

**CARSON CITY PLANNING COMMISSION**

**Minutes of the December 22, 2005 Meeting**

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A regular meeting of the Carson City Planning Commission was scheduled for 3:30 p.m. on Thursday, December 22, 2005 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

**PRESENT:** Chairperson John Peery  
Vice Chairperson Mark Kimbrough  
Connie Bisbee  
Craig Mullet  
Steve Reynolds  
Roy Semmens  
William Vance

**STAFF:** Walter Sullivan, Planning and Community Development Director  
Lee Plemel, Principal Planner  
Jennifer Pruitt, Senior Planner  
Sean Foley, Associate Planner  
Tom Grundy, Civil Design Supervisor  
Mary-Margaret Madden, Deputy District Attorney  
Kathleen King, 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-Recorder's Office. These materials are available for review during regular business hours.

**A. CALL TO ORDER, DETERMINATION OF A QUORUM, AND PLEDGE OF ALLEGIANCE** (3:31:55) - Chairperson Peery called the meeting to order at 3:31 p.m. Roll was called; a quorum was present. Commissioner Semmens led the pledge of allegiance.

**B. COMMISSION ACTION ON APPROVAL OF MINUTES - November 30, 2005** (3:33:00) - Commissioner Semmens moved to approve the minutes, as written. Commissioner Reynolds seconded the motion. Motion carried 7-0.

**C. PUBLIC COMMENT** (3:33:26) - None.

**D. DISCLOSURES** (3:33:53) - None.

**E. CONSENT AGENDA** (3:34:14) - At Chairperson Peery's request, Mr. Sullivan introduced the consent agenda items. Chairperson Peery entertained a motion. **Commissioner Semmens moved to continue the master plan amendment items MPA-05-254 and MPA-05-255 to the January 2006 Planning Commission meeting for properties located in the Carson River Road vicinity, as identified on the consent agenda. Commissioner Bisbee seconded the motion. Motion carried 7-0.**

**E-1. MPA-05-254 MASTER PLAN AMENDMENT - ACTION TO CONTINUE TO THE JANUARY 2006 MEETING RECOMMENDATIONS REGARDING A REQUEST TO CHANGE THE DRAFT MASTER PLAN LAND USE DESIGNATION OF APNs 010-021-46, -47, AND -58, AND 010-071-26 AND -27, 4900 CARSON RIVER ROAD (OWNER: JIMMIE PETE JARRARD CHILDREN'S TRUST), FROM THE PROPOSED CONSERVATION RESERVE (PRIVATE**

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**LANDS) TO LOW DENSITY RESIDENTIAL, MEDIUM DENSITY RESIDENTIAL, AND HIGH DENSITY RESIDENTIAL ON THE DRAFT LAND USE MAP TO BE ADOPTED AS PART OF THE ENVISION CARSON CITY COMPREHENSIVE MASTER PLAN. THE CURRENTLY ADOPTED MASTER PLAN LAND USE DESIGNATIONS FOR THE PARCELS INCLUDE AGRICULTURE RESIDENTIAL, RURAL RESIDENTIAL, SUBURBAN RESIDENTIAL, AND OPEN SPACE / RECREATION / RURAL RESIDENTIAL ON VARIOUS PORTIONS OF THE PROPERTY**

**E-2. MPA-05-255 MASTER PLAN AMENDMENT - ACTION TO CONTINUE TO THE JANUARY 2006 MEETING RECOMMENDATIONS REGARDING A REQUEST TO CHANGE THE DRAFT MASTER PLAN LAND USE DESIGNATION OF APN 010-071-25, LOCATED EAST OF CARSON RIVER ROAD AND BUZZY'S RANCH ROAD (OWNER: ROBERT LORIN ANDERSEN TRUST), FROM THE PROPOSED CONSERVATION RESERVE (PRIVATE LANDS) TO LOW DENSITY RESIDENTIAL AND RURAL RESIDENTIAL, ON THE DRAFT LAND USE MAP TO BE ADOPTED AS PART OF THE ENVISION CARSON CITY COMPREHENSIVE MASTER PLAN, AS DEPICTED ON THE CURRENTLY ADOPTED MASTER PLAN. THE CURRENTLY ADOPTED MASTER PLAN LAND USE DESIGNATIONS FOR THE PARCEL ARE LOW DENSITY RESIDENTIAL, SUBURBAN RESIDENTIAL (TO BE COMBINED WITH THE LOW DENSITY RESIDENTIAL CATEGORY IN THE NEW LAND USE PLAN), AND RURAL RESIDENTIAL**

**F. PUBLIC HEARING (3:37:16) - Chairperson Peery thanked the commissioners, staff, and citizens for their attendance. He wished everyone Merry Christmas, Happy Holidays, and a Happy New Year.**

**F-1. MISC-05-151 ACTION TO CONSIDER A PROPOSED PLANNING COMMISSION POLICY FROM THE CARSON CITY PLANNING AND COMMUNITY DEVELOPMENT DIVISION TO ADOPT POLICY NUMBER PCP-2 REGARDING THE MANAGEMENT OF METAL STORAGE CONTAINERS AND THEIR USE IN COMMERCIAL, INDUSTRIAL, PUBLIC, AND RESIDENTIAL ZONING DISTRICTS, INCLUDING USE PERFORMANCE STANDARDS AND ACTION TO CONSIDER ADOPTION OF A RESOLUTION REGARDING SPECIAL USE PERMIT FEES FOR METAL STORAGE CONTAINERS AND OTHER MATTERS RELATED THERETO (3:37:33) - Chairperson Peery introduced this item, and Mr. Sullivan reviewed the agenda materials. He noted the graduated fee schedule included in the resolution, and advised that the Planning and Community Development Division will work closely with the Assessor's Office to ensure enforcement. In response to a question, Mr. Sullivan advised that the graduated fee schedule would not apply to storage containers already in place. In response to a further question, he reviewed the height restriction included in the policy, and discussion ensued. He responded to additional questions regarding corresponding fence heights. Additional discussion took place regarding height restrictions for semi-truck trailers used for storage. Commissioner Vance suggested the policy should include a prohibition against using commercial storage units to generate rental income. Mr. Sullivan read paragraph k(7) of the draft ordinance into the record, and suggested this would address the concern. Commissioner Vance suggested explicitly setting forth the prohibition in the ordinance to avoid confusion.**

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In response to a question, Mr. Sullivan advised that the proposed height restrictions were primarily intended for metal storage containers not necessarily semi-truck trailers. He expressed the understanding the commission would address regulations associated with semi-truck trailers at the February commission meeting. He expressed the further understanding the commission was opposed to allowing semi-truck trailers to be used for storage. Mr. Sullivan advised that the draft ordinance requires a special use permit for long-term use of a semi-truck trailer for storage purposes. He suggested revisiting the issue of allowing semi-truck trailers to be used for storage at the February commission meeting.

Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained a motion. **Commissioner Semmens moved to approve Planning Commission Policy PCP-2, MISC-05-151, metal storage container policy, inclusive, and other matters related thereto. Commissioner Mullet seconded the motion.** Commissioner Vance proposed including a “not for rental storage space” provision in the motion. Commissioner Semmens was unwilling to amend his motion. Chairperson Peery called for a vote on the pending motion; **motion carried 4-3.** At Mr. Sullivan’s request, Chairperson Peery called for a roll call vote. Bisbee, Vance, Kimbrough - nay; Mullet, Semmens, Reynolds, Peery - aye. Vice Chairperson Kimbrough advised he would have supported the motion if Commissioner Vance’s suggestion had been included. Commissioners Vance and Bisbee agreed.

**Commissioner Semmens moved to approve a Planning Commission resolution recommending adoption of fees and charges for services provided by the Planning and Community Development Division for metal storage containers, and other matters related thereto. Commissioner Vance seconded the motion. Motion carried 7-0.** Mr. Sullivan responded to questions in clarification of the graduated fee schedule outlined in the resolution.

