

**STAFF REPORT FOR THE HISTORIC RESOURCES COMMISSION MEETING OF  
FEBRUARY 09, 2012**

**AGENDA ITEM: F-2**

**FILE NO: HRC-10-102**

**STAFF AUTHOR:** Jennifer Pruitt, Principal Planner

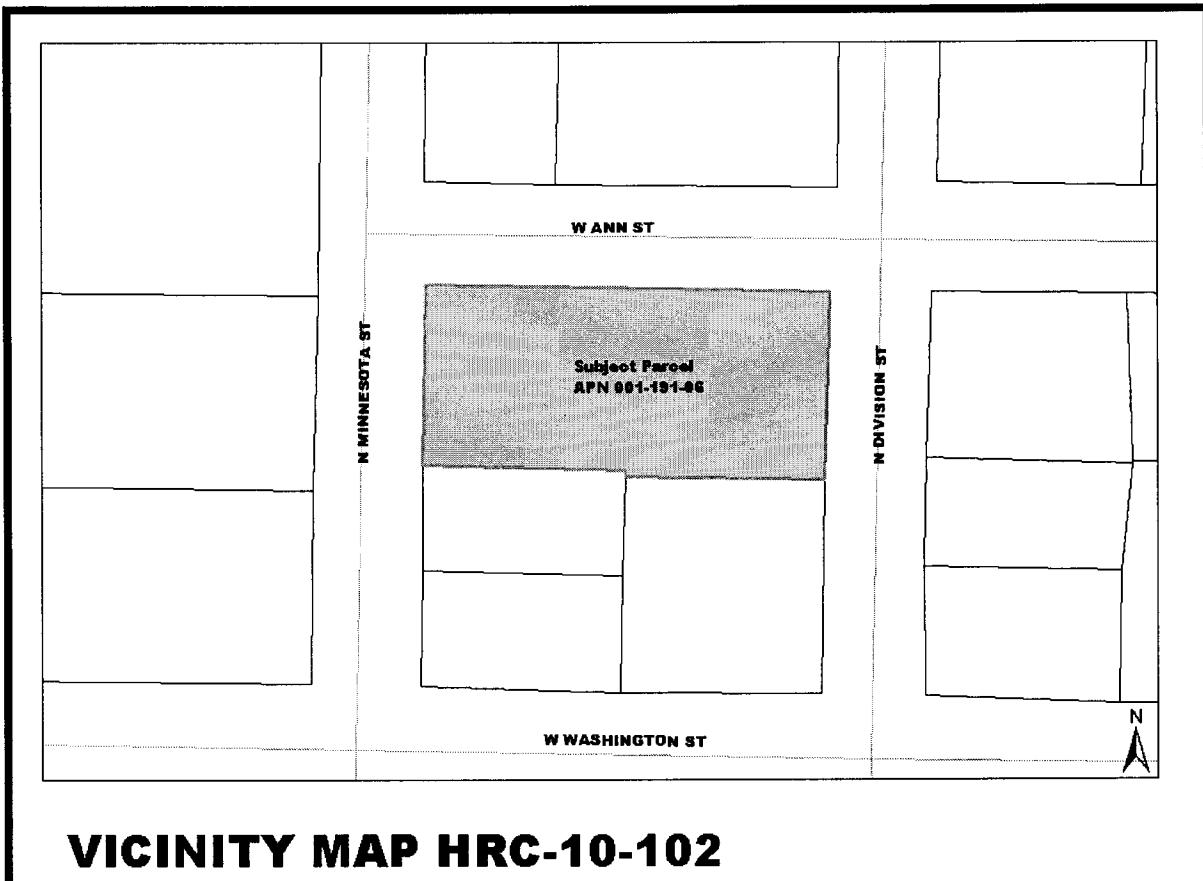
**REQUEST:** To allow the demolition of the existing single family residence, carriage house and sheds as previously approved by the HRC and approval of the revised development plan for a two-phased project(2-Two Family Dwelling units) totaling four units on property zoned Residential Office (RO).

**APPLICANT:** Al Salzano, Architect

**OWNER:** Herman Bauer

**LOCATION/APN:** 812 North Division Street / 001-191-06

**RECOMMENDED MOTION:** It is recommended that the Historic Resources Commission "Move to approve HRC-10-102, a request from Al Salzano, to allow the approval of the revised development plan of a two-phased project (2 –Two Family Dwelling Units) totaling four units on property zoned Residential Office (RO), located at 812 North Division Street, APN 001-191-06, subject to the conditions of approval contained in the staff report."



**RECOMMENDED CONDITIONS OF APPROVAL:**

1. All development shall be substantially in accordance with the attached site development plan.
2. All on and off-site improvements shall conform to City standards and requirements.
3. The applicant must sign and return the Notice of Decision within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, then the item will be rescheduled for the next Historic Resources Commission meeting for further considerations.
4. The applicant shall submit a copy of the signed Notice of Decision and conditions of approval with the building permit application.
5. Demolition of a historic place or cultural resource may begin only after approval by the HRC and issuance of other necessary approvals for a replacement building or site improvement.
6. The applicant will be required to provide detailed Historic Resources Inventory Form including but not limited to, photographic documentation of the existing structures to the Planning Division for proper documentation of the structures proposed for demolition.
7. Commercial submittals shall show compliance with the following codes, and adopted amendments:
  - 2006 International Building Code
  - 2006 International Energy Conservation Code
  - 2006 International Fire Code
  - 2006 Uniform Mechanical Code
  - 2006 Uniform Plumbing Code
  - 2005 National Electrical Code
  - 2003 ICC/ANSI A117.1 (For accessible design)
8. Project requires an application for a Building Permit, issued through the Carson City Building Division. This will necessitate a complete review of the project to verify compliance with all adopted construction codes and municipal ordinances applicable to the scope of the project.
9. The two structures will require their own utilities that are located on the lot which they are constructed on.
10. A recorded Parcel Map (lot split) is required prior to the development of phase II (duplex #2) of the proposed development.

**LEGAL REQUIREMENTS:** CCMC 18.05.015 (Procedure for Proposed Project) and 18.05.075 (Demolition of a Historic Place or Cultural Resource in the Historic District).

**MASTER PLAN DESIGNATION:** Mixed Use Residential

**ZONING:** Residential Office

## PREVIOUS REVIEWS:

- September 15, 2011, the appeal MISC-11-053 was reviewed and sent back to the Planning Commission and the Historic Resources Commission by the Board of Supervisors for further reconsideration. Significant public opposition was represented at the Board of Supervisors meeting.
- August 08, 2011, the Special Use Permit SUP-11-042 was appealed by an adjacent property owner.
- July 27, 2011, the Planning Commission approved the previously proposed eight unit apartment project, SUP-11-042, subject to specific conditions by a vote of 3-2 (2 absent). Significant public opposition was represented at the Planning Commission meeting.
- June 09, 2011, an adjacent property owner submitted information to the Planning Division regarding the possibility of an Open Meeting Law issue, related to an improper notice of HRC-10-102 for the May 12, 2011 HRC meeting. After staff research and confirmation from the DA's office, it was determined the item must be properly noticed and brought back before the HRC for action.
- May 12, 2011, the HRC reviewed the revised plan and conditionally approved the proposed project, subject to the conditions of approval.
- April 05, 2011, the required Major Project Review, MPR-11-020, was conducted in the Planning Division. At the meeting, City staff provided the applicant with comments related to the proposed project. The HRC Chairman, Mike Drews, was in attendance at the MPR meeting.
- December 09, 2010, the HRC reviewed and approved the demolition of the existing single family dwelling unit and accessory structures and approved the conceptual plan with the stipulation that the applicant provide more detail on possible covered parking alternatives and materials for the proposed apartment complex.
- August 19, 2010, the Board of Supervisors approved AB-10-038.
- July 28, 2010, the Planning Commission reviewed and recommended approval to the Board of Supervisors AB-10-038. The request allowed the abandonment of an eight foot wide portion of N. Minnesota Street, W. Ann Street and N. Division Street, totaling a 3,814-square-foot area, more or less, adjacent to, properties located at 803 N. Minnesota Street, 444 W. Washington Street and 812 N. Division, APNs 001-191-02, 001-191-05 and 001-191-06.

## DISCUSSION:

The project as previously presented was to demolish the existing single family residence and construct (two) two-story four-plex apartment buildings, totaling eight units and detached carports. The existing carriage house and sheds were also proposed for demolition.

After multiple meetings with City staff since October 2011, the applicant has revised the plan to include a two phased project which would include the demolition of the existing single family residence, existing carriage house and sheds. If approved, the proposed new development would include the construction of 2-Two Family Dwelling units, totaling four units. The proposed

two story-Two Dwelling Unit structures are two stories in height.

Per the information provided in the survey completed in 1998 by Anita Ernst Watson, the one-story vernacular structure was erected on the north half of the block under the ownership of Mr. Shubael T. and Cecelia Swift sometime after 1869. Mr. and Mrs. Swift purchased the entire block. The house erected was a small wooden square structure with a gable roof. Over the years there have been alterations to the existing single family dwelling unit, more noticeable on the northwestern portion of the structure. After several ownership changes the property was purchased in 1935 by Arnold Lee Gillie, who was a mechanic and the property remained in the Gillie Family until it was sold in late 2009 to the current owner Herman Bauer.

## **5.27 Guidelines for New Construction**

New construction which is appropriately designed is encouraged by the Carson City Historic Resources Commission (HRC). The Historic District should be an active and vital part of the city. New construction should look new and reflect the technology, building materials and design ideas of the present era. The design of new construction needs to be compatible and respectful of the historic building stock that surrounds it so that visual conflict and confusion are avoided. There is no formula that will guarantee "good design". There are specific elements of building design which can be identified, and therefore, addressed in a review process so that consistency can be achieved. The following elements shall be individually assessed for their degree of appropriateness for each project.

### **5.27.1 Scale and Massing**

The overall size and height of the new building should be consistent with the surrounding buildings.

*The proposed structures are consistent with the existing structures in this block. The surrounding buildings are a mix of rental units, commercial buildings and single family dwelling units, which will create a similar situation as today, if the proposed new units are approved.*

### **5.27.2 Shape**

The overall shape of the building, particularly its roof type, height, and design emphasis (horizontal or vertical) should be consistent and harmonious with others in the environs.

*The overall shape of the proposed structures will be significantly different than the existing single family dwelling unit on site. There are other structures in this city block that are two or more stories in size relative to shape. It should be noted while the foot prints of the structures are the same, the architectural treatment of the structures are different and are noted on the elevations provided by the Architect.*

### **5.27.3 Setback**

The front and side yard setbacks for the building should be approximately the same as others in the surrounding area and conform with CCMC Development Standards, Division 1, Land Use and Site Design.

*The setbacks of the proposed structures will conform to the setbacks noted in the Development Standards.*

#### **5.27.4 Site Elements**

When at all possible avoid substantial site alteration by importing or exporting fill materials. Generally speaking vacant lots in the district were once occupied by a building. Attempt to place the new building as near as possible to the same grade as the original. Carefully consider the placement and relationship of the public sidewalk, side and front yard fences, driveway, gardens and accessory buildings when determining the location of the new building on the lot.

