

## **CARSON CITY PLANNING COMMISSION**

### **Minutes of the July 27, 2011 Meeting**

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A regular meeting of the Carson City Planning Commission was scheduled for 5:00 p.m. on Wednesday, July 27, 2011 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 Mark Sattler  
Commissioner George Wendell

**STAFF:** Lee Plemel, Planning Division Director  
Jennifer Pruitt, Principal Planner  
Jeff Sharp, City Engineer  
Randal Munn, Chief 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** (4:59:35) - Chairperson Kimbrough called the meeting to order at 4:59 p.m. Roll was called; a quorum was present. Commissioners Shirk and Vance were absent. Commissioner Dhami led the pledge of allegiance.

**B. PUBLIC COMMENTS** (5:00:21) - Chairperson Kimbrough entertained public comment; however, none was forthcoming.

**C. POSSIBLE ACTION ON APPROVAL OF MINUTES - June 29, 2011** (5:01:23) - Commissioner Wendell moved to approve the minutes, as presented. Commissioner Sattler seconded the motion. Motion carried 5-0.

**D. MODIFICATION OF AGENDA** (5:01:53) - None.

**E. STAFF PUBLIC SERVICE ANNOUNCEMENTS** (5:02:00) - Mr. Plemel announced two commission openings for terms that will expire in June 2015. Applications will be accepted until August 26<sup>th</sup>. Mr. Plemel provided contact information for anyone interested in obtaining an application.

**F. DISCLOSURES** (5:03:54) - None.

**G. CONSENT AGENDA** (5:04:02) - None.

**H. PUBLIC HEARING MATTERS:**

**H-1. SUP-04-090A - POSSIBLE ACTION TO REVIEW A PREVIOUSLY-APPROVED SPECIAL USE PERMIT (PROPERTY OWNER: GRANITE CONSTRUCTION CO.), AND APPROVAL OF A THREE-YEAR EXTENSION REQUESTED BY THE APPLICANT, TO ALLOW THE COMMENCEMENT OF A CONCRETE BATCH PLANT OPERATION, ON PROPERTY ZONED GENERAL INDUSTRIAL (GI), LOCATED AT 5855 SHEEP DRIVE, APN 008-522-06** (5:05:13) - Chairperson Kimbrough introduced this item, and Ms. Pruitt oriented the

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commissioners to the subject property using a displayed slide. She noted the history of special use permits obtained by Granite Construction Company, at pages 6 and 7 of the staff report. She provided an overview of the written request at pages 8 and 9 of the staff report, and advised that it was received in the Planning Division 30 days prior to the special use permit expiration date. She reviewed the agenda materials in conjunction with displayed slides. She reviewed the public noticing process, as outlined in the agenda materials, and advised of having received no comments relative to the requested extension of time. She noted staff's recommendation of approval. In reference to the conditions of approval, beginning at page 3 of the staff report, she reviewed recommended amendments to delete a duplication of condition of approval 5 and the addition of language to condition of approval 17.

In response to a question, Ms. Pruitt reviewed the Planning Division procedure for notifying an applicant of possible expiration or the need for review of a special use permit. In response to a further question, she reviewed the procedure for notifying all pertinent City departments of the request for extension of time. She expressed the understanding there were no concerns regarding the same, and that the applicant had not requested any amendment to the conditions of approval. She advised that the applicant will be subject to the conditions of approval outlined in the staff report. "If, at a later date, they decide that they would like to amend these conditions of approval, they'd have to come back before [the commission] and we would also provide that information to staff for evaluation." In response to a question, Mr. Sharp provided clarification relative to the water connection fee.

(5:16:27) In response to a question, Patrick Rucker, representing Granite Construction Company, advised that current standards for concrete batch plants do not allow the use of reclaimed water. In response to a further question, he provided background information on the request for extension of time. Mr. Rucker acknowledged agreement with the conditions of approval as outlined in the staff report.

In response to a previous question, Mr. Plemel advised that the subject property is designated Industrial in the master plan. "There might be other properties around town that are slated for more commercial or other type of development ..., but in this case, ... the master plan, long term, is for this property to remain Industrial." He advised of no concern relative to future conflicts.

