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A regularly scheduled meeting of the Carson City Planning Commission was held on Wednesday, September 27, 2000, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 3:30 p.m.

PRESENT: Chairperson Allan Christianson, Vice Chairperson Alan Rogers, and Commissioners Gayle Farley, Keith Larkin, William Mally, Roger Sedway, and Richard Wipfli

STAFF PRESENT: Community Development Director Walter Sullivan, Deputy District Attorney Neil Rombardo, Senior Planner Juan Guzman, Recording Secretary Katherine McLaughlin, and Assistant Planner Jennifer Pruitt (P.C. 9/27/00 Tape 1-0001)

NOTE: Unless otherwise indicated, each item was introduced by the Chairperson. Staff then presented/clarified the staff report/supporting documentation. Any other individuals who spoke are listed immediately following the item heading. A tape recording of these proceedings is on file in the Clerk-Recorder's office. This tape is available for review and inspection during normal business hours.

A. ROLL CALL, DETERMINATION OF A QUORUM, AND PLEDGE OF ALLEGIANCE - Chairperson Christianson convened the meeting at 3:30 p.m. Roll call was taken. The entire Commission was present constituting a quorum. Chairperson Christianson lead the Pledge of Allegiance.

B. APPROVAL OF MINUTES (1-0016) - Commissioner Rogers moved to accept the Minutes of August 30, 2000, as presented. Commissioner Wipfli seconded the motion. Motion carried 7-0.

C. PUBLIC COMMENTS (1-0025) - None.

D. AGENDA MODIFICATIONS (1-0030) - Mr. Sullivan requested Items G-2 and G-3 be considered together. The Applicant for Item G-6 had requested a continuance and that consideration of the continuance request be the first item considered under Heading G. Chairperson Christianson agreed.

E. DISCLOSURES (1-0042) - Commissioner Sedway expressed his intent to recuse himself from Items G-10a and G-10b due to his employment at the Hospital. Commissioner Wipfli disclosed his contact for clarification with Chuck Adams. Mr. Adams plans to attend the meeting. Commissioner Larkin explained his business relationship with the Applicants of Items G-6 and G-7. Discussion indicated he would recuse himself from these items. Chairperson Christianson disclosed his discussion with Bruce Robertson regarding the special use permit which Chairperson Christianson took under advisement.

F. CONSENT AGENDA (1-0068)

F-1. U-00/01-14 - DISCUSSION AND ACTION ON A SPECIAL USE PERMIT FROM JOHN FOODY

F-2. M-00/01-2 - DISCUSSION AND ACTION ON THE APPEAL OF A STAFF DECISION FROM SILVER STATE COFFEE AND WATER SERVICE OF CCMC 18.05.023(7)

F-3. A-00/01-1 - DISCUSSION AND ACTION ON A REQUEST FROM BRUCE LANGSON TO AMEND CCMC 18.06.270

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F-4. D-00/01-2 - DISCUSSION AND ACTION ON A REQUEST FROM J. S. DEVELOPMENT COMPANY ON THE DEDICATION OF STREET RIGHT-OF-WAY - Commissioner Wipfli moved to approve the Consent Agenda as read. Commissioner Mally seconded the motion. Motion carried 7-0.

G-6. DISCUSSION AND ACTION ON A SPECIAL USE PERMIT FROM FRED WOODSIDE (C&A INVESTMENTS, LLC) (1-0102) - Applicant's Attorney George Allison - Commissioner Larkin stepped from the room--3:40 p.m. (A quorum was still present.) Mr. Allison requested a continuance to October 25 to allow pursuit of efforts to find a compromise on the size of the sign. Commissioner Mally moved to accept the continuance of Item G-6. Commissioner Wipfli seconded the motion. Chairperson Christianson indicated this is to the October 25 meeting. Motion carried 6-0-1 with Commissioner Larkin abstaining.

G-1. U-00/01-11 - DISCUSSION AND ACTION ON A SPECIAL USE PERMIT APPLICATION FROM JERRY W. AND SANDRA KAY WELCH (1-0149) - Assistant Planner Jennifer Pruitt, Jerry Welch, Erik Johnson, Tom Smith, Deputy District Attorney Neil Rombardo, Community Development Director Walter Sullivan - Commissioner Larkin returned at 3:43 p.m. (The entire Commission was present constituting a quorum.) A condition prohibits the conversion of the building into a mother-in-law's quarters. Mr. Welch indicated he had read the staff report and concurred with it. The purpose of the building and his investigation of the area prior to purchasing the property were described. He felt that he had cleaned up the property since acquiring it and that the building would fit into the neighborhood as there are similar structures in the vicinity.