*The applicant has paid close attention to the placement and relationship of the proposed structures public sidewalk, side, rear and front yard areas, driveways, parking areas, patios and existing trees when determining the location of the new buildings on site.*

#### **5.27.5 Materials**

Exterior siding should reflect the prevailing style of the neighborhood. A vertical or diagonal style siding should not be used when the dominant style is a horizontal drop or shiplap type. The exterior siding should blend in, not stand out.

*The proposed materials are intended to blend into the surroundings and not stand out. The applicant has provided a detailed set of plans for HRC review that include the specific detail of all materials proposed for the two duplex structures. The applicant will have the architect available at the HRC meeting to address the materials proposed. The applicant has noted that the proposed materials for the structures are different as noted on the elevations provided.*

#### **5.27.6 Windows and Doors**

The rhythm and arrangement of the windows and doors should reflect the style of the building design and the predominant patterns found in existing buildings of the area. The ratio of the total surface area of openings to total wall surface area of new buildings should reflect that of historic buildings in the environs.

*The ratio of the total surface area of openings to total wall surface is not excessive and very similar to the area of openings of others structures in close proximity.*

#### **5.27.7 Details and Other Elements**

Trim details are often the single most relevant design feature which can be utilized to give harmony and compatibility to a new building. If existing buildings have boxed eaves, do not leave rafter tails exposed. If windows and doors typically have fanciful trim, incorporate trim with architecturally equal weight. If trim work is typically simple, do not use "ginger bread". Seek to design the new building so that the trim and architectural details compliment the existing buildings in the area.

*The existing structure is basic in its design. The architect has incorporated these basic design elements into the proposed structures which are consistent with the Bungalow/Craftsman style. Craftsman bungalows were made to complement their surroundings. They were often painted and stained in earthy tones. Exteriors and interiors are designed to play off each other, with neither overwhelming the other. The Bungalow/Craftsman design typically includes the following.*

- 1 - 2 stories
- Roof lines may be complex.
- Broad eaves
- Open floor plan
- Dormers: shed, gabled, hipped, sometimes in combination
- Fireplace, brick or native stone
- Covered porches
- Windows, double-hung, multiple lights over single pane below.
- Shingle, lapped, and stucco siding is common.

As noted above the proposed project is a two phased project. Pursuant to the Carson City Municipal Code a Two-Family Dwelling (duplex is 2 units) is allowed outright in the Residential Office (RO) zoning district. The applicant is aware that Phase II of the development (Two Family Dwelling unit #2) is dependent upon a recorded Parcel Map, resulting in the creation of two parcels. If the Parcel Map is not recorded; a Special Use Permit approval per CCMC 18.04.110(3) and additional HRC approval may be required to result in three or more dwelling units on site.

#### **PUBLIC COMMENTS:**

Public notices were mailed to the adjacent property owners to the subject parcel in accordance with the provisions of NRS and CCMC 18.02.045. Any comments that are received after this report is completed will be submitted prior to or at the Historic Resources Commission meeting, depending on their submittal date to the Planning Division. Staff has included the meeting minutes of the public meetings related to this project from December 2010 through September 2011.

#### **Engineering Division comments:**

- Development Engineering has no preference or objection to the request.

The Engineering Division has reviewed the request within our areas of purview relative to adopted standards and practices. Demolition and construction must meet all requirements of the State of Nevada and Carson City, both on and off site.

The duplexes can be done one at a time, but if the parcels are not split first, all frontage improvements must be done with the first permit. The sidewalk cannot engulf the power pole positions. We recommend enough room on the Division St. driveway to turn around so cars do not have to back out into traffic.

**Building Division comments:**

1. Commercial submittals shall show compliance with the following codes, and adopted amendments:
  - 2006 International Residential Code
  - 2006 International Energy Conservation Code
  - 2006 International Fire Code
  - 2006 Uniform Mechanical Code
  - 2006 Uniform Plumbing Code
  - 2005 National Electrical Code
2. Project requires application for a Building Permit, issued through the Carson City Building Division. This will necessitate a complete review of the project to verify compliance with all adopted construction codes and municipal ordinances applicable to the scope of the project.
3. The two structures will require their own utilities that are located on the lot which they are constructed on.

With the recommended conditions of approval and based upon the project complying with the Carson City Historic District Guidelines, the Historic Resources Commission Policies, and that the plans as submitted are in general conformance, it is recommended that the Historic Resources Commission approve the revised plan for HRC-10-102 subject to the recommended conditions of approval within this staff report. Staff will encourage the HRC to assist the applicant with the selection of appropriate materials for the project if needed.

Respectfully Submitted,  
PUBLIC WORKS DEPARTMENT, PLANNING DIVISION

*Jennifer Pruitt*

Jennifer Pruitt, AICP, LEED AP  
Principal Planner

Attachments:

Building Division comments  
Engineering Division comments  
Meeting minutes

**Carson City Engineering Division  
Historic Resources Commission Report**  
812 N. Division St.  
File Number HRC 10-102

**TO:** Historic Resources Commission  
**FROM:** Rory Hogen, Asst. Engineer  
**DATE:** February 1, 2012

**SUBJECT TITLE:**

Review of a Historic Resources Commission application for demolition of existing structures and the building of two duplex dwelling units at 812 N. Division St., apn 01-191-06.

**RECOMMENDATION:**

Development Engineering has no preference or objection to the request.

**DISCUSSION:**

The Engineering Division has reviewed the request within our areas of purview relative to adopted standards and practices. Demolition and construction must meet all requirements of the State of Nevada and Carson City, both on and off site.

The duplexes can be done one at a time, but if the parcels are not split first, all frontage improvements must be done with the first permit. The sidewalk cannot engulf the power pole positions. We recommend enough room on the Division St. driveway to turn around so cars do not have to back out into traffic.

|                                 |                         |
|---------------------------------|-------------------------|
| <b>File # (Ex: MPR #07-111)</b> | <i>HRC-10-102</i>       |
| <b>Brief Description</b>        | <i>Bauer Duplexes</i>   |
| <b>Project Address or APN</b>   | <i>APN #01-191-06</i>   |
| <b>Bldg Div Plans Examiner</b>  | <i>Kevin Gattis</i>     |
| <b>Review Date</b>              | <i>February 9, 2012</i> |
| <b>Total Spent on Review</b>    |                         |

**BUILDING DIVISION COMMENTS:**

1. Commercial submittals shall show compliance with the following codes, and adopted amendments:
  - 2006 International Residential Code
  - 2006 International Energy Conservation Code
  - 2006 International Fire Code
  - 2006 Uniform Mechanical Code
  - 2006 Uniform Plumbing Code
  - 2005 National Electrical Code
2. Project requires application for a Building Permit, issued through the Carson City Building Division. This will necessitate a complete review of the project to verify compliance with all adopted construction codes and municipal ordinances applicable to the scope of the project.
3. The two structures will require their own utilities that are located on the lot which they are constructed on.

## **812 N. Division Street – Bauer Residential Duplex**

### **PROJECT DESCRIPTION**

The proposed project has been revised from the previously submitted 8-unit apartment complex to a pair of residential duplex units. Each building is designed as a full living unit on the ground floor, stacked with a full upper floor living unit. The buildings are designed to take advantage of the corner lots, with the ground floor unit and the upper floor unit each having a separate garage and entry porch facing opposite streets. One building (A) fronts onto Minnesota Street and Ann Street, and the other building (B) fronts onto Division Street and Ann Street.

The project is proposed to be constructed in two (2) phases. Phase 1 would consist of demolition of the existing structures, and construction of the new duplex building (B) fronting onto Division and Ann Streets. The remainder of the lot would remain vacant as-is until such time as demand for the project justifies construction of Phase 2. Phase 2 would then consist of a lot split, and construction of the new duplex building (A) fronting onto Minnesota and Ann Streets.

Each building is designed to be compatible with the neighborhood and the historic district. One building (B) is proposed to be designed in a Gothic Revival farmhouse-style Architecture with wood lap siding, and the other building (A) is proposed to be designed in a Craftsman/Bungalow style Architecture with stucco siding.

**RECEIVED**

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close in the area that we found that had no residents so we thought it would be a good choice." In response to a further question, she discussed the importance of "try[ing] to make this work."

Mayor Crowell entertained public comment; however, none was forthcoming. Supervisor Abowd commended the Pardinis as "a long-established family in an established neighborhood," and expressed understanding for the logic behind the request. "The fact that it doesn't affect anyone's address makes it ... all the more plausible." Supervisor Aldean provided background information on her support to defer action on this item from the June 16<sup>th</sup> Board of Supervisors meeting. She expressed appreciation for Mr. Sharp's research, and the opinion that "one of the things that gives a community character are references to the people who ... make that city significant historically and economically. We have a lot of references to pioneering families that adorn our various street signs." She expressed support for the request in consideration of the fact that La Rue Lane doesn't appear to have any particular historic significance.

Mayor Crowell entertained a motion to rename La Rue Lane to Pardini Drive. **Supervisor Aldean moved to approve the renaming of La Rue Lane to Pardini Drive, subject to the applicant's willingness to pay for the associated costs.** Supervisor Abowd seconded the motion. Motion carried 4-1.

**19. PUBLIC WORKS DEPARTMENT, PLANNING AND ZONING DIVISION**

**19(A) POSSIBLE ACTION TO CONSIDER AN APPEAL OF THE PLANNING COMMISSION'S DECISION TO ALLOW A MULTI-FAMILY APARTMENT, ON PROPERTY ZONED RESIDENTIAL OFFICE ("RO"), LOCATED AT 812 NORTH DIVISION STREET, APN 001-191-06 (SUP-11-042)** (10:22:45) - Mayor Crowell introduced this item, and explained the hearing process. Planning Division Director Lee Plemel provided an overview of this item, and Principal Planner Jennifer Pruitt reviewed the agenda materials in conjunction with displayed slides. In response to a question, Ms. Pruitt reviewed the open space requirements for multi-family projects, pursuant to the provisions of the Carson City Municipal Code, and pointed out the architect's compliance with the same, as depicted in drawings displayed in the meeting room. In response to a question, Mr. Plemel explained requirements relative to common areas for multi-family projects. He responded to additional questions of clarification relative to calculated open space. "... there's really, on a per unit basis, it's really not that much area that's required for multi-family development. ... for an eight-unit, it doesn't add up to that much area ... when that hatched area, plus the patios and the decks that are allowed to be counted, per the Code, represent the minimum requirement. But, as you get to bigger projects that might have more kids in there, then that open space, that area becomes bigger and more usable. This is a pretty typical multi-family project, at least at this size."