Chairperson Kimbrough entertained public comment and, when none was forthcoming, a motion. **Commissioner Wendell moved to approve a three-year extension for a special use permit, SUP-04-090(A), from July 27, 2011 to July 27, 2014 to allow the applicant additional time to commence the approved use, and subject to the amended conditions of approval. Commissioner Sattler seconded the motion. Motion carried 5-0.**

**H-2. AB-11-043 POSSIBLE ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS AN APPLICATION FOR AN ABANDONMENT OF PUBLIC RIGHT-OF-WAY, FROM TRI-STATE SURVEYING (PROPERTY OWNERS: ROBERT MORRIS AND KAY ELLEN ARMSTRONG, AND NANCY AND KURT GRANGE) TO ABANDON THE RIGHT-OF-WAY, ON PROPERTY LOCATED ADJACENT TO 1712 KARIN DRIVE TO THE WEST, 1946 HAMILTON AVENUE TO THE NORTH, AND AN UNADDRESSED PARCEL TO THE EAST, APNs 002-371-01, 002-523-09, AND 002-374-01 (5:20:18)** - Chairperson Kimbrough introduced this item, and Ms. Pruitt reviewed the agenda materials in conjunction with displayed slides. She reviewed the public noticing process, as outlined in the agenda materials, and advised of having received no comments in response. She noted the ten conditions of approval, five of which are specific to the City's Engineering Division.

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(5:24:34) Robert Morris, representing Kay Ellen Armstrong and Kurt and Nancy Grange, provided an overview of the application materials. He discussed the intent to incorporate the abandoned area “into a backyard for our house and possibly put in a swimming pool.” He expressed agreement with the conditions of approval. He expressed concern over the Charter Cable improvements, but a willingness to grant “an easement for any existing cable things that they have there.” He expressed agreement with the drainage pipe easement, and the opinion that the intended use will be compatible. He requested the commissioners to recommend the abandonment to the Board of Supervisors. In response to a question, he advised that Parks Division staff has mowed the property twice a year.

Chairperson Kimbrough entertained public comment; however, none was forthcoming. In response to a question, Mr. Plemel clarified the goal of the abandonment that Mr. Morris “ends up with one lot that’s his back yard. ... We’re not creating a new parcel, but ending up with one larger parcel out of this.” In response to a further question, he clarified “it’s City right-of-way and private property around it currently.” In response to a comment, he advised that the City cannot charge for the abandonment of right-of-way “because the right-of-way was originally dedicated by the private property owner to the City as part of the subdivision.” Chairperson Kimbrough provided additional clarification in response to a further question.

Chairperson Kimbrough entertained additional questions, comments, or a motion. **Commissioner Wendell moved to recommend that the Board of Supervisors approve an abandonment of public right-of-way application, AB-11-043, for an area approximately totaling 6,721 square feet, more or less, located north of Karin Drive and northwest of Rand Avenue adjacent to properties located at 1712 Karin Drive to the west, 1946 Hamilton Avenue to the north, and an unaddressed parcel to the east, APNs 002-371-01, 002-523-09, and 002-374-01, based on findings and subject to the conditions of approval contained in the staff report.** In response to a question, Mr. Morris reiterated his agreement with the conditions of approval. Chairperson Kimbrough called for a second on the pending motion. **Vice Chairperson Mullet seconded the motion. Motion carried 5-0.**

**H-3. SUP-11-042 POSSIBLE ACTION TO APPROVE A SPECIAL USE PERMIT APPLICATION FROM AL SALZANO (PROPERTY OWNER: HERMAN BAUER) TO ALLOW A MULTI-FAMILY APARTMENT, ON PROPERTY ZONED RESIDENTIAL OFFICE (RO), LOCATED AT 812 NORTH DIVISION STREET, APN 001-191-06** (5:31:38) - Chairperson Kimbrough introduced this item. Ms. Pruitt oriented the commissioners to the subject property, using displayed slides. She noted the additional reviews, at page 4 of the staff report, and specifically reviewed the residential development standards, beginning at page 5 of the staff report. In conjunction with displayed slides, she described adjacent uses, including single-family residential, office, multi-family apartment, and commercial; and described the site itself. She reviewed the proposed site plan and architectural renderings, as displayed in the meeting room and included in the agenda materials. She advised that the Historic Resources Commission (“HRC”) recommended alterations to the proposed architectural renderings, the majority of which referenced differentiating between the two structures. She reviewed details of the same. She noted an additional rendering, presented by the applicant, depicting the proposed interior design. She pointed out the proposed buffering area, as recommended by the HRC. Ms. Pruitt reviewed the public noticing process, as outlined in the agenda materials, and advised of having received no comments relative to the special use permit. She clarified that comments relative to the HRC item were included in the agenda materials. She noted staff’s recommendation of approval, subject to the conditions outlined in the staff report.

