

CARSON CITY PLANNING COMMISSION

Minutes of the October 27, 2010 Meeting

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A regular meeting of the Carson City Planning Commission was scheduled for 5:00 p.m. on Wednesday, October 27, 2010 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson Mark Kimbrough
Vice Chairperson Craig Mullet
Commissioner Malkiat Dhami
Commissioner Daniel Heath
Commissioner James Shirk
Commissioner William Vance
Commissioner George Wendell

STAFF: Lee Plemel, Planning Division Director
Jennifer Pruitt, Principal Planner
Jeff Sharp, City Engineer
Joel Benton, Senior Deputy District Attorney
Kathleen King, Recording Secretary

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

A. CALL TO ORDER, DETERMINATION OF A QUORUM, AND PLEDGE OF ALLEGIANCE (5:00:20) - Chairperson Kimbrough called the meeting to order at 5:00 p.m. Roll was called; a quorum was present. Chairperson Kimbrough thanked Commissioner Vance for serving as acting chair during the September meeting. Commissioner Dhami led the pledge of allegiance.

B. COMMISSION ACTION ON APPROVAL OF MINUTES - September 29, 2010 (5:01:40) - Commissioner Vance moved to approve the minutes, as presented. Commissioner Wendell seconded the motion. Motion carried 5-0-2, Chairperson Kimbrough and Vice Chairperson Mullet abstaining.

C. MODIFICATION OF AGENDA (5:02:12) - None.

D. PUBLIC COMMENTS (5:02:16) - None.

E. STAFF PUBLIC SERVICE ANNOUNCEMENTS (5:03:14) - Mr. Plemel advised that the November commission meeting will be scheduled for November 17th at 1:30 p.m. to accommodate both the Airport Authority meeting schedule later that day and the Thanksgiving Day the following week.

F. DISCLOSURES (5:04:02) - Commissioner Wendell advised he would recuse himself from discussion and action of item H-1.

G. CONSENT AGENDA (5:04:30) - None.

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H. PUBLIC HEARING MATTERS:

H-1. SUP-05-164 ACTION TO CONSIDER A REQUIRED FIVE-YEAR REVIEW OF AN EXISTING SPECIAL USE PERMIT FOR GEORGE WENDELL (PROPERTY OWNER: GEORGE WENDELL) FOR A METAL STORAGE CONTAINER, ON PROPERTY ZONED RESIDENTIAL COMMERCIAL (RC), LOCATED AT 2462 NORTHGATE LANE, APN 002-061-32 (5:05:38) - Commissioner Wendell stepped from the dais to the podium. Chairperson Kimbrough introduced this item. Mr. Plemel reviewed the staff report, and noted the same conditions of approval recommended as for previously-approved five-year reviews of special use permits. He reviewed the public noticing process, as outlined in the staff report, and noted that no comments had been received. He oriented the commissioners to the subject property, using displayed slides. He noted staff's recommendation of approval, subject to the conditions in the staff report.

(5:08:32) George Wendell advised of having reviewed the staff report, and acknowledged his agreement with the conditions of approval. Chairperson Kimbrough entertained public comments and, when none were forthcoming, a motion. **Commissioner Vance moved to approve SUP-05-164, a special use permit request from George D. Wendell / Victory Christian Center, a five-year review of a metal storage container permanently placed on property in the retail commercial zoning district, located at 2462 Northgate Lane, APN 002-061-02, based on findings and subject to the conditions of approval contained in the staff report. Commissioner Dhami seconded the motion. Motion carried 6-0-1.** Commissioner Wendell returned to the dais.

H-2. SUP-05-187 ACTION TO CONSIDER A REQUIRED FIVE-YEAR REVIEW OF AN EXISTING SPECIAL USE PERMIT FOR JEFF HERMAN (PROPERTY OWNER: CONALIZ, LLC) FOR A METAL STORAGE CONTAINER, ON PROPERTY ZONED RETAIL COMMERCIAL (RC), LOCATED AT 3333 NORTH CARSON STREET, APN 002-392-05 (5:10:38) - Chairperson Kimbrough introduced this item, and Mr. Plemel oriented the commissioners to the subject property using displayed slides. He provided background information and reviewed the agenda materials. He reviewed the public noticing process, as outlined in the agenda materials, and advised of having received no comments. In addition, he advised of having received no complaints regarding the subject containers and that the property owner has been compliant with the special use permit conditions of approval over the past five years. He noted staff's recommendation of approval, subject to the conditions contained in the staff report.