Supervisor Aldean noted the 3-2 vote on the Planning Commission item and, at her request, Mr. Plemel reviewed the concerns, as outlined in the July 27, 2011 meeting minutes, copies of which were distributed to the Board members and staff prior to the start of the meeting. Supervisor Abowd advised of having been informed that some of the Planning Commissioners felt that they had no choice as the applicant had met all the legal requirements. In response to a question, Ms. Pruitt expressed the understanding that the applicant meets all the Carson City Municipal Code requirements. "But, as a Board, that's why we're here today for you to make a decision regarding the appeal." Ms. Pruitt expressed the opinion that staff had provided all the necessary information for the Board to make a decision one way or the other. She noted the purpose of the subject hearing for the appellant to "see if there's a possibility to provide a decision in their favor." In response to a question, Mr. Plemel advised that findings for approval of the special use permit had been made. He expressed the opinion "there is some discretion ... that the Planning Commission

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can establish a record and you, on appeal, can establish a record one way or another.” He expressed the opinion that the Planning Commission’s approval considered the Historic Resources Commission’s review and approval. Mr. Munn advised that the special use permit application involves “some degree of discretion. … That discretion has been exercised at the Planning Commission level as well you are sitting in review of that discretion, but it’s not discretion without limits because of you have standards which the City has adopted for people to develop property.” He counseled the Board that a deviation from the Planning Commission’s decision requires a record as to disagreement with the findings relative to the standards being applied to the project.

Mayor Crowell entertained the appellant’s testimony. (10:44:32) Alexander Kirsch advised of having lived in Carson City for the past thirty years, twenty in the historic district and the last five as an historic district homeowner. Having been born in Germany, he expressed an appreciation for history and the belief that European culture and history were preserved because people saw the value and importance of building and rebuilding in a manner which is true or as true to the original as possible, whenever possible. He advised of having moved to Carson City in 1982, and discussed those attributes which drew him here. He further advised of having worked, for the last 17 years, within walking distance from his home. He walks daily and notices any changes in the neighborhood. He provided historic information on the formation of the Historic Resources Commission and new construction within the historic district. He noted that “most historic buildings [have been] retained and either restored or improved and much of the vegetation and open space preserved. He expressed the opinion that the proposed development of “two four-plex apartment buildings on a half City lot … seemed too massive and out of place and character for this historic district.” He advised of having brought “these issues to the attention of the Historic Resources Commission and the Carson City Planning Division,” but “only minor design elements were discussed and a special use permit to allow the construction of Herman Bauer’s proposed project was approved.” Mr. Kirsch advised that “a number of [his] neighbors and other residents of the Carson City Historic District support [his] appeal and have signed a petition to that effect.” He offered to submit copies of the petition.

(10:47:30) Steve Brenneman advised that the petition “has 88 signatures of residents in Carson City and mostly residents of the historic district …” Mr. Munn explained the Carson City Municipal Code provisions qualifying a person as an “aggrieved party.” He acknowledged that the petition can be submitted as public comment, but reiterated “it can’t be a part of the actual matter you deliberate … as far as the appeal.” Mr. Kirsch explained the purpose of the petition to indicate “the support we have gathered within a small area and, in particular, within the historic district.” Mayor Crowell advised that the written appeal and Planning Division staff’s response were included in the agenda materials. He suggested addressing the issues raised in his letter.

Mr. Kirsch expressed the opinion that the Historic Resources Commission “should not have approved the proposed project … because … no other projects of its kind were every allowed or approved since the establishment of the HRC; … it does not offer the charm, privacy, and amenities in comparison to other available rental properties of the district; … it does not meet HRC standards of preserving the integrity of the historic west side and we fear … approval would set bad precedent for future development within the district.” He advised of having appealed the special use permit decision for the following reasons: “scale massing and land use issues were addressed but not really resolved; required Carson City open space requirements do not appear to have been met or have not been properly shown on the submitted drawings; … ever since the establishment of the Historic Resources Commission, in 1982, no project of this size has ever been approved or built within the district.” Mr. Kirsch distributed copies of a “mid-century report”

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to the Board members, and read into the record portions of the same. He advised that his “dispute should not be primarily with the project calculations approved by the Planning Division, but rather with the Historic Resources Commission for approving this size of development within the historic district.” He expressed the belief that the Historic Resources Commission’s decision was “rushed and never discussed.” He read from a set of Historic Resources Commission minutes.

In consideration of mass and scaling, Mr. Kirsch advised that “concerns on how a project would fit within the area were raised but not fully discussed, with the exception of the proposed carports, but mainly in regard to use of different design materials. Dimensions for this parking lot and its roof structures are not in conformance with the Carson City building requirements. In consideration of conservation and preservation, Mr. Kirsch advised of a question “whether the former Swift house had any historical significance worth preserving.” He reviewed historic data relative to the Swift house. In consideration of “necessity,” he advised that “Mr. Bauer stated … there was more rentable office space available than rentable residential housing. While this statistic may be true for the entire City, we found that’s not the case within the historic district …” He offered to provide a “detailed, current list of all properties for sale or rent within the district.” In consideration of “integration,” he advised “the handful of apartment structures grandfathered within the historic district are mostly one-bedroom studios while homes converted to rental properties usually are more spacious with two or more bedroom configurations and other amenities, such as yards, garages, and storage facilities. When it comes to similar structures within this district, office complexes are best compared to Mr. Herman Bauer’s project. Unlike apartment buildings, office buildings are commonly occupied only during daytime areas, on weekdays, and this does not affect the overall tranquility and peace enjoyed by all residents and neighbors.” In reference to the right-of-way abandonment granted Mr. Bauer, “roughly 3200 square feet, … it would have been considerate … to use it to conserve, improve, or maintain the integrity of the City, the historic district, and the neighborhood and its residents. It appears that this … gracious gift … would instead be used solely by the developer to expand the size of his project.”

Mr. Kirsch requested the Board to “revisit … several of the Carson City Building Code requirements relative to the proposed project. For example, the minimum common open space requirements for these type of buildings in the future to prevent a reoccurrence of this type of proposal.” He discussed the importance of preserving “the integrity of this historic district. … Mr. Herman Bauer’s proposed project would jeopardize the future initiatives aimed to conserve places of historic value and it would set damaging precedent for future development within Carson City’s historic district.” He advised that “a detailed list of objections to the SUP was contained in [his] appeal of August 8.” He introduced Steve Brenneman and Tom Strekal.

(11:01:03) Steve Brenneman, co-owner of the Bliss Mansion, advised of having “changed his view on how well [the Historic Resources Commission] protect[s] our historic district given that they’ve approved this … zoning change for one parcel of property.” With regard to the open space, he advised of having made two visits to the Planning Division “to have them tell me where the open space was located.” He stated, “The problem is, you’re not allowed to have open space in a setback area and, on the diagram, it says open space and it’s in a setback area, on the side yard and in the rear yard and the front yard.” Mr. Brenneman advised of having reviewed the Code requirement, and stated, “The parking lot does not meet public works code requirements of 26 feet between stalls. The space in the design is 24 feet. There’s a Code requirement, 2.1.16, for snow storage on a large parking lot. There is no space for snow storage. There is a Code requirement that you may not use storage in a setback area, yet the trash storage for this project

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is in a setback area. The carport columns are in a setback area. That's also not allowed. In sum, the architect has tried to really maximize the building size, the number of dwelling units and it's just too big for a 16,700 square foot piece of property."

(11:03:43) Tom Strekal reviewed historic information on his residence located within the historic district. He advised of having learned of the proposed project on July 27<sup>th</sup>, and of having been "appalled." He expressed the opinion that the special use permit "implies a cavalier attitude toward Carson City and its historic district, a district soon to receive recognition on the National Register of Historic Places, no small honor." Mr. Strekal advised that "the project proponents do not live here nor do they plan to live here upon completion of the project. They appear to have no interest or concern for the Carson City Historic District, nor respect for the character of the district. If they had interest, concern, or respect, we feel they certainly would not propose a project of such scale, so out of keeping with the character and proportion of the historic district, so fraught with potential problems of density, parking, traffic, trash, personal storage, snow removal, and open space." He inquired as to sufficient space for children to play. "What happens when everyone decides to barbecue? What happens to the snow following a major storm and where do the cars go that are in the parking lot?" In reference to the special use permit "as a conditional use rather than rezoning somehow implies that this project, if found unacceptable in the future, will be removed. That's ludicrous. Once it's built, it's built. The implication, though ..., is that this project will not look out of place when similar projects are built in the future." He expressed the opinion "that's a very poor precedent for the historic district." He expressed deep concern "about the integrity of our homes, our neighborhood, and our community." He expressed the opinion that "homeowners ... seem to be held to a higher standard to conserve and protect our neighborhood than do developers, but we accept that responsibility in order to maintain our quality of life and to demonstrate pride in our community. While our neighborhood and the historic district are aesthetically pleasing and generally serene, our greatest enjoyment is our neighbors. Most importantly, we enjoy our neighbors, getting to know who lives next door, and socializing. And since learning of this project, we've come to meet and enjoy more of our neighbors who oppose this project." In consideration of "the recent reduction in rental rates because of vacancies in the economy, the proposed project is not likely to become the exclusive address depicted in that drawing with a few well-heeled professionals walking, with no cars in the parking lot, with that fabulous view of endless space leading to C Hill." He expressed the opinion that the architectural drawings are "very misleading ... disingenuous." He reiterated that he and his wife "take pride in our community and ... demonstrate our sense of community by coming together to oppose the proposed project." He expressed the opinion that the 88 petition signatures "are an indication that this has gotten our attention, has galvanized us, has shown you we have an identity and we care about the historic district."

Mayor Crowell called for additional appellant representatives and, when none were forthcoming, called for the applicant representatives. (11:09:03) Herman Bauer introduced himself for the record and expressed opposition to the previous misrepresentations of his character. He advised he has been coming to Carson City for over 30 years, that he has investments here and is a taxpayer. He provided historic information on his hometown in Germany and advised he has "great respect for historical aspects." He expressed appreciation for Mr. Kirsch's comments, but disagreed. He advised of a suggestion that the property be turned into an open air wildlife refuge or a community garden. He commended the suggestions and expressed a willingness to sell the property to anyone interested in creating a community garden. He advised of having purchased the property for investment purposes and "to make it pencil out, this is what we need. It's difficult enough already. We have to relocate the power lines, power poles, replace sewer lines. The project will be tough to pencil out." Mr. Bauer advised of having participated in "many, many

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meetings ... we made many changes, we've worked with your staff which incidentally was very helpful, and we got the approvals for the eight units for the project you see here."

In response to a question, Mr. Bauer discussed the current vacancy rate and expressed the opinion that "by the time we're ready to build, there will be a need for additional apartments." He expressed the further opinion that "once the downtown plan goes into effect, ... it's going to be a very good location for people who want to live and work downtown." He expressed the opinion that "the area is in transition. Eventually, you will see such developments."

