

**STAFF REPORT FOR THE HISTORIC RESOURCES COMMISSION MEETING
OF SEPTEMBER 12, 2013**

FILE NO: HRC-10-102(A)

AGENDA ITEM: F-1

STAFF AUTHOR: Susan Dorr Pansky, Planning Manager

REQUEST: Approval of the first phase landscape plan submitted in association with a previously approved phased project (two, two-family dwelling units) totaling four dwelling units on property zoned Residential Office (RO), located at 812 North Division Street.

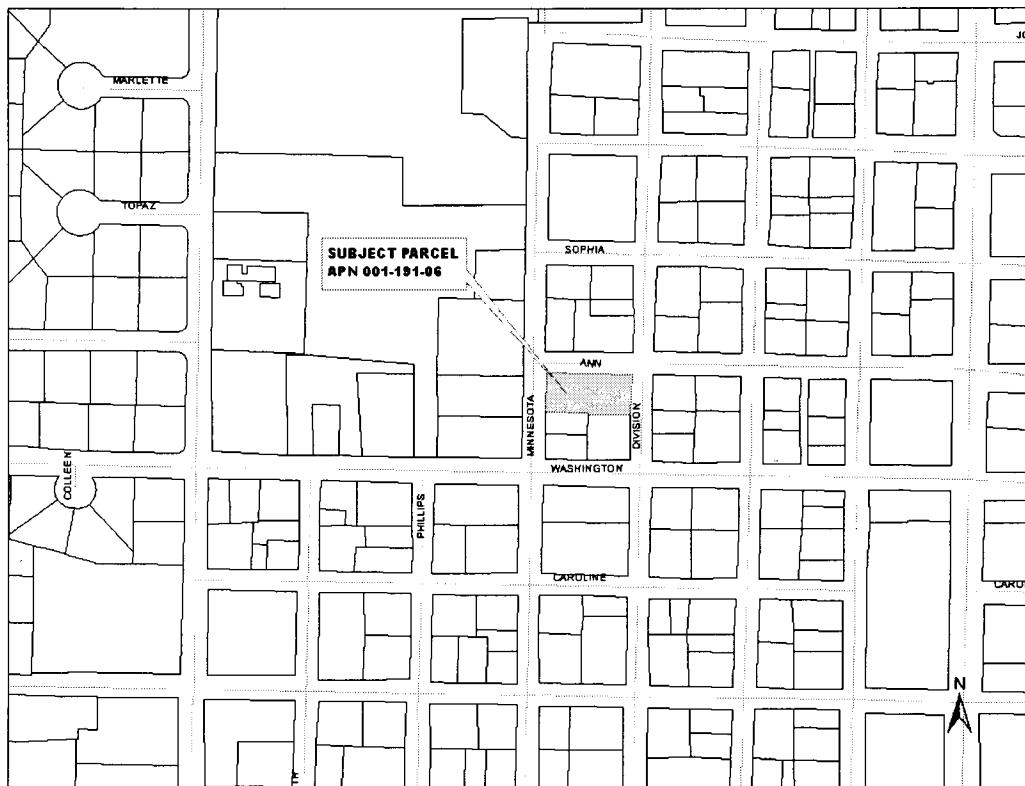
APPLICANT: Al Salzano, Architect

OWNER: Herman Bauer

LOCATION: 812 N. Division Street

APN: 001-191-06

RECOMMENDED MOTION: "I move to approve HRC-10-102(A), a request from Al Salzano (property owner: Herman Bauer), for the first phase landscape plan associated with the previously approved phased project (two, two-family dwelling units) totaling four dwelling units on property zoned Residential Office, located at 812 North Division Street, APN 001-191-06, based on the Standards and Guidelines for Rehabilitation, Carson City Historic District Guidelines and with Historic Resources Commission Policies."



RECOMMENDED CONDITIONS OF APPROVAL:

1. All development shall be substantially in accordance with the attached site development plan.
2. All on and off-site improvement shall conform to City standards and requirements.
3. The applicant shall provide, at a minimum, the following new trees in Phase One as shown on the conceptual landscape plan submitted:
 - Four – 3" caliper White Ash trees
 - Five – 6-7 foot tall Jeffrey Pine trees
 - Seven – 3" caliper Red Maple trees
4. A landscape plan for Phase Two of the project will require Historic Resources Commission approval prior to the commencement of any construction for the Phase Two improvements or buildings.
5. The landscape plan for Phase Two must include a number of trees equivalent to Phase One, less the three trees that remain in Phase Two.
6. The applicant shall locate trees to maintain a clear vision triangle at the intersection of North Minnesota Street and West Ann Street as outlined in Division 12.11.2 of the Carson City Development Standards.
7. 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 may be rescheduled for the next Historic Resources Commission meeting for further consideration.
8. The applicant shall submit a copy of all applicable signed Notices of Decision and conditions of approval for this project with any Building Permit application.

LEGAL REQUIREMENTS: CCMC 18.06.015 (Procedure for Proposed Project)

MASTER PLAN DESIGNATION: Mixed Use Residential

ZONING: Residential Office (RO)

PREVIOUS REVIEWS:

- August 17, 2012: A one-year extension for the two, two-dwelling unit project was approved by staff.
- February 9, 2012: A revised development plan for two, two-dwelling units (for a total of four dwelling units) was approved by the Historic Resources Commission.

- September 15, 2011: The appeal MIS-11-053 was reviewed and the project was 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 8, 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 9, 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 Historic Resources Commission meeting. After staff research and confirmation from the District Attorney's office, it was determined the item must be properly noticed and brought back before the Historic Resources Commission for action.
- May 12, 2011: The Historic Resources Commission reviewed the revised eight unit apartment plan and conditionally approved the proposed project, subject to the conditions of approval.
- April 5, 2011: The required Major Project Review, MPR-11-020, was conducted at the Planning Division. During the meeting, staff provided the applicant with comments related to the proposed project. The Historic Resources Commission Chairman, Mike Drews, was in attendance at the Major Project Review meeting.
- December 9, 2010: The Historic Resources Commission 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 of AB-10-038 to the Board of Supervisors. The request allowed the abandonment of 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, APNs 001-191-02, 001-191-05 and 001-191-06.

DISCUSSION:

The approved project for this property consists of two, two-family dwelling units for a total of four dwelling units, and was approved by the Historic Resources Commission on February 9, 2012. The project included the demolition of an existing single family residence, carriage house and sheds that were present on the property. Demolition of these structures began on August 17, 2013 was completed during the week of August 26, 2013. Final cleanup of debris associated with the demolition is in process.

A number of mature trees existed on the property prior to the demolition that are believed to be more than 50 years old as shown on the "before" photos attached to this staff report. At the time of approval in February 2012, the applicant presented staff and the Historic Resources Commission with a conceptual site and landscape plan that indicated the majority of these trees would remain with the new construction, and this was further substantiated by comments made on the record by the applicant. The approved conceptual site/landscape plan is attached.

On Friday, August 23, 2013, it was brought to staff's attention that several of these trees had been removed from the site, which was not consistent with the conceptual plan approved by the Historic Resources Commission. The conceptual plan showed eight deciduous trees intended for preservation. Upon further investigation, staff determined that six of the eight trees (all in Phase One) had indeed been removed, which is in violation of the Historic Resources Commission approval of February 9, 2012 stating that, "All development shall be substantially in accordance with the attached site development plan."

In response to this violation, staff issued a Notice of Violation/Order to Comply to the property owner on August 26, 2013 that ordered all new construction work stop at the subject property until such time as a landscape plan was submitted for review by the Historic Resources Commission. The applicant submitted a landscape plan on August 30, 2013 that addresses landscaping for Phase One of the project only. The approved Building Permit is also for Phase One only, therefore, it is acceptable for the applicant to provide a conceptual landscape plan for only Phase One at this time. Staff notes that in order to receive a Building Permit for the second phase of the proposed project, a Parcel Map must be completed to create a second parcel, and has also recommended a condition of approval that requires a conceptual landscape plan be submitted for Historic Resources Commission approval prior to the commencement of construction for that phase.

