A regularly scheduled meeting of the Carson City Regional Planning Commission was held on Wednesday, August 27, 1997, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 3 p.m.

PRESENT: Chairperson Verne Horton, Vice Chairperson Alan Rogers, and

Commissioners Allan Christianson, Deborah Uhart, and Richard

Wipfli

STAFF PRESENT: Deputy District Attorney Paul Lipparelli, Deputy Public

Works Director Tim Homann, Deputy Utilities

Director Jay Ahrens, Health Director Daren Winkelman, Deputy

District Attorney Melanie Bruketta, Senior Planners Sandra Danforth and Juan Guzman, Senior Engineer John Givlin, Associate Planner Tara Hullinger, and Recording Secretary Katherine McLaughlin (P.C. 8/27/97 Tape 1-0001.5)

NOTE: Unless otherwise indicated, each item was introduced by the Chairperson. Staff then presented/clarified the staff report/supporting documentation. Any other individuals who spoke are listed immediately following the item heading. A tape recording of these proceedings is on file in the Clerk-Recorder's office. This tape is available for review and inspection during normal business hours.

- **A. ROLL CALL, DETERMINATION OF A QUORUM AND PLEDGE OF ALLEGIANCE** Chairperson Horton convened the session at 3:10 p.m. Roll call was taken and a quorum was present although Commissioner Uhart had not yet arrived and Commissioners Mally and Pozzi were absent. Chairperson Horton lead the Pledge of Allegiance.
- B. COMMISSION ACTION APPROVAL OF MINUTES FOR REGULAR APRIL 30 MEETING AND SPECIAL MAY 14, 1997, MEETING (1-0017.5) Commissioner Wipfli moved to approve the Minutes. Commissioner Christianson seconded the motion. Motion carried 4-0-0-3. (Commissioner Uhart arrived during the vote--3:12 p.m. A quorum was present as indicated.)
- **C. PUBLIC COMMENT (1-0026.5) -** None.
- **D. AGENDA MODIFICATIONS** (1-0034.5) Senior Planner Guzman pulled Item E-1 from the Consent Agenda for discussion. Items F-2, F-3, F-6, and F-12 were continued.
- **E. CONSENT AGENDA (1-0055.5)**
- E-2. U-94/95-9 DISCUSSION AND POSSIBLE ACTION ON AN ANNUAL REVIEW OF A SPECIAL USE PERMIT FROM DON HOWELL
- E-3. V-96/97-11 DISCUSSION AND POSSIBLE ACTION ON A REQUEST FROM DAVID BARTOSZ Commissioner Christianson pulled Item E-2 for discussion. Item E-3 had been withdrawn by the applicant. Therefore, Chairperson Horton ruled that no action was required on Item E-3.
- E-1. U-91/92-17(a) DISCUSSION AND POSSIBLE ACTION AMENDING A PREVIOUSLY APPROVED SPECIAL USE PERMIT FROM KIMBERLY ROGERS (1-0090.5) Senior Planner Juan Guzman, Applicant Kimberly Rogers, Roseann Olds, Peggy Larson, Jenny Simmons, Pastor Mark Devlin Mr. Guzman explained the public concerns regarding the use of the kitchen to prepare food for anyone other than the students attending the school. Loading and unloading on Ivy Street would not occur. The Ivy Street traffic should not be impacted by the school. Ms. Rogers also felt that the adjacent property owners had been confused by the notice. She is currently reheating the meals and snacks at the facility. She averages 30 students a day. Public testimony was solicited. The neighbors questioned whether the public would be served from the church or its small house on Ivy Street. Ms. Simmons supported the program. Pastor Devlin indicated that no food would be served from the house on Ivy Street. Food will be served to only the students attending the Church's elementary school. Additional public comments were solicited. Ms. Rogers agreed that there would be no physical changes to the structure of the Church as it now stands. The current interior facilities will be used to continue to provide hot

lunches to the children attending the school. The house on Ivy Street will not be used for this purpose. The public comment portion was then closed. Commissioner Christianson moved to approve U-91/92-17a, a special use permit for the Bethlehem Lutheran Church and Kimberly Rogers in order to allow the additional use of existing kitchen facilities located at 1837 Mountain Street, Carson City, for the storage, preparation and service of hot lunch and snack bar items for the students of the school subject to the original conditions of approval and findings of the special use permit application, U-91/92-17a. Commissioner Wipfli seconded the motion. Motion carried 5-0-0-2.

