.

GROWTH MANAGEMENT COMMISSION

CALL TO ORDER AND DETERMINATION OF A QUORUM (5:24:08) - Chairperson Wendell called the Growth Management Commission to order at 5:24 p.m., noting the presence of a quorum.

F-2. GM-14-005 POSSIBLE ACTION TO CONSIDER A REQUEST FOR A GROWTH MANAGEMENT REVIEW FROM EASY WASH, LLC (PROPERTY OWNER: GOLDEN GATE PETROLEUM OF NEVADA, LLC) TO ALLOW FOR AVERAGE DAILY WATER USAGE ABOVE 7,500 GALLONS PER DAY FOR A CAR WASH, ON PROPERTY ZONED GENERAL COMMERCIAL (“GC”), LOCATED AT 2651 HIGHWAY 50 EAST, APN 008-153-01 (5:24:44) - Chairperson Wendell introduced this item, and Ms. Dorr Pansky reviewed the agenda materials in conjunction with displayed slides. Commissioner Sattler commented on the proposed amount of water to be used in consideration of the drought.

(5:28:59) In response to a previous question, Manhard Consulting, Ltd. Planning Manager Chris Baker advised that the Easy Wash, LLC operation has a “target goal of 30 percent recycling” of on-site water. He responded to additional questions of clarification, and acknowledged agreement with the conditions of approval, as outlined in the staff report.

Chairperson Wendell entertained public comment. (5:31:07) Jim Phillips, a resident of Park Street, inquired as to the number of car wash operations in Carson City and expressed skepticism over the profitability of the proposed business. He expressed concern over the “scarcity” of water in Carson City.

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Chairperson Wendell entertained additional public comment; however, none was forthcoming. In reference to previous questions and comments, Mr. Plemel reviewed the process associated with the Growth Management Commission's annual establishment of the average daily water usage threshold. He advised that, based on the reports already provided to the Board of Supervisors, the City's "outlook for water supply and delivery has improved ... in the last couple years." He responded to questions of clarification, and emphasized that the Growth Management Commission's purview over this item is relative to water usage.

Chairperson Wendell entertained additional questions or comments of the commissioners. Ms. Dorr Pansky acknowledged that the proposed development is a permitted use. In response to a comment, she referred to the Environmental Control section at page 4 of the staff report.

Chairperson Wendell entertained additional questions or comments and, when none were forthcoming, a motion. **Commissioner Dhami moved to approve GM-14-005, a request for Growth Management approval for Easy Wash, LLC (property owner: Golden Gate Petroleum of Nevada, LLC) to allow for daily water usage above 7,500 gallons per day for a car wash, on property zoned general commercial, located at 2651 Highway 50 East, APN 008-153-01, based on the findings and subject to the conditions of approval outlined in the staff report. Commissioner Kimbrough seconded the motion.**

RESULT:	Approved [6 - 0]
MOVER:	Commissioner Malkiat Dhami
SECOND:	Commissioner Mark Kimbrough
AYES:	Commissioners Dhami, Kimbrough, Steele, Sattler, Vice Chair Esswein, Chair Wendell
NAYS:	None
ABSENT:	Commissioner Walt Owens
ABSTAIN:	None

ACTION TO ADJOURN GROWTH MANAGEMENT COMMISSION (5:38:33) - Commissioner Sattler moved to adjourn the Growth Management Commission at 5:38 p.m. Vice Chairperson Esswein seconded the motion. Motion carried 6-0.

RECONVENE PLANNING COMMISSION (5:38:50) - Chairperson Wendell reconvened the Planning Commission at 5:38 p.m.

F-3. SUP-13-140(A) POSSIBLE ACTION TO CONSIDER A REQUEST TO MODIFY A PREVIOUSLY-APPROVED SPECIAL USE PERMIT FROM THE CARSON CITY SCHOOL DISTRICT (PROPERTY OWNER: CARSON CITY SCHOOLS) TO ALLOW A 1,912-SQUARE-FOOT EXPANSION OF THE SOUTHERNMOST BUILDING, WITH ASSOCIATED SITE IMPROVEMENTS AND NEW FUTURE PARKING LOT, AT PIONEER HIGH SCHOOL, ON PROPERTIES ZONED PUBLIC ("P"), MULTI-FAMILY APARTMENT ("MFA"), AND RETAIL COMMERCIAL ("RC"), LOCATED AT 202 CORBETT STREET, APNs 002-138-17, 002-153-04, 002-153-09, AND 002-153-11 (5:39:05) - Chairperson Wendell introduced this item, and Ms. Dorr Pansky reviewed the agenda materials in conjunction with displayed slides. She proposed a revision to condition of approval number 9, as follows: "The existing retaining wall behind the sidewalk must be redesigned and replaced to support the weight of the building, if necessary," or "provided the building will be structurally sound on its own." She clarified that the proposed revision will be subject to review by the Engineering Division, and responded to corresponding questions of clarification. Commissioner Sattler noted that the existing trees were not planted in the right place and that removal would have been required even without the proposed expansion. Ms. Dorr Pansky responded to additional questions of clarification.

