

DRAFT MINUTES
Regular Meeting
Carson City Planning Commission
Wednesday, July 31, 2019 ● 5:00 PM
Community Center Sierra Room
851 East William Street, Carson City, Nevada

Commission Members

Chair – Mark Sattler	Vice Chair – Charles Borders, Jr.
Commissioner – Alex Dawers	Commissioner – Paul Esswein
Commissioner – Teri Preston	Commissioner – Hope Tingle
Commissioner – Jay Wiggins	

Staff

Lee Plemel, Community Development Director
Hope Sullivan, Planning Manager
Ben Johnson, Deputy District Attorney
Steven Pottéy, Engineering Project Manager
Heather Ferris, Associate Planner
Tamar Warren, Deputy Clerk

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

An audio recording of this meeting is available on www.Carson.org/minutes.

A. ROLL CALL, DETERMINATION OF QUORUM, AND PLEDGE OF ALLEGIANCE

(5:01:30) – Chairperson Sattler called the meeting to order at 5:01 p.m. Roll was called. A quorum was present. Commissioner Dawers led the Pledge of Allegiance.

Attendee Name	Status	Arrived
Chairperson Mark Sattler	Present	
Vice Chair Charles Borders, Jr.	Present	
Commissioner Alex Dawers	Present	
Commissioner Paul Esswein	Present	
Commissioner Teri Preston	Present	
Commissioner Hope Tingle	Present	
Commissioner Jay Wiggins	Present	

B. PUBLIC COMMENTS

(5:02:21) – Chairperson Sattler entertained public comments; however, none were forthcoming.

C. POSSIBLE ACTION ON APPROVAL OF MINUTES – June 26, 2019.

(5:02:46) – Chairperson Sattler entertained comments or changes and when none were forthcoming, a motion.

(5:03:14) – MOTION: I move to approve the minutes [of the June 26, 2019 Planning Commission meeting].

RESULT:	APPROVED (6-0-1)
MOVER:	Tingle
SECONDER:	Borders
AYES:	Sattler, Borders, Esswein, Preston, Tingle, Wiggins
NAYS:	None
ABSTENTIONS:	Dawers
ABSENT:	None

D. MODIFICATION OF AGENDA

(5:03:33) – Ms. Sullivan noted that there were no modifications to the agenda.

E. PUBLIC HEARING MATTERS

E.1 SUP-19-093 – FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR A SPECIAL USE PERMIT TO CONTINUE THE USE OF AN EXISTING BILLBOARD LOCATED IN THE GENERAL INDUSTRIAL ZONING DISTRICT ON PROPERTY LOCATED AT 5354 HIGHWAY 50 EAST, APN 008-384-34.

(5:04:00) – Chairperson Sattler introduced the item. Ms. Sullivan presented the Staff Report, incorporated into the record, and recommended approval. She also clarified for Vice Chair Borders that the conditions of approval had been “put in place originally”, calling them a carryover.

(5:06:00) – Applicant Isabel Recinos of Lamar Advertising introduced herself and noted her agreement with the conditions of approval stated in the Staff Report. There were no public comments.

(5:06:50) – MOTION: I move to approve SUP-19-093, based on the findings and subject to the conditions of approval contained in the staff report.

RESULT:	APPROVED (7-0-0)
MOVER:	Tingle
SECONDER:	Dawers
AYES:	Sattler, Borders, Dawers, Esswein, Preston, Tingle, Wiggins
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

ITEMS E-2 AND E-3

(5:07:21) – Chairperson Sattler introduced both items (E-2 and E-3). Ms. Sullivan presented the Staff Report which is incorporated into the record, and noted that a separate motion would be required for each of the two items. She also clarified that building height is measured in Carson City “using the building code methodology, which means we measure to a mid-point to a roof as opposed to the peak of a roof”. Ms. Sullivan explained that the applicant had indicated a height of 37 feet and 6.5 inches, they had used the measurement to the peak of their highest roof and not the mid-point; however, based on the methodology used by the City, the applicant had requested building their highest roof measuring 34.5 feet tall. She also presented the subdivision plan, including

all the findings and the conditions of approval, noting that school re-zoning may be necessary for the area due to capacity concerns.