E-2. U-94/95-9 - DISCUSSION AND POSSIBLE ACTION ON AN ANNUAL REVIEW OF A SPECIAL USE PERMIT FROM DON HOWELL (1-0225.5) - Senior Planner Guzman - Commission discussion indicated a concern about the construction hours and requested staff ask the contractor to install a sign indicating the hours similar to the one Mike Hickey had installed on his job site. The applicant was not present. Public comments were solicited but none given. Commissioner Christianson moved to approve the annual review of U-94/95-9 to permit a subdivision sales office on property zoned Single Family 12,000 located at 2505 Roxbury Way, APN 7-382-02, based on seven findings and subject to eight conditions of approval contained in the staff report plus a ninth condition of approval stating: "no construction activity shall commence before 7 a.m. on any project or phase connected with this sales office" and with the understanding that any acknowledgements to the Commission/Board by the applicant may be considered as further stipulations or conditions of approval on this application. Commissioner Uhart seconded the motion. Motion carried 5-0-0-2.

F. PUBLIC HEARINGS

- F-1. U-97/98-7 DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT APPLICATION FROM ROBERT MCFADDEN (1-0299.5) Associate Planner Tara Hullinger, Bob McFadden Mr. McFadden briefly described the project and reasons for the application. Public testimony was solicited but none given. Commissioner Christianson moved to approve U-97/98-7, a special use permit request from Bob McFadden to allow a manufactured home in a Retail Commercial zoning district located at 3290 Carmine Street, APN 8-302-06, based on seven findings and subject to eight conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission/Board by the applicant may be considered as further stipulations or conditions of approval on this application. Commissioner Wipfli seconded the motion. Motion carried 5-0-0-2.
- F-2. V-97/98-3 DISCUSSION AND POSSIBLE ACTION ON A VARIANCE REQUEST FROM CAPITAL ENGINEERING (1-0379.5) Commissioner Wipfli moved to continue the Item as listed in the packet, Items F-2 and F-3. Chairperson Horton indicated only Item F-2 was under consideration at this time. Commissioner Wipfli amended the motion to remove Item F-3. Commissioner Christianson seconded the motion. Motion carried 5-0-0-2.
- F-3. Z-97/98-2 DISCUSSION AND POSSIBLE ACTION ON A CHANGE OF LAND USE REQUEST FROM DWIGHT MILLARD (1-0394.5) Commissioner Wipfli moved to continue F-3. Commissioners Christianson and Uhart seconded the motion. Motion carried 5-0-0-2.
- **F-4.** U-96/97-61 DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT APPLICATION FROM DONREY OUTDOOR ADVERTISING (1-0405.5) Associate Planner Hullinger, Applicant's Representative Guy Day Mr. Day indicated he had read the staff report and concurred with it. Public testimony was solicited but none given. Commissioner Uhart moved to approve U-96/97-61, a special use permit from Donrey Outdoor Advertising, property owners Eugene and Judith Lepire, to allow an off-premise sign on property located at 5400 South Carson Street, APN 9-302-12, on property zoned General Commercial, based on seven findings and subject to seven conditions of approval contained in the staff report. Commissioner Wipfli seconded the motion. Motion carried 4-1-0-2 with Commissioner Rogers voting Naye and Commissioners Mally and Pozzi absent.
- F-5. A-97/98-5 DISCUSSION AND POSSIBLE ACTION ON A REQUEST FROM PERRY NIXDORF TO AMEND CCMC SECTION 18.06.255 (1-0469.5) Senior Planner Sandra Danforth, Applicant

Perry Nixdorf, Health Director Daren Winkelman - Public comments were solicited but none given. Commissioner Uhart expressed her concerns regarding the need for sanitary and safety conditions. Mr. Winkelman indicated that he was working with Washoe County on this program. He will oversee the program. Commissioner Uhart moved to approve a recommendation to the Board of Supervisors amending Title 18, Section 18.06.255, by adding Body Piercing as a primary permitted use. Commissioner Wipfli seconded the motion. Motion carried 5-0-0-2.