(5:12:40) Jeff Herman acknowledged his agreement with the conditions of approval. Chairperson Kimbrough entertained public comment and, when none was forthcoming, a motion. **Commissioner Dhami moved to approve SUP-05-187, a special use permit request from Jeff Herman / Conaliz, LLC, for a five-year review of three metal storage containers permanently placed on property in the retail commercial zoning district, located at 3333 North Carson Street, APN 002-392-05, based on findings and subject to conditions of approval contained in the staff report. Commissioner Vance seconded the motion. Motion carried 7-0.**

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H-3. SUP-10-081 ACTION TO CONSIDER A SPECIAL USE PERMIT REQUEST FROM SLOT WORLD CASINO (PROPERTY OWNER: CITY CENTER) FOR UNLIMITED GAMING, ON PROPERTY ZONED RETAIL COMMERCIAL (RC), LOCATED AT 444 EAST WILLIAM STREET, #8, APN 002-144-13 (5:14:55) - Chairperson Kimbrough introduced this item. Ms. Pruitt oriented the commissioners to the subject property, using a displayed vicinity map, and reviewed the staff report. She reviewed the public noticing process, as outlined in the staff report, and advised that no comments had been received. She noted the comments from the Building and Engineering Divisions and the Fire Department, included in the staff report. She further noted two previous special use permits within the past ten years for unlimited gaming in Carson City. She further noted staff's recommendation of approval. In response to a question, she explained that parking requirements are determined by floor space.

(5:21:13) Mark Palmer, of Palmer Engineering Group representing the City Center and Slot World Smoke Shop, advised of having reviewed the staff report. He acknowledged agreement with the conditions of approval, as outlined in the staff report. In response to a question, Jeffrey Smeath, of Slot World, explained the intent to change the name of the establishment to the Golden Nickel. In response to a further question, Mr. Smeath advised that 53 slot machines will be moved to the new location. Discussion followed.

Chairperson Kimbrough entertained a motion. **Commissioner Wendell moved to approve SUP-10-081, a special use permit application from Palmer Engineering Group, Ltd. to allow a gaming (unlimited) establishment in the retail commercial zoning district, located at 444 East William Street, APN 002-144-13, based on seven findings and subject to the recommended conditions of approval contained in the staff report.** Chairperson Kimbrough entertained public comment and, when none was forthcoming, a second on the pending motion. **Vice Chairperson Mullet seconded the motion. Motion carried 7-0.**

H-4. SUP-10-077 ACTION TO CONSIDER A SPECIAL USE PERMIT REQUEST FROM CARSON CITY ANIMAL CONTROL (PROPERTY OWNER: CARSON CITY) FOR A COMMERCIAL COACH TO BE USED AS PERMANENT OFFICE SPACE, ON PROPERTY ZONED PUBLIC REGIONAL (PR), LOCATED AT 3770 BUTTI WAY, APN 010-037-02 (5:26:30) - Chairperson Kimbrough introduced this item, and Ms. Pruitt oriented the commissioners to the subject property using displayed slides. She reviewed the staff report in conjunction with additional slides. She reviewed the public noticing process, as outlined in the staff report, and advised of having received no comments. She noted staff's recommendation of approval.

Chairperson Kimbrough suggested skirting the commercial coach, and Mr. Plemel advised that the proposed location behind a fence is not accessible by the public. "The lower part of it is effectively already screened from the public parking areas and the public right-of-way."

(5:30:29) Code Enforcement Officer Kevin McCoy acknowledged agreement with the conditions of approval. He provided background information on the need for the additional office space. Chairperson Kimbrough entertained public comment and, when none was forthcoming, a motion. **Vice Chairperson Mullet moved to approve SUP-10-077, a special use permit application from Carson City Animal Control, to allow a commercial trailer to be used as an office, on property in the public regional zoning district, located at 3770 Butti Way, APN 010-037-02, based on seven findings and subject to**

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the conditions of approval contained in the staff report. Commissioner Wendell seconded the motion. Motion carried 7-0.

RECESS PLANNING COMMISSION (5:33:45) - Chairperson Kimbrough recessed the Planning Commission at 5:33 p.m.

CONVENE GROWTH MANAGEMENT COMMISSION, ROLL CALL AND DETERMINATION OF A QUORUM (5:33:53) - Chairperson Kimbrough called the Growth Management Commission to order at 5:33 p.m. Roll was called; a quorum was present.