It is important to note that, because of the requirement for a second parcel to create two separate parcels with a two-family dwelling on each, this project is not classified as a multi-family project; therefore is not subject to the landscape requirements set forth in Division 3 of the Carson City Development Standards. Carson City Municipal Code does not have specific landscape standards for single and two-family dwelling residential uses. However, because this project is

located in the Historic District and violated a condition of approval to preserve trees on the site, it is appropriate for staff to require that a suitable replacement landscape plan be presented to the Historic Resources Commission for approval.

The proposed landscape plan includes the placement of 16 replacement trees in Phase One as follows:

- Four – 3" caliper White Ash trees
- Five – 6-7 foot tall Jeffrey Pine trees
- Seven – 3" caliper Red Maple trees

The landscape plan also includes shrubs and turf area proposed for installation with the trees. The number of trees proposed for Phase One of the project is three times the number of trees removed and the trees are either a 3" caliper size (deciduous) or 6-7 foot height (evergreen). Of the 16 trees proposed, 11 are proposed to be deciduous and seven are proposed to be evergreen. All species selected have the potential to reach 50 feet in height at maturity.

Pursuant to Carson City Development Standards, Division 5 – Historic Districts, the following sections apply to the removal of trees at the subject property and new landscaping in the Historic District:

5.25.1 Landscape Guidelines for Historic Properties. Historic landscape features should be retained when at all possible. Fences, trees, hitching posts, carriage steps, sidewalks and walkways provide a visual consistency and harmony of setting to the district. (Standard Number: 2, 3, 4, 5, 9)

5.25.2 Landscape Guidelines for New Construction. New construction in the district should include landscape elements which reflect the scale, rhythm, texture, material, color, style and visual qualities of the historic landscape present. (Standard Number: 9, 10)

As a result of the removal of mature trees on the site, the applicant has submitted a new conceptual landscape plan to the Historic Resources Commission for approval. Given that the number of proposed trees is three times the number of removed trees and that the trees are either 3" caliper size (deciduous) or 6-7 foot height (evergreen), staff feels that the proposed trees are adequate to replace the mature trees removed.

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 on August 30, 2013. Comments were received from Mr. and Mrs. Steve Brenneman via email on August 27, 2013 and are attached to this staff report. 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.

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 application submitted for HRC-10-102(A) subject to the recommended conditions of approval within this staff report.

Attachments:

- Before Site Photos
- Previously Approved Landscape and Site Plan
- February 9, 2012 Meeting Minutes
- After Site Photos
- Notice of Violation/Order to Comply
- Public Comments
- Proposed Landscape Plan

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(SF6), located at 506 W. Spear Street, APN 003-232-01. The subject approval is based on the finding that the property is in general conformance with the Secretary of the Interior's Standards and Guidelines for Rehabilitation, Carson City Historic District Guidelines, and with Historic Resources Commission Policies. The motion was seconded by Commissioner Speulda. Motion carried 7-0.

F-2 HRC-10-102 FOR POSSIBLE ACTION: TO APPROVE A 2 PHASE REQUEST FROM AL SALZANO (PROPERTY OWNER: HERMAN BAUER) TO DEMOLISH THE EXISTING SINGLE FAMILY RESIDENCE, CARRIAGE HOUSE, AND SHED; AND TO CONSTRUCT TWO RESIDENTIAL DUPLEXES TOTALING, FOUR UNITS (TWO UNITS IN PHASE ONE AND TWO UNITS IN PHASE TWO) ON PROPERTY ZONED RESIDENTIAL OFFICE (RO), LOCATED AT 812 NORTH DIVISION STREET, APN 001-191-06. (5:44:20) – Chairperson Drews introduced the item. Ms. Pruitt noted that this item had been before the Historic Resources Commission (HRC), the Planning Commission (PC), and the Board of Supervisors (BOS) in the form of an appeal. She added that, as a result of the appeal, the BOS had recommended that the item be sent back to the HRC and the PC for further reconsideration. She then gave background on the project in the form of a Staff Report, and a PowerPoint presentation, both of which are incorporated into the record. Ms. Pruitt noted that the new plan was to build two duplexes on the subject site, in two phases, instead of the original plan to demolish the existing structures and build two four-plex units. She pointed out that duplexes are “allowed outright in this zoning district”; however, in order to accommodate two duplexes on site, the property owner would either “divide the subject site, or go through the Planning Commission for a multi-family dwelling unit project”. Ms. Pruitt also read the conditions of approval, incorporated into the record. Al Salzano, the project Architect, clarified that the overall mass of the project was “toned down”, and one building was designed to have wood siding and the other stucco, noting that although both plans were the same, the elevations looked “quite different”. He also stated that they would retain most of the existing landscaping, including the trees and the shrubs. Chairperson Drews believed that the Nevada Railroad Foundation was still interested in salvaging the demolished properties, and suggested a discussion. Commissioner Speulda believed documenting the demolition and recycling as much material as possible was “a great plan”. Ms. Pruitt responded to Chairperson Drews’ question by citing four specific criteria for demolition of property in the Historic District. Commissioner Block inquired about the original building footprint, but no one was able to provide that information. Vice Chairperson Darney requested salvaging the brick, and any windows or doors that were left, from the structures. Herman Bauer, the property owner, ensured that materials will be salvaged. Paul Brooks, general contractor, noted that several door and window hardware, and the existing brick, would be salvaged, but believed the windows and doors were broken into. Chairperson Drews confirmed for Commissioner Dickey that the property and the outbuildings had been evaluated as contributing structures to the Historic District. Vice Chairperson Darney questioned the “fit” of stucco on the buildings and Chairperson Drews received confirmation from Commissioner Dickey that stucco was appropriate for craftsman-style buildings and cautioned Mr. Salzano regarding “where the expansion joints go”. Commissioner Hayes noted the positive changes made in the new design and Commissioner Speulda called it more “pedestrian-friendly”. Mr. Salzano confirmed that they were 50 percent smaller than the original plan, also clarifying that the roofing material would be “asphalt shingle”. Vice chairperson Darney suggested different style shingles for each of the structures, and was concerned about RVs parking in the open parking areas. Ms. Pruitt confirmed the City requirements of two parking spaces per dwelling unit, noting that page 8 of the Staff Report contained an Engineering Division request for that space. Discussion ensued about RV and boat parking, and whether driveways could be altered to accommodate a second car, or a lease clause could be added to prohibit RVs. Mr. Bauer noted that a neighbor, Mr. Kirsch, parked his 5th wheel in his driveway, and Ms. Pruitt advised deferring any driveway widening or parking issues to the Engineering Division. She also reminded the Commission that RVs and Boats were allowed in Carson City, therefore cautioning against the prohibition of such vehicles. Mr. Salzano explained that the garage doors would be carriage-style and agreed to present the materials to the Commission at a later date. Commissioner Block gave background on several houses that were built similar in design. Ms. Pruitt reminded the Commission that they had originally requested that the two building not look the same. Commissioner Hayes reiterated that he personally wished the buildings were finished with wood instead of stucco, and Chairperson Drews noted that there were bungalow-style buildings in the District, and stucco “is a suitable siding for bungalows”. Vice Chairperson Darney noted that he did not wish to see stucco on the trim. Commissioner Dickey cautioned against “really rough” stucco, resembling buildings from the 1980s. Commissioner Smit liked Mr. Salzano’s massing and proportions with the stucco, noting “he’s really gone above and beyond, based on what he brought here the last time”, and suggested concealing the expansion joints.