Mayor Crowell invited Architect Al Salzano to provide testimony. (11:13:42) Mr. Salzano reiterated that "the open space does meet all the requirements. It's more than double what's required. We are only counting the areas that we are allowed to count." He disputed previous testimony by stating, "We're not counting any of the area that's in the three street yard setback areas. We are counting the area in the rear yard setback which is allowed by Code. So the open space calculations are correct." Mr. Salzano advised that if the "all the area in the street front setbacks" was included, "we would be over six times the minimum required open space calculation." He pointed out that the project has been approved "not once, but three times by the Historic Commission and also by the Planning ..." He acknowledged the objections, but advised that much has been done to "satisfy everybody." In response to a question, he expressed the understanding that parking and snow storage requirements have been met according to the Carson City Municipal Code. Supervisor Aldean discussed the importance of adequate snow storage in any parking lot. In response to a question, Mr. Salzano reviewed Code requirements relative to trash disposal / storage. In consideration of three street frontages, he advised that no credit was given to the project for on-street parking.

Supervisor Abowd discussed concerns regarding the lack of outdoor personal storage space and sufficient space for children to play. Mr. Salzano advised that a landscape plan was provided, which included "a full 20 feet of yard all the way around the building that's not included in the open space calculations because we're not allowed to count that. ... So, even though the open space calculation only says 2500 square feet, if you count everything, there's six times that." In response to a further question, he assured the Board "there are lawn areas, as part of the landscaping, ... that would be suitable for kids playing." In response to a further question, he advised that outdoor personal storage is available "off of the decks which are part of the private open space, not the public open space."

In response to a question, Mr. Salzano advised the open space will not be fenced. He noted that "because we're under ten units, we're not required to have ... a developed playground." In consideration of the massing issue, Mr. Salzano advised that four or five-plexes were not considered "because ..., as Mr. Bauer was stating, ... there's ... a break even point as far as how many units per acre. Again, he bought this as an investment property." Mr. Salzano pointed out that the proposed development is within the allowable density. Mayor Crowell entertained additional questions and, when none were forthcoming, thanked Mr. Salzano for his attendance and participation.

Mayor Crowell requested staff to address the parking and the snow removal / storage issues. City Engineer Jeff Sharp estimated "they're still a foot short on the overall width of the parking lot." In consideration of snow removal / storage, Mr. Plemel suggested considering this "a smaller project. ... These are basically commercial development standards. Generally, we ... view it as being intended for larger lots." In response to previous testimony, Mr. Plemel reviewed the provisions of Development Standards Section 1.12, Outside

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Storage, and read into the record the definition of the same. He explained that a trash enclosure is "basically a six-foot fence ... just to screen the trash enclosure. So this trash enclosure is in the side-yard setback but that's typical. ... a trash enclosure is not in the same category as a use that is outside storage. ... so this would comply with our typical standards for trash enclosures." Using a displayed site plan, Mr. Plemel pointed out the areas not counted in the open space calculation. He clarified that open space is permitted to be calculated as part of a side yard setback. He further clarified that private open space is permitted to be calculated. He responded to questions of clarification.

Ms. Pruitt provided background information on alterations to the carports, as requested by the Historic Resources Commission. She advised that the three street sides were taken into account in consideration of setbacks. She discussed reasons for encroachments relative to design, as provided for in the Carson City Municipal Code. Mr. Plemel provided additional clarification. In response to a question, Ms. Pruitt advised that the Historic Resources Commission had several concerns relative to the proposed projects. "... there was a great deal of discussion about massing and concerns over the size of the project, related to the buildings. There was discussion regarding the car ports." Ms. Pruitt advised that "every time this item was before the [Historic Resources] Commission, they required stipulations of the applicant [which] is pretty common."

Mayor Crowell entertained additional testimony from the applicant and his representatives; however, none were forthcoming. Mr. Munn advised that there was no appeal of the Historic Resources Commission findings, which has its own separate appeal process to the Board of Supervisors.

Mayor Crowell entertained public comment. (11:33:58) Peter Smith advised of owning two buildings in the historic district. He advised of not having been able to "sign on with the appeal, but ... my heart is with him." He expressed the opinion that the "key question here is what is this Board's role in this and ... the big issue with the special use permit includes a determination of the wisdom and necessity of making this change to what is the existing status for the neighborhood. In the historic district, we have a pretty low density, old fashioned kind of a layout of properties and if this Board wants to approve a special use permit and allow an eight-unit development on this parcel of land, then you're going to have to decide if that is wisdom and necessity." In reference to displayed slides, Mr. Smith noted "there's a lot more density right around the edges of this property than there is on the property itself. You can see the multi-family apartments and there's some commercial structures, but that's because this is the edge of the historic district. If you approve this special use permit, you're going to be taking a bite out of the nature of the historic district preserved inside its borders and, one little bite at a time will end up being the death of the historic district." Mr. Smith advised of having purchased his properties, one of which was already in the historic district and the other which he and his wife petitioned to have added to the historic district. "... we live with those rules. We live with the restrictions of that, of being in the historic district in order to help do our small part in preserving its nature." He requested the Board to deny the special use permit.

(11:36:30) Art Hannafin advised of having lived in Carson City for approximately 39 years and of having worked as an architect throughout that time. He further advised of having served on the 1978 Cultural Resource Committee to determine whether the historic area was worth saving. He provided background information with regard to the same, which ultimately led to formation of a formal historic district in 1982. He advised of having served on the subsequently formed Historic Design Committee. He expressed support for the appeal and concurred with Peter Smith's comments. He expressed the opinion that "the highest and best use is not always the thing to do when you're trying to preserve an historic area."

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(11:39:15) Robert Gordon, a resident of the historic district, expressed no great concern about the project itself. He suggested that “one of the problems is that this may have been a project which the Historic [Resources] Commission kicked the can down the road ...” He expressed the opinion that because of the density and the proposed size of the structures, “the Historic [Resources] Commission should have rejected the proposal.” He suggested that the project be sent back for reconsideration by the Historic Resources Commission.

(11:40:33) Jed Block advised that he owns two properties in the historic district and is a resident of one. He expressed the opinion that density and massing was “pushed down toward the Planning Commission” by the Historic Resources Commission. In reference to a displayed slide, he discussed the condition of multi-family apartments “to the left.” He expressed opposition to the use of stucco, and concern over several of the existing trees. He inquired as to how the Board members would “feel if it was built across the street from you.”

(11:44:57) Marlene Hannafin, a resident of North Minnesota Street, advised that Art Hannafin built “our complex, five homes, ... in the historic area ... twenty years ago. ... At that time, our parcel was approved for six two-story homes and we chose only to build five because we wanted to have more open green space, and very sensitive the area.” Mrs. Hannafin advised that the historic district “is a very big walking area.” She advised of being asked regularly about the age of her home “because it looks historical. We had to build by the codes. This apartment building does not look historical.” She expressed the opinion that allowing the proposed development will “just open Pandora’s box and we’re going to have more and more of that. Where does it stop? If you approve one, then what about the next one that comes up.” She expressed opposition to the proposed development.

Mayor Crowell entertained additional public comment and, when none was forthcoming, entertained additional comments from the applicant and his representative. (11:46:57) Mr. Bauer advised he had nothing further to add, and expressed appreciation for the Board’s attention to all the comments. He advised of the intent to be “good neighbors and do whatever is in our power to preserve the historical aspects.” Mayor Crowell thanked Mr. Bauer for his investment in the community.

Mayor Crowell expressed concerns over the project massing and the parking. Mr. Plemel described the historic district “as an overlay district that has a lot of different zoning. This zoning, generally, on the far eastern side, closer to the commercial corridor, is zoned residential office and multi-family is a conditional use there. We’re not talking about multi-family everywhere in the historic district. Everything is single-family generally southwest of this location and west of Minnesota Street ... The conditional use is multi-family in residential office zoning. ... This is not setting precedent for multi-family all throughout the historic district.” He acknowledged that part of the finding for staff’s recommendation of approval is that the health and welfare of the surrounding area will not be harmed by the proposed development. In response to a question, he was uncertain as to how the appellant addressed said finding. Mr. Plemel advised that “another finding is general compatibility standards and ... probably the appellant’s arguments are more addressed toward the compatibility and material damage to surrounding properties.”

Supervisor Walt noted that three of the Board members have businesses which are housed within the historic district. She advised that her family’s residence is on the west side. She expressed appreciation for the volunteer advisory commission members. In reference to Planning Commissioner comments, as reflected in the July 27, 2011 minutes, she disagreed that Division Street “is all offices now ...” Supervisor

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Walt described the traffic on Division Street as “horrendous,” and expressed concern regarding safety relative to preschools along Division Street. She expressed support for “urbanizing areas within this community ... , for building more multi-family housing ... but the question is if it’s appropriate in this area.” She expressed a preference to “preserve and continue to support what we have going in the historic district because it is ... I just think about Halloween. ... it’s sacred to this community.”

Supervisor McKenna advised of having previously worked at a very busy accounting firm located at 444 West Washington Street, and of having wondered “why that whole block hadn’t been turned into offices ... back in the early ‘90’s. There are offices all over the place, there was a hospital there. You can claim to have this in the historic district, but this is an economic office area, a business area.” Supervisor McKenna expressed the opinion that the subject project “is one of the few ways that you’re going to have a continuation of residences in the area.” He provided historic information on the uses of the property at 444 West Washington Street. He suggested “you have to pick your battles,” and expressed the opinion that “keeping this one historic ... is [not] a battle that anyone should fight.”

Supervisor Abowd expressed opposition to the stucco in consideration of the historic character of the area. In consideration of Art Hannafin’s comments, she expressed the opinion that “the highest and best use of that particular property does not preserve the charm of the historic district and that is one of the selling points of this community ...” She didn’t see the “wisdom and necessity of putting that high a density and that mass and scale on that particular piece of property.” She suggested that two duplexes and charging higher rents would be more sensible “to make that pencil.” She expressed the opinion that ten foot and five foot lawn areas are “really not enough space for a child to play.”

In response to a question, Mr. Plemel advised that the proposed project is not a deed restricted affordable housing project. Supervisor Aldean commended Mr. Bauer’s character, and advised that her company made a fairly substantial investment in the historic district. “One of the things that attracted us to that part of town was the historic character of the area and we tried to do our best to mimic that.” She acknowledged the “delicate balance between ... the rights of the property owner to develop their property in accordance with their needs ... and ... preserving the historical integrity of the district.” As noted by other Board members, the historic district’s character distinguishes Carson City from other communities in the State. Supervisor Aldean expressed sympathy for the applicant, but advised of a struggle over “accepting a design that ... is incompatible with the surrounding uses.” She acknowledged the eclectic nature of the area, and expressed the hope that “over time, some of the things that were developed without taking into consideration the historic character of the area will be demolished and replaced with ... structures that are more compatible.” She read from the mid-century report relative to duplexes and triplexes in the historic district which “do not detract from the predominantly single-family houses as they too respect the scale of the existing neighborhood.” Supervisor Aldean expressed respect for staff’s work and for the applicant’s intent to “do something worthwhile in this neighborhood, but it’s unfortunate that his plans don’t appear to be as compatible as they should be with the existing architecture in the area.”