Public comments were solicited. Mr. Johnson used a drawing to explain the location of his residence which abuts the rear of Mr. Welch's property. He had discussed Mr. Welch's plans with him when he acquired the property. Mr. Welch had in fact cleaned up the lot, which he appreciated. He opposed the construction of a large metal building as it is more industrial in nature than residential. Granting the permit would establish a precedence and could cause a proliferation of similar structures. He acknowledged that he had a large wooden barn on his parcel and supported having a similar one on Mr. Welch's property. He read a note from Mrs. M. J. Marlowe who lives to the east of Mr. Welch into the record. (The letter was given to the Clerk after the vote and is in the file.) She also opposed the large metal building. She could not attend the meeting due to health problems. He had received his notice earlier in the day although staff had mailed it on the 13th. He questioned whether the setback requirements would be enforced. Chairperson Christianson explained the need to obtain a special use permit if the building is fifty percent or more larger than the primary structure. This allows the neighbors to voice any concerns. He felt that the one acre lot mitigated the impact, however, opposed having large structures on 6,000 square foot lots. Mr. Johnson felt that the 300 foot notification program should be increased in one acre areas as his lot is three hundred feet long. As two of the three abutting properties, their opposition should be considered. He agreed that a low profile structure was more amenable. He did not feel that landscaping would help mitigate the aesthetics impact. His structure did not have "much" landscaping around it.

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Discussion between staff and the Commission indicated that the photographs which had been distributed had been submitted by Mr. Welch. Addresses for them should be obtained from him. They were purportedly taken in his area.

Additional public comments were solicited. Mr. Smith explained his residence near Mr. Welch's, his 20 year employment history which included construction of metal buildings, and his knowledge concerning them. He did not oppose the structure as long as it is not used for commercial purposes. Additional public comments were solicited but none given.

Discussion between the Commission and Ms. Pruitt explained that the staff would review the landscaping plan in an attempt to provide screening of the structure with trees or similar vegetation which may provide benefit to the northern neighbor. Mr. Rombardo indicated that each special use permit application is considered on its own merits and that it would not establish a precedence. If findings could be made for the case, the permit should be granted. Commissioner Rogers felt that a proliferation of metal structures was not occurring. People with one acre lots are commencing to utilize the lot which is the purpose of the larger lots. This should be understood when a person acquires a lot. The area had improved over the last several years and the structures should not create a major problem. Commissioner Rogers moved to approve U-00/01-11, a special use permit request from Jerry W. and Sandra K. Welch to allow a detached garage structure of 2,280 square feet, which exceeds 50 percent of the square footage of the primary structure in the Single Family One Acre zoning district, located at 1020 East Clearview Drive, APN 9-148-11, based on seven findings and subject to eight conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission/Board by the applicant may be considered as further stipulations or conditions of approval. Commissioner Mally seconded the motion. Motion carried 6-1 with Commissioner Sedway voting Naye. Mr. Sullivan explained the appeal process.

G-2. V-00/01-3 - DISCUSSION AND ACTION ON A VARIANCE REQUEST FROM SHARON ADAMS TO VARY AN ELDER CARE HOUSING OPPORTUNITY (ECHO) UNIT; AND G-3. U-00/01-8 - DISCUSSION AND ACTION ON A SPECIAL USE PERMIT APPLICATION FROM SHARON ADAMS (1-0448) - Assistant Planner Jennifer Pruitt; Senior Planner Juan Guzman; Deputy District Attorney Neil Rombardo; Paul Gowins; Sharon Adams; Kathy Rose-Monet - Discussion between staff and the Commission explored the size restriction on Elder Care Housing Opportunity (ECHO) units and the growing need for these units throughout the community. Comments also pointed out the difficulty which would be encountered in attempting to sell a 600 square foot mobile home when the use is no longer needed. The restriction had been imposed in order to have a unit which could be used in all different residential zoning districts, i.e., 6,000 square foot to 10 acres. The parcel in question is larger than 6,000 square foot. Discussion explained that the applicant does not at this time own the mobile home which will be used as the ECHO unit. Leeway had not been included in the ordinance for the number of individuals who would be living in the unit. Staff had discussed the ordinance at great length during several different meetings. The variance requirements could not be made to support granting the use. Therefore, staff had to deny the application. The applicant had submitted documents from a physician indicating that the 600 square foot unit may not