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(6:35:22) – Chairperson Drews entertained public comments. Steve Brenneman identified himself as the owner of Bliss Mansion and pointed out that the houses directly across from the subject site, on Division Street were shiplap. He suggested having the property not facing Division Street have the stucco. He also recommended having CC&Rs because the parking “invites abuse”, and wanted to minimize the number of exterior doors per unit, which, he believed, would invite abuse and the rental of rooms. Mr. Salzano explained that the downstairs had a “flex unit” over the garage so that it could be used as a home studio or office, adding that the upstairs unit had one door. Chairperson Drews suggested a single door and an entry way that would split off to the flex unit. In response to Commissioner Hayes’ suggestion of “flip-flopping the two units”, Mr. Bauer said did not “have a problem with that”. Mr. Bauer also explained to Mr. Brenneman that the units would either be rented or sold. Commissioner Smit opposed having a contract clause prohibiting RVs, calling it a “slippery slope”, and Ms. Pruitt noted that it was not within the realm of this Commission, and suggested addressing such concerns with the City Code Division. Commissioner Smit pointed out the conflicting messages given to Mr. Bauer and his team as he deals with multiple agencies in the City. Mr. Bauer inquired about dealing with colors at the Staff level, and Chairperson Drews explained that they would not be involved in the color choices; however, if Mr. Bauer wished, they would “take a look at them”. Chairperson Drews thanked Mr. Bauer and Mr. Salzano for their time. **Commissioner Block moved to approve HRC-10-102, a request from Al Salzano, to allow the approval of a revised development plan of a two-phase project with two-family 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 and based on swapping buildings and with minimal expansion joints, and also with the removal of one entry door on the lower level unit. The motion was seconded by Commissioner Smit. Motion carried 7-0.**

F-3 HRC-11-119 DISCUSSION ONLY REGARDING AN UPDATE OF THE HISTORIC PRESERVATION FUND (HPF) GRANT FOR 2011. (6:46:40) – Chairperson Drews introduced the item. Ms. Pruitt gave background information, incorporated into the record, on the 2011 grant, for a survey of over 100 properties west of the Carson City Historic District. She explained the most of the requested research from the consultant had been completed, and that they were very close to a draft to be brought before the Commission possibly next month.

G. STAFF REPORTS

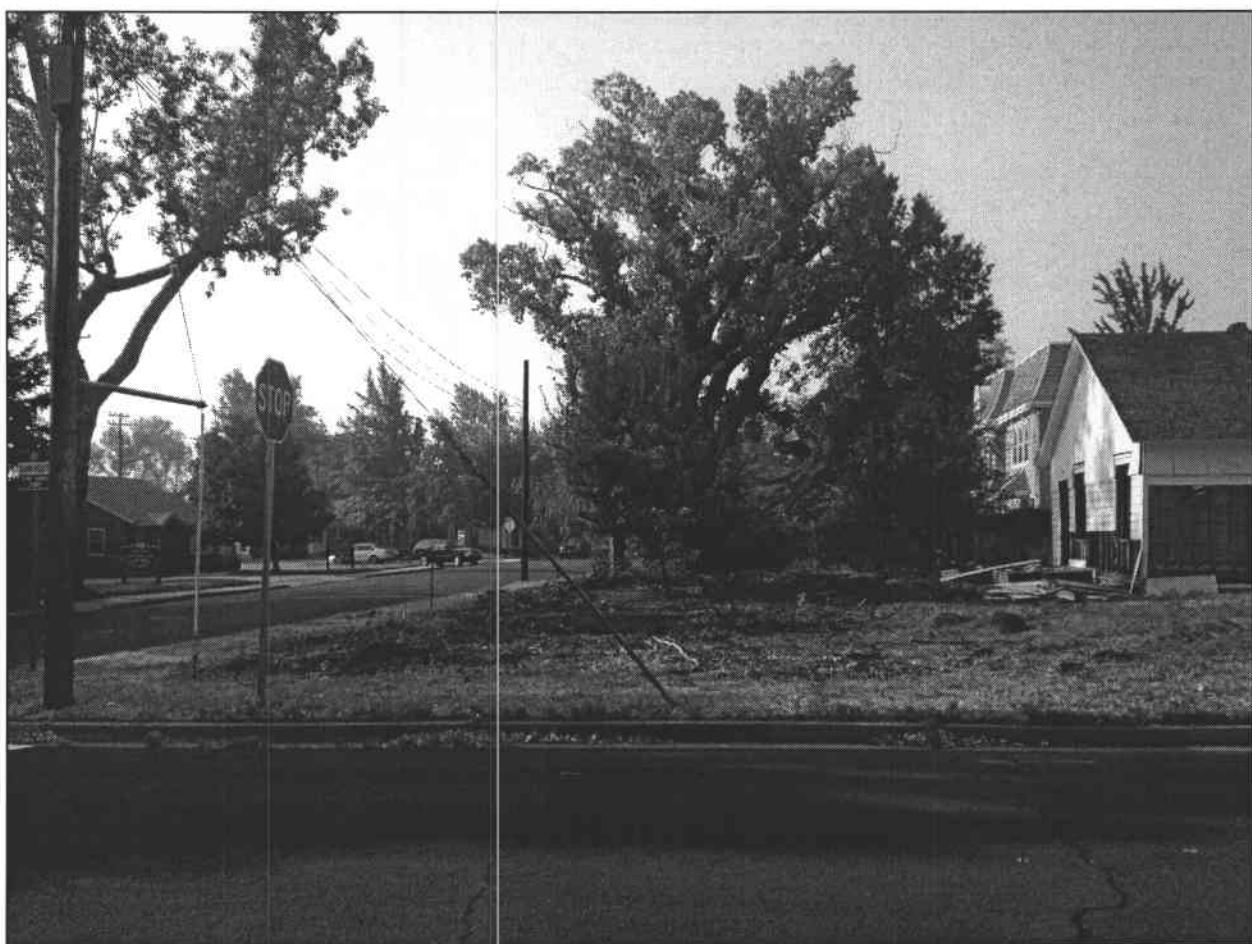
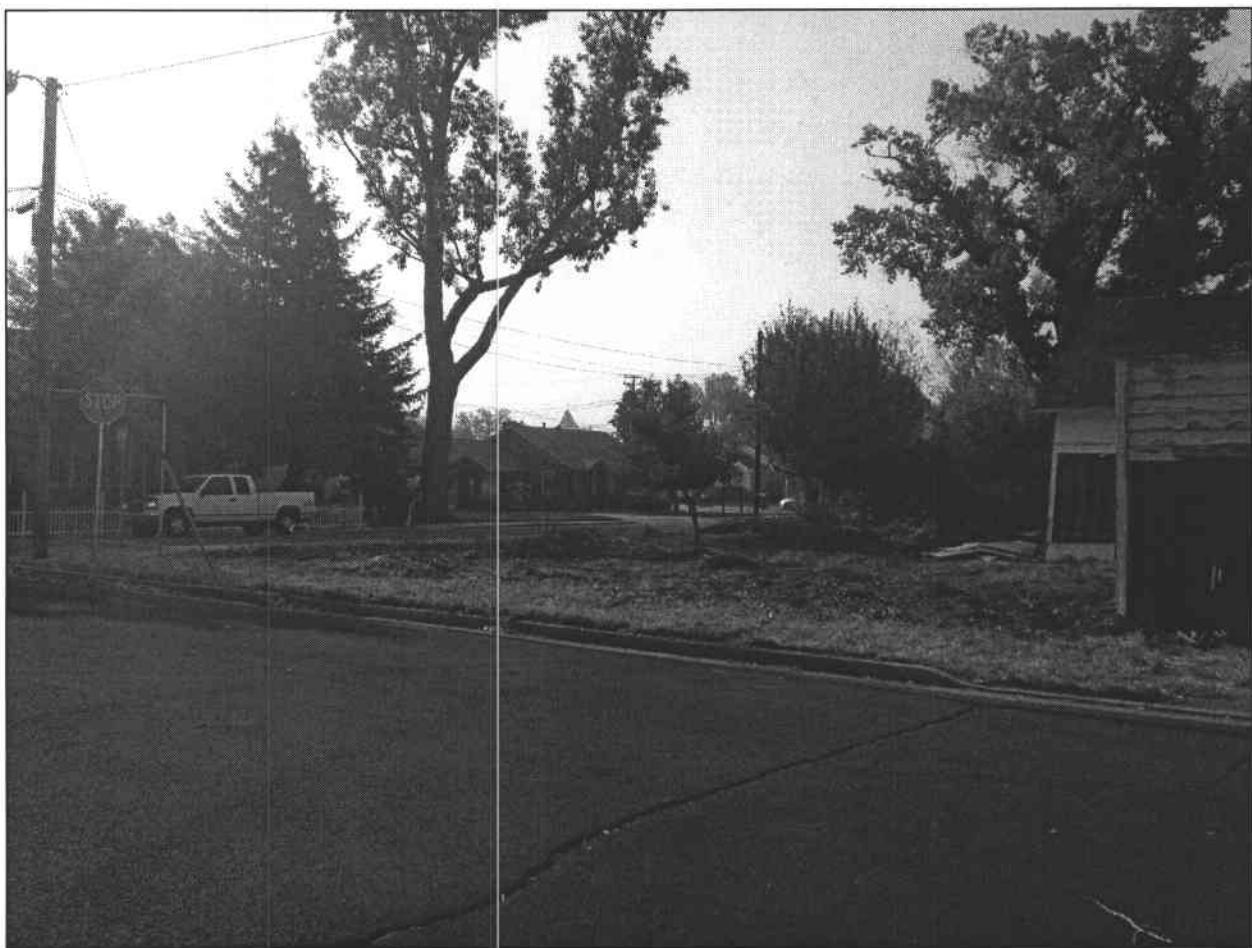
COMMISSIONER REPORTS/COMMENTS. (6:47:48) – Chairperson Drews introduced the item and reported that as a board member of the “Friends of Silver Saddle Ranch”, he had attended a meeting where it was discussed how to keep the buildings on the property, and how to keep the property open and functioning. Commissioner Block inquired about signs in the Historic District and Ms. Pruitt noted that the item would be agendized for the next meeting.

