A regular meeting of the Carson City Planning Commission was scheduled for 1:30 p.m. on Wednesday, December 15, 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 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, Deputy Clerk / Recording Secretary

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

A. CALL TO ORDER, DETERMINATION OF A QUORUM, AND PLEDGE OF ALLEGIANCE (1:29:55) **-** Chairperson Kimbrough called the meeting to order at 1:29 p.m. Roll was called; a quorum was present. Vice Chairperson Mullet led the pledge of allegiance.

B. COMMISSION ACTION ON APPROVAL OF MINUTES (1:30:35) **-** None.

C. MODIFICATION OF AGENDA (1:30:40) **-** None.

D. PUBLIC COMMENTS (1:30:43) **-** None.

E. STAFF PUBLIC SERVICE ANNOUNCEMENTS (1:31:47) **-** Mr. Plemel announced the ribbon cutting ceremony commemorating the opening of the Roop Street widening project at 2:00 p.m. on Thursday, December 16th.

F. DISCLOSURES (1:32:32) **-** None.

G. CONSENT AGENDA (1:32:42) **-** Chairperson Kimbrough entertained requests to hear items separate from the consent agenda. Mr. Plemel provided an overview of the two consent agenda items. When no requests to separately hear items were forthcoming, Chairperson Kimbrough entertained a motion to approve the consent agenda. **Commissioner Vance moved to approve the consent agenda, as published. Vice Chairperson Mullet seconded the motion. Motion carried 6-0.**

G-1. SUP-05-221 ACTION TO APPROVE A REQUIRED FIVE-YEAR REVIEW OF AN EXISTING SPECIAL USE PERMIT FOR RICK CORRELLI (PROPERTY OWNER: CURRY STREET PROPERTY, LLC) FOR FOUR METAL STORAGE CONTAINERS, ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT 3640 SOUTH CURRY STREET, APN 009-151-40

G-2. SUP-05-218 ACTION TO CONSIDER A REQUIRED FIVE-YEAR REVIEW OF AN EXISTING SPECIAL USE PERMIT FOR WILLIAM CASPARIS (PROPERTY OWNER: WESTERN STATES STORAGE) FOR 29 METAL STORAGE CONTAINERS, ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT 5861 AND 5853 SOUTH CARSON STREET, APN 009-304-06

H. PUBLIC HEARING MATTERS:

H-1. SUP-10-090 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM THE CARSON CITY SCHOOL DISTRICT (PROPERTY OWNER: CARSON CITY SCHOOL DISTRICT) TO ALLOW PLACEMENT OF PHOTOVOLTAIC ARRAYS AT EAGLE VALLEY MIDDLE SCHOOL, ON PROPERTY ZONED PUBLIC (P), LOCATED AT 4151 EAST FIFTH STREET, APN 010-035-27 (1:35:36) **-** Chairperson Kimbrough introduced this item. Ms. Pruitt oriented the commissioners and the public to the location of the subject property, using a displayed aerial photograph, and reviewed the agenda materials in conjunction with additional slides. She noted a necessary amendment to condition of approval number 8, depending upon the location designated by the commission. In response to a question, she provided explanation relative to staff's recommended motion.

(1:40:08) Carson City School District Operations Manager Mark Korinek expressed appreciation for the opportunity to have continued the subject item in order to accommodate further discussion with the neighbors. Carson City School District Finance Director Anthony Turley distributed, to the commissioners and staff, a matrix ranking "pros and cons of each of the sites." Mr. Korinek advised of having met with several neighbors at the site on Friday, December 2nd. He reviewed the rankings matrix, and advised of the preference for the original site, as presented at the December 1st Planning Commission meeting. Mr. Turley advised that the School Board, at their December 14th meeting, had expressed a preference "not to put something in the middle of the property because of the restrictions that would cause on future use of the property." Mr. Korinek acknowledged that "Option C" would be a "fill option." He advised that one of the neighbors "had a two or three page alternative area to look at. We went and looked at each of those items. Her last item on that was, if we did have to go with the original, could you please do these seven different bullet points which would include moving the portables that are already up there. ... we can move two out of the three and spin one of them so that we can make it more of an elongated array." Mr. Korinek reviewed additional suggestions from the neighbor, including retaining walls, lower the array with the grading, screening "on her side near the fence. We offered to plant some trees along there and along the south edge where the shade trees from the City are vacant right now. And, actually, to put it as close to the fence as possible so that when they were looking out, it would be closer to the fence and they wouldn't see as much of the array." Mr. Korinek expressed the belief "we can do 95 percent of those bullet points that she was asking for."

Vice Chairperson Mullet expressed a preference for Option C, but commended the suggestion to "stretch ... it out ...; make it more linear east to west, following those ... elevation lines." In response to a comment, Mr. Korinek advised of testing scheduled for the week of December 20th "to find out where the rocks are." He noted this as "one of the reasons we would ask for an opportunity to have the alternate location." He responded to corresponding questions of clarification. Mr. Turley responded to additional questions regarding the funding mechanism. Mr. Korinek responded to additional questions of clarification relative to the rankings matrix. In response to a question, he referred to passage of the school bond and discussed proposals to address traffic issues at the school. In response to a further question, he described the anticipated visibility of Option C from the adjacent neighborhood.

