

**DRAFT MINUTES**  
**Regular Meeting**  
**Carson City Planning Commission**  
**Tuesday December 17, 2019 ● 3:00 PM**  
**Community Center Sierra Room**  
**851 East William Street, Carson City, Nevada**

**Commission Members**

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

**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, Senior 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](http://www.Carson.org/minutes).

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

(3:04:26) – Chairperson Sattler called the meeting to order at 3:04 p.m. Roll was called. A quorum was present. Commissioner Dawers led the Pledge of Allegiance.

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

**B. PUBLIC COMMENTS**

(3:05:20) – Chairperson Sattler announced that the Anderson Ranch Project was agendized to be heard at 5:30 p.m. at the earliest. He also entertained public comments.

(3:06:04) – Irena (no last name given) introduced herself and Galina Ohanian, President of the Russian American Society in Reno. Together, they invited the Commission and members of the public to an upcoming event in Carson City by the Golden Domes Russian Dance Ensemble on Saturday, January 11, 2020 at 6 p.m. and provided information on ticket purchases. Chairperson Sattler recommended leaving flyers on the back table in

the Sierra Room. Ms. Sullivan recommended that members of the public present to speak for or against an agenda item do so during that agenda item discussion.

(3:10:08) – Deni French introduced himself and expressed his concern regarding the City “moving very quickly on areas that could jeopardize the future of Carson City residents”. Mr. French also noted that he primarily wished to meet members of the Commission.

**C. POSSIBLE ACTION ON APPROVAL OF MINUTES – NOVEMBER 19, 2019**

(3:11:34) – Chairperson Sattler introduced the item and noted two clarifying corrections which have already been made.

**(3:12:42) – MOTION: I move to accept the minutes [of the November 19, 2019 meeting] as corrected.**

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

**D. MODIFICATION OF AGENDA**

(3:13:05) – Ms. Sullivan noted that item E.7 will be heard before item E.1.

**E. MEETING ITEMS**

**PUBLIC HEARING**

**E.1 LU-2019-0069 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR A MODIFICATION TO A SPECIAL USE PERMIT (SUP-15-078) ALLOWING A NEW 189 SQUARE FOOT PATIO COVER TO BE ADDED TO THE EXISTING GUEST BUILDING AND A NEW 224 SQUARE FOOT FREESTANDING PERGOLA RESULTING IN THE CUMULATIVE SQUARE FOOTAGE OF ACCESSORY BUILDINGS EXCEEDING 75% OF THE SQUARE FOOTAGE OF THE PRIMARY STRUCTURE, ON PROPERTY ZONED SINGLE FAMILY 1 ACRE (SF1A), LOCATED AT 2053 VALLEY VIEW DRIVE, APN 010-185-08. (HEATHER FERRIS, HFERRIS@CARSON.ORG) SUMMARY: IN 2015 THE PLANNING COMMISSION APPROVED A SPECIAL USE PERMIT (SUP-15-078) FOR A GUEST BUILDING EXCEEDING 1,000 SQUARE FEET, THE SQUARE FOOTAGE OF DETACHED ACCESSORY STRUCTURES TOTALING MORE THAN 75% OF THE SIZE OF THE PRIMARY STRUCTURE, AND THE TOTAL SQUARE FOOTAGE OF DETACHED ACCESSORY STRUCTURES EXCEEDING 5% OF THE PARCEL SIZE.**

(3:27:37) – Chairperson Sattler entertained a motion. Ms. Ferris presented the agenda materials and responded to clarifying questions. She also noted that they had not received any opposition to the request and that the applicant Norman Chambertin was present in the audience to answer questions. Chairperson Sattler received confirmation that patio covers and pergolas are considered accessory structures and requested looking into discussing that

during one of the upcoming workshops. Commissioner Preston expressed concern that the property had two separate addresses and Ms. Ferris explained that “addressing is done for fire and life safety purposes”, adding that “it doesn’t create parcels, it simply addresses the structures”.

(3:33:36) – Mr. Chambertin noted his agreement with the conditions of approval, adding that the structure was to provide shade for his mother’s guest structure. There were no public comments. Chairperson Sattler entertained a motion.

**(3:34:32) – MOTION: I move to approve LU-2019-0069, based on the findings and subject to the conditions of approval contained in the staff report.**

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

**PUBLIC HEARING**

**E.2 LU-2019-0071 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR A SPECIAL USE PERMIT TO EXCEED THE PERMITTED SIGN AREA AND SIGN HEIGHT FOR A NEW SIGN ON PROPERTY ZONED MULTI-FAMILY APARTMENT (MFA), LOCATED AT 405 EAST COLLEGE PARKWAY, APN 002-052-09.**

(3:35:10) – Chairperson Sattler introduced the item. Ms. Sullivan presented the Staff Report and responded to clarifying questions.

(3:38:14) – Applicant Phil Elliott introduced himself and explained that they were originally informed that the replacement sign would be grandfathered in; however, Ms. Sullivan explained that the removal of the sign was the reason for the new Special Use Permit. Mr. Elliott thanked the Planning Department, specifically Ms. Sullivan, for her assistance. Chairperson Sattler entertained questions or public comments and when none were forthcoming, a motion.