PLANNING DIVISION STAFF REPORT TO THE HISTORIC RESOURCES COMMISSION. (6:49:29) – Ms. Pruitt explained that she had been in contact with Vivian Summers regarding window replacements, and believed the item would be rescheduled for review next month.

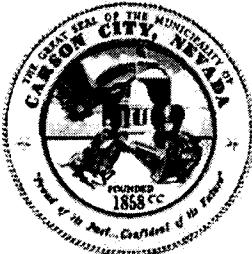
FUTURE AGENDA ITEMS (6:50:08) – Chairperson Drews introduced the item and Commissioner Hayes suggested a workshop regarding commission guidelines and responsibilities, both locally and nationally. He also wished to discuss addressing issues and actions taken place in the District without the Commission’s approval. Ms. Pruitt explained that they were already considering a workshop for the Commissioners and Staff. As for guideline specifics, she suggested that Staff “will do our best” to provide information to Commissioners, and be more proactive with property owners. She also noted that the City had a compliance division, with rules and regulations, to provide recourse. Vice Chairperson Darney suggested addressing processes “if things come up”, and Commissioner Block suggested further education of the public. Several Commissioners thanked Ms. Pruitt for the informational packet on wood fences and for her work on Mr. Bauer’s project.



812 N. Division Street
Site After Tree Removal - Page 1 of 2



**812 N. Division Street
Site After Tree Removal - Page 2 of 2**



Carson City Planning Division
108 E Proctor St
Carson City, Nevada 89701
(775) 887-2180
www.carson.org
www.carson.org/planning

NOTICE OF VIOLATION
ORDER TO COMPLY

August 26, 2013

Mr. Herman Bauer
P.O. Box 301
Vineburg, CA 95487

Via Regular Mail and Email

Re: Removal of Existing Trees
Location: 812 N. Division Street
APN: 001-191-06
Zoning: Residential Office

Dear Mr. Bauer:

We have noted the removal of several of the existing trees at 812 N. Division Street. These trees were to remain in place in accordance with the development plans submitted with HRC-10-102 that was approved by the Historic Resources Commission (HRC) on February 9, 2012. Removal of the landscaping is in violation of Carson City Municipal Code Title 18.06 – Historic District and the Carson City Development Standards, Division 5 – Historic District.

Specifically, this is in violation of the following code requirements:

1. **Historic District, Section 18.06.120 Penalties and Remedies.** *Violations of any provision within this ordinance shall be punished in the same manner as provided for punishment of violations of validly enacted ordinances of the City of Carson City.*

It is unlawful for any person to construct, convert, alter or use any facility, equipment or operation in violation of any provision of this Title. Any person firm or corporation, whether as principal, agent, employee or otherwise, violating any provision of this Title or violating or failing to comply with any order or regulation made under this Title, is guilty of a misdemeanor, and upon conviction thereof is punishable as provided in the Carson City Municipal Code. Such person, firm or corporation is guilty of a separate offense for each and every day during which such violation of this Title or failure to comply with any order or regulation is committed, confined or otherwise maintained.

The development plans submitted for approval at the February 9, 2012 HRC meeting and subsequent building plans submitted for permit both showed existing trees on the site that were to remain. Additionally, Mr. Al Salzano, architect for the project, stated on the record at the same HRC meeting that most of the existing landscaping, including

trees and shrubs would be retained. The majority of the existing vegetation including six of the eight trees designated to remain on the conceptual plans have been removed as of August 26, 2013.

2. **Historic District Development Standards, Division 5.25.1 Landscape Elements, Guidelines for Historic Properties.** Historic landscape features should be retained when at all possible. Fences, trees, hitching posts, carriage steps, sidewalks and walkways provide a visual consistency and harmony of setting to the district.

As outlined in the Development Standards, trees are to be retained whenever possible. The site plan provided to the HRC indicated that the majority of the mature trees would remain on the site with the proposed new construction. A site visit on August 26, 2013 determined that six of the eight trees designated to remain on both the conceptual plans and final building permit plans had been removed.

Required Action:

You are required to submit a landscape plan including proposed tree replacement to the Planning Division no later than 4:00pm on Friday, August 30, 2013 to be reviewed at the HRC meeting on Thursday, September 12, 2013 at 5:00pm. The meeting will be held in the Sierra Room of the Carson City Community Center, located at 851 E. William Street.

Attendance at the HRC by you or a designated representative is required to discuss the tree removal incident, possible penalty for the removal of said trees and the proposed landscape plan including tree replacement. Approval of a landscape plan for the project by the HRC is required prior to commencement of the project.

A Stop Work Order has been issued for this property and shall remain in effect for everything except the demolition of the existing buildings until the HRC has reviewed and approved the proposed landscape plan.

Failure to comply with this notice may result in the issuance of a citation. The authority for these requirements is from CCMC 18.02.030 Enforcement which is quoted below:

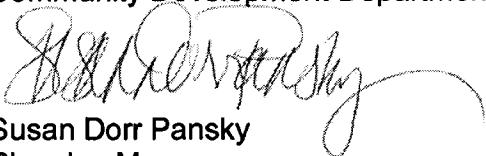
18.02.030 Enforcement. It is unlawful for any person, firm or corporation, whether as a principal, agent, employee, or otherwise (hereinafter referred to as "party"), to construct, build, convert, alter, erect, maintain a building, structure or any use of property, equipment, or operation in violation of a provision of this Title. Any use contrary to this Title is a misdemeanor offense as defined in Title 1 (Misdemeanor Declared) and a public nuisance. The following procedure shall apply to enforce the provisions of this Title:

1. *In the event of a violation of this Title, the Director may deliver to any party in violation of this Title an order to comply with the provision of this Title in a time period up to 30 days from the issuance of the order to comply at the Director's discretion.*
2. *Upon failure of any party in violation of this Title to comply with the order described above, the Director is authorized and empowered to prepare, sign, and serve a criminal misdemeanor citation for said violation. A party is guilty of a separate offense for each and every day which such violation of this Title or failure to comply with any order is committed, confined, or otherwise maintained.*

3. *The Director may also refer notice of such violation to the district attorney for commencement of action to abate, remove and enjoin such violation as a public nuisance and a criminal action in the manner provided by law.*
4. *The conviction and punishment of any person under this Section shall not relieve such person from the responsibilities of correcting the nuisance.*

If you have any questions regarding his matter, please contact me at (775) 283-7076 or via email at spansky@carson.org. Thank you for your cooperation.