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be satisfactory for health and welfare reasons. If the Commission can make the appropriate findings, approval could be granted. The Commission could also instruct staff to amend the ordinance. This would require having the applicant ask for a continuance to provide the time required to accomplish the amendment. Commission comments encouraged staff to reconsider the ordinance particularly in view of the documentation which had been provided. The restriction was felt to be a little tight for individuals on one or more acres. Denials are not given over the counter. Time is taken to review the applications before a recommendation is drafted. The variance requirements had been included in the packet of information given to the applicant. The unit would be allowed to remain on the parcel until the use is no longer there. Additional reasons for restricting the size were iterated. Clarification indicated that the variance could only be granted if findings applying to the property can be made. It would take at least 30 to 45 days to complete the ordinance revision process. The variance could not be granted based on the Commission's intent to revise the ordinance. Findings 4 and 5 had been met but 1, 2 and 3 could not be.

Ms. Adams indicated she had read the staff report and opposed the variance denial. She supported the special use permit recommendation of approval. She then asked that Mr. Gowins be allowed to make a presentation due to his time constraints.

Mr. Gowins explained his employment with the State and expertise in the area of independent living standards for people with disabilities. He indicated that his review of the manufactured home Ms. Adams had planned to acquire had indicated that it was not adequate for her needs. She had submitted two additional plans which were acceptable. This would require amending the application due to the size difference. Six hundred square feet for two handicapped individuals is not adequate. He urged the Commission to reconsider the ordinance particularly in view of the growing need for such housing. He agreed that the size could be an issue but the design is more important. An independent living facility on Fifth Street was cited as an example of a state of the art, quality product. He agreed to provide additional information on the type of units which should be used. AARP has an "on the road" show illustrating them. Chairperson Christianson thanked him for the offer and asked that he provide the information to staff.

Time constraints for relocating her parents were discussed by the Commission and Ms. Adams. Staff is currently in the process of reviewing Title 18. Mr. Sullivan expressed his willingness to work with the applicant on the specific codes. He also pointed out that ECHO units are temporary structures. There are individuals living in mobile homes under the mother-in-law quarters. The Code does not allow issuing a temporary variance or special use permit. Commissioner Rogers expressed a willingness to grant a special permit/variance and allow Ms. Adams to proceed while the process is being developed. Mr. Rombardo reiterated his comments concerning the need to make appropriate findings for the variance which must apply to the property. Reasons for this distinction were discussed. Mr. Sullivan agreed that a mother-in-law's quarters would be allowed on the parcel under the special use permit process. Ms. Pruitt pointed out that these units do not have a kitchen and read from the Code the definition of a kitchen which included microwaves. Mr. Sullivan pointed out that the definition of "temporary" had

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not been provided within the Code. Density factors must be considered when more than one living unit is placed on a parcel. Mr. Sullivan asked that the matter be continued for one month to allow staff to work on a guest quarters approach. Staff will attempt to make the necessary findings if the variance application is supported by the Commission. ECHO units are quite common back east and staff will contact those communities to obtain a copy of their ordinances. He agreed that staff had not considered the unit's design in its consideration and that Mr. Gowins' comments should be considered. Copies of the contacts Ms. Adams had made regarding this issue were distributed to the Commission and Clerk. (A copy is in the file.) Ms. Adams agreed that her efforts indicated there is no standard for the units. Ms. Adams requested a continuance. The Commission thanked her for her time and efforts and expressed a desire to work with her. Comments indicated that the special use permit could be approved. The variance should be continued.

Public comments were solicited. (1-1258) Ms. Rose-Monet thanked the Board for the continuance.

Commissioner Mally moved that the Planning Commission approve U-00/01-08, a special use permit application from Sharon Adams to allow a detached elder care unit on property zoned Mobile Home One Acre located at 7480 Schulz Way, APN 9-323-01, with the understanding that any acknowledgements to the Commission/Board by the applicant may be considered as further stipulations or conditions of approval on this application and that there were ten conditions of approval. Commissioner Wipfli seconded the motion. Motion carried 7-0.