(5:21:39) – Chairperson Sattler inquired about the flood area and Mr. Pottéy explained that no homes would be built in the flood zone. Chairperson Sattler also inquired about the noise level made by the well. Mr. Pottéy explained that the public streets inside the project would accommodate parking. Commissioner Tingle expressed concern about “water issues to the point that you have to have a disclosure in the documents for people to purchase these homes” and gave the example of her own home which was built on a floodplain. She also believed that a traffic light would eventually be required on Little Lane and Saliman Road, and questioned how “the addition of these residents will not have a detrimental effect on vehicular or pedestrian traffic”. Lastly, she noted the lack of affordable housing for the “workforce, here in this community which we don’t seem to do”.

(5:26:30) – Chairperson Sattler mentioned that he had noticed the apartment buildings near Roop Street which were three-stories high and was concerned about privacy. Commissioner Dawers was informed by City Engineer Dan Stucky that decibel reading had been conducted for the City well near the property, while running, and that it sounded like “a soft AC unit”. Commissioner Esswein expressed concern about “the amount of pavement we are creating”, citing the standard for city streets and alleys in congested urban areas, which allowed narrower ones. He also suggested “mid-block” parking cutouts on Little Lane. Mr. Pottéy explained that the Transportation Department was not in favor of parking on collector streets in general, to accommodate the traffic volume. Discussion ensued regarding visitor parking on Little Lane and Ms. Sullivan clarified that the parking may be added as a condition of approval if “in making the findings, you find that you can only make the findings if that parking is accommodated”. Chairperson Sattler received confirmation that the alleys would remain private, thus being maintained privately, and the roads were proposed to be public. Ms. Sullivan explained that there would be a direct connection to Arbor Villas as well.

(5:38:00) – Chris Baker, Manhard Consulting, introduced himself as the applicant representative for Bates Homes, and introduced Fred Bates, applicant. Mr. Baker presented the Little Lane Village Tentative Map and the Special Use Permit to exceed the current height requirement, incorporated into the record.

(5:55:18) – Chairperson Sattler inquired about the retention basin was informed Mr. Baker that they would work with the flood manager. He also reminded Mr. Baker that the Commission had requested not having balconies overlooking homes during a previous development review. Mr. Bates introduced himself, gave background about his company, and responded to clarifying questions by the Commissioners. Commissioner Tingle noted that street parking was an issue in her neighborhood and Mr. Bates explained that they would have a strict homeowners’ association (HOA). She also explained that the local median income did not support the proposed market price of the homes.

(6:06:32) – Commissioner Preston disclosed as a commercial real estate agent for Colwell Banker, she occasionally has co-listings with another agent who is also the applicant’s real estate agent; however, she did not have a co-listing on this project nor would she receive compensation from the project. Commissioner Preston noted that she was not materially affected by nor did she have a disqualifying conflict, but was disclosing this for the purpose of transparency; therefore, she would be voting on the item. She also called it a “beautiful project” and believed there was a need for “zero lot line” projects, including the 24 foot driveways. Commissioner Preston spoke positively about retention basins, noting that they also helped the project’s neighbors during floods.

(6:09:00) – Commissioner Dawers received confirmation from Mr. Baker that they were “defaulting to the code” regarding the trees; however, he welcomed different comments by the Commissioners. Commissioner Dawers suggested having “a certain percentage of evergreens” for privacy reasons. Commissioner Esswein inquired about mitigations for traffic calming and noted that the proposed street widths encouraged faster driving. Mr. Baker explained that they were adhering to City code and that they were open to having narrower streets. Mr. Pottéy stated that the proposed streets connected to other streets and expected that traffic would go into multiple directions.

(6:17:20) – Mr. Baker acknowledged their agreement with the recommended conditions of approval by Staff, as modified. Chairperson Sattler entertained public comments.