Sincerely,
Community Development Department, Planning Division



Susan Dorr Pansky
Planning Manager

cc: John Uhart, John Uhart Commercial Real Estate Services
Mike Drews, HRC Chairman
Lee Plemel, Community Development Director
Kevin Gattis, Building Official
Kevin McCoy, Compliance Officer

Attachments:

- Conceptual Site Plan approved by HRC on February 9, 2013
- Site Photos – August 26, 2013

SFLZ800

B R C H I D B C C
 5905 BRESNAHAN RD
 (901) 747-6550 FAX
 775-238-8041 CELL
 775-751-0796 FAX
 BLESZONIA@BLOOMIN
 WWW.BLOOMIN.COM

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CARSON CITY, NEVADA
 82411 DIVISION STREET
 MT. HERMANN BLDG
 82411 DIVISION STREET, NEVADA

PO#

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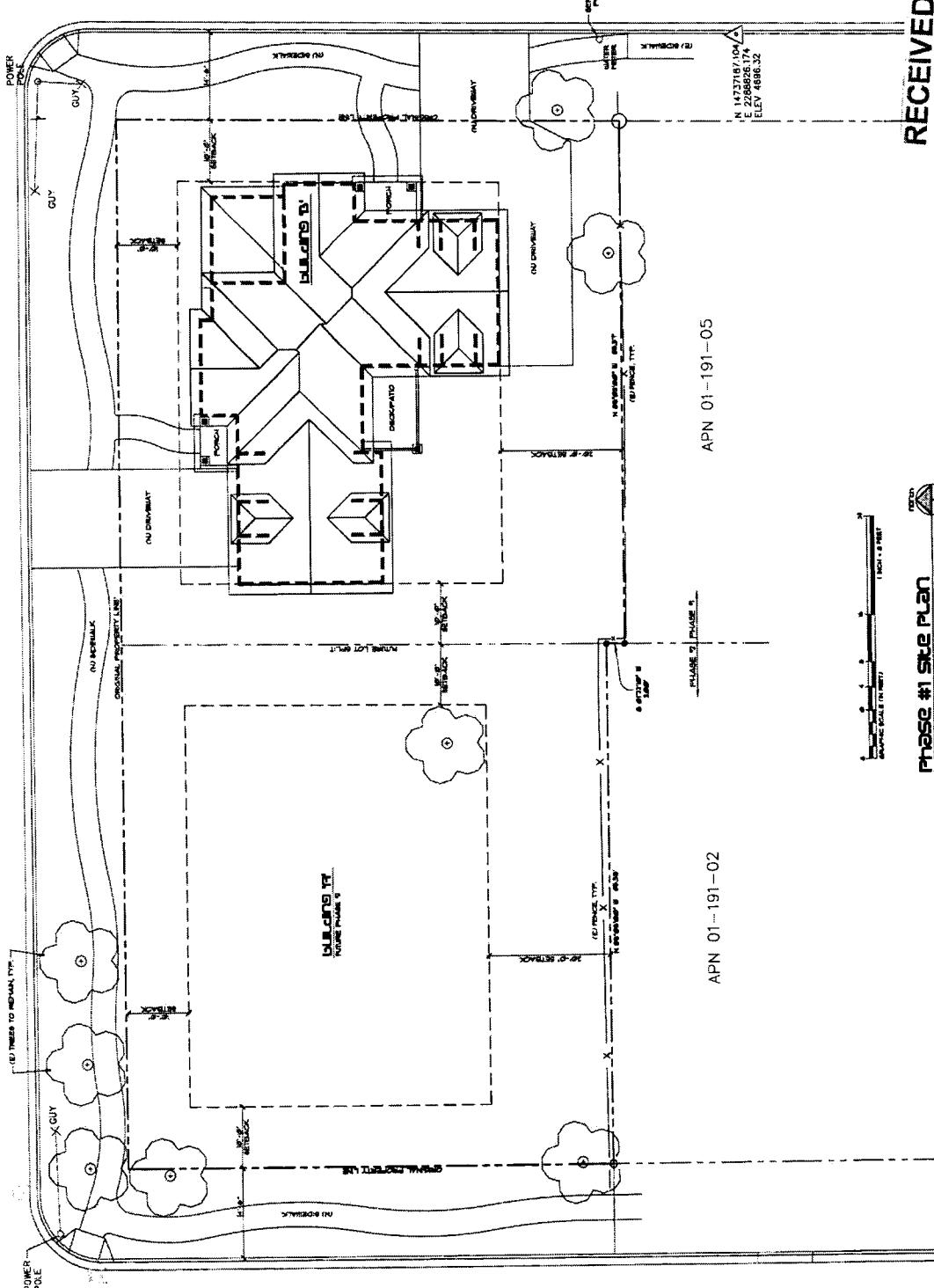
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 JAN 30 2012