H-5. GM-10-093 ACTION REGARDING A REQUEST FOR GROWTH MANAGEMENT REVIEW FROM OLIVE GARDEN (PROPERTY OWNER: CARSON SOUTHGATE, LLC) TO ALLOW FOR AVERAGE DAILY WATER USAGE ABOVE 7,500 GALLONS PER DAY FOR A RESTAURANT, ON PROPERTY LOCATED AT THE SOUTHGATE SHOPPING CENTER, SOUTH CARSON STREET, APN 009-125-07 (5:34:11) - Chairperson Kimbrough introduced this item, and Mr. Plemel reviewed the agenda materials. Mr. Plemel described the proposed location of the Olive Garden restaurant at the Southgate Shopping Center. He responded to questions of clarification relative to the proposed daily water usage, as indicated in the staff report. In response to a further question, he explained the role of the Growth Management Commission to annually establish a daily water usage limit. In response to a question, Mr. Sharp explained that “all restaurants are high water users. ... this restaurant, by square footage, is no higher than any other restaurant.” He responded to corresponding questions of clarification. In response to a further question, he advised that treated water is not used for landscape or medians in the southern portion of town, and that there are currently no plans to do so.

(5:42:11) Darden Restaurant Company Site Development Manager John Keen provided background information on the proposed Olive Garden restaurant development. He described the restaurant as “prototypical; ... 7,500 square feet, 245 seats ...” In response to a previous question, he reviewed the monthly water usage table, included in the agenda materials, at page 10. The commissioners commended the development. In response to a question, Mr. Keen reviewed the construction time table. In response to a further question, he advised that green waste management elements will be included. “And there are elements of green in our building. We’re not a full LEED certified building, but certainly compared to some of the older Olive Gardens that we’ve done in the past, there are some green elements that we work into the design.” Mr. Keen acknowledged the use of low water consumption devices in the kitchen and restrooms. In response to a question, Mr. Keen advised that the Olive Garden is not a franchise. He responded to additional questions of clarification relative to the location of the restaurant.

Chairperson Kimbrough entertained public comments and, when none were forthcoming, a motion. **Commissioner Vance moved to approve application GM-10-093, a request to exceed the average daily water usage of 7,500 gallons for a restaurant located at the Southgate Shopping Center, APN 009-125-07.** Commissioner Wendell seconded the motion. Motion carried 7-0.

ACTION TO ADJOURN GROWTH MANAGEMENT COMMISSION (5:50:13) - Chairperson Kimbrough adjourned the Growth Management Commission at 5:50 p.m.

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RECONVENE PLANNING COMMISSION (5:50:20) - Chairperson Kimbrough reconvened the Planning Commission.

H-6. ACTION TO SELECT A MEETING DATE OF EITHER WEDNESDAY, NOVEMBER 16 OR WEDNESDAY, NOVEMBER 30 FOR THE NOVEMBER 2011 PLANNING COMMISSION MEETING (5:50:22) - Chairperson Kimbrough introduced this item, and reviewed the October 15, 2010 memo included in the agenda materials. Discussion followed, and Chairperson Kimbrough entertained a motion. **Vice Chairperson Mullet moved to approve the 2011 November and December schedule for commission meetings on November 30th and December 21st.** Commissioner Shirk seconded the motion. Motion carried 7-0.

I. ADMINISTRATIVE MATTERS

I-1. DIRECTOR'S REPORT TO THE PLANNING COMMISSION AND FUTURE AGENDA ITEMS (5:55:53) - Mr. Plemel reminded the commissioners that the November commission meeting would be scheduled for Wednesday, the 17th, to begin at 1:30 p.m. to accommodate the Airport Authority meeting scheduled for later in the evening. He reviewed the tentative November agenda.

I-2. COMMISSIONER REPORTS / COMMENTS (5:59:56) - In response to a question, Mr. Plemel explained off site signage requirements, pursuant to the Carson City Municipal Code.

J. ACTION TO ADJOURN (6:02:29) - Commissioner Wendell moved to adjourn the meeting at 6:02 p.m. Vice Chairperson Mullet seconded the motion. Motion carried 7-0.

The Minutes of the October 27, 2010 Carson City Planning Commission meeting are so approved this _____ day of November, 2010.

MARK KIMBROUGH, Chair