F-6. Z-97/98-5- DISCUSSION AND POSSIBLE ACTION ON A CHANGE OF LAND USE **REQUEST FROM CARSON CITY (1-0528.5)** - Senior Planner Guzman, Dixie Busch, GiGi Valenti - Reasons for postponing the State application were provided. The neighbors' concerns and support for the zoning change were explained. Mr. Guzman indicated he represented Applicant Ford. A State representative was not present. Chairperson Horton indicated that any comments concerning the State application would be considered as information only as no action would be taken on its request. Comments were also to relate the change of land use and not be concerned with any potential users or their usage. Public comments were solicited. Ms. Busch and Ms. Valenti supported the change of land use for the State property. Ms. Busch submitted a petition to the Clerk supporting the change of land use. She had no comment on the Ford application. Additional public comments were solicited but none given. Commissioner Uhart supported moving forward with Mr. Ford's application. Commissioner Uhart then moved to approve a motion recommending to the Board of Supervisors the preparation and approval of an ordinance for first reading to change the land use designation on APN 7-051-58 from Conservation Reserve to Single Family Five Acres and recommend to the Board of Supervisors adoption of said ordinance based on the findings contained in the staff report. Commissioner Christianson seconded the motion. Motion carried 5-0-0-2.

U-93/94-6 - DISCUSSION AND POSSIBLE ACTION ON A REVIEW OF A PREVIOUSLY F-7. APPROVED SPECIAL USE PERMIT FROM SILVER OAK DEVELOPMENT (KMART AND OTHER PROPERTIES) (1-0718.5) - Senior Planner Guzman, Kmart Store Director Brad Johnson - Staff wished to be consulted about the tree selections prior to planting and informed on the process which would be used to aerate the soil. There is a new contractor who has spent a "considerable amount of time" at the site. News articles were cited. The grass dyeing program was undertaken in an attempt to instantly improve the aesthetics. Kmart is attempting to bring the landscaping up to the City standards. If a problem arises, staff will place the matter on the next agenda for consideration/action by the Commission. Commissioner Christianson responded to an news article by expressing his feeling that the Commission had never threatened to remove the Business License. Mr. Guzman indicated that this type of action is not under the Commission's purview. Commissioner Rogers noted the Commission's responsibility to oversee compliance with any special conditions or requirements. Kmart has been granted many "privileges" over the years for having its business at the present site. It is unfair of individuals to criticize the Commission when it is acting in this capacity. Commissioner Uhart pointed out that Condition 7 does not include a timeframe for compliance. Mr. Guzman felt that when the soil testing is completed, Arborist Molly Sennet will be able to make recommendations on what else should be done. He was comfortable with Kmart's mitigation plan.

Mr. Johnson thanked the Commission for its patience. Efforts are being made to be pro-active with the landscaping and to resolve the issues. The soil samples have been taken. They indicate that there has been a "real lack of fertilization and irrigation". Improvements to the irrigation system have helped the condition of some of the trees. The curbs are to be fixed on Tuesday. He asked the staff and Commission to contact him if there is any area which needs more attention. Commissioner Christianson explained some public concerns which had been expressed by "Kmart fans". He commended Mr. Johnson on the improvements. Commissioner Rogers explained the use of the site as an example for other developers. Maintenance of the site will provide a good positive example for others. Chairperson Horton commended Messrs. Johnson and Suleiman's efforts to improve the site. He looked forward to the problem going away.

Public comments were solicited but none given.

Commissioner Christianson moved that we table this item as recommended by staff, that the time lines and guidelines as established be adhered to, and that if there is further evidence that these conditions are not being

complied with, that staff bring the item back to the Commission through the Planning Department. Commissioner Uhart seconded the motion. Motion carried 5-0-0-2.