**(3:40:10) – MOTION: I move to approve LU-2019-0071 based on the findings and subject to the conditions of approval contained in the staff report.**

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

**E.3 LU-2019-0072 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR A SPECIAL USE PERMIT TO CONSTRUCT A DETACHED GARAGE RESULTING IN ACCESSORY STRUCTURES EXCEEDING 75% OF THE SIZE OF THE PRIMARY STRUCTURE AND 5% OF THE LOT AREA, AND TO ALLOW A GARAGE THAT INCLUDES A TOTAL OF 8 PARKING BAYS WHICH EXCEEDS THE MAXIMUM NUMBER OF BAYS ALLOWED WITHOUT APPROVAL OF A SPECIAL USE PERMIT, ON PROPERTY ZONED SINGLE FAMILY 2 ACRE (SF2A), LOCATED AT 1651 N WINNIE LANE, APN 007- 572-34.**

(3:41:06) – Chairperson Sattler introduced the item. Ms. Ferris presented the Staff Report and recommended approval. She also noted that the applicant was present to answer questions.

(3:45:42) – Applicant Melissa Maguire introduced herself and noted her acceptance of the condition of approval outlined by Staff. Chairperson Sattler entertained Public comments. Vice Chair Borders reminded the public that a three-minute timer will be used throughout the meeting during the public comment period. A letter of support was included in the Staff Report from adjacent property owners Cathy and Bob Weise.

(3:46:50) – Lance Cowperthaite introduced himself and noted that the former property owners had an eight-car garage on the property and that he would not object to the garage if it were to be put “right back where it was”. There were no additional public comments. Ms. Ferris confirmed that the garage would be placed within the setbacks and recommended that the findings and the conditions of approvals are considered when making a decision. Chairperson Sattler entertained a motion.

**(3:50:08) – MOTION: I move to approve LU-2019-0072 based on the findings and subject to the conditions of approval contained in the staff report.**

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

**PUBLIC HEARING**

**E.4 LU-2019-0070 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR A SPECIAL USE PERMIT TO EXPAND AN AUTOMOBILE SERVICE STATION USE AND TO USE AN ALTERNATIVE APPROACH TO MEETING THE DOWNTOWN MIXED-USE DEVELOPMENT STANDARDS ON PROPERTY ZONED DOWNTOWN MIXED-USE (DTMU), LOCATED AT 1112 NORTH CARSON STREET, APN 001-178-06.**

(3:50:49) – Chairperson Sattler introduced the item. Ms. Sullivan disclosed that she had received information regarding members of the Historical Society, of which she is a member, would provide public comment on this item. She also stated that she had not been aware of it until after preparing the Staff Report, and believed that her

“independent judgement as a Planning Manager has not been affected by my member, and I am making this disclosure in the interest of full transparency and not because I have a conflict of interest.”

(3:52:12) – Ms. Sullivan introduced the subject property and presented the Staff Report which is incorporated into the record. She also highlighted the fact that no additional fuel pumps were included in the application and clarified that the building was not in the Historic District; therefore, no review was required by the Historic Resources Commission. Ms. Sullivan reminded the Commission that “the request to demolish the building is not before the Planning Commission” with this agenda item; however, they would be approving the design standards for the Downtown Mixed Use zoning. She reviewed the findings and the conditions of approval as well and noted that applicant Frank Lepori, Owner, Frank Lepori Construction Inc., was present to answer questions. Chairperson Sattler clarified that a recent newspaper column had indicated additional [gas] pumps to accommodate taller recreational vehicles (RVs) would be installed, which had created the confusion. He also stated that any additional pumps would be subject to a Special Use permit to be approved by the Commission. Chairperson Sattler invited the applicant to provide additional information.

(4:04:09) – Dominic Gonzales introduced himself and stated that he had submitted the application on behalf of his employer, Lepori Construction. Mr. Gonzales noted his agreement with the conditions of approval outlined in the Staff Report, adding that he had “worked well” with Ms. Sullivan. In response to a question by Vice Chair Borders, Mr. Lepori explained that they planned to demolish the structure unless “somebody wants to move it” somewhere else, adding that it had to be done by March 2020. He also noted that as a person “born and raised here in Carson City” he would like to see the building moved. Ms. Sullivan received confirmation for the record that Mr. Lepori would make the building available for no fee to anyone who would like to move it by March 2020, provided details such as liability would be worked out first. Chairperson Sattler entertained public comments.

(4:06:48) – Sam Flackus introduced himself as a volunteer at the Nevada State Railroad Museum and “I also helped set up the Carson Street Green Dining District”. Mr. Flackus read a prepared statement requesting denial of the Special Use Permit. He believed that the house “has some smoke damage but little else” and requested postponing a decision until the item is reviewed by the Historic Resources Commission “not because they have to, but it would just be the right thing to do” and to allow the possible move of the building. Mr. Flackus was in favor of moving the house to the Railroad Museum once the Federal Lands Bill allows Forest Service property to be moved to the Museum, adding that he had already contacted Congressman Mark Amodei’s office. However, he believed nothing can be done for the next 12 months and that is why he had requested postponing the vote.

(4:11:39) – Mr. French called Mr. Flackus’ proposal an “awesome” deal.

(4:12:22) – Gene Munnings introduced himself and recalled tours of historic buildings in Carson City around the 1993 timeframe. He believed that the damage was not that much in the main building and would not be “that hard to bring it back up”. Mr. Munnings wished to see the building used by non-profits in the area as a community meeting house and irreplaceable.

(4:14:08) – Loretta Williams believed that the house can be restored and that it did not have as much damage as the Roberts’ House that had taken 12 months to restore years earlier. She also mentioned that a potential buyer

had made an initial offer; however, the deal had not gone through because the sellers had requested that the name Adele’s not be used after the sale.

(4:16:14) – Rex Jennings introduced himself and noted that it should not be “the City’s responsibility to save everything, but I think they should help”. Mr. Jennings gave several examples of buildings with significant historic importance that had been torn down and requested an explanation for the three-minute public comment time.