PUBLIC COMMENT

(6:17:50) – Fred Arentz introduced himself as an Elaine Street resident and explained that the affected homes now house 15 families and believed that evergreen trees would take long to grow, thus impacting current residents’ privacy. Mr. Arentz was also concerned about additional flooding as new homes would be built higher and cause water to flood the lower homes. He also noted that the new development was not “community friendly” as parking and additional drivers would cause issues, and believed crime would increase as well.

(6:23:59) – Chairperson Sattler explained the public comment process, noting that the responses will be delivered after all the comments are heard.

(6:24:28) – Jean Sexton introduced herself as a resident on Fleetwood Avenue and recommended having parking on the Little Lane side. Ms. Sexton explained that even though she did not live on a floodplain, she hoped “you don’t redirect whatever you decide to do, to my house”, and favored single-story homes.

(6:27:45) – Ann Waldren introduced herself as a Willard Lane resident and noted her appreciation to the Commission for requesting appropriate balcony positions; however she wished the homes were one-story and would consider their privacy. Ms. Waldren highlighted several issues raised in writing by her neighbor, and incorporated into the record, including impact studies regarding water and traffic, which she believed were issues. She also inquired about the trees and the high water table in the area.

(6:34:11) – Nathan Harrison introduced himself as a Cedar Street resident north of the proposed development and noted that because of his long fence line (which he noted was not his property line), he would eventually share it with four new neighbors. Mr. Harrison was appreciative of the minimized site density and the 51-foot setback; however, he was still concerned about his privacy and was not in favor of “having somebody 27 feet above my property and looking back into our backyard and our windows”. He also suggested looking into the traffic impact and traffic calming measures, adding that adequate parking should be maintained to avoid parking on the current residents’ streets.

(6:39:45) – Jim Phillips introduced himself and expressed concern over the fact that the development site was a flood zone and gave an example of the flooding that had occurred.

(6:41:55) – Mr. Arentz recommended blocking off Elaine Street from the complex for fear off drivers taking a short cut to avoid stopping at the traffic light on Saliman Road.

(6:43:14) – Tom Gibbons introduced himself as a 50-year resident who had seen many changes. He noted that he liked the project; however, he was against three-story buildings and was concerned about the changes to Carson City regarding that. Mr. Gibbons also “admired the courage” of the Commissioners and was in favor of having the conifers.

(6:47:30) – Ms. Sexton suggested changing several home locations to alleviate traffic on Parkland Avenue.

(6:48:26) – Ms. Waldren was concerned about adding approximately 450 children to an overcrowded school district.

(6:49:00) – Chairperson Sattler closed the public comments portion and noted that Mr. Harrison’s property easement would remain. Additionally, he suggested coordinating the tree choices with the neighboring residents. The Chair also believed that the school district was “expecting about 50 kids out of that area probably”.

(6:49:47) – Ms. Sullivan and Mr. Pottéy responded to the public comments in order. Ms. Sullivan explained that Staff had requested the clearing of the storm water by the developer, who initially believed it was the City’s water; therefore, it was the City’s responsibility. Mr. Pottéy explained that the project would require a Conditional Letter of Map Revision (CLOMR) “to change the shape of the flood zone” and that a storm drain will be installed at the south east corner of the basin. Ms. Sullivan noted that the growth of evergreens depended on the species and noted that the bottom floor “mother-on-law” units would not be allowed to become dwelling units based on the City’s current code, because they would not accommodate parking. She also addressed the issue of crime, stating that she had met with the Carson City Sheriff’s Office (CCSO) regarding increased crime when new developments are built and had been able to find out that none of the top five call locations to CCSO had been residential areas. She believed that the parking of recreational vehicles would not be accommodated and they must be parked offsite, and clarified for Ms. Sexton that the Parkland connection was a requirement of the Arbor Villas development.