**F-2. SUP-05-212 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM DEREK WILSON / JEFF CODEGA PLANNING AND DESIGN, INC. (PROPERTY OWNERS: MICHAEL AND DOROTHY MORELAND, COURTRIGHT REVOCABLE LIVING TRUST - ERNEST AND LYNNE TRUSTEES, AND WOODS, LILLIAN M. TRUST), TO ALLOW SIGNAGE THAT EXCEEDS CITY SIGN CODE ALLOWANCES IN NUMBER, SQUARE FOOTAGE AND HEIGHT: (1) A PROPOSED REPLACEMENT OF THE PRIMARY (NISSAN) GROUND SIGN WOULD BE 30 FEET HIGH (CODE MAXIMUM IS 20 FEET HIGH) AND WOULD DISPLAY 100 SQUARE FEET OF COPY AREA; (2) A PROPOSED REPLACEMENT FOR A SECOND (NISSAN: PRE-OWNED VEHICLES) GROUND SIGN WOULD BE 24 FEET HIGH AND DISPLAY 70 SQUARE FEET OF COPY AREA (CODE MAXIMUM IS 6 FEET IN HEIGHT AND 36 SQUARE FEET IN COPY AREA); AND (3) A THIRD EXISTING (JEEP) GROUND SIGN WOULD REMAIN AT 30 FEET HIGH, WHICH DISPLAYS 120 SQUARE FEET OF COPY AREA (THE CODE DOES NOT PROVIDE FOR MORE THAN TWO SIGNS ON A CORNER SITE), ON PROPERTY ZONED RETAIL COMMERCIAL (RC), LOCATED AT 3460 SOUTH CARSON STREET AND 3390 SOUTH CARSON STREET, APNs 009-111-01 AND -02 (4:04:23) - Chairperson Peery introduced this item. Mr. Sullivan pointed out the sign locations on a displayed aerial photograph, and reviewed the staff report. He advised of staff’s recommendation of approval subject to the conditions included in the staff report. He discussed a request by the Board of Supervisors and the City Manager that Planning and Community Development staff begin working with car dealers to develop a signage standard. He requested that Derek Wilson, of Jeff Codega Planning and Design, provide the detail portion of the application.**

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(4:10:36) Derek Wilson acknowledged having reviewed the staff report and his agreement. He expressed the opinion the requested signage is a necessary and vital upgrade to an area the City has identified as a retail center, specifically for automobiles. He advised the proposed signage represents national standards for the franchisees. He expressed the opinion the proposed signs are contemporary and better looking than the existing signage. He reviewed differences between the existing and proposed signage. Vice Chairperson Kimbrough expressed concern over the automobile sales industry imposing a standard on a community. Mr. Wilson noted that the existing main sign is 30 feet tall. He responded to questions regarding the height and design of the other signs. He acknowledged that engineering design of the proposed signage was dictated by Nissan marketing. Vice Chairperson Kimbrough expressed the opinion the proposed signage seems a little out of scale in comparison with the size of the auto dealership. In response to a question, Mr. Wilson noted three separate operations associated with the dealership, including two car brands and a used car lot. He acknowledged there will be pylon covers associated with the pre-owned vehicle sign, and described the same.

Commissioner Bisbee commented the proposed signage represents a “terrific improvement” and is very attractive. Commissioner Mullet expressed a preference that the pre-owned vehicle sign be restricted to 20 feet because of its location on the corner. Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained a motion. **Commissioner Semmens moved to approve SUP-05-212, a special use permit application from Derek Wilson, Jeff Codega Planning and Design, Inc., to allow signage that exceeds City sign code allowances in number, square footage, and height, as follows: (1) a proposed replacement of the primary ground sign at 30 feet and to display 100 square feet of copy area; (2) a proposed replacement for a second ground sign at 24 feet and to display 70 square feet of copy area; and (3) a third existing ground sign be allowed to remain at 30 feet high and to display 120 square feet of copy area, on property zoned retail commercial, located at 3460 and 3390 South Carson Street, APNs 009-111-01 and -02, based on seven findings and subject to the recommended conditions of approval contained in the staff report. Commissioner Reynolds seconded the motion. Motion carried 7-0.**

**F-3. SUP-05-007 ACTION TO CONSIDER AN AMENDMENT TO A PREVIOUSLY APPROVED SPECIAL USE PERMIT APPLICATION FROM DEBRA SISCO (PROPERTY OWNER: USA; ASSESSED OWNER: CAPITAL CHRISTIAN CENTER) TO ALLOW A DECREASE IN BUILDING SIZE TO 28,898 SQUARE FEET AND RELOCATION OF A CHURCH BUILDING, ON PROPERTY ZONED PUBLIC REGIONAL (PR), LOCATED AT 1600 SNYDER AVENUE, APN 010-221-15 (4:18:30)** - Chairperson Peery introduced this item, and Ms. Pruitt reviewed the staff report. She noted that the roof color of the new structure will match that of the existing multi-purpose building. She narrated pertinent slides, and referred to previous discussion regarding landscape and parking. She advised the applicant had included a photometric plan, and read condition of approval #10 into the record. She further advised that no lighting will be installed on the eastern perimeter of the parking lot. She advised that 30 adjacent properties, within 300 feet of the subject site, had been noticed. Staff received no comment either in favor of or in opposition to the special use permit application. Ms. Pruitt advised of staff's recommendation of approval based on the findings and conditions included in the staff report. In response to a comment, Mr. Grundy advised the absolute minimum distance between driveways in the subject zoning area is 125 feet. Commissioner Mullet noted the two driveways in close proximity to each other.

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(4:25:00) Capital Christian Center Business Manager Debra Sisco read prepared comments into the record. She acknowledged having read the staff report and her agreement with the same. She further acknowledged the reduction in square footage was such that the project was required to be resubmitted to the commission.

Chairperson Peery called for public comment and, when none was forthcoming, entertained a motion. **Commissioner Reynolds moved to approve SUP-05-007 amended, a special use permit request from Debra Sisco to allow an approximately 28,898-square-foot expansion of the Capital Christian Center and associated site improvements, on property zoned public regional, located at 1600 Snyder Avenue, APN 010-221-15, based on seven findings and subject to the conditions of approval contained in the staff report, and with the understanding that any acknowledgments to the commission and board, by the applicant, may be considered as further stipulations or conditions of approval on this application. Commissioner Semmens seconded the motion. Motion carried 7-0.**

**F-4. SUP-05-011a ACTION TO CONSIDER AN AMENDMENT TO A PREVIOUSLY APPROVED SPECIAL USE PERMIT APPLICATION FROM RICHARD REVIGLIO (PROPERTY OWNER: THREE R's LLC) TO ALLOW ADDITIONAL OUTSIDE STORAGE YARD AREA AND REVISIONS TO THE APPROVED SITE PLAN, ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT 5445 SOUTH CARSON STREET (WESTERN NEVADA SUPPLY), APN 009-305-05** (4:28:15) - Chairperson Peery introduced this item, and Mr. Sullivan reviewed the staff report. He noted the revision to the site plan included in the agenda materials. He further noted the conditions of approval that the rear gate and Horatio Lane shall only be used for egress from the storage yard. He advised of having received one letter from a concerned citizen. He noted staff's recommendation of approval, subject to the conditions and the necessary findings included in the staff report. He advised the applicant had agreed to provide appropriate landscape along the eastern property line. He responded to questions regarding the condition of approval requiring an 8-foot fence along the eastern property line, and future freeway access to the property.

(4:38:50) Western Nevada Supply Company Branch Manager Coby Rowe acknowledged having reviewed the staff report and his agreement with the recommendations. George Mahe, of Resource Concepts, Inc., introduced himself for the record. Mr. Rowe provided background information on the site plan developed in conjunction with the original special use permit application, and the subsequent revisions. In response to a question, he described how the revised site plan will work with the new freeway. He discussed the Horatio Lane egress, and anticipates that trucks will use it approximately once a week. He responded to questions regarding the same. Vice Chairperson Kimbrough discussed the increasing value of the subject property due to its proximity to the freeway. Mr. Rowe discussed the value of the property to Western Nevada Supply. Chairperson Peery opened this item to public comment.

(4:43:45) Pete Sinnott distributed photographs to the commissioners and staff, and read prepared comments into the record. He expressed concern that the northeast section of the storage area will be inadequately screened. He expressed the belief that the Carson City Municipal Code requires developers to screen such areas at the time of construction. He advised that he lives to the east of the subject property, and that he has no objection to the project. He narrated the previously distributed photographs, and expressed concern over the open gate depicted in one photograph which is visible from his property. He requested that landscape be required for a 100-foot strip along the fence on the northern property line and a 10-foot wide section of the north side of the parking lot.

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Commissioner Vance suggested that the storage gate be kept closed. In response to a question, Ms. Pruitt advised that the landscape plan had not yet been approved. Mr. Sullivan advised that staff would pay special attention to the northeast corner of the landscape plan.

(4:52:35) Mr. Sinnott explained there is landscape on the front portion of the property, but it doesn't extend to the back area which needs to be screened. He advised that storage in the back part of the building "will be visible through every angle driving through Carson City on Lupine, Clear Creek Avenue, the freeway entrance. An 8-foot fence will block the clutter on the ground but it won't do anything to block the pipe racks." Mr. Sinnott advised the City of Reno requires 8-foot fencing with 12-foot setbacks from the fence.

(4:54:00) Mr. Rowe advised of no opposition to the 8-foot fence requirement. He explained that NDOT owns the parcel directly to the north of the subject parcel. The property owner is awaiting NDOT's decision with regard to disposition of the parcel once the freeway is complete. Mr. Rowe discussed differences between the existing business site and the new site, and expressed the opinion the new facility will operate more efficiently. He clarified the storage rack, which is the subject of Mr. Sinnott's concern, is 16 feet tall. Discussions with Planning staff included an option of stacking materials to a maximum of 20 feet. Mr. Sullivan confirmed the actual height of stacked materials will be much lower at the new facility.