(4:17:15) – Chairperson Sattler reminded everyone that “we’re not here to address the building, unfortunately.” He questioned why it had not been part of the Historic District and noted that the applicants are willing to work with interested parties and offer them the option of moving the building. Ms. Sullivan clarified that the applicant had volunteered the additional condition of approval to move the building and suggested the following:

*“The house is made available at no fee to anyone who would like to move it. It must be moved by March 2020, recognizing that the property owner will handle any logistics with a potential ‘acquirer” and the City would not be involved in those discussions.”* Ms. Sullivan also clarified that there would be no expectation that the property owner would bear the cost of moving the building.

(4:20:05) – Commissioner Preston provided personal information on the adjacent parking lot which was owned by her family, and the house the additions of which had been made by her father. She appreciated the offer by the property owner to make the house available at no cost, to be moved to a different part of town. Commissioner Preston indicated that several homes had been moved from the “Carson Nugget area” to different parts of town. She also believed that having four months to move the building would be more feasible in the winter, due to snow.

(4:23:20) – Mr. Gonzales noted that removal of the house would exclude the owner from any liability, adding that they would work with those moving the home in case of a snowstorm in March. Vice Chair Borders believed that the negotiations should take place between the applicant and the interested third party and that the City should not bear any liability as well.

**(4:24:26) – MOTION: I move to approve LU-2019-0070, based on the findings and subject to the conditions of approval contained in the staff report including Condition 18 which indicates the following [stated by Ms. Sullivan]:**

*The house will be available at no fee to anyone who would like to move it. It must be moved by March 1, 2020. The owner will accept no liability. This will be an agreement between two parties and the City will not be involved in any negotiations involving the house.*

(4:26:08) – Mr. Johnson noted that this was a voluntary condition added by the applicant.

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

**PUBLIC HEARING**

**E.5 ZA-2019-0004 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A RECOMMENDATION TO THE BOARD OF SUPERVISORS FOR AN ORDINANCE, AMENDING TITLE 18, CHAPTER 18.16 DEVELOPMENT STANDARDS, DIVISION 2.3 TO ALLOW BOTH PARKING SPACES TO COUNT TOWARDS THE REQUIRED MINIMUM NUMBER OF PARKING SPACES WHEN TANDEM PARKING IS USED IN SINGLE FAMILY RESIDENTIAL DEVELOPMENTS, AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.**

(4:26:51) – Chairperson Sattler introduced the item. Ms. Ferris presented the Staff Report, along with supporting documentation, all of which are incorporated into the record. She also responded to clarifying questions by the Commissioners. Discussion ensued regarding addressing this issue in the Title 18 revisions and Mr. Plemel noted that parking may not be addressed for another year.

(4:36:15) – Applicant John Krmpotic introduced himself and noted his agreement with the Staff’s recommendation, adding that the design provides more flexibility and affordability to homeowners by having “less garage and more house and porch” in neighborhood housing. He believed that a tandem single-car garage was occurring in many parts of the country and a choice many homeowners are making. Ms. Ferris Clarified that “in order to even allow tandem parking via a Special Use Permit (SUP), we will need to change the code.” Chairperson Sattler entertained public comments.

(4:48:52) – Deni French introduced himself and expressed concern over safety and Chair Sattler noted that all Carson City safety codes would have to apply to tandem parking as well. Commissioner Dawers believed that tandem parking could lead to or encourage increased on-street parking. Chairperson Sattler entertained a motion.

**(4:52:46) – MOTION: I move to recommend to the Board of Supervisors approval of ZA2019-0004, an ordinance amending Title 18 Appendix, Development Standards Division 2.3 related to tandem parking regulations, with the addition of an item in paragraph 6A to require an SUP.**

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

**PUBLIC HEARING**

**E.6 2019-00000164 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR A SPECIAL USE PERMIT TO EXCEED THE HEIGHT LIMIT BY 3 FEET AS PART OF THE CONSTRUCTION OF 126 APARTMENT UNITS ON A 6.13-ACRE PARCEL ZONED NEIGHBORHOOD BUSINESS (NB), LOCATED ON THE SOUTH SIDE OF LITTLE LANE, WEST OF JANAS WAY, APN 004-015-06.**

(4:53:44) – Chairperson Sattler introduced the item. Ms. Sullivan presented the agenda materials and responded to clarifying questions. She also noted that Applicant Craig Clark of CW Clark, Inc. was present to answer questions.

(4:58:10) – Mr. Clark introduced himself and noted that he was “soon to be a resident of Carson City.” He also stated his agreement to the conditions of approval outlined in the Staff Report and gave an example of how the City of San Diego had accommodated old Victorian homes that had been moved to a “park-like” location in the Old Town area. Chairperson Sattler entertained public comments and when none were forthcoming, a motion.

**(4:59:41) – MOTION: I move to recommend approval of an amendment to SUP-19-164 based on the ability to make the required findings, and subject to the conditions of approval contained in the staff report.**

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

**E.7 SUP-10-115 For Possible Action: Discussion and possible action requesting that the Director investigate the conduct of Tahoe Western Asphalt relative to Special Use Permit SUP-10-115 as amended, located at 8013 Highway 50 East, APN 008-611-35, to determine if grounds exist for revocation or reexamination of the Special Use Permit.**

(3:13:23) – Chairperson Sattler introduced the item. Ms. Sullivan gave background and presented the Staff Report which is incorporated into the record. She also noted that the presence of Mark Simons, representing Tahoe Western Asphalt. In response to a question from Vice Chair Borders regarding the timeframe, Ms. Sullivan clarified that the item was currently being appealed to the Board of Supervisors may be heard in February 2020, and she offered to provide an update in January 2020. Chairperson Sattler invited the applicant’s representative to provide additional information.