In response to a question, Hamilton Solar Principal Chad Dickason described details of the electrical design. In response to a question, Mr. Turley explained the rebates are "based on a specific amount per watt of installed capacity. So, regardless of the cost, the rebate stays the same for the wattage that we're putting in." Mr. Korinek acknowledged agreement with the conditions of approval.

Chairperson Kimbrough opened this item to public comment. (1:56:22) Deni French inquired as to the conditions of approval, including revisions to the same. Chairperson Kimbrough acknowledged that the same conditions of approval will apply to any of the alternative sites. Mr. French discussed decibel levels associated with the inverter, and expressed the opinion that any existing natural area "should be left natural on school grounds."

(1:59:39) Mark Newman, "a neighbor across Fifth Street north of Option C," acknowledged that the area is hilly. He expressed uncertainty over approving the special use permit "understanding it is the school's property and they were probably there before my house was built." He advised that Option B is "hidden by the school, hidden by the track," and discussed its various benefits.

(2:03:20) Bob Walters reminded the commission that the solar panel array will be clearly visible from the trail system in the area. He expressed concern over the "intimate closeness" between the proposed location for the solar panel array and the adjacent residences. He expressed a preference for locating the solar panel array in the middle of the track.

Chairperson Kimbrough entertained additional public comment and, when none was forthcoming, requested the applicant's representatives to return to the podium to answer questions posed during public comment. Mr. Turley advised that the solar panels are designed to absorb light. He further advised that no final determination had yet been made regarding the location of the inverter. He expressed understanding for the visibility of the solar panel array from the neighborhoods depending upon where it is located. "There is no location on the property where we can hide from [every]body's view." Mr. Turley expressed a willingness to cooperate with the neighbors, but reiterated "there's no location that will please everybody." In response to a previous question, he advised that the annual projected savings for all the photovoltaic projects is $400,000. He discussed costs associated with the various options. In response to a previous question, he explained the detriments associated with locating the solar panel array in the middle of the track.

In response to a previous question, Mr. Plemel reviewed the conditions of approval. In response to a question, Mr. Turley advised that the School District's preferred options are A and C because of location. In response to a further question, he stated, "The further you do the setback, the more it's going to go up the hill. In this case, the setback actually increases the visibility ..." Mr. Turley provided additional clarification of one neighbor's preference "that the setback be smaller and closer to the fence ... because it will be less visible up the hill."

Discussion took place regarding the various options, and Mr. Benton reminded the commission of the statutory prohibition against unreasonably restricting the use of a solar energy device. In response to a comment, Mr. Benton advised that the special use permit holder would decide on a location if provided with alternatives. In response to a comment, Mr. Plemel advised that every property owner "around the whole school site was noticed and they were noticed of these four potential options for this site. ... the public was made aware that [Option] C is a potential location ..." In response to a question, Mr. Plemel provided background information on the origin of the four options. Additional discussion followed, and Chairperson Kimbrough entertained a motion. **Commissioner Wendell moved to approve SUP-10-090,**

a special use permit application from the Carson City School District to allow ground-mounted solar panels in location A and, in consideration of developmental problems with A, that C be considered as the one and only alternative, as shown on the revised plan, on property zoned Public, located at 4151 East Fifth Street, APN 010-035-27, based on seven findings and subject to the recommended conditions of approval contained in the staff report, in addition to the recommendation of the Parks and Recreation Department. Commissioner Dhami seconded the motion. Chairperson Kimbrough entertained discussion on the motion. In response to a question, Mr. Plemel advised that the recommended conditions of approval indicate a 30-foot setback. Mr. Korinek acknowledged his agreement with the conditions of approval. In response to a question, Mr. Plemel advised that the commission determines setbacks on public property by special use permit. "Thirty [feet] was recommended as a standard that's used elsewhere adjacent to residential properties, but in the Public district, the ... setbacks are determined by the special use permit." Chairperson Kimbrough entertained additional discussion and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 4-2.** In response to a comment, Mr. Benton advised that the commission's action leaves determination of location to the School District. Mr. Plemel explained the appeal process. Chairperson Kimbrough recessed the meeting at 2:35 p.m.

H-2. SUP-10-104 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM THE BREWERY ARTS CENTER (PROPERTY OWNER: BREWERY ARTS CENTER / CARSON CITY) FOR SITE IMPROVEMENTS FOR AN OUTDOOR PLAZA AND EVENTS AREA AND ASSOCIATED USES IN THE PUBLIC REGIONAL ZONING DISTRICT, LOCATED AT 449 WEST KING STREET, APNs 003-206-01, 003-206-02, AND 003-207-04 (2:42:10) **-** Chairperson Kimbrough reconvened the meeting at 2:42 p.m., and introduced this item. Ms. Pruitt reviewed the agenda materials. In response to a question, Mr. Sharp advised that street reconfiguration is within the purview of the Regional Transportation Commission for recommendation to the Board of Supervisors.