Chairperson Kimbrough commended Ms. Pruitt’s “excellent” presentation, and invited the applicant to the podium. (5:52:52) Herman Bauer introduced himself for the record, and introduced Architect Al Salzano

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and Commercial Real Estate Broker John Uhart. Mr. Bauer provided an overview of the meetings held to date, and of the HRC recommendations. He requested the commission's approval of the special use permit application, and acknowledged his agreement with the conditions of approval. He advised of having met earlier in the day with Alexander Kirsch, an adjacent neighbor, noting Mr. Kirsch's opposition to the project. "He's right next to it. We're blocking his view. I assured him we will work with him, we'll screen it ..." Chairperson Kimbrough commended the meeting as "a nice neighborly act to help this process ..."

In response to a question, Ms. Pruitt provided additional clarification of the HRC recommendations, as included in the agenda materials. In response to a further question, she reviewed the HRC processes relative to meeting procedures. She advised "in this case, [the HRC] suggested stipulations that we have included as conditions." She emphasized the requirement for the applicant to comply with all the conditions of approval.

Chairperson Kimbrough entertained public comment. (5:57:58) Alexander Kirsch advised that he has resided in the historic district for the past 20 years, and has been a resident of the adjacent property for the past five years. He discussed objections to the size of the project, noting available rental properties in the historic district. He expressed support for free enterprise "as long as it conforms to or fits in with existing projects or ... designs." In conjunction with an aerial photograph, he discussed historic uses of the subject property and expressed the opinion that the site "does not support this type of building." He discussed concerns relative to parking, increased traffic, and sufficient space for children to play. He expressed the opinion that "this project would encourage low-income housing in the future and that will essentially deteriorate the integrity of the historic district and our town." He expressed a preference for "a project on a smaller scale; ideally, two ... duplexes. At the most, maybe one four-plex and one duplex." He expressed opposition to creat[ing] something which does not exist today." In response to a question, he further clarified his concerns relative to ensuring adequate parking for the residents and their guests. In response to a further question, he expressed the opinion that the project design is unattractive. He advised of having spoken to several of his neighbors and of having obtained signatures agreeing with his position. He reiterated opposition to the scale of the project.

(6:12:00) Lila King, representing her mother, June Kylett, who has owned the residence at 801 North Minnesota Street since 1972, introduced herself for the record. Ms. King expressed opposition to the scale of the project as "a monstrosity ...; one would be okay." She expressed concern regarding sufficient space for children to grow a garden. Ms. King advised that she is living part-time at her mother's home to help care for her. She requested to verify the space between "this proposed property and Mr. Kirsch's house." She expressed concern regarding height and "about having the view cut down and exactly how close these new buildings would be. ... that greatly decreases the value of [Mr. Kirsch's] property at 803 Minnesota Street." Chairperson Kimbrough advised that the space would be ten feet, and Ms. King expressed the opinion that's "too close; not enough space between the properties." She expressed opposition to stucco material. "This building is not in Los Angeles." She commended Mr. Kirsch "as having been a wonderful neighbor" to her mother.

(6:16:06) Steve Brenneman, co-owner of the Bliss Mansion, described the project as "a near classic example of how you have a clever architect who maximizes the amount of building space yet meets the various setbacks and code requirements, thereby maximizing the potential profit on building out land that used to be a single-family residence." He expressed concern over replacing a single-family residence with an eight-plex. "That's a times eight increase." He expressed opposition to the scale of the proposed project, and suggested considering a six-plex in a single-level building which would reduce the parking requirement. Mr. Brenneman expressed support for "people being able to build on their own land." He

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expressed opposition to “a great increase in structures that are inconsistent with what the property was purchased as. It was purchased as a single-family residence.” He acknowledged the residential office zoning, “but the scale of the project just seems a bit much ...”

(6:18:11) Julie Maxwell advised of having lived in the historic district for the last seven years. In conjunction with a displayed photograph, she discussed the “character and the charm and the lifestyle that the west side provides its residents. ... living spaces, common areas, big porches, grassy areas for barbecues.” She provided background information on the subject property and its previous owner, who helped “preserve our lifestyle in the west side.” She described the size of the proposed project as “goliath,” and expressed concern over “how the neighborhood is diminishing. There is no common area for this four-plex. It’s just a building and asphalt,” and she expressed concern with regard to how the residents will conduct their recreation and relaxation time. She suggested “this project was, probably at one time, beautifully built and the plan, ... was great. But I’m looking at more long-term plan on preservation and continuity within the west side.” In consideration of the two, four-plexes, she expressed concern over a density issue. “You’re talking maybe four people per unit and if there’s three adults, you’re talking three cars.” She reiterated concern over “the long-term plan for the neighborhood and preserving our lifestyle.” She expressed concern over the owner’s “agenda.” In response to a request for clarification, she stated, “There is no common area. It is built ... for maximizing the space and eventually selling it. But he doesn’t live here and it was disclosed, in [the HRC] meeting that there is like a division in the property line so building of two units on either side of the parcel, the owner has the ability to sell one unit and ... save the other.” She requested the commissioners’ consideration of “the long-term plan; not just the building, but our lifestyle on the west side.”