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(5:49:02) Carson City School District Capital Projects Manager Keith Shaffer introduced himself for the record, acknowledged having reviewed the conditions of approval and his agreement with the same. Mr. Shaffer provided background information on and reviewed the proposed project. He expressed concern over the wording of condition of approval number 9, but assured the commission that he would “ensure that all structural design and building codes are followed to ensure that the retaining wall is not supporting the building or substantial for the construction.” He referred to the photographs at page 11 of the agenda materials and advised “there's a portion of that wall where that new part of the addition will go out to about that spot and it will come close to the back of the sidewalk ...” He advised of not yet having reviewed the structural details, but anticipates the footing will be “taken ... down below the foot of the wall itself, and if we don't, then we'll make structural provisions to make sure that happens.” He expressed certainty that the structural engineers “wouldn't rely on that retaining wall to carry the load.” Chairperson Wendell reviewed Ms. Dorr Pansky's earlier suggestion to revise condition of approval number 9, and Mr. Shaffer expressed agreement with adding the words, “if necessary.” Ms. Dorr Pansky further clarified her suggested revision, as follows: “... if necessary to meet applicable codes.” Mr. Shaffer referred to condition of approval number 22 and, in response to a question, Ms. Dorr Pansky expressed a preference to leave condition of approval number 9. Mr. Shaffer responded to questions of clarification regarding the retaining wall. Commissioner Kimbrough commended Mr. Shaffer on replacing “the dead tree.” Mr. Shaffer acknowledged agreement with the conditions of approval.

Chairperson Wendell entertained public comment. (5:58:51) George Anastatos inquired as to parking and traffic. Ms. Dorr Pansky advised that the Fall Street parking lot is being reconfigured, and she referred to a displayed plan. She reviewed the construction time table associated with the proposed project. She provided background information on the purpose for the proposed project, noting that the student body will not be expanded.

(6:02:50) Jim Phillips advised of having attended the November 2013 commission meeting. (6:03:35) Carson City School District Capital Projects Manager Keith Shaffer reviewed the project time table relative to the Stewart Street parking lot, and reviewed details of the proposed expansion project. Mr. Shaffer offered to meet with Mr. Phillips. Mr. Phillips discussed concerns over the noise generated by the wrought iron gates, and Chairperson Wendell suggested discussing this matter with Mr. Shaffer during their meeting.

Chairperson Wendell entertained additional public comment and, when none was forthcoming, a motion. **Commissioner Sattler moved to approve SUP-13-140(A), a modification of a previously-approved special use permit from Carson City School District (property owner: Carson City Schools), to allow a 1,912-square-foot expansion of the southernmost building, with associated site improvements and new future parking lot, at the Pioneer High School, on properties zoned public, multi-family apartment, and retail commercial, located at 202 Corbett Street, APNs 002-138-17, 002-153-04, 002-153-09, and 002-153-11, based on the findings and subject to the conditions of approval outlined in the staff report, including the proposed revision to condition of approval 9. Vice Chairperson Esswein seconded the motion.**

RESULT:	Approved [6 - 0]
MOVER:	Commissioner Mark Sattler
SECOND:	Vice Chairperson Paul Esswein
AYES:	Commissioner Sattler, Vice Chair Esswein, Commissioners, Dhami, Kimbrough, Steele, Chair Wendell
NAYS:	None
ABSENT:	Commissioner Walt Owens
ABSTAIN:	None

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F-4. SUP-14-004 POSSIBLE ACTION TO CONSIDER A REQUEST FOR A SPECIAL USE PERMIT FROM CARSON CITY PARKS AND RECREATION (PROPERTY OWNER: CARSON CITY PARKS AND RECREATION) FOR A FREESTANDING SIGN AT FUJI PARK, ON PROPERTY ZONED PUBLIC REGIONAL (“PR”), LOCATED AT 601 OLD CLEAR CREEK ROAD, APN 009-303-03 (6:10:31) - Chairperson Wendell introduced this item, and Ms. Dorr Pansky reviewed the agenda materials in conjunction with displayed slides. She noted staff’s recommendation of approval and advised of having received no response to the public noticing process. She referred to the late information, distributed to the commissioners and staff prior to the start of the meeting, and reviewed the same. She responded to questions of clarification regarding the proposed location and height of the sign.