Mayor Crowell reviewed the Board’s alternatives relative to action, and entertained a motion to uphold the Planning Commission’s decision. Supervisor McKenna moved to uphold the Planning Commission’s decision. Motion died for lack of a second. Mayor Crowell entertained a motion to reverse the Planning Commission’s decision and deny the special use permit; however, none was forthcoming. Mayor Crowell noted the third alternative to send the item back to the Planning Commission for reconsideration. (12:00:54) In response to a question, Mr. Bauer expressed a preference for the project to be returned to the

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Planning Commission or the Planning Division staff in order to work on a "somewhat different design." Mayor Crowell entertained a motion. Ms. Pruitt advised that the project will also be required to be resubmitted to the Historic Resources Commission if there are alterations to the design. Supervisor Aldean encouraged this. Supervisor Abowd moved to return the project to the Historic Resources Commission and the Planning Commission for further revision and consideration. Supervisor Aldean seconded the motion. In response to a question, Mr. Munn provided clarification relative to the circumstances by which the project will be returned to the Historic Resources Commission. Mayor Crowell entertained a motion. **Supervisor Abowd moved that SUP-11-042 be returned to the Planning Commission for reconsideration in view of the discussion on the record. Supervisor Walt seconded the motion. Motion carried 4-1.** Mayor Crowell thanked Mr. Bauer and Mr. Salzano for their professionalism and for the courtesy by which everyone delivered their testimony. Mayor Crowell recessed the meeting at 12:03 p.m. and reconvened at 12:12 p.m.

**19(B) POSSIBLE ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 17, DIVISION OF LAND, SUBDIVISION OF LAND, CHAPTER 17.06, FINAL MAPS, SECTION 17.06.015, TIME LIMIT FOR RECORDING, AND CHAPTER 17.09, PLANNED UNIT DEVELOPMENT, SECTION 17.09.055, TIME LIMITS FOR FILING APPLICATION FOR FINAL APPROVAL, TO MODIFY THE TIME LIMITS FOR RECORDING A FINAL MAP IN ACCORDANCE WITH NRS (ZCA-11-049)** (12:12:49) - Mayor Crowell introduced this item, and Mr. Plemel reviewed the agenda materials. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to introduce, on first reading, Bill No. 117, an ordinance amending Carson City Municipal Code, Title 17, Division of Land, Subdivision of Land, Chapter 17.06, Final Maps, Section 17.06.015, Time Limit for Recording, and Chapter 17.09, Planned Unit Development, Section 17.09.055, Time Limits for Filing Application for Final Approval, to modify the time limits for recording a final map in accordance with NRS.** Supervisor Abowd seconded the motion. Motion carried 5-0.

**19(C) POSSIBLE ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 18, ZONING, CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 7, HILLSIDE DEVELOPMENT, SECTION 7.6.7, FIRE PROTECTION, TO DELETE REFERENCES TO THE PAMPHLET ENTITLED, "WILDFIRE PROTECTION FOR HOMEOWNERS AND DEVELOPERS," AND REPLACE IT WITH GUIDELINES IN COMPLIANCE WITH THE FIRE DEPARTMENT (ZCA-11-050)** (12:14:37) - Mayor Crowell introduced this item, and Mr. Plemel reviewed the agenda materials. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to introduce, on first reading, Bill No. 118, an ordinance amending Carson City Municipal Code, Title 18, Zoning, Chapter 18.16, Development Standards, Division 7, Hillside Development, Section 7.6.7, Fire Protection, to delete references to the pamphlet entitled "Wildfire Protection for Homeowners and Developers," and replace it with guidelines in compliance with the Fire Department.** Supervisor Aldean seconded the motion. Motion carried 5-0.

**20. BOARD OF SUPERVISORS NON-ACTION ITEMS:**

**STATUS REVIEW OF PROJECTS** (12:16:03) - None.

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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 fourplex. 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 31<sup>st</sup> day of August, 2011.

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MARK KIMBROUGH, Chair

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HRC

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on September 9, 2011. The property owners would be notified of this meeting, according to Ms. Pruitt within the next two weeks. She stated that comments would be received during this meeting, and written comments could be sent to the State Historic Preservation Office (SHPO). Ms. Pruitt informed the Commission that one letter of opposition, incorporated into the record, had been received to date.

(5:36:03) – Chairperson Drews indicated that what he was about to present was available on the City's Planning Division web site. He presented background on the National Register of Historic Places, stating that it was an official federal list of properties that were significant in American history, architecture, archaeology, and engineering. He divulged that some properties were already on the Register individually. He also noted that it was an honorific designation with no added bureaucracy, and a federal program that was administered by SHPO. Chairperson Drews stated that descriptions of the properties were added to accommodate a searchable database, and made it part of the larger picture. He called the recognition a "national honor" which would bring Carson City to the forefront. He also explained the federal tax credit eligibility, building code leniency, reimbursement of rehabilitation eligibility, protection from federally-funded projects, and open space use assessment benefits. Chairperson Drews emphasized that if a majority of the property owners did not wish to be part of the district, SHPO would not approve the nomination. However, he added, individual owners may not opt-out of the District. He also outlined the nomination process and the appropriate timelines and stated that the objections must be received via a notarized letter. Forms could be obtained from the SHPO office or web site, or the Planning Division web site, he added. Chairperson Drews solicited public comments.

(5:52:34) – Day Williams introduced himself as the Administrative Chair of the First United Methodist Church Council, stating it was the oldest church in Nevada. He praised the Commission and the Planning Division Staff for their efforts, stating that the designation would benefit the City and tourism. He also noted that they would be honored to be a part of the designation. Chairperson Drews reminded everyone that to go on the public record, they would need to stop by at the Community Development Office to voice their opinions.

**F-2 HRC-10-102 FOR POSSIBLE ACTION: TO APPROVE A REQUEST FROM AL SALZANO (PROPERTY OWNER: HERMAN BAUER) TO DEMOLISH THE EXISTING SINGLE FAMILY RESIDENCE, CARRIAGE HOUSE, AND SHED WITH THE REPLACEMENT OF A 8-UNIT APARTMENT COMPLEX, ON PROPERTY ZONED RESIDENTIAL OFFICE (RO), LOCATED AT 812 NORTH DIVISION STREET, APN 001-191-06.** (5:54:50) – Chairperson Drews introduced the item. Ms. Pruitt gave background on the project which is incorporated into the record. She stated that it had been approved last May; however, an error in noticing a neighbor had resulted in reagendizing the item. Ms. Pruitt showed current pictures of the property followed by an artist's rendering of the proposed eight-plex, both incorporated into the record. She reminded the Commission that the project's architect had modified the carport designs to accommodate the Commission's suggestions. Ms. Pruitt also noted that the conditions of approval for the project had been provided to the applicant and to the members of the public who have requested the information. In the packet, Ms. Pruitt also included letters of support supplied by the property owner and concerns from an adjacent property owner. She noted that Alexander Kirsch was in the audience today and she believed he would address his concerns. Ms. Pruitt also acknowledged that Al Salzano, the project architect, was in the audience. Chairperson Drews recapped the decisions that were made in previous meetings, including the demolition conditions and the changes to the proposed replacement property.

(6:05:34) – Chairperson Drews called for public comments. Mr. Kirsch introduced himself as a resident of the Historic District for 20 years, and believed that the open meeting law had been violated by not notifying the other property owners of this meeting. Ms. Pruitt explained that pursuant to Carson City Municipal Code, the noticing requirement for the Historic Resources Commission stated that only the adjacent property owners would be noticed. She added that for the following week's Planning Commission meeting, the Municipal Code required noticing a minimum of 300 feet or 30 individual properties. Mr. Kirsch believed that the proposed project did not benefit the community as a "double four-plex would be an eyesore in my opinion". He questioned where the guests would park. Mr. Kirsch also objected to the overall scale and massing, stating it was not consistent with the surrounding buildings. He believed that the property must provide a community area or a yard for the families to use. He said he could tolerate two duplexes. Mr. Kirsch stated that based on the estimated growth of Carson City, if the property owner could not find tenants, he would be forced to lower the rent and admit low-income renters through federally-funded incentives, which "would create a whole line of

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problems". Mr. Kirsch also disclosed that as of July 18, 2011, there were at least nine properties for sale and twelve properties for rent (three of which were commercial ones). He believed that the additional sixteen potential automobiles would result in an environmental impact assessment due to the traffic increase. He also believed that the property was not child-friendly or safe, and could potentially create privacy concerns to neighboring properties. Chairperson Drews thanked Mr. Kirsch and stated that he brought "some interesting opposition" and some comments which he thought would be more suited to the Planning Commission meeting. He believed that the scale and massing, and the integrity of the district were the two items that concerned this Commission. Mr. Kirsch explained that the building looked like his house, but much larger, and considered it unfriendly. He also believed that the property value decrease in the future would "impact everybody, including the City". Lila King indicated that she was representing her mother, June Kilet, who was unable to attend due to failing health. Ms. King stated that Ms. Kilet had lived in a nearby house since 1972 and has seen many houses demolished and rebuilt, and she called them "preposterous and monstrosities". She also stated that her mother was concerned about "where children would play" and that she was opposed to building the eight-plex. Julie Maxwell, who identified herself as a neighbor "down the street", stating that part of the neighborhood charm was that the former property owner "would invite the deer into his yard". She believed that the drawings did not reflect the integrity of 1865-1920s buildings, stating she would like to see the building be "better and more aesthetically pleasing". Jed Block identified himself as an owner of two properties in the Historic District. He explained that the proposed building was three blocks from Treadway Park, an easy walk for pets and children. He stated that there was "a lot of traffic on Division Street", and nothing could be done about that. He said he did not oppose the building, but would like to "see something other than stucco". He added that he owned an apartment building two blocks away from the Governor's Mansion, and had discovered that the "more money I put into them" the longer the renters would stay, and that he had been able to increase the rent. He believed that the deer had been a "permanent fixture" after the Waterfall Fire.

