

CARSON CITY PLANNING COMMISSION

Minutes of the January 29, 2014 Meeting

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A regular meeting of the Carson City Planning Commission was scheduled for 5:00 p.m. on Wednesday, January 29, 2014 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson George Wendell
Vice Chairperson Paul Esswein
Commissioner Malkiat Dhami
Commissioner Mark Kimbrough
Commissioner Walt Owens
Commissioner Mark Sattler
Commissioner Kent Steele

STAFF: Lee Plemel, Community Development Director
Susan Dorr Pansky, Planning Manager
Darren Schulz, Deputy Public Works Director / City Engineer
Joseph Ward, Senior Deputy District Attorney
Kathleen King, Deputy Clerk / Recording Secretary

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

A. CALL TO ORDER, DETERMINATION OF A QUORUM, AND PLEDGE OF ALLEGIANCE (5:00:37) - Chairperson Wendell called the meeting to order at 5:00 p.m. Roll was called; a quorum was present. At Chairperson Wendell's request, Commissioner Kimbrough led the pledge of allegiance.

B. PUBLIC COMMENTS (5:01:44) - Chairperson Wendell entertained public comment. (5:02:38) SignPro Owner Steve Reynolds discussed concerns regarding “the proliferation of electronic message board signs that are not being used for messages but are being used just to attract attention.” He suggested addressing the ordinances governing electronic message boards “in the not too distant future.” Mr. Reynolds discussed additional concerns regarding the proliferation banners and temporary signage. Chairperson Wendell thanked Mr. Reynolds and entertained additional public comment; none was forthcoming.

C. POSSIBLE ACTION ON APPROVAL OF MINUTES - December 18, 2013 (5:06:49) - Chairperson Wendell entertained a motion to approve the minutes. **Commissioner Sattler moved to accept the minutes, as written. Vice Chairperson Esswein seconded the motion. Motion carried 7-0.**

D. MODIFICATION OF AGENDA (5:07:16) - Chairperson Wendell entertained modifications to the agenda; however, none were forthcoming.

E. DISCLOSURES (5:07:27) - Chairperson Wendell inquired as to disclosures. Commissioner Sattler disclosed that his wife is an employee of Greenhouse Garden Center. Vice Chairperson Esswein advised

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of having previously recused himself from consideration of the matter which is the subject of item G-1 due to a professional relationship between his wife and Attorney Mike Suglia. He advised that the professional relationship no longer exists and that he would participate in discussion and action on the matter. Commissioner Owens disclosed discussions regarding the parking lot with the owners of Carson Coffee and Nevada Gun Exchange.

F. CONSENT AGENDA (5:09:00) - None.

G. PUBLIC HEARING MATTERS

G-1. SUP-09-055(A) POSSIBLE ACTION TO CONSIDER A REQUEST TO AMEND A PREVIOUSLY-APPROVED SPECIAL USE PERMIT FROM ROB LAUDER (PROPERTY OWNERS: BERNARD / BERNARD, CUCCARO, LLC, AND WILLIAM F. AND D. HORNE, ET AL.) FOR PERMANENT OUTDOOR DISPLAY OF MERCHANDISE, SPECIFICALLY CONDITIONS OF APPROVAL 8, 9, AND 10, ON PROPERTY ZONED RETAIL COMMERCIAL ("RC"), LOCATED AT 1803, -05, -07, -09, -11, -15, -17, -19, AND -21 NORTH CARSON STREET, APNs 002-091-03, -04, AND -06 (5:10:39) - Chairperson Wendell introduced this item, and Ms. Dorr Pansky reviewed the agenda materials in conjunction with displayed slides. Ms. Dorr Pansky expressed appreciation for the applicant's willingness to work with staff over the period of time between the December commission meeting and today's meeting. She noted staff's recommendation of approval, based on the modified conditions outlined in the staff report. She advised of having received no additional comments since this matter was heard at the Board of Supervisors meeting.

Chairperson Wendell entertained questions or comments of the commissioners. In response to a question, Ms. Dorr Pansky described adequate egress due to the requirement to eliminate under-eave displays. In response to a further question, she advised that nothing would be allowed under the eaves "unless it [was] at 7 or 8 feet up ..." She responded to additional questions of clarification and advised that the applicant has been given a deadline of July 15, 2014 to make the required modifications. In response to a further question, she explained that staff has been working with the property owners, the applicant, and the applicant's representatives. She noted the presence of William Horne in the meeting room. Chairperson Wendell entertained additional commissioner questions or comments and, when none were forthcoming, invited the applicant's representative to the podium.

(5:21:01) Attorney Mike Suglia introduced himself, for the record, and advised that he represents Gene Munnings and his wife, Rowena. Mr. Suglia provided background information on this item, and thanked Mr. Plemel, Ms. Dorr Pansky, Chief Building Official Kevin Gattis, "and all the staff members that worked with us to alleviate those concerns." Mr. Suglia expressed the belief "that we now have a plan that addresses all the safety concerns and that should work for everyone." He reviewed the various "compromise[s]" and the methods by which the safety concerns will be addressed. He acknowledged agreement with the conditions of approval as outlined in the staff report. In response to a question, he advised of hanging baskets "at the very end of the eaves where [Mr. Munnings] has his other approved plant display." Mr. Suglia advised of no intention to use the walkway roof as a display area.

Chairperson Wendell entertained public comment. (5:27:40) Nevada Gun Exchange Owner Michael Ford

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discussed concerns that Mr. Munnings' display area and business vehicles / equipment "take ... up parking space ..." Mr. Ford responded to questions of clarification. Ms. Dorr Pansky explained the method by which the parking lot will be restriped to accommodate additional spaces.