(2:50:24) Architect John Copoulos, representing the Brewery Arts Center, commended Ms. Pruitt's presentation. Mr. Copoulos provided background information on the Brewery Arts Center's design goals "generally to improve the facility and to provide greater cultural programming for the community ... after acquisition of St. Teresa's Catholic Church ..." The Brewery Arts Center Master Plan evolved from the opportunity to close the portion of Minnesota Street between the two properties "to try and use the site as ... an arts and cultural campus." Mr. Copoulos discussed current uses of the properties, reviewed the special use permit application, and various details of the Brewery Arts Center Master Plan. He requested the commission's support of the special use permit application, and acknowledged agreement with the conditions of approval. He acknowledged having received redevelopment funds for the project. In response to a further question, he advised that the proposed roofed amphitheater is oriented to the south and may accommodate solar panels. Discussion took place regarding various community events which could be accommodated at the Brewery Arts Center property. Mr. Copoulos responded to questions, and discussion ensued, regarding parking, the neighborhood buffer, and necessary utilities relocation. He acknowledged the possibility that the design may change, and assured the commission that any significant changes will be resubmitted to the commission.

Chairperson Kimbrough entertained public comment. (3:10:02) Jack Mitchell advised of having corresponded with Planning Division staff and that he represents the trust which owns the office building at 400 West King Street. He further advised of having begun requesting information relative to parking in December 2008. He commended the project as "beautiful," and discussed the parking contract between 400 West King Street and the Brewery Arts Center. He discussed current parking uses, and expressed concern over creating "a parking nightmare in that whole area for blocks around ..." He acknowledged that the parking contract has been in place "for years." In response to a further question, Mr. Mitchell explained ownership of the 400 West King Street building. Discussion followed and, in response to a comment, Mr. Mitchell discussed an informational meeting held at the Brewery Arts Center on September 23, 2010 at which parking issues were not agendized. "... this is the first time [he's] had an opportunity to really speak on that." Chairperson Kimbrough expressed understanding for Mr. Mitchell's concerns, and thanked him for his attendance and participation.

Chairperson Kimbrough entertained additional commissioner questions or comments. In response to a question, Mr. Plemel advised "this is certainly not a site that meets a suburban parking requirement ..." He provided historic information on the Brewery Arts Center's expansion over the years, and associated parking requirements. He advised "this is a grandfathered use. It does not necessarily meet a current parking code, nor ... would we ever, on this site, get to meeting a standard for a ... brand new theater on a new lot somewhere else in the City ..." Discussion followed, and Mr. Plemel acknowledged that the Brewery Arts Center Master Plan calls for "30 less off-street parking spaces." He advised that the "same thing occurred at the Presbyterian Church as they expanded on their block ..." He noted it is the nature of the historic district. Ms. Pruitt expressed the understanding that Brewery Arts Center representatives intend to honor the existing agreement for the 400 West King Street property. She advised that the Brewery Arts Center currently holds events in the parking lot area by special use permit, "and people arrange to park on the streets where they can park for those events." Chairperson Kimbrough discussed the possibility of shuttle service to and from Brewery Arts Center events. (3:25:04) Mr. Copoulos advised that Brewery Arts Center events which require additional parking are scheduled for "off-hours to the normal business of the neighborhood. ... it's seemed to work fine in the past because ... it's nights and weekends and there is no traffic, there is no parking nights and weekends."

Chairperson Kimbrough entertained additional public comment. (3:26:33) In response to a question, Mr. Plemel provided background information, for the benefit of Deni French, on the expansion of Grace Bordewich School and the corresponding parking variance.

Chairperson Kimbrough entertained additional commissioner discussion or a motion. **Commissioner Vance moved to approve SUP-10-104, a special use permit application from John P. Copoulos (property owner: Brewery Arts Center) to approve the conceptual plan for the Brewery Arts Center, located in the Public Regional zoning district, subject to the conditions and based on the findings contained in the staff report. Commissioner Wendell seconded the motion. Motion carried 6-0.** Mr. Plemel reviewed the appeal process.

I. STAFF REPORTS:

I-1. DIRECTOR'S REPORT TO THE PLANNING COMMISSION AND FUTURE AGENDA ITEMS (3:28:55) - Mr. Plemel reminded the commissioners that the January meeting will be regularly scheduled on the last Wednesday at 5:00 p.m. He reviewed the outcome of commission recommendations to the Board of Supervisors during the month of December. He reviewed the tentative January commission agenda. In response to a question, he advised that the application period for the vacant commission seat will be open until the end of December. The Board of Supervisors will interview applicants in January.

I-2. COMMISSIONER REPORTS / COMMENTS (3:31:28) - Chairperson Kimbrough commented on the billboards located on Washoe tribal land adjacent to Highway 50 West. Mr. Plemel acknowledged that Carson City prohibits "moving, changing billboards."

J. ACTION TO ADJOURN (3:32:51) **-** Vice Chairperson Mullet moved to adjourn the meeting at 3:32 p.m. Commissioner Wendell seconded the motion. Motion carried 6-0.

The Minutes of the December 15, 2010 Carson City Planning Commission meeting are so approved this 26th day of January, 2010.

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MARK KIMBROUGH, Chair