CARSON CITY
 PLANNING DIVISION

W. ANN ST.

N. DIVISION ST.

N. MINNESOTA ST.



PHASE #1 SITE PLAN

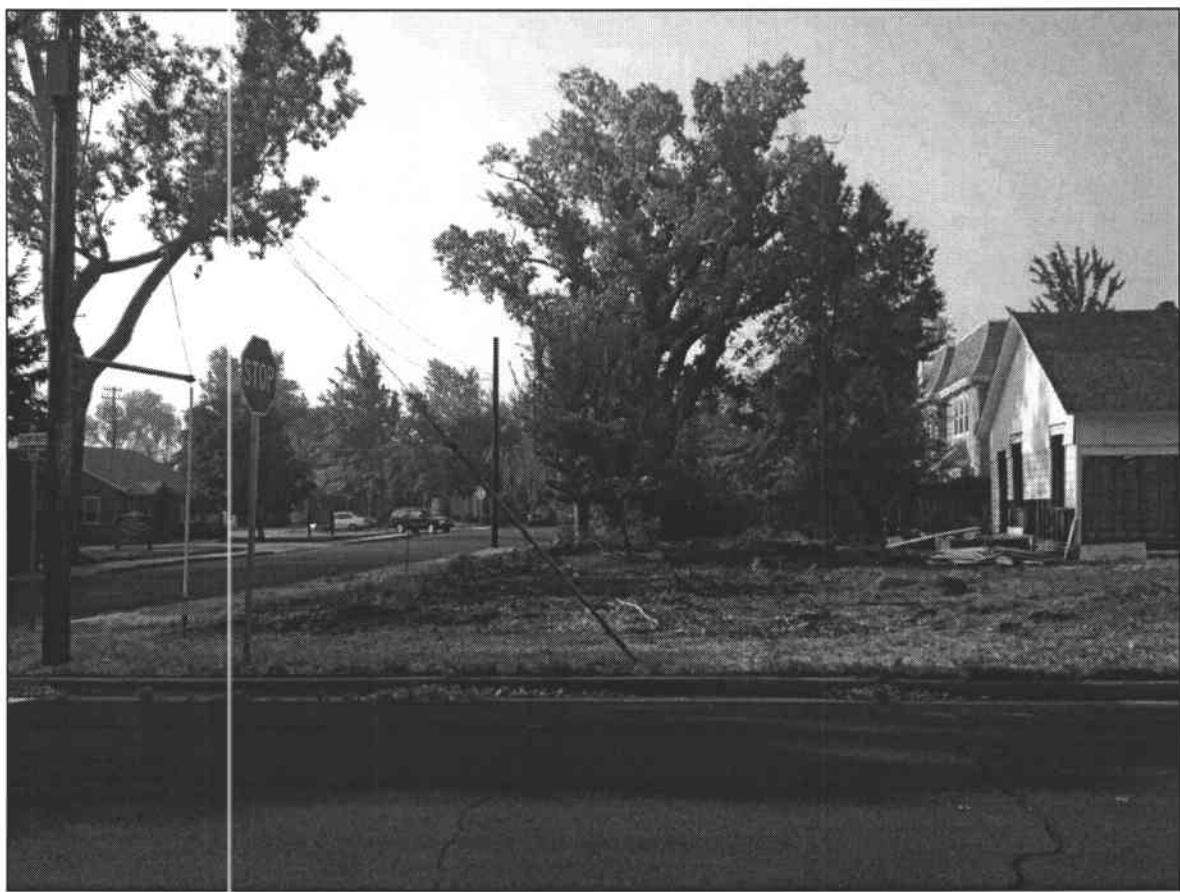
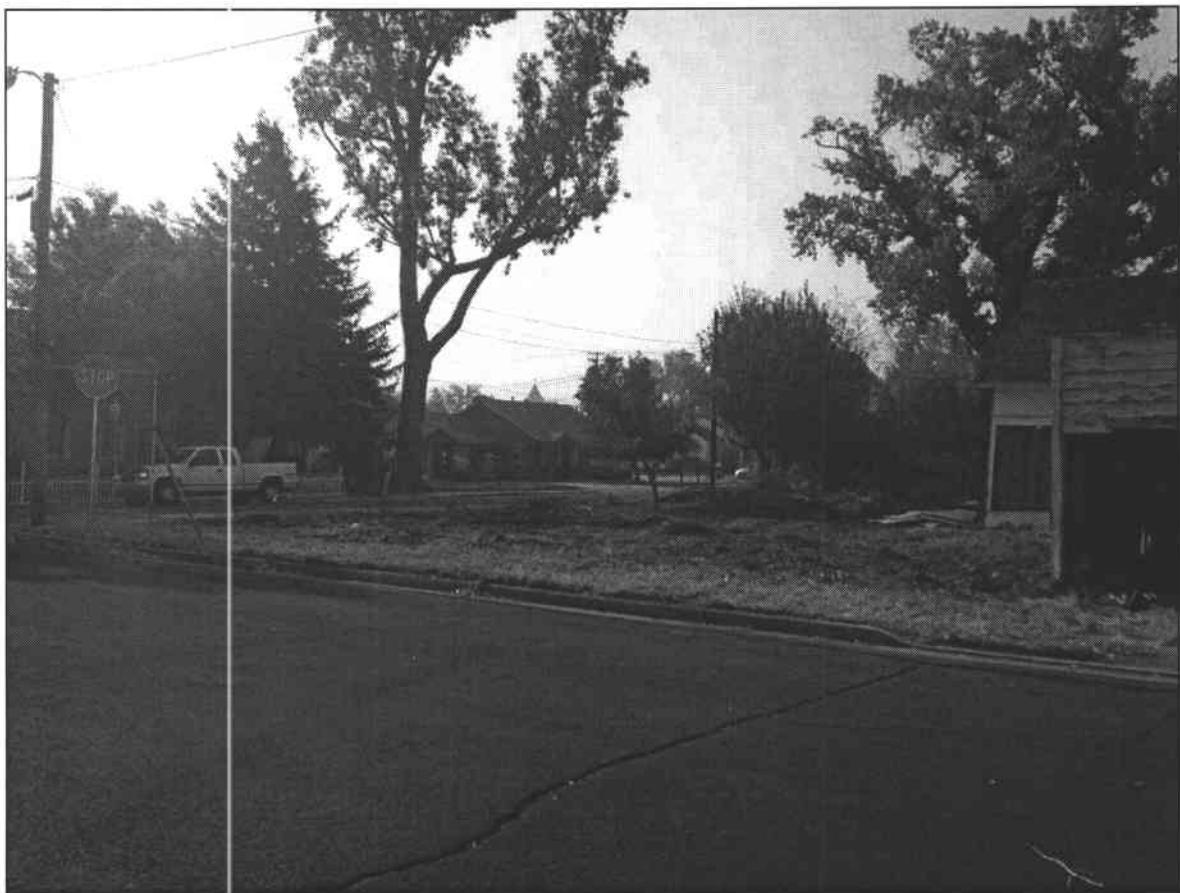
APN 01-191-05

TOTAL LOT AREA APPROX 16,130 SQFT.

HRC - 10 - 102



812 N. Division Street—Existing Conditions as of August 26, 2013 - Pg 1



812 N. Division Street—Existing Conditions as of August 26, 2013 - Pg 2

Susan Dorr Pansky

From: Susan Dorr Pansky
Sent: Tuesday, August 27, 2013 4:29 PM
To: 's brenneman'; Lee Plemel; Kevin Gattis
Cc: Tom Strekal; Alex Kirsch; marlene hannahin; Cynthia Brenneman
Subject: RE: 812 N. Division Street Project

Thank you for your additional comments. We are aware that the demolition of the buildings is taking place today. This is in conformance with the building permit that was approved by the Building Division. The Stop Work Order is specifically related to the construction of the new duplex. Mr. Bauer is authorized to demolish the buildings only but has been instructed to halt construction of the new building pending review of a landscape plan by the Historic Resources Commission on September 12, 2013. I expect to receive the landscape plan by the end of this week and you're welcome to come in next week and view their proposal, as well as attend the September 12 meeting to provide comment regarding your concern about the trees being removed. Let me know if you have any additional questions.

Susan Dorr Pansky
Planning Manager
Phone 775.283.7076

From: s brenneman [mailto:mangusta1969@earthlink.net]
Sent: Tuesday, August 27, 2013 4:06 PM
To: Lee Plemel; Susan Dorr Pansky
Cc: Tom Strekal; Alex Kirsch; marlene hannahin; Cynthia Brenneman
Subject: 812 N. Division Street Project

Mr. Plemel, Ms. Pansky,

Alex Kirsch forwarded me your email below.

Perhaps your office will need to get a little more forceful with Mr. Bauer as he and his construction company appear to have completely ignored your 8/23/13 Stop Work Order, just like they ignored the building/landscape plans that your office previously approved (inter alia, the approved plans specified the retention of about 10 historic fruit trees on the property). Virtually all of the old fruit trees have also been destroyed by the construction equipment that is still on the Bauer property.

I drove by the construction site today and noted that all building structures had just been demolished by the Coons Construction company. Work was actually ongoing with one of the construction tractors as I drove by the property at about 2PM this afternoon.

I would appreciate some significant enforcement action be taken by your office to help prevent future abuses of public authority/requirements and to enforce Carson City building codes. This is particularly important in the Historic District, as 100 plus year old trees and structures are not replaceable once "mistakes" are made. As I mentioned last week, I would like to see a significant fine imposed on this project before it is allowed to re-start. At the very least, new planting of some mature fruit trees should be required on this property in the Historic District.

Thanks for the explanatory information below. I'll look through my files from the various approval meetings/decisions for this project and get back to your office if I find any significant problems or

inconsistencies. As I stated in our brief meeting last week, my main concern was the improper removal of the old fruit trees from this property.

regards,

Steve Brenneman
Owner, Bliss Mansion

Begin forwarded message:

-----Original Message-----

From: Lee Plemel <L.Plemel@carson.org>
To: 'designagnt@aol.com' <designagnt@aol.com>
Cc: Susan Dorr Pansky <SPansky@carson.org>
Sent: Tue, Aug 27, 2013 10:44 am
Subject: FW: 812 N. Division Street Project

With attachment. Sorry.