(6:26:34) – Since there were no other public comments, Chairperson Drews suggested opening up the discussion to Commission members. In response to Commissioner Speulda's question on splitting the lot, Ms. Pruitt explained that the information was provided to the Planning Division Staff and that the lot split was on the site plan. Mr. Salzano explained that the current plants were overgrown and if they could not be salvaged, they would be replaced to meet all the landscaping requirements. Commissioner Speulda believed that the building was "still a bit massive in scale", although a compromise had been made earlier. Commissioner Jones was worried about the two halves of the property being owned by two different people and expressed concern about different maintenance schedules, colors, etc. Mr. Salzano believed that could be regulated as part of an agreement. Commissioner Jones suggested "some difference" between the two fourplexes as another design option. Mr. Salzano stated that changing a roof line would make the buildings look different but they would not change the massing. Commissioner Hayes believed the project still felt overwhelming to him. Chairperson Drews reminded the Commission that it was important to distinguish between what is presented and "what we wish for", and indicated that his preference would be a single-family home with a yard as well, however that was not to be the case. He suggested focusing on whether the project met their guidelines or not. Upon a request from Chairperson Drews, Ms. Pruitt stated that the parking criteria required that multi-family homes be provided with two spaces per dwelling. Vice Chairperson Darney requested further clarification on the zoning issues. Ms. Pruitt explained that the City defined multi-family units as three or more dwelling units, and required a special use permit, which the applicant had received. She added that building height, open space requirements and other issued had also been addressed, and suggested she get that information to Mr. Kirsch. She also stated that the special use permit Staff report was available to anyone. Vice Chairperson Darney iterated that he agreed that horizontal sidings would be preferable to stucco, adding that his issue was the symmetrical nature of the two structures. He said he would like to see a screening of the vehicles in the parking area. Chairperson Drews stated "we're in a little bit of a pickle here because we've approved it once", and inquired about what criteria the project was not meeting. He also expressed caution regarding an appeal. Mr. Salzano was amenable to breaking the symmetry. Commissioner Jones reminded the Commission that the previous hearing "was not noticed properly", and stated that some comments were raised today that needed to be addressed. Mr. Kirsch reiterated his concern which was the building of an eight-plex. Mr. Block was invited to comment on other apartment complexes in the area, and agreed that breaking up the symmetry was a good idea. Chairperson Drews informed Mr. Kirsch that his comments were very valid for the Planning Commission. Mr. Kirsch stated that he "had the feeling that I was conveniently overlooked the last time", and wondered whether this was already a "done deal" now. Chairperson Drews assured Mr. Kirsch that he has been on this Commission for over 20 years and had never seen anyone being intentionally dropped from noticing. He also stated that the Commission had addressed some of his issues by going

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back to the architect and asking him to change sidings and "trying to tone it down a little". Mr. Kirsch wished he could speak to Mr. Bower and explain to him how this project did not fit in the District. Mr. Block explained that the concerns raised tonight were more for the planning commission than the Historic Resource Commission, adding "nobody likes change". He also stated that a lot of "garbage was done in the 50's and 60's that we can't do anything about".

(7:19:45) – Vice Chairperson Darney moved to approve HRC-10-102, a request from Al Salzano (property owner: Herman Bauer) to allow the approval of revised development plan of a new eight-plex, multi-family apartment project, on property zoned Residential Office (RO), located at 812 North Division Street, APN 001-191-06, with the following stipulations: 1) That the owner consider alternative siding or exterior enhancements of the two separate structures, one to be differentiated from the other – whether it's change of materials or mixing of materials; 2) That there be some sort of a rockery or screened wall that is conducive to the exterior buildings to screen the parking lot from the street (suggesting 30 or 36 inches high); 3) Revisiting of any roof detailing that can differentiate the two structures from each other; 4) Administrative approval of any fencing that is added to the south property line. The motion would also include the previous two stipulations and all the stipulations and requirements of the Staff Report. The motion was seconded by Commissioner Hayes. Motion carried 5-0.

**F-3 HRC-11-010 FOR POSSIBLE ACTION: TO APPROVE A REQUEST FROM PROPERTY OWNERS AARON AND MARY COVINGTON, TRUSTEES, TO RE-ROOF THE SINGLE FAMILY DWELLING UNIT AND THE REPLACEMENT OF EXISTING SHED DORMERS WITH PROPOSED GABLED DORMERS, ON PROPERTY ZONED SINGLE FAMILY 6000 (SF6), LOCATED AT 312 MOUNTAIN STREET, APN 003-191-01.** (7:23:13) – Chairperson Drews introduced the item. Ms. Pruitt gave background and presented the Staff Report, incorporated into the record. She also reminded the Commission that included in the information packets, incorporated into the record, was an addendum supplied by the applicant. She also included new photographs showcasing the trees in full bloom. Ms. Pruitt stated that the applicants had been in contact with their contractor, Steve Joyce and their engineer, Dave Chase, in addition to consultations with Chairperson Drews, Vice Chairperson Darney, and Kevin Gattis, Chief Building Official. She also stated that the applicants had provided the material for roofing and replacing the dormers. A letter from an adjacent property owner supporting the project is also incorporated into the record. Chairperson Drews invited Aaron and Mary Covington to elaborate and commented on how well the applicants had addressed the Commissioners' previous comments. Mr. Covington stated that they had struck a balance between their needs and the Commission's aesthetic concerns. Discussion ensued over the placement of the dormers. Member Jones commented that the issue at hand was rhythm and not symmetry, adding that the rhythm on the bottom floor was irregular. Chairperson Drews commented that there was very little interior space on the upper floor. He also received confirmation that the shed would be removed. Mr. Covington explained that the chimney was taken out because it was deemed unsafe, and that they were planning to put the chimney back and put in a wood stove. Mr. Block commented that he wished most of the District residents would take as much pride in their homes as the Covingtons did. Chairperson Drews called for public comments and when none were forthcoming, a motion. **Commissioner Speulda moved to approve HRC-11-010, located at 312 Mountain Street, as written by Staff. The motion was seconded by Commissioner Hayes. Motion carried 4-1.**

**F-4 HRC-11-046 FOR POSSIBLE ACTION: TO APPROVE A REQUEST FROM JOANNE BALLARDINI (PROPERTY OWNERS C & A INVESTMENTS, LLC) TO REPLACE ASBESTOS SHINGLES ON THE SIDING OF THE HOUSE WITH SIMILAR SIDING AND A 4 FOOT WAINSCOTING ON A SINGLE FAMILY RESIDENCE USED AS ON OFFICE, ON PROPERTY ZONED RESIDENTIAL OFFICE (RO), LOCATED AT 913 N NEVADA STREET, APN 001-187-01.** (7:49:25) – Chairperson Drews introduced the item. Ms. Pruitt gave background and presented the Staff Report, incorporated into the record, and recommended approving the removal and replacement of the asbestos siding. She also recommended that the Chair work with the applicant in the same way they have assisted others. Vice Chairperson Darney stated they were missing the proposed application of the new materials. In response to a question by Commissioner Speulda, Ms. Ballardini replied that she did not know what type of materials were present underneath the asbestos. Chairperson Drews suggested "to try to bring the siding back to pretty close to where it was". It was suggested to use sandstone veneer similar to the Ormsby House. It was also suggested to gently take out some of the asbestos to see what was underneath and put them back on. Chairperson Drews offered to work with Ms. Ballardini. It was agreed to continue this item at the next meeting.

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A meeting of the Carson City Historic Resources Commission (HRC) was scheduled for 5:30 p.m. on Thursday, May 12, 2011, in the Carson City Community Center, Sierra Room, 851 East William Street, Carson City, Nevada.

**PRESENT:** Chairperson Michael Drews  
Commissioner Gregory Hayes  
Commissioner Mara Jones  
Commissioner Lou Ann Speulda

**STAFF:** Lee Plemel, Planning Director  
Randal Munn, Chief Deputy District Attorney  
Tamar Warren, 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 public record, on file in the Clerk's Office. These materials are available for review, in the Clerk's office, during regular business hours.

**A. CALL TO ORDER AND DETERMINATION OF QUORUM (5:30:56)** – Chairperson Drews called the meeting to order at 5:30 p.m. Roll was called; a quorum was present. Vice Chairperson Darney and Commissioner Lopiccolo were absent.

**B. ACTION ON APPROVAL OF MINUTES (5:31:24)** – Commissioner Speulda moved to approve the minutes of the March 10, 2011 meeting as written by Staff. Commissioner Hayes seconded the motion. Motion carried 4-0.

**C. MODIFICATION OF AGENDA (5:31:43)** – None.

**D. DISCLOSURES (5:32:03)** – Chairperson Drews disclosed that he had met with Mr. Herman Bauer and Mr. John Uhart as part of the Major Project Review for the project listed on agenda item F-1. He stated that they had discussed changes and the process for next steps. Commissioner Jones disclosed that she was on the board of the State Historic Preservation Office (SHPO) and noted that an item involving SHPO was being discussed.

**E. PUBLIC COMMENTS (5:33:04)** – None.

**F. PUBLIC HEARING MATTERS:**

**F-1 HRC-10-102 ACTION TO CONSIDER A REQUEST FROM AL SALZANO (PROPERTY OWNER: HERMAN BAUER) TO DEMOLISH THE EXISTING SINGLE FAMILY RESIDENCE, CARRIAGE HOUSE, AND SHED WITH THE REPLACEMENT OF A 8-UNIT APARTMENT COMPLEX, ON PROPERTY ZONED RESIDENTIAL OFFICE (RO), LOCATED AT 812 NORTH DIVISION STREET, APN 001-191-06.**

(5:33:57) – Chairperson Drews introduced the item. Mr. Plemel pointed out to the staff report prepared by Jennifer Pruitt, Principal Planner, incorporated into the record, and gave background on the property and its location. He also indicated that this item was previously reviewed by the Commission during the December 9, 2010 meeting. Mr. Plemel added that these revised plans would amend the ones reviewed previously, especially the covered parking issue. He explained that in addition to the Historic Resources Commission review, the project required a special use permit through the Planning Commission, and that demolition would not take place until the new plans were approved. Chairperson Drews stated that the new plans reflected the revised parking structure. He then advised Mr. Salzano, Architect, to come forward and answer any questions the Commissioners might have. In response to Commissioner Hayes' question, Chairperson Drews indicated that the Carson City Greenhouse project would take several trees and bushes. He added that the building materials would be salvaged by the V&T Foundation. Commissioner Jones was concerned about the proposed building signage and the masonry, and was referred to the packet that contained scaled-down versions which were consistent with

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the other buildings in the area. Commissioner Speulda received confirmation that the windows would be wood-clad. She also suggested recording the house prior to being moved. Commissioner Jones agreed and asked to document the house and the landscaping via photographs. Chairperson Drews called for public comments. Kurt Garrett, a resident of the Historic District, stated that the building style "doesn't look like it fits anything in our neighborhood", and expressed concern regarding the displacement of the dozen deer that bed in the yard. Chairperson Drews explained that the underrepresented craftsman-style building was "still fitting within the character of the District as a whole". Jed Block stated that he had looked at the property with Tom Henderson, from Healthy Trees, and Earl Wiley. He stated that the apple trees were too old to move, but questioned the use of stucco in the District, and cited other buildings that also had stucco finishes. Commissioner Speulda explained that a craftsman-style house could have exposed wood and stucco-type material on the eaves and the walls. Commissioner Jones preferred siding to stucco; however, she agreed that the structure would have a tie-in with other buildings in the area. **Commissioner Hayes moved to approve HRC-10-102, a request from Al Salzano to allow the approval of the revised developmental plan of a new eight-plex multi-family apartment project on property zoned Residential Office (RO), located at 812 North Division Street, APN 001-191-06, subject to the conditions of approval contained in the staff report, and to include photo documentation of the original building and landscape on the property. The motion was seconded by Commissioner Speulda. Motion Carried 4-0.**

**F-2 HRC-11-034 DISCUSSION ONLY REGARDING THE HISTORIC DISTRICT NATIONAL REGISTRY NOMINATION.** (5:59:02) – Chairperson Drews introduced the item, referring to a Staff Report prepared by Ms. Pruitt, incorporated into the record, and explained that the Historic Resources Commission had secured grant funding to prepare a nomination for the National Register of Historic Places, a federal program administered at the state level through SHPO. In a PowerPoint presentation, incorporated into the record, he gave background on the West Side National Register District. He also stated that this elevated the Historic District to the national level. Chairperson Drews also outlined certain benefits such as the Historic District being entered in the National Register of Archives and mentioned that properties in the District would be eligible for certain federal tax credits. He explained that a draft version of the document, as well as his presentation, would be posted on the web site. He called it a great summary of Carson City history and indicated that there would be no restrictions on private property rights. Chairperson Drews also noted that property owners had been notified and that subsequent hearings would take place in the June, July, and August meetings. He added that any objections would have to be submitted via notarized letters, and that a notary would be available during the June and August Historic Resources Commission meetings. Nominations must be approved by the Board of Museums and History, and the objections must be over 51% in order to be valid, according to Chairperson Drews. Mr. Don Summo inquired about meeting ADA requirements, and Mr. Plemel explained that properties on the National Register would not need to be upgraded, especially the single-family residences. Commissioner Jones added that being on the National Register would allow for added flexibility. Mr. Block inquired about two properties not currently in the Historic District but had historic significance, and wondered if the district boundaries could be amended. Commissioner Jones suggested staying within the Carson City planning district as a first step. Mr. David Wiegenstein received clarification on district boundaries. Chairperson Drews indicated that 190 parcels were identified within the district and if 51% did not wish to have the designation, the deal would die.