(6:53:48) – Ms. Sullivan assured members of the public that the project “will not redirect the floodplain” and clarified for Ms. Waldren that she had responded via email to all the inquiries by her neighbor, adding that the zoning had been in place since 1977. She also emphasized that no Variance was being considered today, and that the request was for a Special Use Permit, the process of which she reiterated, and stated that all the technical studies were available on the Carson City website. Ms. Sullivan highlighted the school district’s response, incorporated into the record, and addressed Mr. Harrison’s questions, noting that the power lines will be in-ground and that the masonry wall would be placed right at the property line, based on existing easements. She clarified that with the upcoming Lompa Ranch developments, the engineering team and the storm water manager were “looking really closely at the impact of the floodplain to make sure we’re not moving it to impact offsite residents”. Ms. Sullivan indicated that Elaine Street currently had “boulders at the end” and was blocked.

(6:58:51) – Mr. Plemel explained the final approval process, noting that this public hearing will result in a recommendation to the Board of Supervisors on the tentative map; however the Board of Supervisors has the final approval which would take place on Thursday, August 15, 2019. Chairperson Sattler wished to address “the possibility of limiting that north road to just two stories, and also the consideration of balconies”. Mr. Bates explained that “street appeal” would be better with different elevation homes, adding that homeowners can now “Live big” in a large house for less. He also explained that they are meeting a need back by “a lot of studies”, and that “it’s about of affordability”.

(7:02:23) – Chris Baker of Manhard Consulting addressed the traffic calming requests and the street widths, which he noted matched the City’s right-of way; however, they did not want to sacrifice parking. As for the selection of trees, he believed that they could place “an appealing buffer for both sides”. Commissioner Dawers was informed that the open space would be “private HOA property”; however he preferred to see it remain open to the public. He also supported having additional conditions such as “no three-story plans shall be built on the northern most row of homes”, and suggested that 25 percent of the trees be evergreens along the northern most wall. Commissioner Dawers was in agreement with Commissioner Esswein that several of the planned streets should be narrower. Vice Chair Borders was in favor of the narrower streets; however, he believed that was not within the Commission’s purview. Commissioner Dawers believed “it our duty to make sure that people’s concerns are met by adding or removing conditions. Commissioner Tingle inquired about the storm water diversion and Mr. Baker explained that they were looking at the water storage in the basin, adding that “none of that is impacting the residential units”.

(7:13:01) – Ms. Sullivan clarified that the Special Use Permit dealt only with the building height, adding that having the northernmost row of home limited to two stories and requesting a specific percentage of evergreen trees were “specifically tied to the SUP, not the tentative map”. She also believed some commissioners had requested allowing parking on Little Lane in addition to requesting narrower streets, having street calming devices, and protecting the neighboring trees, which would be tied to the tentative map. Ms. Sullivan reminded the Commission that the expectation from them was to review the findings and make a recommendation to the Board of Supervisors. Vice Chair Borders received confirmation that condition of approval 38 would be removed. Discussion ensued regarding parking and street widths and Ms. Sullivan noted that the tentative map did not yet exist yet, and that it would require Board of Supervisors’ approval. Commissioner Wiggins suggested looking at the street and parking issues beyond the stretch of the road near the development, adding that he would defer to the recommendations by Staff and the Transportation Department who look at the issue from the standpoint of the City as a whole.

(7:28:57) – Mr. Stucky clarified that pavement maintenance was taken by the City very seriously and explained that emergency responses and public utility repairs may be difficult to perform with narrower streets; however, he noted that they would be open “to a Special Streets Section” in that area. He also stated that the Transportation Department had been “pretty strong and clear” about not allowing parking on collector streets as industry-standard and safety issues.

(7:31:28) – Ms. Sullivan summarized what she believed to be additional conditions of approval to the Tentative Map:

- The change put forward by Staff on condition 27.
- Removal of condition 38.
- Adding condition 61 – the developer shall inventory mature trees on the neighboring properties along the perimeter and install tree protection measures as appropriate prior to the commencement of construction.
- Adding condition 62 – the project shall utilize the Special Streets Section on the east-west streets.
- Condition 63 to state that the parking stalls on the north and south roadways by the open space shall be striped.

There were no additional comments.