Commissioner Mullet concurred that landscape should be included along the northern property line. Chairperson Peery entertained a motion. **Commissioner Vance moved to approve SUP-05-011a, a special use permit application from Western Nevada Supply to allow outside storage as a conditional use to a plumbing supply retail facility, and to allow additional outside storage yard area and revisions to the approved site plan, on property zoned general commercial, located at 5445 South Carson Street, APN 009-305-05, based on seven findings and subject to the recommended conditions of approval contained in the staff report. Vice Chairperson Kimbrough seconded the motion. Motion carried 7-0.**

**F-5. SUP-05-218 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM WILLIAM CASPARIS (PROPERTY OWNER: WESTERN STATES STORAGE) TO ALLOW PERMANENT PLACEMENT OF 29 METAL STORAGE CONTAINERS, ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT 5853 AND 5861 SOUTH CARSON STREET, APN 009-304-06** (4:57:16) - Chairperson Peery introduced this item. Mr. Sullivan reviewed the staff report and narrated pertinent slides. He noted the findings in support of the special use permit, and advised of staff's recommendation of approval subject to the conditions included in the staff report. He referred to the December 13, 2005 memo from Economic Development / Redevelopment Manager Joe McCarthy, included in the agenda materials.

Commissioner Mullet advised of having driven by the property earlier in the day and noting some landscape. He further noted the location of the property at the City's southern portal, and suggested requiring upgrades to the existing landscape as part of the special use permit. Commissioner Vance suggested the applicant was using the storage units to generate rental income, and expressed the opinion the requested use was not legitimate. He pointed out that the units generate significant income for the business, but "contribute little or nothing to the Carson City infrastructure services." He referred to a previous special use permit application considered by the commission for ten units, at a property on Highway 50 East; the impression was that the applicant was not going to use any of them for storage space

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rental. He inquired as to any other location in Carson City at which shipping containers are used for rented storage space. Mr. Sullivan advised there are none. He recalled that the subject property owner had the units moved onto his property in the late 1980s. At that time, the Building Department refused to issue building permits because the units did not qualify as structures under the Uniform Building Code. Mr. Sullivan expressed understanding for Commissioner Vance's concerns, but reiterated the subject units had been on site since the late 1980s. He acknowledged this was the first time the applicant had appeared before the commission. He noted the ordinance requiring special use permits for permanent storage units was adopted a little over 18 months ago.

Commissioner Vance noted the requirement for a 100 percent site-obscuring fence or wall, and that there was no such fence or wall on the southwestern property line. He suggested enforcing the requirement for a site-obscuring fence in an effort to improve the aesthetic quality of the City's southern portal. In response to a question, Mr. Sullivan pointed out the units to which the special use permit would apply. He acknowledged the possibility that similar situations could be presented to the commission in the future. Commissioner Vance reiterated the subject type of business generates no property tax to support City services, yet the commission has no ability to deny the special use permit. Mr. Sullivan advised that the Assessor's Office does impose a property tax.

Chairperson Peery inquired as to the possibility that this commission or the Board of Supervisors would limit the amount of for-profit use of metal storage containers as a precedent and yet grandfather the subject use as has been done with other special use permits. Mr. Sullivan advised that the commission's earlier action would allow for the possibility of additional personal storage in metal storage containers. He advised the commission could take action to change the code to allow for the subject use to become legal, but non-conforming. The subject use could, therefore, continue. Any expansion would require a special use permit, but if the property owner discontinued the business for more than one year, the use could not continue in the same manner. Chairperson Peery noted that the business owner had been operating the same business for a good number of years. He further noted that the City had just passed the requirement that imposes a certain burden on all container users for the purpose of regulation. He expressed the opinion the best approach would be to grandfather the existing use.

Commissioner Mullet advised that he had voted in favor of item F-1 based on the fact that the business owner cannot rent the storage unit. "They are a personal storage unit and they have to be related to the ... permitted business." He indicated no opposition to the use associated with the subject special use permit as long as there is some screening. Mr. Sullivan advised that Commissioner Mullet's comments were relative to the number of storage units allowed to be placed on the property. In response to an earlier comment, Mr. Foley read a portion of the draft ordinance associated with item F-1 into the record, and advised that the requirement for a 100 percent site-obscuring fence referred to personal storage facilities, not storage containers. He referred to Section 1.10.9 for the requirement regarding screening for storage containers.

In response to a question, Ms. Madden advised she would need to review the personal storage development standards and consider the plain language. At Chairperson Peery's request, she agreed to do so. She pointed out that the commission could review the special use permit on an annual basis. Mr. Sullivan suggested the commission may want to re-examine the action taken under item F-1. Commissioner Reynolds suggested addressing the subject item and considering later the possibility of re-examining the commission policy under item F-1.

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(5:24:30) Bill Casparis advised of having purchased the subject property in 1996, and that the storage units were already on site. He further advised of having participated in a major project review, and that no storage units have been added to the property since the time of purchase. Several of the units were moved in 2000 or 2001, and the City Engineering and Building Departments required them to be “tied down to the ground and make them pretty much permanent structures.” Mr. Casparis advised that four to five building permits have been obtained since he purchased the property. All landscape is compliant with the requirements of the Carson City Municipal Code. Mr. Casparis advised that all the units were painted to improve the aesthetics of the property. He further advised that approximately 15% of his business’ gross revenue is provided by the units. He expressed agreement with the comments made by the commissioners, and advised he has done his best to make the property more attractive than it was at the time he purchased it. In reference to Mr. McCarthy’s memo, he expressed the opinion that approving the special use permit pursuant to annual review would be “arduous and unfair.” He noted that most of the units are not visible from the street. The units on the hill are new units which have been permitted; they are not storage containers. One unit “over a creek” will be removed from the property within the next couple weeks. Mr. Casparis acknowledged having reviewed the staff report and his agreement with the same.

Chairperson Peery called for public comment and, when none was forthcoming, additional comments, questions, or a motion. Commissioner Mullet requested that landscape be planted in front of the metal storage units on the west boundary. Mr. Sullivan acknowledged that landscape could be required in front of the storage units which are the subject of this item. Mr. Casparis acknowledged a willingness to plant landscape screening in front of the storage units along Highway 395. Chairperson Peery entertained a motion. **Commissioner Reynolds moved to approve SUP-05-218, a special use permit application from William Casparis to allow permanent placement of 29 storage containers, on property zoned general commercial, located at 5853 and 5861 South Carson Street, APN 009-304-06, based on the seven findings and the additional stipulation just discussed, and subject to the recommended conditions of approval contained in the staff report, and noting the special use permit is subject to five-year review. Commissioner Semmens seconded the motion. Motion carried 7-0.**

Chairperson Peery requested that Planning Division and District Attorney staff look further into the issue of personal versus rental use of metal storage containers. Mr. Sullivan advised he would provide additional information for the January commission meeting.

**F-6. SUP-05-221 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM RICK CORELLI (PROPERTY OWNER: CORELLI FAMILY TRUST 11/16/98) TO ALLOW PERMANENT PLACEMENT OF FOUR METAL STORAGE CONTAINERS, ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT 3640 SOUTH CURRY STREET (RICK’S FLOOR COVERING), APN 009-151-40 (5:33:08)** - Chairperson Peery introduced this item. Mr. Sullivan pointed out the subject property on a displayed slide, and reviewed the staff report. He narrated additional slides. He noted conditions of approval that the four storage containers be placed at grade rather than stacked and painted within one year. He noted findings in favor of the special use permit, and advised of staff’s recommendation of approval based on the conditions contained in the staff report. He advised that staff would review the special use permit within one year. Mr. Foley responded to comments regarding the design of the subject storage containers. In response to a question, Mr. Sullivan discussed the property owner’s preliminary development plans and the need for sufficient time to address details of the same.

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(5:39:40) Rick Corelli expressed appreciation to Mr. Sullivan and Mr. Foley for their assistance in preparing the special use permit application. He acknowledged agreement with the staff report.

Chairperson Peery called for public comment and, when none was forthcoming, entertained a motion. **Vice Chairperson Kimbrough moved to approve SUP-05-211, a special use permit application from Rick Corelli, property owner Corelli Family Trust 11/16/98, to allow permanent placement of four storage containers, on property zoned general commercial, located at 3640 South Curry Street, APN 009-151-40, based on seven findings and subject to the recommended conditions of approval contained in the staff report. Commissioner Bisbee seconded the motion. Motion carried 7-0.**

**F-7. SUP-05-222 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM STAN RADDON (PROPERTY OWNER: BLM; LEASE OWNER: CARSON CITY) TO ALLOW AN EXTRACTION OPERATION FOR THE PROCESSING OF WOOD PRODUCTS AT THE CARSON CITY LANDFILL, ON PROPERTY ZONED CONSERVATION RESERVE (CR), LOCATED AT 4025 FLINT DRIVE, APN 008-521-20** (5:41:21) - Chairperson Peery introduced this item, and Mr. Sullivan reviewed the staff report.

(5:44:28) Stan Raddon, owner of Carson City Renewable Resources, acknowledged having reviewed the staff report and his agreement. In response to a question, he discussed components involved in spontaneous combustion. He advised he had never seen spontaneous combustion in this area; the humidity level is too low. He acknowledged the understanding that all the materials processed as part of his operation were previously being disposed of in the landfill. He provided an overview of the operation of Carson City Renewable Resources. In response to a question, he discussed supply of woodchip material to a biomass plant in Loyalton, California. Chairperson Peery opened this item to public comment.