(6:23:42) Marlene Hannafin expressed the opinion that the HRC “is extremely lenient in allowing this to pass.” She expressed the further opinion, “It’s a big mistake to allow eight units to go on that property.” She expressed strong opposition to the project, and suggested that two duplexes “would be more in keeping with our west side.” In response to a question, Chairperson Kimbrough advised that the landscape plan indicates a lawn behind each unit. He further advised that the proposed plan exceeds the open space code requirements. Mrs. Hannafin reiterated the opinion that the special use permit application be denied “or that it goes down to two duplexes.” In response to a previous question, Mr. Plemel advised that occupancy is limited, by definition, to a family. He clarified that “family” can be broadly defined, “but there is a limit in that it has to meet the City definition of a family living there.”

Chairperson Kimbrough entertained Mr. Bauer’s rebuttal, and provided direction with regard to the same. (6:27:53) Mr. Bauer noted the letters of support included in the agenda materials. He noted the public comment was worthy of consideration and advised that “if somebody ever wants to make a community garden out of it or wildlife effigy, the property is for sale.” He discussed market considerations relative to “people who want to live closer downtown, they want to be able to walk downtown, were looking forward to the downtown plan getting implemented ... which mostly would be elderly people.” In response to a question, Mr. Bauer advised of an “economic problem” associated with reducing the number of units.

(6:29:26) Marlene Hannafin suggested that the design isn’t “really geared toward the elderly with the stairs.”

Chairperson Kimbrough entertained additional comments and questions of the commissioners. Commissioner Sattler commented on the number of office conversions in the area. “What’s happened is you’re down to three single-family residences in that whole big area. Not only do you have the apartments with all the blacktop, but you’ve got medical buildings up there with blacktop.” Vice Chairperson Mullet

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noted the focus of the comprehensive master plan on mixed-use and on revitalization of the downtown area. He advised of having considered a possible development on the subject lot a few years previous, and expressed the opinion "this is really pushing the envelope. A lot of concrete, no garages." He expressed a preference for duplexes or townhouses in the historic district.

Chairperson Kimbrough entertained a motion. **Based on the letters of support for the project as well as the input provided by the citizens and, in consideration of the surrounding environment, Commissioner Wendell moved to approve SUP-11-042, a special use permit application to allow eight multi-family dwelling units within the residential office zoning district, located at 812 North Division Street, APN 001-191-06, based on the findings, and subject to the conditions of approval contained in the staff report.** He noted that the project meets and is consistent with the master plan elements. **Commissioner Sattler seconded the motion.** Chairperson Kimbrough provided a lengthy explanation of the commission's process relative to review of the agenda materials and the findings for approval. Chairperson Kimbrough called for additional commissioner comments and, when none were forthcoming, a vote on the pending motion. **Motion carried 3-2.** Mr. Plemel explained the appeal process. Chairperson Kimbrough recessed the meeting at 6:40 p.m. and reconvened at 6:41 p.m.

### I. STAFF REPORTS

**I-1. DIRECTOR'S REPORT TO THE PLANNING COMMISSION AND FUTURE AGENDA ITEMS** (6:41:47) - Mr. Plemel reported on recent Board of Supervisors' actions on Planning Commission recommendations, and reviewed the tentative agenda for the August commission meeting. He advised of a Carson Nugget Development Advisory Committee meeting scheduled for Monday, August 8th.

**I-2. COMMISSIONER REPORTS / COMMENTS** (6:45:46) - Chairperson Kimbrough advised of a presentation to the Reno City Council relative to results of a recent study on electronic billboards, and suggested obtaining a copy of the minutes.

**J. PUBLIC COMMENTS** (6:47:17) - Chairperson Kimbrough entertained public comment; however, none was forthcoming.

**K. ACTION TO ADJOURN** (6:47:44) - Commissioner Sattler moved to adjourn the meeting at 6:47 p.m. Commissioner Wendell seconded the motion. Motion carried 5-0.

The Minutes of the July 27, 2011 Carson City Planning Commission meeting are so approved this \_\_\_\_\_ day of August, 2011.

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MARK KIMBROUGH, Chair