(5:32:32) Carson Shopping Center Manager Bill Horne thanked City staff for working with the applicant, and advised of his approval of the "new proposal."

(5:33:20) Pat Swearingen discussed concerns regarding the parking situation at the shopping center.

Chairperson Wendell entertained additional public comment and, when none was forthcoming, entertained additional discussion of the commissioners. Commissioner Kimbrough advised of having visited the subject property earlier in the day, and discussed concerns regarding the appearance of the business. He expressed appreciation for the applicant's efforts to "work through the system ... and ... with staff." He expressed despair over "seeing this community lower the bar when now business is doing okay," and advised that he would not vote in favor of the special use permit.

In response to a question, Engineer Rob Lauder advised "there is no accommodation in that shopping center for any business to unload anything that requires more than a simple parking space." He described the traffic circulation pattern of the parking lot design. In response to earlier comments, Mr. Suglia suggested "probably, nothing looks sadder than a garden shop in the middle of winter." He explained that the previously referred to dead plants are dormant roses. He anticipates no problem with delivery trucks. "Maybe once a year, there'll be a truck. It's going to have to back in, unload, and take off." He assured the commission, "We're really doing the best we can with a very aging facility ..." He encouraged the commissioners to visit Evergreen Gene's in the summertime, describing it as "very attractive." He expressed appreciation for the concerns discussed, and urged the commission's approval of the special use permit.

Chairperson Wendell provided an overview of the support expressed for Evergreen Gene's at the September commission meeting. Chairperson Wendell entertained additional public comment. (5:47:28) Don Schiffer, an employee of Nevada Gun Exchange, discussed concerns regarding deliveries to Evergreen Gene's in consideration of the proposed design.

Chairperson Wendell entertained additional commissioner questions or comments and, when none were forthcoming, a motion. **Vice Chairperson Esswein moved to approve SUP-09-055(A), an amendment to a previously-approved special use permit from Rob Lauder (property owners: Bernard / Bernard - Cuccaro, LLC, and William F. and D. Horne, et al.), for permanent outdoor display of merchandise, on property zoned retail commercial, located at 1803, -05, -07, -09, -11, -15, -17, and -21 North Carson Street, APNs, 002-091-03, -04, and -06, based on the findings and subject to the conditions of approval outlined in the staff report. Commissioner Dhami seconded the motion.**

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RESULT:	Approved [5 - 2]
MOVER:	Vice Chairperson Paul Esswein
SECOND:	Commissioner Malkiat Dhami
AYES:	Vice Chair Esswein, Commissioners Dhami, Steele, Sattler, and Chair Wendell
NAYS:	Commissioners Kimbrough and Owens
ABSENT:	None
ABSTAIN:	None

G-2. SUP-13-153 FOR POSSIBLE ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM THE STATE OF NEVADA PUBLIC WORKS DIVISION (PROPERTY OWNER: STATE OF NEVADA) TO CONSTRUCT A LOADING DOCK, STORAGE AREA, AND REPLACEMENT OF FREIGHT ELEVATOR WITH ASSOCIATED IMPROVEMENTS ON THE SOUTH SIDE OF THE NEVADA STATE MUSEUM, ON PROPERTY ZONED PUBLIC ("P"), LOCATED AT 600 NORTH CARSON STREET, APN 003-283-07 (5:50:30) - Chairperson Wendell introduced this item, and Ms. Dorr Pansky reviewed the agenda materials in conjunction with displayed slides.

(5:56:40) In response to a question, Architect Paul Cavin discussed elements of the proposed project in conjunction with displayed slides. He acknowledged having heard Ms. Dorr Pansky's presentation of the staff report, and commended the same. He acknowledged agreement with the staff report and the conditions of approval. Chairperson Wendell entertained additional questions or comments of the commissioners; however, none were forthcoming.

Chairperson Wendell entertained public comment and, when none was forthcoming, a motion. **Commissioner Sattler moved to approved SUP-13-153, a special use permit application to allow construction of a loading dock area and replacement freight elevator, with associated improvements on the south side of the Nevada State Museum, on property zoned public, located at 600 North Carson Street, APN 003-283-07, based on the findings and conditions of approval contained in the staff report. Commissioner Owens seconded the motion.**

RESULT:	Approved [7 - 0]
MOVER:	Commissioner Mark Sattler
SECOND:	Commissioner Walt Owens
AYES:	Commissioners Sattler, Owens, Dhami, Kimbrough, Steele, Vice Chair Esswein, Chair Wendell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

H. ADMINISTRATIVE MATTERS

H-1. DIRECTOR'S REPORT TO THE PLANNING COMMISSION AND FUTURE AGENDA ITEMS (5:59:38) - Mr. Plemel reviewed a list of items which had been recently presented to the Board of Supervisors. He advised of the public workshop, following this meeting, on the one-eighth

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cent sales tax proposal.

H-2. COMMISSIONER REPORTS / COMMENTS (6:06:20) - Commissioner Sattler advised of having attended a public workshop held at the Fairgrounds Events Center, and commended staff on the information presented. Chairperson Wendell entertained additional commissioner reports or comments; however, none were forthcoming.

I. PUBLIC COMMENTS (6:05:23) - Chairperson Wendell entertained public comment; however, none was forthcoming.

J. ACTION TO ADJOURN (6:06:44) - Commissioner Steele moved to adjourn the meeting at 6:06 p.m. Vice Chairperson Esswein seconded the motion. Motion carried 7-0.

The Minutes of the January 29, 2014 Carson City Planning Commission meeting are so approved this _____ day of March, 2014.

GEORGE D. WENDELL, Chair