From: Lee Plemel
Sent: Tuesday, August 27, 2013 10:23 AM
To: 'designagnt@aol.com'
Cc: Susan Dorr Pansky
Subject: 812 N. Division Street Project

Dear Mr. Kirsch,

At our meeting last Friday regarding Mr. Bauer's project adjacent to your property, you noted that trees were removed in violation of the HRC's project approval for the duplex. The Planning Division researched the approved plans further and issued a stop-work order for the project on Friday, August 23. A Notice of Violation letter was sent to Mr. Bauer on Monday requiring him to submit revised landscape plans for review and approval by the HRC on September 12, 2013, to mitigate the removal of the trees. Failure to submit the revised plans or otherwise comply with the HRC's approval, as may be amended, would result in the issuance of a misdemeanor citation. As an adjacent property owner, you will receive notification of the HRC meeting if revised plans are submitted, as we anticipate.

You also stated that you believe it was inappropriate for HRC members to be involved with the demolition and documentation of the historic structure. I would first note that the only City (HRC) requirement, per condition of approval #6 for the duplexes (see attached Notice of Decision), is for the applicant to provide a "detailed Historic Resources Inventory Form including but not limited to photographic documentation of the existing structures . . . proposed for demolition." There is no requirement to save any materials. The saving of any materials is purely voluntary by the property owner. The HRC members are experts in the field of historic preservation. I believe it is appropriate for them to help document the existing structure during demolition, if asked by the property owner, as was done in this case.

With regard to the salvaging of existing materials, it is my understanding that salvageable materials were taken and saved by the Friends of Silver Saddle Ranch. Silver Saddle Ranch is, in fact, a place of historic interest to the City and the HRC. It is currently under BLM ownership but is set to be transferred to City ownership with a conservation easement over it requiring the continued preservation of the historic ranch.

During our meeting last Friday, you noted that there were minutes from a past meeting showing that it was represented that other historic organizations were to be offered the salvaged materials. As you did not leave a copy of the minutes to which you were referring, I'm not sure which minutes those were. The relevant minutes from the February 9, 2012, HRC meeting at which the duplex was approved are attached. Any prior minutes from other HRC, Planning Commission, or Board of Supervisors meetings where they reviewed the previous eight-unit project are irrelevant to the current project because those application proceedings were terminated upon denial of the project. The minutes from the February 9, 2012, HRC meeting show that HRC Chairperson Mike Drews noted that he thought the Nevada Railroad

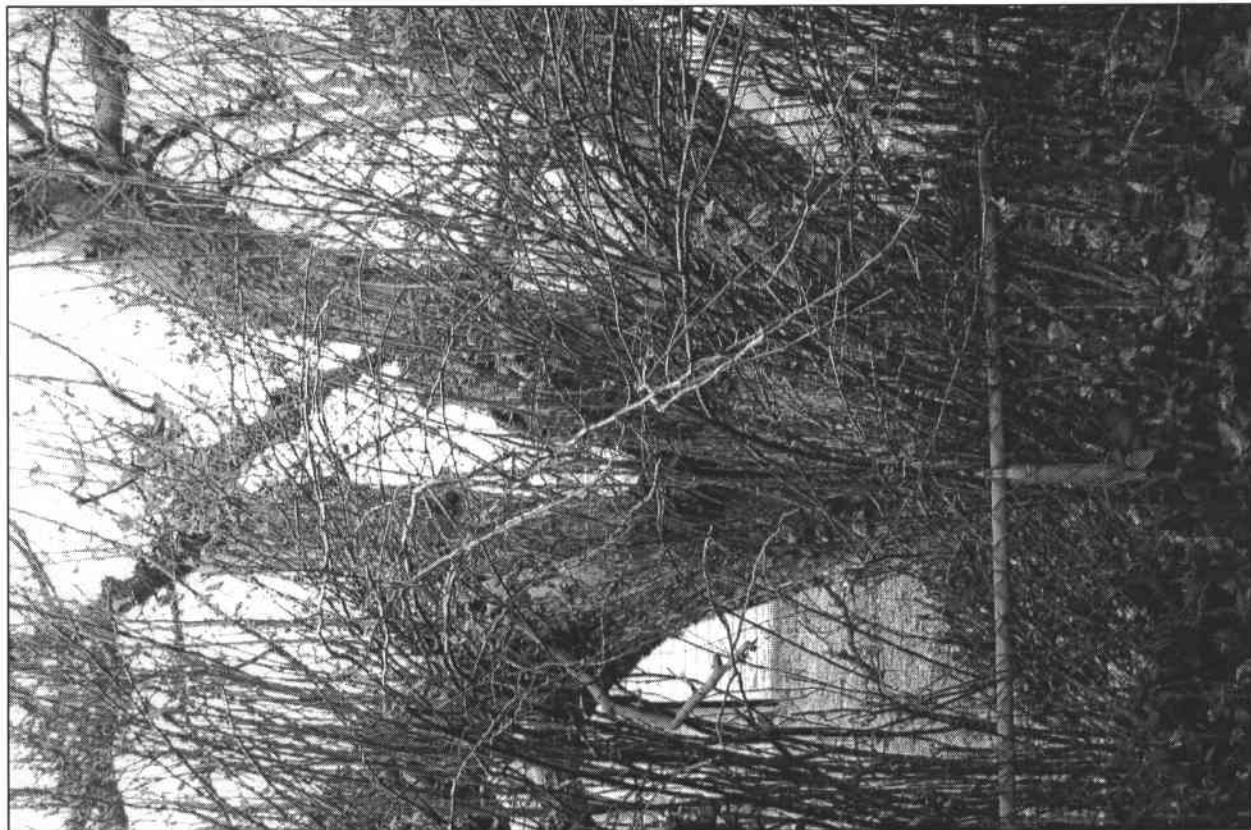
Foundation was still interested in salvaging materials from the site. According to Mr. Drews, the Railroad Foundation was contacted but they were unable to produce the manpower and/or storage space for the demolition. However, I would again point out that while this comment was made during the meeting, this in no way obligated the applicant to offer any materials to any specific organization, which would have needed to be required as a condition of approval to be enforceable by the City. The HRC clearly did not require that as a condition of approval.

We expect to have revised landscape plans for the proposed duplex project by next week, after which time you are welcome to view the plans. Contact Susan Dorr Pansky at 283-7076 or spansky@carson.org for any status updates on the project or any questions regarding the duplex approvals. I do not have Mr. Brenneman's contact information, so please feel free to pass this along to him.