(6:19:22) Park Planner Vern Krahn acknowledged having reviewed the staff report and his agreement with the conditions of approval, outlined therein. He commended Mr. Plemel and Ms. Dorr Pansky on their willingness to clarify the staff report and the conditions of approval. He commended Ms. Dorr Pansky’s presentation. He responded to questions of clarification regarding future access to the park from Highway 395 and the sign design. Commissioner Kimbrough expressed the opinion that, in consideration of “Bodine’s and six lanes of traffic,” the sign should either be bigger or taller. Discussion followed, and Mr. Krahn expressed satisfaction with the sign relative to the available budget. He agreed to consider the possibility of raising the elevation of the sign. He responded to additional questions regarding costs associated with the LED components; the power source; the boundaries of Carson City property relative to the park; the phased approach to sign development. Discussion took place regarding the sign elevation, and Mr. Plemel reviewed the dimensions of and described the readability of the sign.

Chairperson Wendell entertained public comment. (6:40:07) Denny French discussed concerns regarding the affect of the sign “from the pond’s view,” and the cost of the sign.

Chairperson Wendell entertained additional public comment and, when none was forthcoming, a motion. Commissioner Kimbrough expressed appreciation for Mr. French’s comments, but noted that the facility was developed for fairgrounds purposes. In consideration of the need to fund the facility, he expressed support for the proposed sign in consideration of the “high, urban use ... versus a natural area where this would not be allowed ...” In reference to the City’s Open Space Program, he further noted that the Fairgrounds area is “a lot different with Costco, a casino, a freeway junction ...,” and expressed support for the sign. **Commissioner Kimbrough moved to approve SUP-14-004, a special use permit application to allow construction of a two-sided, freestanding sign, with 35 feet overall height, and a width of 15 to 20 feet, and a total sign area of 420 square feet on each side, which will have banner signage now, with LED illumination added later, on a parcel zoned public regional, located at 601 Old Clear Creek Road, APN 009-303-03, based on the findings and conditions of approval contained in the staff report; including the modified conditions as recommended by staff. Commissioners Sattler and Dhami seconded the motion.**

RESULT:	Approved [6 - 0]
MOVER:	Commissioner Mark Kimbrough
SECOND:	Commissioners Mark Sattler and Malkiat Dhami
AYES:	Commissioners Kimbrough, Sattler, Dhami, Steele, Vice Chair Esswein, and Chair Wendell
NAYS:	None
ABSENT:	Commissioner Walt Owens
ABSTAIN:	None

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F-5. SUP-14-007 POSSIBLE ACTION TO CONSIDER A SPECIAL USE PERMIT REQUEST FROM CARSON CITY PUBLIC WORKS (PROPERTY OWNER: CARSON CITY) TO ALLOW CONSTRUCTION OF A PUBLIC SAFETY COMMUNICATION TOWER, ON PROPERTY ZONED PUBLIC REGIONAL (“PR”), LOCATED AT 3505 BUTTI WAY, APN 010-031-04 (6:46:39) - Chairperson Wendell introduced this item, and Ms. Dorr Pansky reviewed the agenda materials in conjunction with displayed slides. She advised of having received no response to the public noticing process, and noted staff’s recommendation of approval with the conditions, as outlined in the staff report.

(6:52:00) Public Works Department Assistant Project Manager Darren Anderson acknowledged having reviewed the agenda materials and the conditions of approval, as outlined in the staff report. He further acknowledged agreement with the conditions of approval. In response to a previous question, he explained the purpose for considering a lattice tower as opposed to a monopole. He responded to additional questions of clarification regarding the reasons for not allowing co-location for other providers in order to generate revenue for the City. Flood Plain Manager Robb Fellows discussed the importance of corporate yard security.

Chairperson Wendell entertained additional questions or comments of the commissioners and, when none were forthcoming, public comments. No public comments were forthcoming. In response to a question, Ms. Dorr Pansky advised that the communications tower will not be near the airport flight path; however, applications have been submitted to the Federal Aviation Administration for approval of the tower, and a light will be required at the top.