(5:48:05) Richard Kelsey, of Eagle Tech Industrial Park, expressed full support for Mr. Raddon's operation and commented it represents an excellent example of reusing materials. He discussed a proposal to use materials from Carson City Renewable Resources to create an energy facility. He expressed the opinion this is the type of project Carson City should be proud of and fully support.

Chairperson Peery called for additional comments, questions, or a motion. **Commissioner Vance moved to approve SUP-05-222, a special use permit application from Stan Raddon of Carson City Renewable Resources to allow an extraction operation, on property in the conservation reserve zoning district, located at 4025 Flint Drive, APN 008-521-20, based on seven findings and subject to conditions of approval contained in the staff report. Commissioner Mullet seconded the motion. Motion carried 7-0.** Chairperson Peery recessed the meeting at 5:49 p.m. and reconvened at 6:01 p.m.

**F-8. SUP-05-225 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM EDWARD AND CHERYL HARVEY TO ALLOW A 40 FOOT BY 80 FOOT METAL ACCESSORY STRUCTURE, ON PROPERTY ZONED SINGLE FAMILY ONE ACRE (SF1A), LOCATED AT 302 EAST WILLOW STREET, APN 009-175-03** (6:01:19) - Chairperson Peery introduced this item, and Mr. Sullivan reviewed the staff report. He referred to the letter from Harland Minshew which was distributed to the commissioners and staff prior to the start of the meeting, and provided an overview of the same. He advised of staff's recommendation of approval subject to the 16 conditions included in the staff report, which he reviewed. He narrated pertinent slides. He circulated, among the commissioners, the site plan and proposed colors.

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(6:08:19) Cheryl Harvey acknowledged having reviewed the staff report and her agreement with the same. She advised that the building will help to clean up her yard, and that it will be painted the same color as the house in the spring. Chairperson Peery called for public comment.

(6:09:37) Harland Minshew, owner of the property at 455 East Willow Street, provided a petition from Willow Street homeowners to Ms. Pruitt. In response to a question, Mr. Minshew advised the petition opposed the special use permit application due to the size of the proposed accessory structure. Ms. Pruitt read the petition into the record and advised there were five signatures. At Mr. Sullivan's request, Mr. Minshew pointed out the locations of the five residences on a displayed aerial photograph.

Chairperson Peery called for additional comments, questions, or a motion. In response to a question, Mr. Sullivan explained the requirement for the special use permit. Commissioner Reynolds noted the proposed structure would be located quite a ways off Willow Street. He further noted 15 linear feet represented the difference between needing to apply for a special use permit and not. Chairperson Peery expressed surprise that the objecting property owners were to the south of the subject property as any impact seemed to be larger from the northeast and east. He entertained a motion. **Commissioner Semmens moved to approve SUP-05-225, a special use permit request from applicant / owner Edward and Cheryl Harvey to allow an accessory structure of 3,200 square feet, which exceeds 75 percent of the size of the primary structure and 5 percent of the parcel size, on property zoned single-family, one acre, located at 302 East Willow Street, APN 009-175-03, based on seven findings and subject to conditions of approval contained in the staff report. Commissioner Reynolds seconded the motion. Motion carried 7-0.**

**F-9. SUP-05-226 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM MIKE LAVIN OF CARSON OAK OUTLET (PROPERTY OWNER: RANCHO PLAZA) TO ALLOW PERMANENT PLACEMENT OF TWO METAL STORAGE CONTAINERS, ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT 2270 HIGHWAY 50 EAST, APN 002-102-28** (6:16:50) - Chairperson Peery introduced this item, and Mr. Sullivan reviewed the staff report. He noted staff's recommendation of approval, subject to the nine conditions included in the staff report. He further noted that, because the storage container is located in a commercial district, the fence could be taller.

(6:18:45) Michael Lavin, owner of the Carson City Oak Furniture Outlet, advised that the existing containers have been in place for approximately eight years and are used to store inventory. He acknowledged agreement with the staff report.

Chairperson Peery called for public comment and, when none was forthcoming, entertained additional comments, questions, or a motion. **Commissioner Reynolds moved to approve SUP-05-226, a special use permit application from Mike Lavin, of Carson Oak Outlet, to allow placement of two storage containers, on property zoned general commercial, located at 2270 Highway 50 East, APN 002-102-28, based on seven findings, subject to the recommended conditions of approval contained in the staff report. Commissioner Semmens seconded the motion. Motion carried 7-0.** Commissioner Vance suggested that staff update the vicinity map.

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**F-10. SUP-05-227 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM HANNAFIN DESIGN ASSOCIATES (PROPERTY OWNER: DONNER, CHRISTOPHER M., ET AL.) TO ALLOW A BAR, OUTDOOR SEATING, AND THE USE OF OFF-SITE PARKING AT THE EXISTING ADJACENT STATE OF NEVADA PARKING LOT IN ORDER TO PROVIDE THE 17 REQUIRED PARKING SPACES, ON PROPERTY ZONED RETAIL COMMERCIAL (RC), LOCATED AT 311 EAST PROCTOR STREET AND 200 NORTH STEWART STREET, APNs 004-191-04 AND -05** (6:21:25) - Chairperson Peery introduced this item, and noted amendments to the application, including limitations on the outside seating and parking in the adjacent lot. Ms. Pruitt reviewed the staff report, noting particularly the details of the "Parking" section on pages 10 and 11. She advised the applicant had amended his application to include only the bar portion of the establishment. Hours of operation will be after 5:00 p.m. on weekdays and on weekends. Ms. Pruitt narrated pertinent slides. She noted the letter of opposition from Larry and Linda Embrey provided to the commissioners and staff prior to the start of the meeting. She advised of staff's recommendation of approval, subject to 16 conditions. In response to a question, she expressed the understanding the parking lot to the west is a public parking lot utilized daily by State employees.

(6:27:58) John LoGiurato, of Hannafin Design Associates representing Christopher Donner, acknowledged having reviewed the staff report. He expressed an issue with condition of approval #11, in that the "new, entrance-only driveway for East Proctor Street, with proper signage," was proposed as part of a solution for the site at the time the larger project, including two phases which would have required additional parking, was considered. Since that time, the project scope has been simplified and parking requirements reduced accordingly. Mr. LoGiurato expressed the belief the entrance-only driveway would no longer be required, and requested to have the condition removed. He explained that a bracing wire for a power pole is located in the driveway. Discussions with a Sierra Pacific Power Company representative indicated relocation of the bracing wire would be a fairly extensive and expensive element of the project. This is another reason for requesting to have condition of approval #11 removed. Mr. LoGiurato acknowledged disagreement with the staff report because of condition of approval #11.

Chairperson Peery called for public comment and, when none was forthcoming, entertained additional comments or questions from the commissioners. In response to a question, Mr. Grundy advised that, given the revised scope of the project, there was no longer a need for the driveway approach on Proctor Street. Chairperson Peery entertained a motion. **Commissioner Vance moved to approve SUP-05-227, a special use permit request to allow, as a conditional use, a bar, on property zoned retail commercial, located at 200 North Stewart Street and 311 East Proctor Street, APNs 004-191-04 and 004-191-05, based on the seven findings and subject to the amended conditions of approval contained in the memorandum to the staff report, deleting condition #11. Commissioner Mullet seconded the motion. Motion carried 7-0.**

Mr. Sullivan noted the extensive documentation, included in the staff report, indicating that the parking lot to the west should be open to the public. He advised of staff's intent to pursue the matter with State representatives. Ms. Pruitt advised, if the outcome of discussions with State representatives is favorable, the applicant could amend the special use permit and appear before the commission at a future date.

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**F-11. SUP-05-228 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM PALMER ENGINEERING GROUP (PROPERTY OWNER: GRASSO, ANTHONY J. AND THERESA L.) TO ALLOW A PERSONAL STORAGE AND RETAIL AND OFFICE COMPLEX, ON PROPERTY ZONED RETAIL COMMERCIAL (RC), LOCATED AT 3333 SOUTH CARSON STREET, APN 009-112-17 (6:34:25)** - Chairperson Peery introduced this item, and Ms. Pruitt referred to materials provided by Mark Palmer which were circulated among the commissioners. Ms. Pruitt reviewed the staff report. She noted that trends indicate, as communities continue to grow, the need for personal storage will also increase. She referred to the letter of concern provided to the commissioners and staff prior to the start of the meeting. She narrated pertinent slides, and noted the findings in favor of the project. She further noted that mini storage is not allowed in the retail commercial zoning district without an associated retail or office component. The subject project was designed to satisfy the requirements of the Carson City Municipal Code.

(6:40:25) In response to a question, Mark Palmer, of Palmer Engineering Group representing the property owners, explained the reason for the property having already been graded. He advised of having submitted the project to the City's major project review process, and reviewed the project design. He acknowledged agreement with the staff report. In response to a question, Mr. Palmer advised that 24-hour security is not allowed in the subject zoning district. Security will be provided during the hours of operation, 7:00 a.m. to 7:00 p.m., and security cameras will be installed. In response to a comment, Mr. Palmer explained the number of building units designated on the plot plan. Chairperson Peery called for public comment.