F-8a. A-97/98-4 - DISCUSSION AND POSSIBLE ACTION ON A REQUEST FROM CARSON CITY TO AMEND CCMC 18.03.044; AND, F-8b. A-97/98-3 - DISCUSSION AND POSSIBLE ACTION ON A REQUEST FROM LOUISE LIGHTNER TO AMEND CCMC SECTION 18.06.247 (1-0902.5) - Senior Planner Danforth, Louise Lightner - Discussion expressed the feeling that the hours should be expanded/eliminated even though the applicant's current Reno program operates within the suggested timeframe. A description of the service and its need were explained. Demand will establish the actual hours of operation. Public testimony was solicited but none given. Commissioner Uhart commended on her on the proposal and explained her support for the amendments. Commissioner Uhart moved to recommend that the Board of Supervisors approve A-97/98-4, an ordinance amendment to include "adult day care facility" as a definition in Carson City's Municipal Code 18.03.044, and an ordinance amendment to include adult day care facility within CCMC 18.06.247, Neighborhood Business Conditional Uses, CCMC 18.06.257, Retail Commercial Conditional Uses, and CCMC 18.06.268, General Commercial Conditional Uses. Commissioner Christianson seconded the motion. Commissioner Uhart continued her motion to amend the hours to delete that portion restricting the hours. Commissioner Christianson concurred. The motion was voted and carried 5-0-0-2.

F-9a. U-97/98-8 - DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT APPLICATION FROM CARSON CITY PARKS DEPARTMENT; AND F-9b. U-97/98-9 - DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT APPLICATION FROM CARSON CITY PARKS DEPARTMENT (1-1030.5) - Associate Planner Hullinger, Parks and Recreation Director Steve Kastens, Deputy Public Works Director Tim Homann - Discussion corrected the building size to be 576 square feet. Mr. Kastens had discussed the proposal with one of the park's neighbors. Public comments were solicited but none given. Commissioner Rogers moved to approve U-97/98-8, a special use permit request from Steve Kastens to allow a 576 square foot prefabricated storage building at the Edmonds Sports Complex in a Public zoning district located at Livermore Lane, APN 10-211-05 and 06, based on seven findings and subject to seven conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission or Board by the applicant may be considered as further stipulations or conditions of approval. Commissioner Christianson seconded the motion. Motion carried 5-0-0-2.

Commissioner Rogers moved to approve U-97/98-98, a special use permit request from Steve Kastens to allow four 25 feet high lights at the BMX track, Edmonds Sports Complex, in a Public zoning district located at Livermore Lane, APN 10-211-05 and 06, based on seven findings and subject to eight conditions of approval contained in the staff report. Commissioner Christianson seconded the motion. Following a request for an amendment to the motion, Commissioner Rogers corrected the motion to approve U-97/98-9. Commissioner Christianson concurred. The motion was voted and carried 5-0-0-2.

- **F-11. Z-97/98-3 DISCUSSION AND POSSIBLE ACTION ON A REQUEST FROM JOHN BERKICH OF CARSON CITY (1-1178.5) -** Senior Planner Danforth Public testimony was solicited but none given. Commissioner Christianson moved to approve Z-97/98-3, a change of land use application to rezone approximately 28,900 square feet of land from Downtown Commercial to Public on property located at 201 North Carson Street, APN's 4-201-01, 02, and 03, and a motion to prepare an ordinance for first reading to change the land use designation for APN's 4-201-01, 02, and 03 from Downtown Commercial to Public and recommend to the Board of Supervisors adoption of said ordinance based on the four findings contained in the staff report. Commissioner Wipfli seconded the motion. Motion carried 5-0-0-2.
- F-12. M-97/98-7 DISCUSSION AND POSSIBLE ACTION TO PROVIDE STAFF WITH CLARIFICATION AND DIRECTION IN REFERENCE TO THE PROVISIONS OF CARSON CITY MUNICIPAL CODES 4.28 and 18.05.109 (1-1232.5) Senior Planner Guzman During Chairperson Horton's reading of the title, Commissioner Wipfli stepped from the room--4:20 p.m. (A quorum was still present.) Commissioner Christianson moved to continue Item F-12 until a future date. Commissioner Uhart seconded the motion. Motion carried 4-0-0-3.

BREAK: A ten minute recess was declared at 4:25 p.m. A quorum of the Commission was present when the meeting was reconvened at 4:35 p.m. although Commissioners Pozzi and Mally were absent as indicated previously.