(3:17:07) – Mark Simons introduced himself as the attorney “retained to represent Tahoe Western Asphalt with regard to its operation and oversight”. Mr. Simons referenced the “heated exchange” in the last Planning Commission Meeting and called the operation by Tahoe Western Asphalt and provided information from Nevada Environmental Protection Agency (NEPA) which had issued a letter providing that considered the asphalt plant “in good standing” relating to particulates and odors. He also offered to provide assistance to the City, should they need any.

(3:18:20) – Mr. Simons believed the complaints were from “a small vocal, adversarial group” and referenced the previous Commission meeting’s Staff Report which noted that “there’s a lack of substantiated concern and Staff is not recommending any further action”. He believed that the complaints were subjective and that in the last 12



months 216 of the 226 had been made by 6 individuals, adding that his clients were in full compliance with the Special Use Permit and that they were using the Ecosorb odor control material. Mr. Simons stated that should the Commission proceed with the investigation, “we’d be more than happy to participate in any manner”, adding that the company was working on additional odor control improvements.

(3:20:59) – Commissioner Dawers inquired and was informed by Ms. Sullivan that [Carson City] Code Enforcement had been to the premises six times and had detected the odor five of the six times. She also noted that NDEP and Lyon County Code Enforcement had detected odor as well, adding that the objective of the agenda item was to decide whether to direct Staff to perform an investigation or not. Commissioner Dawers believed there was enough objective evidence for him to make a decision. Commissioner Preston believed “although it might be okay for EPA and federal, is it okay for Carson City?” She recommended proceeding with the investigation.

(3:22:50) – Chairperson Sattler believed the regulations were written in 1975 and cited NDEP violations of air quality that had resulted in \$61,555 in fines. He also stated that he had personally noticed the odor and believed that the Ecosorb “is not working”. Mr. Simons indicated that he was “just going off memory” when stating that his client had not received a violation in two years. Mr. Plemel stated that an appeal was scheduled for February and wished to discuss the item after the appeal. Ms. Sullivan reminded the Commission that the Commission had requested an investigation based on compliance with findings and recommended focusing on the findings. Chairperson Sattler entertained public comments; however, none were forthcoming. He also entertained a motion.

**(3:46:25) – MOTION: I move to request that the Community Development Director investigate the conduct of Tahoe Western Asphalt relative to Special Use Permit SUP-10-115, as amended.**

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

(5:00:19) – Chairperson Sattler recessed the meeting.

**-- THE FOLLOWING ITEM WILL BE HEARD NO EARLIER THAN 5:30 PM --**

(5:31:58) – Chairperson Sattler reconvened the meeting. A quorum was still present

**PUBLIC HEARING**

**E.8 SUB-2019-0022 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR A TENTATIVE SUBDIVISION MAP KNOWN AS ANDERSEN RANCH TO CREATE 203 SINGLE FAMILY LOTS ON 48.2 ACRES ZONED SINGLE FAMILY 6,000**

**(SF6) AND SINGLE FAMILY 12,000 (SF12), LOCATED AT 1450 MOUNTAIN STREET, APN'S 007-573-09, -10, AND -11.**

(5:32:10) – Chairperson Sattler introduced the item and explained the Public Hearing process which included a Staff presentation first, followed by questions to Staff by the Commission and to the applicant, after which public comments will be heard. Ms. Sullivan explained that prior her presentation of the agenda materials, she would “discuss noticing and...[Carson City] Municipal Code Chapter 17.10 – [Common Open Space Development]”. She stated that all legal notifications had taken place; additionally, the application had been available online, and notification had gone to the Nevada Appeal and Carson Now “well in advance of the legal requirements”. Ms. Sullivan presented the Staff Report, incorporated into the record, and responded to clarifying questions by the Commissioners.

(5:51:22) – Parks and Recreation Director Jennifer Budge clarified for Chairperson Sattler that the Mountain Street Trailhead, acquired in part with Land and Water Conservation Funds, is required to be “functional for outdoor recreation purposes” with a trailhead connection. Ms. Budge noted that the trailhead will be owned by the City; however, it will be maintained by the homeowners association (HOA). Vice Chair Borders was informed that normally restrooms are not placed in regional parks; however, they are placed at trailheads. She also stated that the Parks and Recreation Commission was involved. Vice Chair Borders was not in favor of having an HOA pay for the restroom facility. Commissioner Preston was informed that the landscape was maintained by the City; however, the parking lot had not received any maintenance to date.

(5:55:57) – Applicant Mike Railey, Planning Manager of the Christy Corporation, introduced himself, Christie Corporation President Scott Christy, and Project Traffic Engineer Loren Chilson, Principal at Headway Transportation. Mr. Railey gave an overview of the project and explained that they were not proposing a zoning change to the Master Plan, which had previously been proposed by the Vintage project. Mr. Railey provided information on the Community meeting which included surrounding property owners and stated that the buffer concerns were addressed, along with the height limitations of the perimeter lots and the architectural blending with the neighborhood, adding that they were requesting the removal of the condition to have a trailhead restroom based on neighborhood concerns. Mr. Railey also explained that they would honor the neighborhood request to not build homes featuring Mediterranean and/or Spanish architecture, and instead building traditional craftsman or farmhouse-style homes, with single-story homes matching adjoining existing single-story homes. Mr. Railey ensured Chairperson Sattler that they agreed with the conditions of approval, and with adding the new ones regarding the restrooms. He also responded to clarifying questions by the Commissioners.

(6:03:00) – Prior to entertaining public comments, Chairperson Sattler informed the public that there would be a three-minute timer running, so “we’d like to try to keep the comments below three minutes if we can or within three minutes,” and everyone would be given “one shot” to state what they would like. He also recommended signing in and not being redundant.