(6:46:42) George Brott expressed concern with regard to drainage from the property. He inquired as to whether the retail building will be more than one-story tall, the type of retail proposed, and ingress/egress/traffic patterns. Vice Chairperson Kimbrough noted the detention basin indicated on the site plan, and offered the site plan for Mr. Brott's review. Commissioner Vance noted that one storage unit is two-story, and Chairperson Peery responded to questions regarding its location.

Chairperson Peery entertained a motion. **Commissioner Semmens moved to approve SUP-05-228, a special use permit application to allow a personal storage retail office complex, as a conditional use, on property zoned retail commercial, located at 3333 South Carson Street, APN 009-112-17, based on seven findings and subject to the conditions of approval contained in the staff report. Vice Chairperson Kimbrough seconded the motion. Motion carried 7-0.**

**F-12. SUP-05-230 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM KEN JOCHIM (PROPERTY OWNER JODA LIMITED PARTNERSHIP) TO ALLOW PERMANENT PLACEMENT OF ONE METAL STORAGE CONTAINER, ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT 3700 SOUTH CARSON STREET (MICHAEL HOHL MOTOR COMPANY), APN 009-153-01 (6:51:35)** - Chairperson Peery introduced this item, and Mr. Sullivan reviewed the staff report. He noted seven findings in favor of the application, and nine conditions of approval, one of which requires the unit to be painted. In response to a question, he offered to request the applicant to move the storage unit closer to the building and to paint it the same color as the building.

(6:54:30) Michael Hohl Automotive Group Director of Operations Steve Conroy acknowledged having reviewed the staff report and his agreement with the same. He further acknowledged the possibility of moving the storage unit to a different location on the lot. He agreed to have the trash compactor painted.

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Chairperson Peery called for public comment and, when none was forthcoming, entertained additional questions, comments, or a motion. **Commissioner Mullet moved to approve SUP-05-230, a special use permit application from Michael Hohl Motor Company to allow placement of one storage container, on property zoned general commercial, located at 3700 South Carson Street, APN 009-153-01, based on seven findings and subject to the recommended conditions of approval contained in the staff report. Commissioner Semmens seconded the motion. Motion carried 7-0.**

**F-13. SUP-05-232 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM PEAK CONSULTING ENGINEERS (PROPERTY OWNER: WANDLER FAM 1990 TRUST 3/23/90) TO ALLOW USE OF OFF-SITE PARKING FOR THE SILVER DOLLAR CASINO THAT IS LOCATED APPROXIMATELY 400 FEET WEST OF THE PARCEL, ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT THE INTERSECTION OF GORDON AND BROWN STREETS, APN 008-303-27 (6:57:00)** - Chairperson Peery introduced this item. Ms. Pruitt reviewed the staff report, and narrated pertinent slides. Of the seven findings required to grant the special use permit, Ms. Pruitt advised of two which had not been satisfied by the applicant, specifically findings 5 and 7. She further advised of having discussed the parking situation with the applicant, and that there are alternative opportunities for parking. Staff has recommended the possibility of Slot World and the Silver Dollar Casino working out an agreement to provide for safe parking in the area. In response to a question, Ms. Pruitt noted staff's recommendation of denial, but expressed the understanding the property owner wanted to move forward with the application. She acknowledged that street parking could not be used to satisfy the parking requirement. In response to a further question, she advised that the Brown Street special planning area is located to the south of the subject property.

(7:04:51) Keith Shaffer, of Peak Consulting Engineers representing the property owners, advised of having reviewed the staff report and his disagreement with the same. He provided background information on the application, advised of his disagreement with findings 5 and 7, and explained that "they all hinge on the distance ... of 123 feet." He pointed out a vacant lot, currently used for parking, between Brown Street and Edmonds Drive. In reference to finding 5, he advised there is a parking area available for the proposed expansion of the Silver Dollar Casino, "there just isn't enough. We're shy by about eleven spaces." With regard to finding 7, he pointed out an existing parking lot which is entirely fenced with an entrance from Brown Street. He pointed out a proposed location for employee or valet parking. He discussed the possibility of developing a memorandum of understanding between the owners of the Silver Dollar Casino and Slot World. He responded to questions regarding staff's concern over finding 7. He questioned the 300-foot requirement between the building and the location of off-street parking. He noted that the proposed parking area would be adjacent to other parking areas, and advised it would be improved in accordance with the City's development standards. In addition, the owner would be willing to install appropriate signage and fencing to indicate employee or valet parking. Chairperson Peery opened this item to public comment.

(7:12:57) Michael Hayes pointed out his property, at 1830 Brown Street, on a displayed aerial photograph. He advised of no opposition to the proposed parking lot. He expressed concern over his rental property at 1830 Brown Street.

(7:14:16) Joseph Sfragia expressed no opposition to the parking lot "as long as there's fencing ..." At Chairperson Peery's request, he pointed out his property on the displayed aerial photograph.

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Chairperson Peery entertained additional questions or comments from the commissioners. In response to a question, Ms. Pruitt advised that parking is calculated by use, pursuant to the code. She was unsure as to the number of employees associated with the proposed use. In response to a further question, Mr. Sullivan advised "parking is parking." All proposed new uses require on-site parking. There are options for insufficient on-site parking, including a variance application. Mr. Sullivan advised the commission there was no "wiggle room" with this issue, and suggested the possibility of amending the code. Chairperson Peery agreed with the possibility of a variance application. He expressed concern over pedestrian traffic between the Brown Street parking lot and the Silver Dollar Casino, and the opinion the issues may not be able to be addressed "since the property in the middle can't be controlled." Mr. Sullivan advised that the applicant was informed staff could not support the application because it went beyond the provisions of the code. He speculated as to the background for the 300-foot requirement, and reiterated there were other options. Discussion followed, and Commissioner Semmens agreed with the concerns expressed over safety.

Chairperson Peery entertained a motion. Commissioner Semmens moved to deny SUP-05-232, a special use permit application from Peak Consulting Engineers to allow parking, on a parcel 432 plus feet from the subject site, on property zoned general commercial, located at Gordon Street and Brown Street, APN 008-303-27, based on the inability to make the required findings for special use permit approval. Motion died for lack of a second. Chairperson Peery entertained additional discussion.

Vice Chairperson Kimbrough acknowledged the request constituted a code violation, but challenged the applicant to come up with a creative solution within the code requirements. Mr. Sullivan suggested continuing this item. In response to a question, Mr. Shaffer advised there was nothing more creative to be done because of the location of the subject property. He expressed appreciation for the commissioners' deliberations, but requested that the commission not continue the item. Mr. Sullivan suggested designating the proposed lot for valet or shuttle parking and Mr. Shaffer acknowledged this possibility. Mr. Sullivan suggested the commission deny the application, and offered to present a code amendment. Discussion followed. Chairperson Peery entertained a motion. **Commissioner Semmens moved to deny SUP-05-232, a special use permit application from Peak Consulting Engineers to allow parking on a parcel 432 plus feet from the subject site, on property zoned general commercial, located at Gordon and Brown Street, APN 008-303-27, based on inability to make the required findings for a special use permit approval.** Following additional discussion, **Commissioner Semmens withdrew his motion and moved to continue this item.** Vice Chairperson Kimbrough seconded the motion. Mr. Shaffer so stipulated to the continuance. **Motion carried 7-0.**

**F-14. SUP-05-234 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM LOPICCOLO CONSTRUCTION (PROPERTY OWNER: KAPAAR, INC.) TO ALLOW PERMANENT PLACEMENT OF ONE METAL STORAGE CONTAINER, ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT 490 HOT SPRINGS ROAD, APN 002-062-16 (7:32:45)** - Chairperson Peery introduced this item. Mr. Sullivan reviewed the staff report, and narrated pertinent slides.

(7:35:24) Mark Lopiccolo advised that the entire yard will be screened by an eight-foot tall fence with slatting. He acknowledged agreement with the staff report.

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Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained a motion. **Commissioner Semmens moved to approve SUP-05-234, a special use permit application from Lopiccolo Construction to allow permanent placement of one storage container, on property zoned general commercial, located at 490 / 494 Hot Springs Road, APN 002-062-16, based on seven findings and subject to the recommended conditions of approval contained in the staff report. Commissioner Reynolds seconded the motion. Motion carried 7-0.** Chairperson Peery recessed the meeting at 7:37 p.m.