Chairperson Wendell entertained additional questions or comments of the commissioners and, when none were forthcoming, a motion. **Commissioner Sattler moved to approve SUP-14-007, a special use permit to allow Carson City to construct and operate a new public safety radio communications tower site, with an overall height of 110 feet, on property zoned public regional, located at 3505 Butti Way, APN 010-031-04, based on the findings and subject to the conditions of approval outlined in the staff report. Commissioner Steele seconded the motion.**

RESULT:	Approved [6 - 0]
MOVER:	Commissioner Mark Sattler
SECOND:	Commissioner Kent Steele
AYES:	Commissioners Sattler, Steele, Dhami, Kimbrough, Vice Chair Esswein, and Chair Wendell
NAYS:	None
ABSENT:	Commissioner Walt Owens
ABSTAIN:	None

F-6. PRESENTATION BY THE CARSON WATER SUBCONSERVANCY DISTRICT AND DISCUSSION ONLY REGARDING CWSD'S REGIONAL FLOODPLAIN MANAGEMENT PLAN / ACTIVITIES, THE STEWARDSHIP PLAN, THE COMPREHENSIVE REGIONAL WATER SYSTEM REPORT, AND OVERVIEW OF THE BUREAU OF RECLAMATION PLAN OF STUDY FOR THE CARSON RIVER WATERSHED (6:59:17) - Chairperson Wendell introduced this item, and Mr. Plemel provided an overview of the presentation. Mr. Plemel introduced CWSD Executive Director Ed James and Watershed Coordinator Brenda Hunt. Ms. Hunt narrated a PowerPoint presentation of the Regional Floodplain Management Plan, copies of which had been distributed to the commissioners prior to introduction of this item. She commended Carson City as being “ahead of the curve” in achieving the suggested actions of the floodplain management plan “especially in relation to ... open space protection and improvements in the alluvial fan areas in relation to limit[ing] flood damages.”

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She described the floodplain management plan as “an integral part of the overall regional stewardship plan,” and expressed the hope that “Carson City will continue to be supportive of this integrated watershed management and planning process ... and the need to continue to protect our floodplains.”

In reference to previously distributed informational materials, Ms. Hunt invited the commissioners to participate in the Carson Watershed Forum and the “Get on the Bus” Tour events. She noted having also distributed to the commissioners and staff copies of *The Flow* newsletter. She responded to questions regarding the boundaries of the Carson River watershed and irrigation uses throughout the watershed.

(7:18:53) In response to a previous question, Carson Water Subconservancy District Executive Director Ed James advised that “every drop of water is fully allocated. ... There is no wasted water in the system.” Mr. James commended Ms. Hunt's presentation and narrated a PowerPoint presentation of the Overview of the Comprehensive Regional Water System Plan. Mr. James and Mr. Fellows responded to questions regarding water storage, plans for the Lahontan Reservoir, the fish advisory on the Carson River, reclaimed water, water sources which benefit Carson City, and arsenic treatment. Commissioner Sattler and Chairperson Wendell thanked Ms. Hunt and Mr. James for their informative presentations. In response to a question, Mr. James discussed scheduled educational opportunities to be provided by CWSD representatives.

G. ADMINISTRATIVE MATTERS

G-1. DIRECTOR'S REPORT TO THE COMMISSION AND FUTURE AGENDA ITEMS

(7:58:51) - Mr. Plemel reported on the most recent Planning Commission recommendations to be forwarded to the Board of Supervisors, provided an update on the status of the medical marijuana establishments zoning regulations process, and reviewed the tentative agenda for the April commission meeting.

G-2. COMMISSIONER REPORTS / COMMENTS (8:01:39) - In response to a question, Mr.

Plemel discussed the intent to notify business owners that the current provisions relative to temporary signage will expire at the end of December 2014. He anticipates agendizing a discussion of LED signage along the downtown corridor. Vice Chairperson Esswein advised of having attended, together with Ms. Dorr Pansky, a medical marijuana establishments workshop “to hear how Arizona had implemented their law over the last couple years.” He encouraged anyone interested in the Carson River to attend the scheduled CWSD workshops. Commissioner Kimbrough offered an apology relative to discussion and action of an item from the January commission meeting. He requested to agendize discussion, at a future meeting, regarding the City's policy relative to replacing trees.

H. PUBLIC COMMENT (8:06:07) - Chairperson Wendell entertained public comment. (8:06:20) Denny French thanked the commission for their time and patience.

I. ACTION TO ADJOURN (8:06:57) - Commissioner Sattler moved to adjourn the meeting at 8:06 p.m. Vice Chairperson Esswein seconded the motion. Motion carried 6-0.

The Minutes of the March 26, 2014 Carson City Planning Commission meeting are so approved this _____ day of April, 2014.

GEORGE D. WENDELL, Chair