(6:04:03) – Chairperson Sattler entertained public comments. Jason Kuchnicki introduced himself and stated that he had concerns regarding “safety, privacy, and preservation of use in associated property values.” He mentioned that he is typically in favor of trail systems nearby, such as the one at Long Ranch Estates, but “the 30-foot buffer just is inadequate.” Mr. Kuchnicki indicated that he believed the detention basin “goes against what the Open Space Ordinance is meant for...who wants to play in a detention basin?” He called the connectivity of the trail network to Lake Tahoe “an outdated concept” because “the people that are going to use that are going to be local residents.” Mr. Kuchnicki suggested that “we pinch the buffer down on the southern end [and] increase the buffer on the northern end,” since that trail “is just going to be used for residents in that area.” He requested building

only single-story houses along the northern perimeter of the development. Chairperson Sattler had to remind Mr. Kuchnicki that his three-minute time limit was up.

(6:08:42) – Johnny Llamas introduced himself as a resident of “the east northern side of the property.” Mr. Llamas, as a cul-de-sac resident, was concerned about the traffic as the cul-de-sac would be replaced by a “city-standard street” should the street get extended “by future development.” Chairperson Sattler reminded the public that the responses would come after hearing all public comments.

(6:10:10) – Jerrold “JR” Williams introduced himself as a resident of Carson City since 1993 and noted his experience as “an international airline pilot and a safety committee chairman”. Mr. Williams expressed concern regarding aircraft safety and suggested that the City “buy that pasture” on the “southwest” to prevent takeoff and landing accidents from causing much damage on people’s homes while leaving from or returning to the Carson City Airport.”

(6:12:23) – Erick Reed introduced himself as a resident on Lexington Avenue and read a prepared statement regarding his concern on the overcrowding of the schools, the peak-hour traffic, the move away from medium-density housing, and regarding the travel from Carson City to Reno to receive needed medical care or scheduling that care in advance. He encouraged listening to “the loud voices in your community saying that the density in this project and the plan do not meet the character of our neighborhood nor do we believe will add value to our neighborhoods.”

(6:14:50) – Deni French introduced himself and stated that he was “echoing” Mr. Reed’s comment. He also commented that “we have a valuable commodity right where it is, right what it is, and I don’t think we’re recognizing that as thoroughly as we should.” Mr. French expressed concern over flood Planes and believed the City would open itself to liability issues. He believed in preserving the wildlife and was concerned that “we’re not prepared” to financially support “extra traffic and extra kids.”

(6:17:03) – Guy Farmer introduced himself as a Carson City resident “since 1962” and read into the record a letter written by former Carson City Supervisor, Shelly Aldean. Below is the content of that letter:

*“As a former member of the Carson City Regional Transportation Commission, I am well aware of the challenge the City faces with respect to maintaining its current system of roads in the condition that is acceptable to its residents. Supervisors Bagwell and Bonkowski in an article they coauthored in June of this year, the month of the condition of our 676 miles of existing paved roads, the estimated \$100 million required to elevate the system to an acceptable condition that is 70 percent of new, and the estimated \$15 million required for adequate annual upkeep. Given our limited resources and the diminishment of revenues that have been traditionally used for road maintenance, fuel tax, etc., I strongly advise the City to require that the developer of the Andersen Ranch property assign responsibility of maintaining the subdivision’s internal roads to the Home Owners Association, especially since the streets within the development are nearly exclusively designed to accommodate the internal travel needs of the residents who will be occupying the new homes. The City should advise the developer that it will not be accepting dedication of these newly-constructed roads to avoid further exacerbating an already challenging situation. As a general rule, we should never accept the ownership of something we cannot properly maintain.”*

(6:19:36) – Mikki Reed introduced herself as a Lexington Avenue, long-time Carson City resident and explained her concern regarding the school overcrowding. Ms. Reed requested “holding off on developing this property until we have the proper things in order for our students...it is affecting our School District and our students who are our future.” She also wanted to ensure that “our voices are being heard as a community.”

(6:20:59) – LeAnn Saarem introduced herself as a “native Carson City resident” and believed the timing of the proposal “seemed like a purposeful tactic ... to have us be involved in this so late during the holidays.” She

indicated that the current zoning is for 12,000 and 6,000 square-foot lots “and the percentage right now is 84 percent of the area is supposed to be 12,000 single family, and 16 percent of the area is supposed to be 6,000 single family, and now it’s completely opposite.” Ms. Saarem noted that the proposed development would house “over seven lots per acre if you take the developed space of 28.62 acres.” She was opposed to the proposed 5,000 square-foot lots calling them “much less and not equitable or consistent with the area around.”

(6:26:40) – Betsy Strasburg introduced herself as a resident on Tahoe Drive who shared a common fence with Andersen Ranch. She echoed Ms. Saarem’s comments and explained that the application did not reflect what Mr. Railey had stated during the community meeting, which was to have two-story homes in the middle of the development and one-story homes on the perimeter. Ms. Strasburg believed that seeing two-story rooftops beyond the one-story ones “is not feasible in any part of the west side of Carson City” and wished to retain “the neighborhood quaintness.”

(6:29:30) – Jim Reid introduced himself as a resident on Plantation Drive and “a person in public safety for more than 20 years.” Mr. Reid believed that the traffic was dangerous right now and requested sidewalks and “curbs and gutter” to mitigate the increased traffic going both ways to the [college] and around Winnie Lane. Mr. Reid was also concerned about the “drainage coming out of that canyon.”