**F-15. MPA-05-247 MASTER PLAN AMENDMENT - ACTION TO CONSIDER RECOMMENDATIONS REGARDING THE MASTER PLAN LAND USE DESIGNATION OF CERTAIN PROPERTIES SURROUNDING THE SCHULZ RANCH SPECIFIC PLAN AREA ON THE DRAFT LAND USE MAP TO BE ADOPTED AS PART OF THE ENVISION CARSON CITY COMPREHENSIVE MASTER PLAN, AND RECOMMENDATIONS ON THE FUTURE ZONING OF THE PARCELS. APNs 009-311-04, -06, -12, -16, -20, -21, -22, -27, -29, -30, -31, -34, -41, -42, -46, and -47; 009-321-04, -02, -05, and -06; 009-323-01, -02, -03, and -04; 009-322-12, -13, and -14; 009-711-01-, -02, -03, -04, and -05; 009-712-01, -02, -03, -04, -05, -06, and -07; and 009-713-01, -02, -03, -04, -05, -06, -07, -08, and -09 WILL BE CONSIDERED FOR A CHANGE IN THE CURRENT DRAFT MASTER PLAN LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL, AND A CHANGE IN ZONING FROM SINGLE FAMILY ONE ACRE (SF1A) TO SINGLE FAMILY 21,000 (SF21), SINGLE FAMILY 12,000 (SF12), AND/OR SINGLE FAMILY 6,000 (SF6) (7:45:53)** - Chairperson Peery reconvened the meeting, and introduced this item. Mr. Plemel reviewed the staff report and the Schulz Ranch SPA map, which was displayed in the meeting room. He explained the purpose for agendizing this item, and reviewed the possible action. He requested the commissioners to consider compatibility with the existing neighborhood and the proposed new development, maintaining the character of the existing neighborhood, noting that horse keeping is only allowed in one-acre or larger zoning, and avoiding spot zoning. He reviewed public comment received prior to the meeting. He advised that staff had no specific recommendation on this item, and requested the commission's input and direction after receiving public comment.

Commissioner Vance noted that when the SPA was approved, the surrounding area was excluded. He suggested that if three-quarters of the residents are satisfied with the way things are, the zoning should be left as it is. He further suggested that handling the requests on a case-by-case basis would be more appropriate than "forcing an overlay of higher density zoning on three-quarters of the people who may not necessarily want it." In response to a question, Mr. Plemel expressed the opinion that changing the zoning should be done in a comprehensive manner to maintain compatibility. Commissioner Vance expressed concern that residents in the new development may object to new construction in the "old" area. He expressed the opinion the developer did an excellent job of creating a buffer between lower and higher density development. He suggested the case could be made for leaving it that way.

In response to a question, Mr. Plemel advised that access from Center Drive would not be ideal. He pointed out proposed access ways. He acknowledged the property owners haven't yet worked out all the details. Chairperson Peery agreed that allowing certain property owners to subdivide inevitably impinges on the rights of the owners of horse properties. With no collective interest, he expressed a preference to leave the zoning as it is. Commissioner Reynolds agreed that the buffering done along Schulz Road "was a very strong part" of the development design. In response to a question, Mr. Plemel pointed out the boundaries of the SPA. Commissioner Reynolds inquired as to the possibility of expanding the SPA boundaries to

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include the properties which are the subject of this item. He suggested this as a solution to provide a more appropriate review format and to avoid spot zoning. Chairperson Peery explained that the SPA indicated on the parcel map was previously reviewed and approved. The adjacent areas indicated on the parcel map comprised the so-called area B in the original proposal. He reiterated the opinion that, without collective interest, the requested rezoning amounts to spot zoning.

Mr. Plemel responded to questions regarding possible scenarios, and reiterated staff's desire to get direction from the commission regarding the master plan land use map. In response to a further question, Mr. Plemel advised that the existing master plan map has a range of designations. Zoning specifically allows for uses. One-acre zoning is consistent with the draft master plan land use map. Horse keeping is allowed on one-acre and larger zoned parcels. If direction from the commission is to actively rezone any of the properties less than one acre, horse keeping would no longer be a permitted use. It would be an illegal, grandfathered use for the period of time the property owner continued to have horses. The property owner would forfeit the right to keep horses if they didn't do so for a period of twelve months even if they didn't subdivide. In response to a question, Mr. Plemel advised that every implication was not publicly noticed. The issue of horse keeping was part of the previous specific plan area discussion. In response to a further question, Mr. Plemel advised the specific plan area boundary may have to be revised. Any subdivision would have to be submitted to the planning commission. Chairperson Peery opened this item to public comment.

(8:11:00) Ann Essex Banks, 7305 Schulz Way, pointed out her property on the displayed parcel map and advised she owns a horse. She expressed opposition to subdividing property, but expressed an interest in considering offers from the developer as a feasible solution. She advised there are several property owners on Schulz Way who would also be willing to do so. In response to a question, she advised her lot is slightly larger than one acre.

(8:12:39) Kenneth Morton distributed conceptual parcel maps to the commissioners and staff. He expressed support for subdividing his property and narrated the conceptual parcel map. He pointed out proposed setbacks, and advised of SF6 zoning adjacent to his property.

(8:17:19) Lynn Robey advised of having been a Carson City resident for 34 years, and expressed opposition to subdividing property.

(8:19:32) Ron Luschar, 7321 Center Drive, pointed out his property on the displayed parcel map and expressed support for the zoning change. With regard to concerns over spot zoning, he advised that 700 homes will be constructed "across the street" from his property in Douglas County. He suggested this would leave his property as a "little island spot." He expressed the hope the commission would not assume that three-quarters of the area residents want things to stay the same just because they hadn't chosen to appear before the commission. In response to a question, he advised his property is comprised of approximately 1.25 acres. In response to a further question, he expressed the desire to conform with "everything that's going on around us" if the opportunity presents to sell his property. He noted that no property owner would be forced to subdivide or stop keeping horses. He expressed opposition to dealing with these requests on a case-by-case basis "a year or two or three down the road when the next commission doesn't have the benefit of having heard all the discussions that you all have."

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(8:22:38) Steve Luschar, 7101 Center Drive, expressed support for the zoning change from low density to medium density. He advised the revision would not result in flag-shaped lots, and explained that his lot is not wide enough to divide. He explained the revision would actually "fix a problem," which he pointed out on the displayed map. He acknowledged he would keep one acre and, in response to a question, advised his property comprises just over two acres. The back acre, if rezoned, could become part of the new development. Mr. Luschar acknowledged that four adjacent properties have agreed on the proposal. Mr. Plemel acknowledged the alternative to approve rezoning of the four parcels.

(8:25:43) Randy Roser pointed out his property on the displayed parcel map and expressed support for subdividing.

(8:27:05) Juli McKean pointed out her property on the displayed parcel map, and advised that without subdividing any other property in the area "it's still going to be too crowded." She expressed disappointment over the new development. She inquired as to whether the rezoning will require stick built homes or still allow for manufactured housing in the area. She expressed concern that the new development will "crowd us all out even if we stay one acre lots." She suggested allowing the subdivision to go forward so the residents can "afford to move somewhere else and get enough property that you can't crowd us out."

(8:31:10) William Farris advised of having lived in the subject area for over twenty years. He expressed confusion over the reason for excluding the area south of Rabe Way from having the same option to subdivide. Chairperson Peery advised this area had not been excluded, and reiterated the importance of collective interest. At Chairperson Peery's request, Mr. Farris pointed out his parcel on the displayed map. Chairperson Peery advised that the blue area designated on the parcel map represents areas of collective interest. The grey area was open to question. Mr. Farris noted there had been no indication of collective interest. Chairperson Peery agreed, and advised the lack of collective interest "killed the original proposal" with regard to area B. Mr. Sullivan provided background information on the original proposal submitted to the Board of Supervisors regarding area B. He explained the importance of uniformity in terms of planning, and advised that the Board of Supervisors had directed staff to resubmit this issue to this commission.

(8:37:58) Juli McKean provided background information on the residents' initial reaction to the special planning area. She expressed the opinion there is now collective interest for allowing rezoning because the special planning area was approved. Chairperson Peery discussed the commission's concern over approving spot zoning for any particular group of residents against the public interest.

(8:40:12) Bill Kugler advised he owned "the eight-acre piece that was included in the original plan." He further advised of having lived in the area for over twenty years and that he still owns a home on Rabe Way. He explained that the four property owners adjacent to his eight acres inquired as to his interest in purchasing the lower portions of their property. He further explained the proposal for a lot line adjustment on the four properties, and access from the east. All the conditions associated with the previous approval would be attached to the properties. Mr. Kugler advised that Mark Rotter, the developer's representative, is amenable to the proposal. He explained the proposal will not amount to spot zoning and will allow the

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four property owners to receive some value for their property that may otherwise not be available. In response to a question, he provided background information on his ownership of property in the area. Commissioner Mullet expressed concern over the adjacent property in Douglas County. Mr. Kugler acknowledged the need for expansion, but expressed dismay over loss of the rural environment.

(8:44:26) Betty Farris, 7601 Martha Circle, expressed appreciation for the commissioners' service and concern over actually being heard. She advised the area residents "all fought this to begin with because we knew this is where we were going. ... All the people that stood with us before and didn't want this are beginning to go." She referred to the buffer zone associated with the new development and advised it had turned "from one parcel to all the way." She expressed appreciation for the buffer zones concept between the existing development and the new, but advised it won't really serve to separate one-acre lots from smaller zoned lots. She suggested going ahead and extending the lower density zoning to the Douglas County line. "It doesn't seem to have made any difference for all the time that we've put in." She expressed extreme disappointment over the outcome. Chairperson Peery advised Ms. Farris the commissioners are appointed and serve as volunteers. He explained the commissioners' purview and responsibility. Ms. Farris expressed concern over the commission's denial of a recent high density PUD application on the basis "it would interfere with one-acre parcels of living." She advised this was the residents' contention over the Schulz Ranch subdivision. Chairperson Peery explained the issues surrounding the commission's denial of the referenced PUD application. In response to a comment, he advised that since the time of the original discussion of the so-called area B which surrounds the medium density development, there has now been more consensus among the property owners over rezoning the parcels. Ms. Farris requested the commissioners to consider including the south end of Rabe Way.