E.2 TSM-19-103 – FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR A TENTATIVE SUBDIVISION MAP TO CREATE 149 SINGLE FAMILY LOTS ON A 21.32 ACRE PARCEL ON PROPERTY ZONED MULTI-FAMILY DUPLEX, LOCATED ON THE NORTH SIDE OF LITTLE LANE AND WEST OF SOUTH SALIMAN ROAD, APN 004-021-14.

(7:33:00) – MOTION: I move to recommend [to the Board of Supervisors] approval of Tentative Subdivision Map TSM-19-103 based on the ability to make the required findings and subject to the conditions of approval including the modifications of condition 27, the elimination of condition 38, and the additions of condition 61 regarding the trees [per Ms. Sullivan’s recap], condition 62 for Special Street Sections, and condition 63 for the striping of the north-south road.

RESULT:	APPROVED (5-2-0)
MOVER:	Borders
SECONDER:	Dawers
AYES:	Sattler, Borders, Dawers, Esswein, Preston
NAYS:	Tingle, Wiggins
ABSTENTIONS:	None
ABSENT:	None

(7:33:46) – Commissioner Tingle explained that her nay vote was based on finding numbers 4 and 8. Commissioner Wiggins also noted that his vote was based on finding number 4 and the removal of 38.

E.3 SUP-19-102 – FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A SPECIAL USE PERMIT TO ALLOW FOR A MAXIMUM BUILDING HEIGHT OF 37 FEET, 6.5 INCHES ON PROPERTY ZONED MULTI-FAMILY DUPLEX, LOCATED ON THE NORTH SIDE OF LITTLE LANE AND WEST OF SOUTH SALIMAN ROAD, APN 004-021-14.

(7:35:10) – Chairperson Sattler noted that he could not vote for this SUP if the north line is not limited to two-story dwellings. Commissioners Dawers concurred. Discussion ensued regarding tree types and sizes.

(7:46:42) – MOTION: I move to approve SUP-19-102 based on the ability to make the required findings and subject to the conditions of approval with the following added conditions:

- **Condition five: to install a minimum four inch DBH [diameter at breast height] 60/40 mixture of evergreen/deciduous trees along the northern property line.**
- **Condition six: to limit heights of structures on the northernmost tier of buildings to two-story, unless a setback of 61 feet can be achieved.**

RESULT:	APPROVED (6-1-0)
MOVER:	Esswein
SECONDER:	Sattler
AYES:	Sattler, Borders, Dawers, Esswein, Preston, Wiggins
NAYS:	Tingle
ABSTENTIONS:	None
ABSENT:	None

(7:47:53) – Chairperson Sattler recessed the meeting.

(7:58:05) – Chairperson Sattler reconvened the meeting.

E.4 SUP-16-048-1 – FOR POSSIBLE ACTION: CONTINUED DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST TO MODIFY AN EXISTING SPECIAL USE PERMIT (SUP-16-048) TO INCREASE THE NUMBER OF CONTAINERS ON SITE FROM TWO TO THREE, INCLUDING RELOCATION OF AN EXISTING METAL STORAGE CONTAINER AND THE PLACEMENT OF AN ADDITIONAL METAL STORAGE CONTAINER WHICH HAS BEEN ON THE SITE SINCE 2011, IN PUBLIC ZONING DISTRICT, AT 4151 EAST FIFTH STREET, APN 010-035-27.

(7:58:09) – Chairperson Sattler introduced the item. Ms. Ferris presented the Staff Report and responded to clarifying questions.

(8:05:07) – Applicant and Carson City School District Capital and Special Projects Manager Mark Johnson acknowledged he had read and was in agreement with the conditions of approval as written. He also explained that they had been advised by a company that a simple move would not be possible because of a difficult turn. However, they would be able to lift the storage containers with a crane. Mr. Johnson gave examples of other areas the School District had considered to store the containers, adding that they were in agreement with Staff’s recommendation with the added fencing. He considered the students as their first priority, noting that classrooms would be prioritized over storage, since the schools were currently at capacity.