(6:31:18) – Richard Nagel introduced himself as a resident on Tahoe Drive and stated that the “traffic study says one car per minute, which is a significant increase for anyone who lives around the Mountain Street and its feeder streets.” Mr. Nagle also believed that “roads inside the development should be paid by the HOA rather than the City...no other neighbors will be driving on those streets.” He cited an example in the Bay Area where the City had been found responsible for a flooded neighborhood because the HOA had failed to maintain the streets.

(6:33:42) – Dixie Jennings-Teats introduced herself as a resident of Lexington Avenue and mentioned that the traffic studies regarding Washington Street were “not accurate,” as all of her friends had “been avoiding Washington [Street] for weeks because of the presence of trucks. She also believed in less density rather than what it is zoned for.

(6:35:37) – Michelle Monto introduced herself as a resident on the west side and agreed with Ms. Jennings’s inference about the traffic study on Washington Street. She was also opposed to opening up the secondary streets.

(6:36:44) – Molly Bundy-Toral introduced herself and was concerned that the City was developing “denser communities.” She also believed that it will be more difficult than it currently is to find a doctor.

(6:38:06) – Abigail Johnson introduced herself as a resident on Maison Way and pointed out that the traffic study was completed on June 4, 2019 when it was a “Minimum Day” for middle school and high school according to the Carson City School District, which “likely did not capture the traffic patterns of a typical day when school is in session” as well as the construction project on Washington Street which “changed routine traffic patterns for locals seeking to avoid the delays, disruption, and dust.” Ms. Johnson wished to see the Ormsby Boulevard and Mountain Street problematic left turn issues addressed and to have the developer “provide a traffic-calming mitigation.” She also requested making the School District letter public.

(6:41:52) – Charles Knaus introduced himself as a resident on North Richmond Avenue. He received confirmation from Ms. Sullivan and Chairperson Sattler that the public’s questions would be addressed after public comment. Mr. Knaus requested that the Commission “pay attention to the curve and visibility” for vehicles traveling down Richmond Avenue toward Washington Street and turning left on Washington. He also mentioned adding a stop sign.

(6:45:00) – James Pincock introduced himself and agreed with previous comments regarding “density” and “lot sizing” and remarked that “it seems unreasonable.” He commented that “the developer’s attempting to justify their

small lot size and result[ed] in high densities on the basis that they're only building the maximum number of homes that are allowed with current zoning and are in turn allowing 7.9 acres for common open space." He pointed out how the map depicted the open space as "a nice green ring around the entire periphery of the development" and was concerned about the "northeastern" part of the property for its "double-duty" use as a "park and flood control detention basin." He also wished to add that the open space should be "landscaped" and "irrigated with reclaimed water" and "include a tractor grading and contouring that would not interfere with flood control measures." He also believed that the City can find funding if it truly believes in purchasing the property.

(6:50:07) – Dan Leika introduced himself and stated that he was representing three grandchildren who live in the neighborhood. He was concerned with "the lack of emergency exits out of the west urban area," and disagreed with item #8 of the findings in the Staff Report. Mr. Leika referenced the area map depicting the four schools: Fritsch Elementary School, Bordewich Bray Elementary School, St. Teresa Avila School, and Carson Middle School, representing an enrollment that exceeded 2,600 students. He explained that it would be "very difficult" to evacuate the existing residents as well as the students during a catastrophic event. Mr. Leika believed the cost should be incurred by the City; however, he believed the developer could do it cheaper. He also recommended that the City "update their codes to reflect the potential of a catastrophic event and its impact on future project review or the proposals."

(6:57:51) – Patrick Anderson introduced himself as a resident on Mountain Street and urged the Commission to approve the project, as he believed "that the Developer has been very responsive to the concerns that were voiced during the Vintage Proposal ... and this team has come back with a project that is entirely residential [and] entirely consistent with the surrounding neighborhoods." He stated that he believed "that the roadways along the northern and southern perimeter should be built through to the project area," adding "you simply cannot have enough connectivity when it comes to moving people out should an emergency occur." He commented that "restricting growth because the City can't afford to maintain roadways" was a "fiscal management issue."

(7:00:52) – Maxine Nietz introduced herself and stated that she was "disappointed" with Mr. Anderson, as he was previously "with the rest of the neighborhood in terms of asking that this project not go forward as planned." She stated that "there need to be a lot of changes to this project because [Carson City Municipal Code Chapter] 17.10 is a detriment to the City, and that the City had "been working with the Developer, hand in glove, not with the citizens," as the citizens are "the ones who are picking up all the tab." She also commented that "we want to go back to the original zoning and have them build not 5,000 square foot mini lots with two-story homes on them; we want 6,000 and 12,000 square foot lots as the zoning calls for, and that's what we expected when we purchase[d] our homes, and that's what we expect [you] to uphold as our representatives here. Ms. Nietz mentioned that "they need to redo that traffic study completely."

(7:04:08) – Jeff Foltz introduced himself and agreed with the prior comment regarding "increasing open space on the north side of the project," as "30 feet is not a large buffer," as well as the "request that only single-story units be allowed along the perimeter of the project." He was concerned about the maintenance costs for the roadways and requested that "if this project goes forward to the Board of [Supervisors] that the Board have the information of what the additional cost for ongoing road maintenance for this subdivision is going to be, and your [Regional Transportation Commission] Staff could certainly make a rough calculation on cost versus revenues on an annual basis given they're familiar with what the revenues are and costs."

(7:06:00) – Chairperson Sattler entertained further public comments; however, none were forthcoming. He addressed some of the comments, including those regarding the "Richmond cul-de-sac" and informed the public that "[it] was never a cul-de-sac; it was a turnaround at the end of that road" as well as informed the public that condition #25 addressed that the Developer "will be putting in their share to pay for" the extension of North Ormsby Boulevard to West Winnie Lane. He mentioned that the Commission has "no say over protecting views...the only way you can protect the view is to own what you're looking over."