In response to a comment, Mr. Plemel reiterated that staff was requesting direction from the commission on the master plan land use map. Alternatives were provided as a basis for making a decision.

(8:51:43) Bill Kugler suggested approving Alternative A for the area along Center Drive "so that it doesn't come back year after year for the next two or three years." He further suggested holding a neighborhood meeting "with the rest of the people and come up with an actual consensus so that it would be done once and for all. The neighbors either want it or they don't want it." He advised there would be no spot zoning if the commission was to approve Alternative A.

Discussion ensued and, in response to a question, Mr. Plemel advised that subdividing below half acre zoning requires a medium density residential designation. The low density residential land use designation on the master plan provides for a range of zoning districts, from generally one-half acre up to one-acre and two-acre zoning. Vice Chairperson Kimbrough suggested leaving the low density residential zoning designation provides property owners the opportunity to protect lots which were at issue in the beginning, but a group of property owners could have the option to divide lots which are more than one acre. Additional discussion took place to determine the commission's action, and Mr. Plemel provided clarification of Alternative A. Chairperson Peery entertained a motion. **Commissioner Vance moved to recommend Alternative C, as presented in the Planning Commission packet, to be designated on the draft master plan land use map for the adoption with the draft comprehensive master plan, as part of the Envision Carson City Master Plan update process, based on the discussion contained in the staff report and further substantiated by the public hearing record.** For the benefit of the citizens present, he explained that Alternative C is "status quo." **Vice Chairperson Kimbrough seconded the motion.** Chairperson Peery called for a roll call vote. Commissioner Bisbee - yes; Commissioner Vance -

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yes; Commissioner Mullet - yes; Commissioner Semmens - no; Commissioner Reynolds - nay; Vice Chairperson Kimbrough - yes; Chairperson Peery - no. **Motion carried 4-3.** In response to a comment, Mr. Plemel noted the commission was making recommendations to the draft master plan land use map. A super majority will be needed when the map is presented for final adoption.

**F-16. MPA-05-248 MASTER PLAN AMENDMENT - ACTION TO CONSIDER RECOMMENDATIONS REGARDING A REQUEST TO CHANGE THE DRAFT MASTER PLAN LAND USE DESIGNATION OF APN 008-521-18, VACANT PROPERTY LOCATED ON THE SOUTH SIDE OF HIGHWAY 50 EAST, EAST OF DRAKO WAY (OWNER: WILLI RUPPEL), FROM THE PROPOSED MIXED-USE COMMERCIAL TO INDUSTRIAL ON THE DRAFT LAND USE MAP TO BE ADOPTED AS PART OF THE ENVISION CARSON CITY COMPREHENSIVE MASTER PLAN. THE CURRENTLY ADOPTED MASTER PLAN LAND USE DESIGNATION FOR THE PARCEL IS INDUSTRIAL (9:11:52)** - Chairperson Peery introduced this item, and Mr. Plemel advised of the property owner's written request for continuance. **Commissioner Reynolds moved to continue. Commissioner Semmens seconded the motion. Motion carried 7-0.**

**F-17. MPA-05-249 MASTER PLAN AMENDMENT - ACTION TO CONSIDER RECOMMENDATIONS REGARDING A REQUEST TO CHANGE THE DRAFT MASTER PLAN LAND USE DESIGNATION OF APN 008-292-04, 4443 HIGHWAY 50 EAST (OWNER: WILLI RUPPEL), FROM THE PROPOSED MIXED-USE RESIDENTIAL TO COMMERCIAL / REGIONAL COMMERCIAL ON THE DRAFT LAND USE MAP TO BE ADOPTED AS PART OF THE ENVISION CARSON CITY COMPREHENSIVE MASTER PLAN. THE CURRENTLY ADOPTED MASTER PLAN LAND USE DESIGNATION FOR THE PARCEL IS COMMERCIAL (9:13:15)** - Chairperson Peery introduced this item, and Mr. Sullivan requested that the commission defer it until after item F-19 was addressed. (9:46:14) Chairperson Peery reintroduced this item, and Mr. Plemel provided a staff report. Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained a motion. **Commissioner Semmens moved to recommend the subject parcel, APN 008-292-04, to be designated community / regional commercial and recommend that surrounding parcels in the vicinity be designated the same on the draft master plan land use map for adoption with the draft comprehensive master plan, as part of the Envision Carson City Master Plan update process, based on the discussion and findings contained in the staff report and further substantiated by the public hearing record. Commissioner Vance seconded the motion. Motion carried 7-0.**

**F-18. MPA-05-250 MASTER PLAN AMENDMENT - ACTION TO CONSIDER RECOMMENDATIONS REGARDING A REQUEST TO CHANGE THE DRAFT MASTER PLAN LAND USE DESIGNATION OF APN 008-611-20, 7777 HIGHWAY 50 EAST (OWNER: PICK-N-PULL AUTO DISMANTLERS), FROM THE PROPOSED MIXED-USE COMMERCIAL TO INDUSTRIAL ON THE DRAFT LAND USE MAP TO BE ADOPTED AS PART OF THE ENVISION CARSON CITY COMPREHENSIVE MASTER PLAN. THE CURRENTLY ADOPTED MASTER PLAN LAND USE DESIGNATION FOR THE PARCEL IS RURAL INDUSTRIAL (9:14:16)** - Chairperson Peery introduced this item. Mr. Plemel provided an overview of the agenda materials, and reviewed the staff report. He narrated pertinent slides and advised that current zoning is general commercial. He advised of staff's recommendation to retain the mixed-use commercial zoning as designated on the draft land use map, based on findings and discussion in the staff report.

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In response to a question, Mr. Plemel advised of having informed the applicant of the city's consideration for rezoning the area and of the legal, nonconforming section of the Carson City Municipal Code. Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained a motion. Commissioner Reynolds moved to take no action on the land use designation. Motion died for lack of a second. **Commissioner Semmens moved to recommend the subject parcel, APN 008-611-20, be designated as mixed-use commercial on the draft master plan land use map for adoption with the draft comprehensive master plan, as part of the Envision Carson City Master Plan update process, based on the discussion and findings contained in the staff report and further substantiated by public hearing record. Commissioner Vance seconded the motion. Motion carried 7-0.**

**F-19. MPA-05-251 MASTER PLAN AMENDMENT - ACTION TO CONSIDER RECOMMENDATIONS REGARDING A REQUEST TO CHANGE THE DRAFT MASTER PLAN LAND USE DESIGNATION OF APN 008-281-11, 4390 HIGHWAY 50 EAST (OWNER: HERMAN BAUER), FROM THE PROPOSED MIXED-USE RESIDENTIAL TO COMMERCIAL / REGIONAL COMMERCIAL ON THE DRAFT LAND USE MAP TO BE ADOPTED AS PART OF THE ENVISION CARSON CITY COMPREHENSIVE MASTER PLAN. THE CURRENTLY ADOPTED MASTER PLAN LAND USE DESIGNATION FOR THE PARCEL IS COMMERCIAL (9:27:27)** - Chairperson Peery introduced this item, and Mr. Plemel reviewed the staff report. He narrated pertinent slides, and responded to questions regarding the rationale behind staff's recommendation. Discussion followed.

(9:38:20) Doug Hone pointed out his property on the displayed parcel map and described the development. He advised that, from insurance and lending points of view, having the general plan conform to property zoning "is incredibly necessary." He further advised that a mixed-use residential project, including on-site professional management, would require more than a hundred units. Associated amenities would include secure, monitored parking; recreational opportunities; laundry facilities, etc. Mr. Hone suggested a more common sense approach would be to "have depth." He expressed the opinion there are several properties along Highway 50 that should be mixed use commercial / residential. He requested the commission to leave the zoning designation as it is. Chairperson Peery opened this item to public comment.

(9:43:38) John Uhart, representing Herman Bauer, requested the commission to leave the zoning designation as it is. He agreed with many of Mr. Hone's comments.