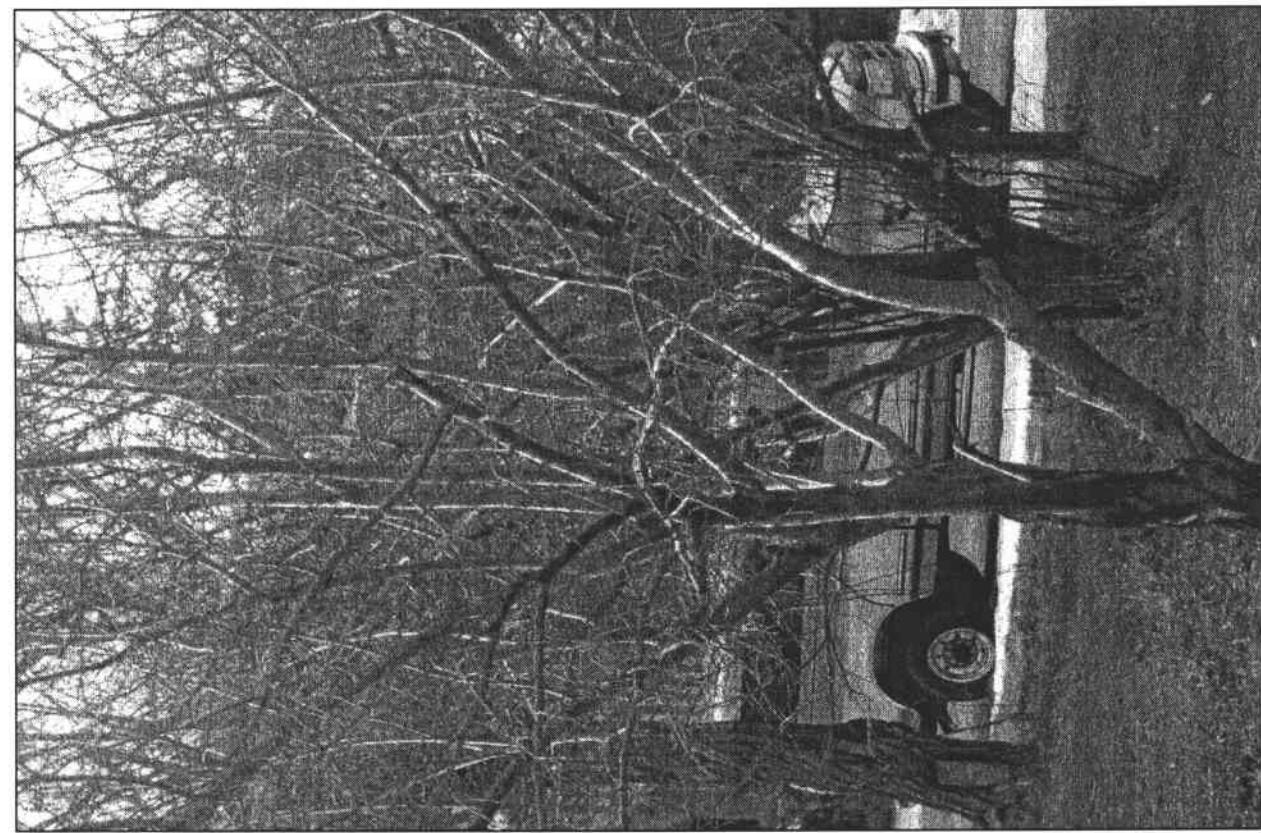
Regards,

Lee

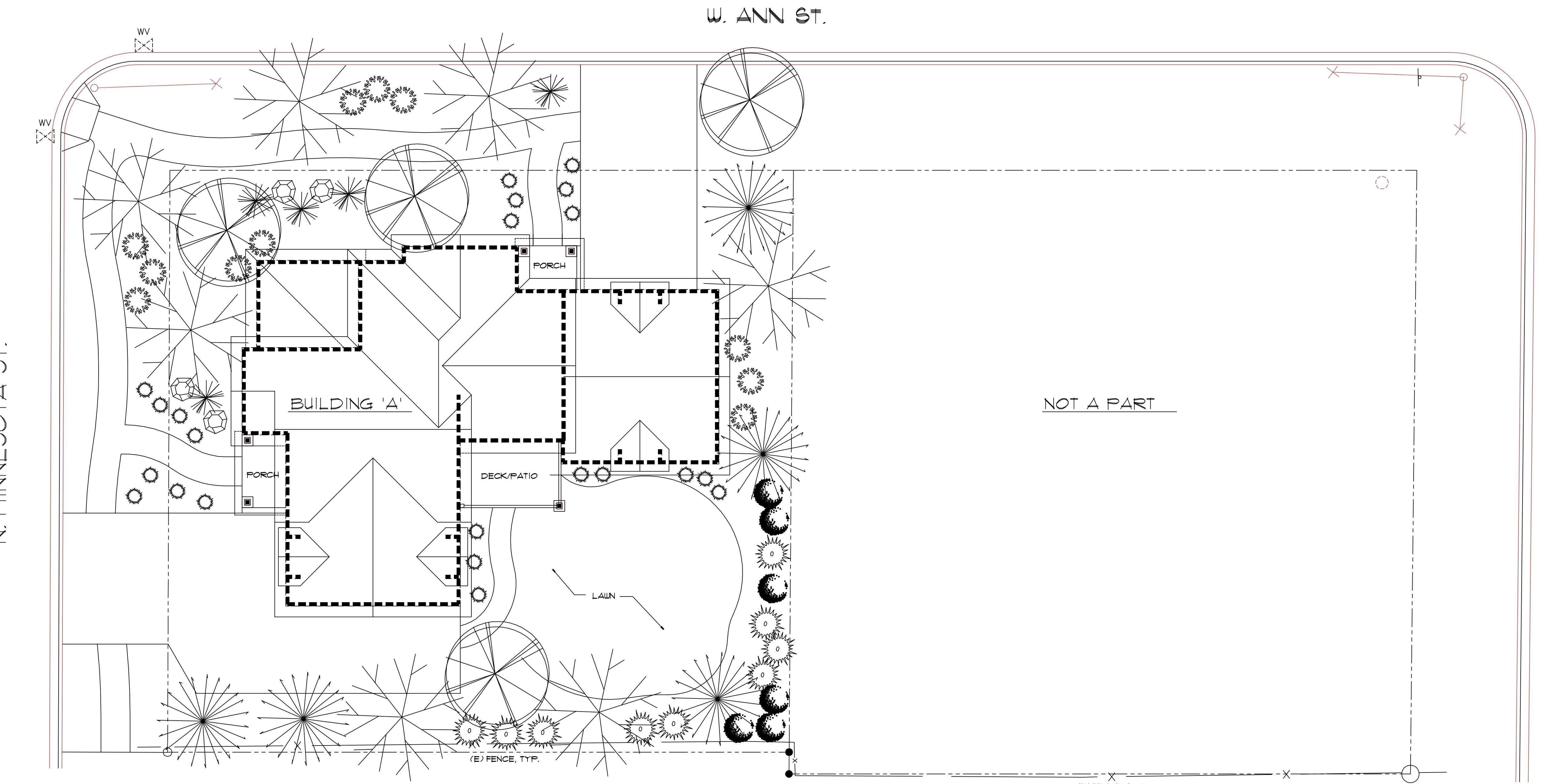
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812 N. Division Street
Trees Before Demolition - 1 of 2



812 N. Division Street
Trees Before Demolition - 2 of 2



TREE LEGEND				
COMMON NAME	BOTANICAL NAME	SIZE	SPACING	QNTY.
WHITE ASH	FRAXINUS AMERICANA	3" CAL.	SEE PLAN	4
JEFFREY PINE	PINUS JEFFREYI	6 - 7 FT.	SEE PLAN	5
RED MAPLE	ACER RUBRUM	3" CAL.	SEE PLAN	7

SHRUB LEGEND				
COMMON NAME	BOTANICAL NAME	SIZE	SPACING	QNTY.
SWISS MT. PINE	PINUS MUGO	15 GAL.	SEE PLAN	5
OLD GOLD JUNIPER	JUNIPERUS CHINENSIS 'OLD GOLD'	5 GAL.	4' OC.	11
OREGON GRAPE	MAHONIA AQUAFOLIUM	5 GAL.	4' OC.	6
BLUE BEARD	CARYOPTERIS SPP.	5 GAL.	3' OC.	22
SEA GREEN JUNIPER	JUNIPERUS CHINENSIS 'SEA GREEN'	5 GAL.	6' OC.	9

LANDSCAPE NOTES

1. PROVIDE AUTOMATIC SPRINKLERS FOR ALL PLANTING, SPRAY HEADS FOR LAWN AREAS & DRIP HEADS FOR PLANTER AREAS
2. PROVIDE 4" TOP SOIL at LAWN AREAS.
3. PROVIDE BARK or ROCK COBBLE AT PLANTER AREAS (COLOR TO COMPLEMENT RESIDENCE)
4. RETAIN BOULDERS FROM EXCAVATION and RELOCATE LARGER ONES (400 - 500 LB) TO PLANTER AREAS AS INDICATED BY LANDSCAPE BOULDER SYMBOL.
5. WHEN PLACING BOULDERS, PLACE A MIN. OF 25% OF BOULDER BELOW FINISH GRADE.

LANDSCAPE PLAN
A NEW RESIDENTIAL DUPLEX for
HERMAN BAUER

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LANDSCAPE PLAN
A NEW RESIDENTIAL DUPLEX for
HERMAN BAUER

DATE: 8-20-13
JOB NO.: 13-131
PROJECT LOCATION:
801 N DIVISION ST.
CARSON CITY, NV.
SHEET NUMBER
1 - 1