(7:07:34) – Mr. Plemel addressed the public comments regarding neighborhood hearing about the details of the project by stating that “we have to treat everybody the same. This is actually quite [a] serious Constitutional Due Process and Equal Protection issue. We have to treat this applicant [the] same as we would any other applicant.” He explained the process of attaining the application, and he informed the public that the “Board is here every December holding a meeting [and] reviewing whatever applications we get” and that the Commission “work[s] closely with the [Carson City] District Attorney’s office on that and ... we have wider notice than is required by [Nevada Revised Statutes] (NRS), but we do it consistently, and we are not permitted to go beyond that, and again, treat some applicants different than others.” He also pointed out that the Commission had not been “working with the applicant on the project since February” and clarified that they were at the “second step of a three-step process of getting a tentative map approved.”

(7:10:06) – Ms. Sullivan addressed public comments, including explaining that the Commissioners had “studied” the lot sizes, as they have “full-size plans.” She added that architecture “is not addressed in a tentative map,” although “the Applicant could volunteer conditions regarding the architecture, but the Commission and the City [are] not in a position to dictate the architecture as part of this tentative map.” She acknowledged that there were no “offsite sidewalks,” as “offsite improvements are not being proposed as part of this,” but pointed out that, according to the plan set, there would be sidewalks on the “interior streets,” “on each side of the street,” on Mountain Street, and a “multi-use path along Ormsby [Boulevard] on the property.” She assured that the traffic study happened “in advance of the commencement of construction on Washington Street,” and she stated that “when we consider school traffic ... the important piece of that is the a.m. traffic, not the p.m. traffic, so the Staff felt confident that the traffic report was sound vis-à-vis the school schedule.” She informed the public that responses to the public questions and comments would be recorded in the meeting minutes [and the posted video on the City’s website].

(7:14:38) – In response to Chairperson Sattler’s inquiry, Mr. Pottéy pointed out that the extension of Ormsby Boulevard to Winnie Lane was a part of the City’s Transportation Master Plan and “really driven by development.”

(7:15:00) – Transportation Manager Lucia Maloney confirmed that Condition of Approval 25 that the Applicant would be “contributing” their pro-rata share to the project outlined in Condition of Approval 25.

(7:15:56) – Mr. Pottéy addressed concerns regarding the “intersection on the north end of Ormsby [Boulevard] since it’s a sharp turn” due to “sight distance”. He explained that “the project’s entrance meets the City’s standard for the minimum distance from that intersection, and since there’s only the two streets entering that intersection, there’s no turning conflicts at the existing intersection.” He stated that he had seen the satellite view of the intersection of Washington Street and Ormsby Boulevard, and “it appears to meet the City’s standards for sight distance”. He also explained interior streets “do have to meet City standards, which include sidewalks on the inside, and there’s also sidewalks and paths required on the existing City streets.” Per Chairperson Sattler’s request, Mr. Pottéy confirmed that Division Street, Washington Street, and Ormsby Boulevard are all collector roads. He also noted that during one of “those catastrophic events, we’re not limiting evacuees to specific roads,” and “this project is surrounded by a grid system ... so Staff are confident that there’s a lot of ways for residents to get in and out.”

(7:17:49) – Commissioner Dawers remarked that Fritsch Elementary School was “currently a madhouse over there” when dropping kids off and inquired about whether the rezoning would be “lightening” the “burden” at Fritsch Elementary School.

(7:18:30) – Carson City School District Superintendent Richard Stokes acknowledged the growth to the City population and noted that “the capacity to our schools are easily at 98-99 percent, with some schools exceeding that number.” He pointed out the rollover school bond in effect until 2030, as “one way that we have to deal with some of the growth, as well as the existing church that we’re hoping to remodel to become a school,” as “we are

not able to build full-blown schools.” He stated, as “grateful partners to our friends at the Planning [Division], that the Planning Division “assist[s] us” and “keeps us informed about the different projects that are in the community, but because “there’s just not a lot of 10 plus acres that are left in town on which to build...we are struggling” and “trying to maintain our elementary schools to a number that’s equal to about 650” students. He mentioned that “we are hoping that in the next two years, we’ll be about to modify the conditions at Carson Middle School by adding an addition onto Eagle Valley [Middle School], and we’re hoping to create a condition where we’ve got the two middle schools approximately equal enrollment, which will be between 980 to 1000 students.” He also explained that “we’re looking to rezone within the next several years” in regards to the elementary schools such as Fritsch Elementary School as a method to “mitigate the number of students that are in our schools.”

(7:22:38) – Chairperson Sattler congratulated Mr. Stokes and the School Board on being selected for the “Best Board in the State.” In response to Chairperson Sattler’s inquiry, Mr. Stokes stated that there is expected to be approximately between 60 and 70 students out of the 200-lot development, adding that the expected number of students “will be divided by [grade] levels.”

(7:24:21) – Commissioner Preston cited the Nevada Revised Statute and disclosed that as a commercial real estate agent for Coldwell Banker Select along with “others that may be involved in this project,” and she did not have a co-listing on this project, nor would she receive any compensation or profit sharing as a result of the item; therefore, she would be voting on the item, as she did not have a disqualifying conflict.

(7:25:12) – Discussion ensued regarding Condition #39, particularly in regards to the restrooms facility referred to in the Condition. Vice Chairperson Borders remarking that he believed “it’s a bad idea” and Chairperson Sattler stating that he believed it was “not fair or correct” that the HOA had to maintain it.