**F-3 HRC-11-006 DISCUSSION ONLY REGARDING AN UPDATE OF THE HISTORIC PRESERVATION FUND (HPF) GRANT FOR 2010.** (6:36:09) – Chairperson Drews introduced the item. Mr. Plemel referred to a memo from Ms. Pruitt, incorporated into the record. Chairperson Drews stated that they had met with the Consultant, Dan Pizzone, and that the project was on track. He asked Mr. Plemel to send the consultant's draft report to the Commission members.

**F-4 HRC-10-112 DISCUSSION AND POSSIBLE ACTION: AMENDING THE QUALIFICATIONS FOR MEMBERSHIP IN CCMC 18.06.025.** (6:39:26) – Chairperson Drews introduced the item. Mr. Plemel explained that this item was sent to the planning commission for approval and would be discussed in the second Board of Supervisors meeting in May. He stated that this was necessary to increase the pool of candidates to fill vacancies on the Commission. Discussion ensued, and it was agreed to leave the qualifications as amended.

## G. STAFF REPORTS

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the street and plant grass there, it would now be "sewer and gutter stuff", and the utilities will all be left in place, but without the traffic hazard it posed now. Chairperson Drews reminded Mr. Copoulos that materials and texture must match the buildings to the east and west. Chairperson Drews called for public comments and Mr. Jack Mitchell, representing the property across from BAC, reminded the Commission that the street and thoroughfare plans were over a hundred-years-old, and that the closure would abandon that plan. He urged the Commission that "to turn your back on a street and thoroughfare plan that's over a hundred-years-old is a very serious matter". Chairperson Drews wondered if there was a way to delineate the old street alignment somehow in the design. Commissioner Ossa suggested raising the street curbing to show where the street went, and having planters to prevent cars from going through. Mr. Copoulos agreed that it would be possible, since there was an easement anyway, and nothing could be built there. Mr. Block suggested historical signage, and offered sandstone curbing he already had.

**Commissioner Hayes moved to approve HRC-10-101, a request from John Copoulos (property owners: Brewery Arts Center and Carson City Parks Division) for street closure conceptual plan, and to abandon the public right of way of a portion of Minnesota Street, between King street and Second Street, located between properties zoned public regional (PR), located at west king street and 449 West King Street, APNs 003-207-04 and 003-206-02. This approval would be based on the understanding that any stipulations to the Commission by the applicant may be considered as conditions to the approval. Vice Chairperson Darney seconded the motion, which carried 5-0.**

**F-3 HRC-10-102 ACTION TO CONSIDER A REQUEST FROM AL SALZANO (PROPERTY OWNER: HERMAN BAUER) TO DEMOLISH THE EXISTING SINGLE FAMILY RESIDENCE, CARRIAGE HOUSE, AND SHED FOR REPLACEMENT WITH 8-UNIT APARTMENT COMPLEX, ON PROPERTY ZONED RESIDENTIAL OFFICE (RO), LOCATED AT 812 NORTH DIVISION STREET, APN 001-191-06.** (6:07:42) – Chairperson Drews introduced the item and invited Ms. Pruitt to elaborate. Ms. Pruitt gave background and presented the staff report, incorporated in the record, including criteria for demolition. The applicant, Mr. Herman Bauer, according to Ms. Pruitt, had been in contact with City Staff, regarding the project, which had multiple elements. Ms. Pruitt, also stated that Mr. Bauer had received a recommendation of approval a few months ago, from the Planning Commission, for a right-of-way abandonment constituting of a portion of Ann Street, Division Street, and Minnesota Street. She added that Mr. Bauer would have to undergo a Major Project Review (MPR), an administrative review through the City, which would be undertaken after this evening's decision. She added that multi-family structures required a special use permit approval from the Planning Commission. Ms. Pruitt told the Commission that the applicant was aware of the process before him, and that the project architect was at the meeting to address any questions. She stated that the applicant had received several support letters, also incorporated into the record. Ms. Pruitt acknowledged the applicant's design team, and noted their availability to answer the Commission's questions. She also said that the Staff was recommending the approval of the project.

(6:13:31) – Mr. Bauer introduced his team consisting of an architect, a broker and a partner. Vice chairperson Darney expressed concern over raising an existing historical house, dating from the 1860's, and worried about scale. Chairperson Drews agreed, and stated that the interior was in good condition. He said that he had discussed salvaging some of the materials, with Mr. Bauer, and that the V&T Foundation was interested in them. In response to Chairperson Drews' question, Mr. Bauer explained that he did not have any historical information about the house. Mr. Block suggested inquiring with a few families who may have been acquainted with

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any of the previous owners. Chairperson Drews did not anticipate any major events tied to the historic significance of the house. Commissioner Ossa suggested taking extensive digital, high-resolution photos of the lot, as there may have been some landscaping or fruit trees from that era, prior to demolishing the structure. Mr. Bauer explained that it could be done, since the Historical Society had already requested to take the house down piece-by-piece. Commissioner Speulda inquired about trees that could be saved, and was told only the apple tree could be saved. Ms. Pruitt referred to item 7 on the Conditions of Approval, which required photographic documentation of the existing structure.

(6:23:49) – Chairperson Drews suggested moving the discussion to the new plans. Commissioner Ossa was also concerned about “scaling and massing”, and wanted to know how the new structure related to the buildings around it. In addition, she suggested the exterior not be stucco, and instead have the siding similar to the current structure’s. Commissioner Ossa also expressed concern about the carport which seemed to be very modern-looking. Discussion ensued on the number of two-story units on the block, and Ms. Pruitt verified that there was one two-story structure on that block, while the rest were single-story structures. Chairperson Drews invited Mr. Salzano, the project engineer, to address some of the raised concerns. Vice Chairperson Darney, stated that the plan “occupied the site wall-to-wall”, and that the structure for parking was “a little heavy for that particular lot, and for that particular neighborhood”. Mr. Salzano explained that the lot in question was significantly larger than the other properties. Discussion ensued on the carport and its roofline, and there were many suggestions such as rotating the structure, keeping it as an open structure, building it like a craftsman-style, or making the carports look like an old carriage house, without doors. Ms. Pruitt responded to Vice Chairperson Darney’s question by stating that the parking code which did not require all parking to be on site, applied only to existing buildings. Chairperson Drews offered his help during the MPR process.

(6:42:37) – Commissioner Ossa suggested against vinyl windows, and suggested adding built-out panes, to add some depth. She wanted to see product brochures of the windows. Chairperson Drews inquired about approving the conceptual plan now, and directing the applicant to return with the final plans. Ms. Pruitt recommended deciding when to return for a design review, stating that it could happen before or after the MPR. Mr. Bauer agreed to return with the final design after the MPR, but prior to obtaining a special use permit. Commissioner Ossa suggested seeing more detail at that time, especially on the windows, doors and parking structure design and materials.

(6:48:03) – Chairperson Drews called for public comments, and hearing none a motion. **Vice Chairperson Darney moved to approve HRC-10-102 request from Al Salzano (property owner: Herman Bauer) to demolish the existing single family residence, carriage house, and shed on property zoned residential office (RO), located at 812 North Division Street, APN 001-191-06, and approve the conceptual development plan presented, with the stipulation of providing more detail on possible covered parking alternatives and materials, also for the exterior siding of the main structures, with alternatives other than modern stucco. The windows as presented should be more conducive to the historical nature of the existing windows in the neighborhood, and applicant must show overall product information on basic material such as roofing, siding, trim, windows, and doors. In addition, the City or the Commission should reevaluate reusable materials from the demolition, prior to being removed from the site. Commissioner Speulda seconded the motion.** Ms. Pruitt clarified the conditions of the permit approval, which stated that work would commence “within 12 months from the date of approval, and an extension of time must be

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requested in writing to the Planning Division, thirty days prior to the one year expiration date". She also explained that the 12-month timeframe would start at the time of the second approval. Chairperson Drews called for a vote. **The motion carried 5-0.** Ms. Pruitt explained to Mr. Bauer that the Planning Division would be in contact with him or his team, to coordinate timeframes.

**F-4 HRC-10-004 DISCUSSION ONLY REGARDING AN UPDATE OF THE HISTORIC PRESERVATION FUND (HPF) GRANT FOR 2010.** (6:54:19) – Ms. Pruitt updated the Commission that they had the funding agreement from the state, and thanked Commissioner Ossa for her assistance with that. She also mentioned that a consultant is working with the City to finalize the City contract. She said that the Planning Division had sent a packet of information to the consultant, who would be visiting Carson City in the spring. She added that in the next couple of weeks, the Planning Division would be taking digital photographs of the fifty properties to be surveyed, and send them digitally to the consultant. She hoped that the contract would also be completed in the next few weeks. In response to a question, Ms. Pruitt stated that the contractor was Daniel Pezzoni, with whom the Commission had worked previously.

### G. STAFF REPORTS (6:57:17) – None

**G-1. COMMISSIONER REPORTS/COMMENTS.** (6:57:22) – Chairperson Drews explained that since the Commission did not meet the previous month, he directed Ms. Pruitt to apply for matching funds for signage, to help the Department of Parks and Recreation, at Morgan Mill, Fuji and Fullstone Parks, and to do educational outreach. Additionally, to begin a mid-century architectural survey, for the neighborhood west of the historic district.

**PLANNING DIVISION STAFF REPORT TO THE HISTORIC RESOURCES COMMISSION** (6:58:50) – Ms Pruitt reminded the Commission that the election of officers would take place on the following month. In addition, she said that the HRC annual report is required to be before the Commission at that time. Chairperson Drews recommended discussing the makeup of the Commission at the next meeting as well. Ms. Pruitt also suggested reviewing the 2011 schedule in the packets and letting her know if they have any questions. Chairperson Drews thanked the commissioners for their efforts all year, and asked that they make every effort to be present at the meetings, especially since they would lose the CLG funding if they don't meet. Ms. Pruitt also announced that the requested web site changes had been completed by Janice Brod, and suggested that the commissioners take a look at them. Commissioner Hayes was asked about the treasure hunt in May, and he agreed to do it. He suggested posting it on the web site as well.