(8:11:02) – Andrew Feuling, School District Director of Fiscal Services, explained the District’s actions to ensure they are “good neighbors” and cited as an example the additional expense of \$300,000 to move the solar panels at the school, the clearing of sagebrush, and shielding neighbors from the glare of lights. Commissioner Wiggins wished to understand the expense the School district would incur to accommodate a neighbor and was informed it would be around \$1,500, not including landscaping. Discussion ensued regarding the placement of the storage containers. Chairperson Sattler entertained public comments and when none were forthcoming, a motion.

(8:21:52) – MOTION: I move to approve SUP-16-048-1, based on the findings and subject to the conditions of approval contained in the staff report.

RESULT:	APPROVED (6-1-0)
MOVER:	Dawers
SECONDER:	Esswein
AYES:	Sattler, Borders, Dawers, Esswein, Preston, Tingle
NAYS:	Wiggins
ABSTENTIONS:	None
ABSENT:	None

E.5 SUP-19-100 – FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR A SPECIAL USE PERMIT TO CONSTRUCT A DETACHED WORKSHOP/GARAGE BUILDING THAT RESULTS IN ACCESSORY STRUCTURES THAT EXCEED 75% OF THE SIZE OF THE PRIMARY STRUCTURE AND 5% OF THE LOT AREA ON PROPERTY LOCATED IN THE SINGLE FAMILY 1 ACRE ZONING DISTRICT, AT 1120 SOUTH DEER RUN ROAD, APN 010-082-17.

(8:22:44) – Chairperson Sattler introduced the item. Ms. Ferris presented the Staff Report, incorporated into the record, and responded to clarifying questions. She also recommended approval, noting that Staff had received two comments from neighbors who had no objections to the structure.

(8:26:06) – Applicant Dale Finley informed the Commission that he was in agreement with the conditions outlined in the Staff Report. There were no public comments.

(8:27:45) – MOTION: I move to approve SUP-19-100, based on the findings and subject to the conditions of approval contained in the staff report.

RESULT:	APPROVED (7-0-0)
MOVER:	Borders
SECONDER:	Esswein
AYES:	Sattler, Borders, Dawers, Esswein, Preston, Tingle, Wiggins
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

E.6 SUP-19-098 – FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR A SPECIAL USE PERMIT TO OPERATE A CHURCH, ON PROPERTY LOCATED IN THE MULTI-FAMILY APARTMENT ZONING DISTRICT, AT 1380 EAST 5TH STREET, APN 004-113-10.

(8:28:33) – Chairperson Sattler introduced the item. Ms. Ferris presented the Staff Report with accompanying photographs, all of which are incorporated into the record. She also clarified for Chairperson Sattler that the property has sufficient parking space to comply with condition of approval number five which requires the applicant to meet the Carson City Standard parking details. Vice Chair Borders was informed that the church was already operational. Commissioner Dawers was in favor of having a “community involvement-based organization” at the location. Chairperson Sattler praised the applicant for the additional activities that they were planning to benefit the community and called it “impressive”. Ms. Ferris noted that she had received one public response, included in the late materials, which was positive.

(8:33:31) – Applicant Jeremy Tuttle noted his agreement to the conditions of approval; however, he requested clarification on condition number eight which states: *The applicant shall remove and replace the existing, deteriorated sidewalk and curb and gutter along the property frontage. Additionally, the driveway apron must be removed and replaced to meet current ADA standard.* Mr. Tuttle explained that they would perform the repairs but he needed further clarification and Ms. Ferris suggested working with Mr. Pott y on the item, in addition to submitting the parking plan as part of the building permit. There were no public comments.

(8:35:50) – MOTION: I move approve SUP-19-098, based on the findings and subject to the conditions of approval contained in the staff report.

RESULT:	APPROVED (7-0-0)
MOVER:	Borders
SECONDER:	Esswein
AYES:	Sattler, Borders, Dawers, Esswein, Preston, Tingle, Wiggins
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

E.7 MISC-19-047 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION TO DETERMINE IF GROUNDS FOR REVOCATION OR REEXAMINATION OF SPECIAL USE PERMIT U-79-25 EXISTS, AND POSSIBLE DIRECTION TO STAFF TO ISSUE AND SERVE THE APPLICANT WITH AN ORDER TO SHOW CAUSE WHY THE SPECIAL USE PERMIT SHOULD NOT BE REVOKED OR REEXAMINED RELATIVE TO SPECIAL USE PERMIT U-79-25, IN CONSERVATION RESERVE ZONING DISTRICT, LOCATED AT 7400 BRUNSWICK CANYON ROAD, APNS 008-531-44 AND 008-531-45.