(7:26:38) – In response to Commissioner Tingle’s question, Mr. Pottéy confirmed that a conditional letter of map revision (CLOMR) would be required to attain Federal Emergency Management Agency (FEMA) approval “before they get that site improvement permit.” He also stated that a geotechnical report would be required to determine the ground water depth and “any mitigation that may or may not be required based on that.” Commissioner Tingle commented about her concern in regards to the traffic study and suggested that others from the Commission read about a different process of doing traffic studies in the December 2019 *Planning Magazine*. She also mentioned having done “some calling around to a couple of the major primary care providers in Carson City” and stated that the next available appointment for a new patient would be in April. She also suggested “as a mitigating factor” an “impact fee” that “could offset the cost of some of what is being required or requested.” Both Commissioner Tingle and Commissioner Preston thanked Mr. Stokes for attending the meeting.

(7:29:57) – Commissioner Preston pointed out this development is comparable to those that “people saw in Carson City back 20, 30, 40 years ago.” In regards to affordable housing, she stating that “it has to do with supply and demand” and noted that the smaller houses to be built on the smaller lots were comparable to those on streets such as Michael Drive and “from King Street going south and even the Northridge area,” and “what you do as a developer is you build something that is a little smaller, compact, and more economical so that this brings in maybe mid-affordable housing so that people that are living in the less-expensive housing can actually move in this and make that an opening so they can actually afford more.” She mentioned that why the City’s “costs are high” is because it “has not done a heck of a lot of development to bring in housing.” She addressed Commissioner Tingle’s concern regarding healthcare by stating “we have a freeway that takes us to Reno” to attain “some of the best medical care that we’ve got”, and she commented that “it’s not this Developer’s responsibility to bring in medical.” She mentioned she was concerned about the proposed restrooms, as the examples she had encountered had “all sorts of vandalism.” She also noted “that parking is actually overflow parking from the hospital, and that hospital was the first thing that was built in that area.”

(7:33:31) – Discussion ensued regarding removal of the restroom facility in Condition of Approval 39, and Ms. Sullivan noted that the items are listed as “including but not limited to”, and suggested removing the restroom

facility and parking lot mentions, if that were the “consensus of the Commission”. Chairperson Sattler mentioned he also did not agree with “handing [the Developer] a parking lot” that had “never been maintained.” Ms. Sullivan corrected the wording for both ends of Conditions 32 and 39 to read:

*“Shall be constructed or bonded for prior to the Board of Supervisors’ consideration.”*

(7:36:11) – Commissioner Dawers agreed with removing the restroom facility portion from the Condition and asked for clarification on the completion of the supplementary traffic study on Richmond Avenue. Mr. Pottéy explained that Staff were not concerned about the traffic on Richmond Avenue because “Washington [Street] is the only way in and out of Richmond [Avenue].” Commissioner Dawers disagreed with the lot size of 5,000 square feet, calling it “a big decrease from 6,000 square feet.” He was also concerned about the traffic study reporting “zero pedestrians” on Ormsby Boulevard, as he stated he knew “there’s a lot of pedestrian traffic.” Commissioner Dawers stated that “it just seems like we’re putting a lot of people in an area that does not meet the surrounding areas.”

(7:42:38) – Chairperson Sattler entertained comments from the Commission, and when none were forthcoming, a motion.

**(7:42:52) – MOTION: I move to recommend approval of Tentative Subdivision Map SUB-2019-0022 based on the ability to make required findings and subject to the conditions of approval with the modifications to Conditions 32, that [the Developer] bond for the improvements, and 39, to remove the restroom, to add the reference to bonding or construct, and to remove the parking lot, and the addition of the Applicant’s three volunteered Conditions regarding architecture.**

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

(7:45:01) – Mr. Plemel reminded everyone that this action was a recommendation to the Board of Supervisors, and that the item was tentatively scheduled for the January 16, 2020 Board meeting.

**F. STAFF REPORTS (NON-ACTION ITEMS)**

(7:47:52) – Mr. Plemel updated the Commission on the upcoming Board of Supervisors meeting where the Master Plan Annual Report would be presented. He also stated that per AB240 passed in the last legislative session, an Annual Growth Management Report was required, which had been reviewed by this Commission in May 2019. Mr. Plemel indicated that he would modify that report and present it to the Board of Supervisors at their next meeting, to forward to the State Legislature. He also informed the Commission that a waiver of business license fees would be heard by the Board at the next meeting, because of the new software system coming on board. Mr. Plemel reviewed the upcoming Title 18 workshop schedule and noted that he would bring along the one done by the City of Reno to use as “a good guide”.

- F.1 - DIRECTOR'S REPORT TO THE COMMISSION.**
- FUTURE AGENDA ITEMS.**



(7:50:20) – Mr. Plemel stated that a Special Use Permit for a multi-family dwelling in a retail commercial area will be agendized for the next meeting.

**- COMMISSIONER REPORTS/COMMENTS.**

(7:50:38) – Chairperson Sattler indicated that this would be his final Planning Commission meeting, calling it “a fun nine years” and reminded Staff about the upcoming elections for Chair and Vice Chair.

**G. PUBLIC COMMENT**

(7:51:35) – Mr. French wished the Chair “good luck” on his upcoming move and called Carson City “a special place” and expressed his disappointment in the outcome of item E.8.

**H. FOR POSSIBLE ACTION: FOR ADJOURNMENT**

**(7:52:52) – MOTION: Vice Chair Borders moved to adjourn. Chairperson Sattler adjourned the meeting at 7:53 p.m.**

The Minutes of the, December 17, 2019 Carson City Planning Commission meeting are so approved this 29<sup>th</sup> day of January, 2020.