F-10. U-97/98-6 - DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT APPLICATION FROM RICHARD SCOTT (1-1268.5) - Associate Planner Hullinger, Applicant Richard Scott, Deputy Public Works Director Tim Homann, Deputy Utilities Director Jay Ahrens, Deputy District Attorney Paul Lipparelli - Ms. Hullinger indicated that a condition of approval would require submittal of the landscaping plans. These plans are normally submitted when the building permit is requested. An elevation plan had not been included with the application. Another condition of approval required submittal of the elevation prior to issuance of the building permit. If the applicant does not meet the Code requirements, the item will be returned to the Commission for review. Commissioner Wipfli felt that this information should be included with the application for a special use permit.

Mr. Scott felt that the Commission should focus on the proposal land use. It is an overkill to design a project including the landscaping plan, the architectural plan, etc., unless the Commission will approve the use. He had reviewed the staff reports. He did not like a couple of the conditions but would "go along with them". He specifically did not like the requirement mandating the additional 60 feet of sewerline along the front of the property when there is an existing line. He was also opposed to having to pave the alley to allow access to the back of the property as well as to the next street. He would pave it but felt that the City should participate in the cost and removal of buildings, trees, etc., which encroach into the alley. An example of the encroachment was illustrated by his explanation of the distance between two existing power poles. He did not believe that his neighbors would grant the necessary 20 feet or move the structures which were encroaching. Other than these comments, he was in concurrence with the recommendations.

Public testimony was solicited but none given.

Mr. Homann indicated that Mr. Scott could "go around" the structures. He understood the constraints found with alleys. The southerly portion of the alley is open and a 20 foot width could be obtained. He would work with the northerly portion.

Mr. Ahrens explained the Code requirement mandating replacement of the undersized sewerline and the City's participation in its replacement. Mr. Scott would only be required to participate along his frontage. The City and another applicant will participate in the agreement to replace the line.

Commissioner Uhart supported Commissioner Wipfli's comments and explained her need to see the project before the Special Use Permit is approved. She questioned whether the Commission had the discretion to require such plans due to design standard concerns and when the use is modified. Mr. Lipparelli read from the Code the purpose and permitted uses allowed within the General Office district. Multi-family apartment use is a conditional use within the General Office district. The standards for special use permits were also read. The Codes indicate that the Commission should be given adequate information to determine whether the proposed use is compatible with surrounding uses. He felt that the Commission could deny the application if inadequate information is provided, i.e., the lack of landscaping and/or elevation plans. Commissioner Uhart expressed her feeling that the General Office designation should not be changed due to the shortage of GO areas within the community. The site is adjacent to the proposed Public Safety Complex. If the applicant could illustrate a compelling reason for the change, she was willing to consider it. The information which had been furnished did not provide this justification. Commissioner Wipfli supported her position. The design plans should indicate that it will be compatible with the neighborhood. He did not feel that an elaborate set of plans were required to provide the illustration. Commissioner Rogers felt that the application failed to indicate preservation of the character of the neighborhood and that there was no open space illustrated on the drawing which had been included in the packet. He also felt that the completeness of the packet as required in 18.02.060 had not been met.

Mr. Scott responded by expressing his appreciation for the Commission's job and its seriousness, however, the lot is only 60 x 100 feet and is abutted by apartment houses. He questioned what the Commission wished to see on

the site--three apartments or an office building. He was willing to do an office building if desired. He felt that a compatible use would be apartments in view of the two adjacent apartment buildings. He could submit the office building plans tomorrow and would not have to make a presentation to the Commission. He was willing to request a one month continuance to provide the additional data. He thought the drawing he had submitted with the packet had contained the open space. He reiterated his question as to the type of building which should be constructed on the site. An office building layout had previously been submitted to staff as two of his partners want it.

Commissioner Rogers explained that it is not proper for the Commission to indicate the type of use which should be made on the property. The Commission was merely indicating its desire to see additional details on the plan so that a more informed decision could be made. He did not have a bias for either apartment or office usage on the site. He did wish to see that the building conform and provide the necessary elements to make it a quality project. Commissioner Uhart supported his comments.