### FUTURE AGENDA ITEMS – Previously discussed.

**H. ACTION ON ADJOURNMENT** (7:03:02) – Chairperson Drews entertained a motion to adjourn. **Commissioner Hayes moved and Commissioner Ossa seconded the motion to adjourn.** The meeting was adjourned at 7:03 p.m.

Mayor Crowell entertained public comment; however, none was forthcoming. In response to a question, Mr. Schulz estimated 8 to 9 local jobs to be created by the contract. Mayor Crowell entertained a motion. **Supervisor Williamson moved to determine that Reliant Electric is the lowest responsive and responsible bidder, pursuant to NRS Chapter 338, and to award Contract No. 1011-073, Carson City Public Works Solar Photovoltaic System to Reliant Electric for a bid amount of \$559,730.00, plus a contingency amount not to exceed \$40,270.00, to be funded from the Capital Project / Solar Project fund, as provided in FY 2010 / 2011. Supervisor Livermore seconded the motion. Motion carried 5-0.** At Mayor Crowell's request, Mr. Schulz advised of having recently provided Supervisor Williamson with information on alternative energy projects in the City. Supervisor Williamson agreed to forward the information.

**17. PUBLIC WORKS DEPARTMENT, PLANNING AND ZONING DIVISION**

**17(A) ACTION TO APPROVE AN ABANDONMENT OF PUBLIC RIGHT-OF-WAY APPLICATION FROM TRI-STATE SURVEYING (PROPERTY OWNERS: HERMAN C. BAUER, ALEXANDER KIRSCH, AND JEANNIE BANGHAM) TO REDUCE THE EXISTING RIGHT-OF-WAY WIDTH BY EIGHT FEET ADJACENT TO PROPERTIES ZONED RESIDENTIAL OFFICE (RO), LOCATED AT NORTH MINNESOTA, NORTH DIVISION, AND WEST ANN STREETS, APNs 001-191-02, -05, AND -06, AND AUTHORIZE THE MAYOR TO SIGN THE ORDER OF ABANDONMENT** (9:20:50) - Mayor Crowell introduced this item, and Principal Planner Jennifer Pruitt reviewed the agenda materials in conjunction with displayed slides. She noted that the Order of Abandonment will not result in the reduction of the North Minnesota, North Division, and West Ann Streets widths. She reviewed the public noticing process relative to the July 28, 2010 Planning Commission meeting, and advised of having received no public comments.

(9:23:26) Tri-State Surveying Land Surveyor Greg Phillips, representing Herman Bauer, reviewed the application, copies of which were included in the agenda materials. Mr. Phillips acknowledged the purpose of the abandonment application to resolve an encroachment issue and bring the properties into compliance with residential setbacks. He noted Mr. Bauer's intent to develop the "northerly property" in the future. In response to a question, Mr. Phillips advised of having spoken with June Kylett, the owner of the property on the corner of North Minnesota and Washington Streets. "She's aware of what we're doing and she's in support of it, but ... she wasn't comfortable participating." Mr. Phillips acknowledged the condition of approval to construct curb, gutter, and 5-foot wide sidewalks "all the way around the northerly property before the actual right-of-way dedication records." He further acknowledged Mr. Bauer's agreement to the condition of approval. City Engineer Jeff Sharp advised of an additional condition of approval to relocate overhead utility lines prior to recording the abandonment. Mr. Phillips acknowledged agreement.

Mayor Crowell entertained public comment and additional staff or Board member comments. When none were forthcoming, he entertained a motion. **Supervisor Aldean moved to approve an abandonment of public right-of-way application from Tri-State Surveying, property owners Herman C. Bauer, Alexander Kirsch, and Jeannie Bangham, to reduce the existing right-of-way width by eight feet, adjacent to property zoned residential office, located at North Minnesota, North Division, and West Ann Streets, APNs 001-191-02, -05, and -06, based on seven findings and subject to the conditions of approval contained in the staff report, and to authorize the Mayor to sign the Order of Abandonment, with a clerical change to the Order of Abandonment. Supervisor Williamson seconded the motion. Motion carried 5-0.**

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**H. PUBLIC HEARING MATTERS:**

**H-1. RESOLUTION 2010-PC-1 - ACTION TO ADOPT RESOLUTION 2010-PC-1 COMMENDING STEVE REYNOLDS FOR SIX YEARS OF SERVICE ON THE PLANNING COMMISSION** (5:08:03) - Chairperson Kimbrough introduced this item, and invited former Commissioner Steve Reynolds to the podium. Chairperson Kimbrough expressed appreciation for Commissioner Reynolds' commission service, and read the language of the Resolution into the record. Chairperson Kimbrough entertained a motion to adopt the resolution. **Commissioner Vance so moved. Commissioner Wendell seconded the motion. Motion carried 7-0.** Chairperson Kimbrough thanked former Commissioner Reynolds.

(5:11:26) Former Commissioner Reynolds expressed appreciation for the opportunity to have served as a commissioner, and an interest in the commission's future decisions "when the freeway starts becoming very important in this community and some of that property around it starts coming into development." The commissioners, City staff, and citizens present applauded.

**H-2. AB-10-038 - ACTION TO MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING AN APPLICATION FOR ABANDONMENT OF PUBLIC RIGHT-OF-WAY FROM TRI-STATE SURVEYING (PROPERTY OWNERS: HERMAN C. BAUER, ALEXANDER KIRSCH, AND JEANNIE BANGHAM) TO REDUCE THE EXISTING RIGHT-OF-WAY WIDTH BY EIGHT FEET, ADJACENT TO PROPERTIES ZONED RESIDENTIAL OFFICE ("RO"), LOCATED AT NORTH MINNESOTA, NORTH DIVISION, AND WEST ANN STREETS, APNs 001-191-02, -05, AND -06** (5:12:03) - Chairperson Kimbrough introduced this item. Ms. Pruitt oriented the commissioners to the subject property, using displayed slides. She commended the application materials compiled by Greg Phillips of Tri-State Surveying. She reviewed the agenda materials in conjunction with displayed slides, and noted staff's recommendation of approval. In response to a question, Mr. Sharp advised that the applicant will be responsible for constructing sidewalks, pursuant to condition of approval 5. Discussion followed.

(5:20:03) Greg Phillips, of Tri-State Surveying, expressed appreciation for Ms. Pruitt's presentation. He acknowledged agreement with the conditions of approval. In response to a question, he advised of having been hired by the applicant to survey the property boundary and topography for design purposes. He provided background information and explained the purposes for the abandonment to "gain more property frontage." He explained the intent to acquire "more room to work with the setbacks." In response to a question, he advised that most of the adjacent neighborhood structures "are already inside of the existing setbacks." The subdivision was originally created in 1875. "It will be consistent with surrounding properties." In response to a comment, Mr. Phillips provided additional background information on the abandonment application. In response to a question, he advised that the sidewalk improvements are applicable only to the northern half of the block. He acknowledge that the existing sidewalks meet the current Code requirements. "There are no proposed sidewalk improvements for the south half of the block."

Chairperson Kimbrough entertained additional commissioner questions or comments and public comments. Mr. Sharp provided additional clarification of the purpose for the abandonment application. "... that gives them an assurance that they're going to have the property to deal with when they go to redevelop the property. It's a win / win for both parties. It's a win for the City because we're not giving anything away

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until such time as these utilities and sidewalks are built, and we don't need the extra right-of-way. The curb is in the right spot ...”

Chairperson Kimbrough entertained additional commissioner comments or questions. When none were forthcoming, he entertained a motion. **Commissioner Wendell moved to recommend that the Board of Supervisors approve an abandonment of public right-of-way application, AB-10-038, for an eight-foot wide portion of North Minnesota Street, West Ann Street, and North Division Street, totaling a 3,814 square foot area, more or less, adjacent to properties located at 803 North Minnesota Street, 444 West Washington Street, and 812 North Division Street, APNs 001-191-02, 001-191-05, and 001-191-06, based on seven findings and subject to the conditions of approval contained in the staff report.** Vice Chairperson Mullet seconded the motion. Motion carried 7-0. Mr. Plemel advised that the commission's recommendation would be forwarded to the Board of Supervisors on August 19<sup>th</sup>.

**H-3. SUP-10-041 ACTION TO CONSIDER A SPECIAL USE PERMIT REQUEST FROM BALWINDER S. THIND (PROPERTY OWNER: HARBANS HANDA AND B.S. THIND) TO ALLOW “TRUCK AND TRAILER RENTALS,” ON PROPERTY ZONED RETAIL COMMERCIAL (“RC”), LOCATED AT 1600 NORTH CARSON STREET, APN 001-156-03 (5:29:27)** - Chairperson Kimbrough introduced this item. Ms. Pruitt reviewed the agenda materials in conjunction with displayed slides. She noted that the applicant is requesting to have six trucks and trailers on site, and responded to corresponding questions of clarification. Commissioner Heath expressed concern over a history of non-compliance at the property, and inquired as to the number of units on the property at the time one of the photographs was taken. In reference to pages 4 and 5 of the staff report, Ms. Pruitt advised of having met with the applicant, on a number of occasions, since June 2010. She further advised that the applicant is familiar with the conditions of approval. “The party that we were dealing with last year is not the same party we’re dealing with today.”

In reference to condition of approval 6, Commissioner Shirk inquired as to the status of the carport. Ms. Pruitt expressed the belief that the carport has not yet been permitted, but noted the August 27, 2010 deadline. She assured the commission that staff will follow up with the applicant if the subject special use permit is approved. In response to a question, she expressed the understanding that the applicant’s intent is to park the six rental units to the rear of the subject site. She expressed the opinion that the applicant should provide clarification for the record. In response to a further question, she expressed the understanding that the rental units will be parked on site rather than on the street. Mr. Plemel suggested adding a condition of approval to indicate that the display of rental units should be on site rather than on the street. Chairperson Kimbrough summarized the discussion to include two additional conditions of approval: for the applicant to restrict parking to one particular place on the site and no parking of the rental units on public streets adjacent to the site. In reference to the site plan, included in the agenda materials, Mr. Plemel noted the location of the six rental units in the “northwest corner of the lot.”

(5:41:10) Balwinder Thind introduced himself for the record and, in response to a question, advised of the intent to remove the carport “on Monday.” He acknowledged agreement with the conditions of approval, including the two additional, as suggested during this meeting. He further acknowledged the intent to never have more than six rental units parked on site at any given time. He further acknowledged that the business is an authorized “drop-off point for U-Haul.” In response to a question, he advised that dropped-off rental vehicles are transferred to the Highway 50 location “right away.” (5:44:01) Rollin Smith introduced himself for the record and advised of having assisted Mr. Thind in preparing the application materials.