Chairperson Peery entertained additional questions, comments, or a motion. **Commissioner Semmens moved to recommend the subject parcel, APN 008-281-11, to be designated community / regional commercial, and recommend that surrounding parcels in the vicinity be designated the same on the draft master plan land use map for adoption with the draft comprehensive master plan, as part of the Envision Carson City Master Plan update process, based on the discussion and the findings contained in the staff report and further substantiated by the public hearing record. Commissioner Reynolds seconded the motion. Motion carried 7-0.**

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**F-20. MPA-05-252 MASTER PLAN AMENDMENT - ACTION TO CONSIDER RECOMMENDATIONS REGARDING A REQUEST TO CHANGE THE DRAFT MASTER PLAN LAND USE DESIGNATION OF APN 002-062-02, 644 HOT SPRINGS ROAD (OWNER: TAUNYA N. MILLIGAN), FROM THE PROPOSED HIGH DENSITY RESIDENTIAL TO COMMERCIAL/REGIONAL COMMERCIAL ON THE DRAFT LAND USE MAP TO BE ADOPTED AS PART OF THE ENVISION CARSON CITY COMPREHENSIVE MASTER PLAN. THE CURRENTLY ADOPTED MASTER PLAN LAND USE DESIGNATION FOR THE PARCEL IS COMMERCIAL (9:49:06)** - Chairperson Peery introduced this item. Mr. Plemel reviewed the staff report, and narrated a map and pertinent slides. In response to a question, he advised the majority of the questions answered by Planning and Community Development staff have had to do with providing an understanding of the differences between master plan and zoning designations. In response to a question, he advised that, when lending institutions and appraisers contact the Planning and Community Development Division, they generally are inquiring as to zoning. Chairperson Peery inquired as to the potential for negative impacts to the property. Mr. Plemel advised that the high density residential master plan designation provides for a wider range of options for future development, such as multiple units on the lot. The master plan considers compatibilities into the future. Mr. Sullivan noted the size of the parcel "almost negates any type of commercial development." He discussed needed corrections to zoning of the adjacent mobile home park property. Mr. Plemel provided background information on the zoning designated on the draft land use map.

(10:01:02) Gene Milligan expressed appreciation for the commissioners' volunteer status. He provided background information on his acquisition of the property. He advised of having had a certificate of occupancy on part of the house out of which a business was operated from 1981 to 2004. He discussed his family's plans for the property at the time of purchase. He reviewed improvements to the structure made over the years. He requested the commissioners to leave the zoning designation as it is, and expressed the opinion that changing it would devalue the property. He acknowledged his disagreement with the staff report, and reviewed a list of other commercial businesses in the area. He discussed real estate and construction cycles, and expressed the opinion that rezoning the property will amount to "taking away a bundle of rights, the commercial rights to that property." He acknowledged the parcel is small, but expressed the opinion it is usable. He reiterated the request to leave the zoning designation as it is.

Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained additional comments, questions, or a motion. Mr. Plemel clarified the intent of the staff report was not to convey that the adjacent mobile home park is not large enough to commercially develop. He advised the master plan economic analyst has indicated there is sufficient commercial land in Carson City. More residential development is needed, however, in order to support the commercial development. Mr. Plemel agreed the subject lot would not "make or break Carson City on the commercial." Mr. Sullivan advised that the owners of the multi-family apartment project to the east and the mobile home park to the west were notified of the possibility the master plan designation would be changed. He responded to questions regarding the public notification process.

Chairperson Peery entertained a motion. Commissioner Vance moved to recommend that the subject parcel, APN 002-062-02, remain commercial on the draft master land use map for adoption with the draft comprehensive master plan, as part of the Envision Carson City Master Plan update process, based on discussion which has taken place at this meeting. Motion died for lack of a second. Chairperson Peery entertained a motion. **Commissioner Semmens moved to recommend the subject parcel, APN 002-062-02, be designated high density residential on the draft master plan land use map for adoption with**

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**the draft comprehensive master plan, as part of the Envision Carson City Master Plan update process, based on the discussion and findings contained in the staff report and further substantiated by the public hearing record. Vice Chairperson Kimbrough seconded the motion.** Commissioner Semmens expressed understanding for Mr. Milligan's concerns, but expressed the opinion that his property would most likely be purchased at the same time as the mobile home park property. Vice Chairperson Kimbrough noted that Mr. Milligan's zoning will not change and that the city wouldn't take his property. Commissioner Reynolds agreed that changing the master plan designation will not change the existing zoning. He suggested the likelihood that, in the future, the two residences to the northeast on Hot Springs Road may request a zoning change to commercial. Commissioner Mullet concurred that the zoning designation on the subject property will remain. The high density residential designation "brings us into line" with the apartments and the mobile home park. Commissioner Mullet expressed the opinion the Milligan property is not in jeopardy, and expressed appreciation for Mr. Milligan's comments. Commissioner Vance expressed the opinion the applicant had made a good case. Commissioner Bisbee expressed the opinion that the high density residential zoning designation on the master plan land use map could benefit the property owner in that it provides him the "best of both worlds." Mr. Sullivan expressed appreciation for Mr. Milligan's comments. He referred to an Attorney General's Opinion describing the master plan as a guide for future development, and advised the city is not required to have strict adherence between the master plan and zoning maps. Chairperson Peery referred to Mr. Milligan's concerns over the potential negative impact to his property, and expressed the belief that the change would constitute a perceptual loss in terms of the way the property could be marketed. He called for a vote on the pending motion; **motion carried 5-2.**

**F-21. MPA-05-253 MASTER PLAN AMENDMENT - ACTION TO CONSIDER RECOMMENDATIONS REGARDING A REQUEST TO CHANGE THE DRAFT MASTER PLAN LAND USE DESIGNATION OF APN 009-281-02, 470 WEST PATRICK STREET (OWNER: MARK D. BEUTNER), FROM THE PROPOSED COMMERCIAL/REGIONAL COMMERCIAL TO LOW DENSITY RESIDENTIAL ON THE DRAFT LAND USE MAP TO BE ADOPTED AS PART OF THE ENVISION CARSON CITY COMPREHENSIVE MASTER PLAN. THE CURRENTLY ADOPTED MASTER PLAN LAND USE DESIGNATION FOR THE PARCEL IS RURAL RESIDENTIAL (10:23:49) -** Chairperson Peery introduced this item. Mr. Plemel advised the applicant would not be in attendance at the meeting, and reviewed the staff report. He narrated pertinent slides, reviewed public comment received and concerns expressed by the applicant. He advised of staff's recommendation of approval. He responded to questions regarding adjacent properties. Chairperson Peery called for public comment and, when none was forthcoming, entertained a motion. **Commissioner Semmens moved to recommend the subject parcel, APN 009-281-02, be designated community regional commercial on the draft master plan land use map for adoption with the draft comprehensive master plan, as part of the Envision Carson City Master Plan update process, based on the discussion and findings contained in the staff report and further substantiated by the public hearing record. Commissioner Reynolds seconded the motion. Motion carried 7-0.**

**F-22. ACTION TO CONSIDER GENERAL RECOMMENDATIONS AND PROVIDE DIRECTION TO STAFF REGARDING THE CITYWIDE PROPOSED MASTER PLAN LAND USE MAP TO BE ADOPTED, AS PART OF THE ENVISION CARSON CITY COMPREHENSIVE MASTER PLAN (10:33:15) -** Chairperson Peery introduced this item, and Mr. Plemel provided a staff report. He reviewed the draft land use map which was displayed in the meeting room, and responded to questions with regard to the same.

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(10:40:23) Richard Kelsey, representing Eagle Tech Industrial Properties, discussed benefits of the mixed use commercial / residential designation indicated on the draft land use map. He advised that his property comprises approximately 40 acres, and expressed concern over BLM property around it. He advised that he and his partner, James Parker, are working on a proposed mixed use commercial / residential development which they plan to present in the near future. He discussed the importance of considering new processes. He acknowledged agreement with the mixed use commercial designation.

Chairperson Peery called for additional public comment and, when none was forthcoming, requested input of the commissioners. Commissioner Mullet concurred with the draft master plan land use map, with the adjustment on Curry Street. He commended staff and the consultants on the master plan process. Chairperson Peery agreed. Commissioner Reynolds commented on the amount of discussion regarding differences between zoning and master plan land use designations. He suggested including a description or definition to assist the general public in understanding the differences.

(10:46:43) Mary Fischer, owner of Cottonwood Mobile Home Park, advised that she had confused the difference between zoning and master plan land use designations. She requested a high density residential designation for her property. She noted one-acre zoning coming up Northgate to Arrowhead, and requested consideration for continuing the medium density residential designation. She expressed appreciation for the commission's work.

**F-23. MPA-04-127 DISCUSSION ONLY - STATUS REPORT ON ACTIVITIES RELATED TO "ENVISION CARSON CITY," THE UPDATE OF THE CARSON CITY MASTER PLAN AND THE PARKS, RECREATION, AND TRAILS PLAN (10:49:44)** - Mr. Plemel noted the draft parks and recreation master plan included in the agenda materials, and advised that a revised version would be presented to the commission in the near future. He advised that the Unified Bicycle, Pedestrian, and Trails Plan would be presented to the commission in January. The plan has consolidated various transportation elements. Mr. Plemel wished the commissioners Happy Holidays.

Mr. Sullivan referred to various informational articles included in the agenda materials. He wished the commissioners and staff Happy Holidays.

**G. ACTION ON ADJOURNMENT (10:52:40)** - Commissioner Semmens moved to adjourn the meeting at 10:52 p.m. Vice Chairperson Kimbrough seconded the motion. Motion carried 7-0.

The Minutes of the December 22, 2005 Carson City Planning Commission meeting are so approved this 29<sup>th</sup> day of March, 2006.

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JOHN PEERY, Chair