Clarification indicated that Commissioners Rogers, Wipfli, and Uhart had felt that the proposal was a change of land use as required for a special use permit and not a zoning change.

Mr. Scott indicated that he had heard the Commission's comments and requested that the item be continued for one month so that additional data could be submitted to staff. This data will include the schematic landscape plan and the elevations.

Commissioner Rogers moved to continue Item F-10 until the regularly scheduled September meeting. Commissioner Wipfli seconded the motion. Motion carried 5-0-0-2.

H. DISCLOSURES (1-1685.5) - Discussion between the Commission and Mr. Lipparelli indicated this item should appear at the beginning of the Agenda. Normal practice has been for the Commissioners to state any disclosures prior to discussing an item.

Chairperson Horton then passed the gavel to Vice Chairperson Rogers and left the meeting--4:58 p.m. A quorum was still present.

I. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (NON-ACTION ITEMS)

- 1. CORRESPONDENCE (1-1701.5) Contained within the packet. An item distributed to the Commission prior to issuance of the packet had dealt with an Airport Authority issue. If the Commission had any comments on these items, the Commissioners were asked to contact staff.
- 2. STAFF BRIEFING ON STATUS OF COMMISSION'S RECOMMENDATIONS TO THE BOARD OF SUPERVISORS (1-1715.5) Mr. Guzman briefly listed the items and indicated all of the items submitted to the Board had been approved/denied as recommended.
- 3. COMMISSIONER REPORTS (1-1774.5) Commissioner Uhart explained her inability to be on time for a 3 p.m. meeting. Vice Chairperson Rogers recommended starting the meetings at 3:30 as there does not appear to be a need to begin early due to the length of the agenda.
- 4. OPEN SPACE ADVISORY COMMITTEE REPORT (1-1808.5) Commissioner Uhart explained the process used to select Winston and Associates as the Open Space Master Plan Element consultant.
- **5. STAFF COMMENTS** (1-1834.5) Mr. Lipparelli introduced Deputy District Attorney Melanie Bruketta. Vice Chairperson Rogers welcomed her.

Mr. Guzman requested direction from the Commission on whether to agendize the Code requirements for special use permits. Vice Chairperson Rogers explained his feeling that the specific case in point had had the least amount of information he had ever seen with an application. He did not feel that a detailed design was required but additional detail was definitely necessary. Commissioner Uhart supported consideration of a Code amendment based on the design standards and guidelines which are now being implemented. These standards further support the quality of life issues. She, too, felt that the case in point had contained the least amount of information. Other requests had provided an adequate amount of information upon which to make a decision. Discussion emphasized the need to uphold the community's vision.

Discussion ensued between the Commission and Mr. Guzman on the status of the commercial design standards and its enabling ordinance. This ordinance is being held in abeyance until the specific standards have been developed. Mr. Guzman indicated this item will be agendized for a future date. Staff is holding workshops on this topic now. Commissioner Christianson expressed his concern about the news article(s) which cited specific buildings as examples. Compatibility is an issue which is "in the eye of the beholder". He, personally, had felt that the specific buildings had been compatible with their surroundings. Staff had been able to make them even more compatible by working with the developer(s). Commissioner Uhart requested the record indicate that that had not been the reason she had requested the ordinance be expedited. She felt it was the highest priority. She was concerned that workshops were being held without notifying her. She felt she should have had the option as to whether she wished to be included in the process. Mr. Guzman expressed his feeling that it could be a waste of time for her to be involved at this point although future meetings will be announced. Vice Chairperson Rogers recommended that the Chairperson be informed of the meetings and/or brief about them. He could then decide whether the Commission should have a representative present. Mr. Guzman indicated that the Commission would be advised about future meetings.

- **6. FUTURE COMMISSION ITEMS (1-2050.5) None.**
- **J. ADJOURNMENT** (1-254.5) Commissioner Wipfli moved to adjourn. Commissioner Christianson seconded the motion. Motion carried unanimously. Vice Chairperson Rogers adjourned the meeting at 5:20 p.m.

The Minutes of the August 27, 1997, Carson City Regional Planning Commission meeting

ONSeptember_24, 1997.	ARE	S O	APPROVED
_/s/	Verne Hor	on, Chairp	person