(8:36:33) – Chairperson Sattler introduced the item. Ms. Sullivan noted that during the May 29, 2019 Planning Commission meeting she had presented the findings of an investigation with the recommendation of not taking action at that time because she believed it was important to speak with Parks Operations Superintendent David Navarro. She referenced the gate log, incorporated to the record, and recommended “we do nothing”, as the gate had been open since the last meeting.

(8:39:15) – Commissioner Dawers wished to “take extreme and great exception to this”, noting that he had joined the Planning Commission with the belief that “open space is the number one, most important thing to Nevadans”. He also stated that the gate was erected in violation of a Special Use Permit from December 27, 1979 and that he had received feedback to “get rid of the gate” and gave historical background on the gate closure, which he believed is a violation of the Special Use Permit and recommended a “show cause hearing”. Chairperson Sattler indicated that Parks and Recreation Director Jennifer Budge had explained that the business owners wished to protect their property at night from trespassers.

(8:43:45) – Mr. Plemel referenced a previous Planning Commission meeting during which the Commission had approved keeping the gate closed at night. Additionally, he noted that the Parks and Recreation Department preferred the gate closed to limit public access. Ms. Sullivan acknowledged that the property owners made “some bad mistakes”; however, they had corrected them. She also recommended rescheduling the item for an update and a report on whether the property owner had met the conditions of the Special Use Permit, in addition to updating the attached gate usage log. Commissioner Dawers received clarification that the conditions of approval had changed, since the owner had been granted permission to close the gate once the conditions of approval were met. Discussion ensued and Commissioner Dawers reiterated the feedback he had received from members of the community who disliked the gate and called for its removal. Commissioner Preston noted that she had served on the Open Space Advisory Committee (OSAC) during the property sale to the current owner, adding that she had voted against the gate and believed there was an easement for the V&T Railroad as well. She recommended that Commissioner Dawers speak to Bruce Scott, OSAC Chair and Mr. Plemel was in agreement that Open Space would decide whether to keep the gate or not, even if the Special Use Permit was revoked. There were no public comments.

F. STAFF REPORTS (NON-ACTION ITEMS)

F.1 DIRECTOR'S REPORT TO THE COMMISSION

(8:53:17) – Mr. Plemel noted that during the second Board of Supervisors meeting in July, the Board had approved the Growth Management Commission’s recommendations and the tentative subdivision on Railroad Drive as recommended. Mr. Plemel also notified the Commission that the August meeting would include eight agenda items, two of which were Tentative Subdivision Maps. He believed that the large agendas were getting in the way of the proposed Title 18 revisions and believed that a separate workshop may be necessary for that discussion. Ms. Sullivan reported that the Railroad Drive subdivision applicant would place signs at the corner of Saliman Road and Railroad Drive directing construction traffic to Fifth Street, which would be enforced by the general contractor.

FUTURE AGENDA ITEMS

Previously discussed.

COMMISSIONER REPORTS/COMMENTS

(8:56:12) – Commissioner Preston requested a report on the Opportunity Zone. Vice Chair Borders received confirmation that the November meeting had been moved to 5 p.m. on Tuesday, November 19, 2019 to avoid holding it on the Wednesday before the Thanksgiving Holiday.

G. PUBLIC COMMENT

There were no public comments.

H. FOR POSSIBLE ACTION: FOR ADJOURNMENT

(8:57:52) – MOTION: Chairperson Sattler adjourned the meeting at 8:57 p.m.

The Minutes of the, July 31, 2019 Carson City Planning Commission meeting are so approved this 25th day of September, 2019.

MARK SATTLER, Chair