Discussion indicated that there is a typographical error on line three of an unknown page which used the word "form" instead of "from".

Ms. Adams reiterated her request for a continuance of the variance to next month. Commissioner Wipfli moved to continue Item G-2. Commissioner Mally seconded the motion. Motion carried 7-0.

G-4. U-99/00-13 - DISCUSSION AND ACTION ON THE AMENDMENT OF A CONDITION OF APPROVAL REQUIRING THAT UTILITIES BE EXTENDED UNDERGROUND FOR "PICK-N-PULL" (1-1310) - Senior Planner Juan Guzman, Applicant Dick Mills, Deputy District Attorney Neil Rombardo, James Parker, Mark Bray, Sierra Pacific Power Representatives Glenn Rannin and Chuck Adams - Mr. Guzman indicated that the plans that were approved had shown the utilities as being underground. Reasons for the oversight by Sierra Pacific were felt to have been created by a turnover in personnel.

Mr. Mills indicated he had read the staff report and respectfully disagreed with it. He gave the Commission and Clerk letters from Mr. Serpa's representative and Gordon Anderson indicating they liked the location where the power poles had been placed. (Copies are in the file.) A site map was used to explain the original plan, which Mr. Mills repeatedly stated he had felt was to extend the power line along Highway 50 to the front of his parcel. His transformer is located at this site. The underground wires ran along the north side of the parcel to the back of the lot. During a meeting with electrical engineer Gary Bennett, Sierra Pacific's Representative Don

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French, Capital Engineering Representative Mark Ray, and Mr. Mills, it was decided that the power line would be brought across a road and south along a road between Mr. Anderson and Mr. Horton's parcels intersecting at approximately the middle of Mr. Mills parcel then back to the front of Mr. Mills' parcel. Problems encountered bringing the line straight across from ABC Heating and Sheet Metal to his parcel were described. Photographs of the roadway were given to the Commission. (Copies were not given to the Clerk.) He felt that it was infeasible to bring the power from the back of the lot forward as it requires digging up his compacted lot and reburying the cables. The present location "disturbs the least of amount of his neighbors". Sierra Pacific purportedly has an easement for using the road.

Mr. Guzman explained that the condition of approval impacts the utility lines once the property is reached. Sierra Pacific does not have to ask if it can extend a power line along a roadway. If the roadway crossing and power lines along the roadway were underground, it would have complied with the Conditions. There are four power poles involved.

Mr. French had purported that Sierra Pacific's franchise agreement "over powered" the Condition. As Mr. Mills' neighbors did not oppose the power line, he felt that it should stay. The underground power lines are not at the correct depth for running the power from the middle. Therefore, the transformer could not be relocated. Power poles along the Highway 50 corridor could create aesthetic concerns.

Mr. Guzman explained the concern about the impact the poles and lines would have on the aesthetics from the proposed V&T Railroad line. For this reason staff had recommended putting the power under ground. His agreement with Mr. Mills during a visit at the site had indicated that one power pole would be installed at the front of the parcel in a landscaped island. This had brought the power to the front of the parcel. The City had purportedly approved plans showing that the power would be underground in the area of the blue line. When City staff had learned that the poles had been installed, a visit to the site was conducted and Mr. Mills was informed that there is a problem. Mr. Mills respectfully disagreed that the underground line was on the plans. He had a set of the plans in his truck in the parking lot and offered to retrieve them. He claimed that only the line from the front building to the back of the lot was underground on the plans. A recess was declared to allow him to retrieve the plans.

BREAK: A recess was declared at 5:15 p.m. The entire Commission was present when Chairperson Christianson reconvened the meeting at 5:20 p.m., constituting a quorum.

Mr. Guzman indicated that the plans had been prepared by Barrett Engineering. The plans indicate that there is a sleeve at the point where the power crosses above ground at the back of the Anderson property. The plans do not show the line from there. The plans then show a transformer at the front of the property near a power pole. It is not specified that from the power pole to the transformer it is to be underground. Staff maintained that the construction at the parcel was not in conformance with the conditions.

Mr. Mills felt that the sleeve was for an irrigation line which was to run

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along the roadway. He reiterated his belief that the power was to have come from the front of the property. He supported Mr. French's solution which he felt was better aesthetically. He indicated that there is an easement along the entire roadway. Adjacent property owners would be able to develop their property without the condition. He also explained that he owns 15.1 acres. The auto dismantling operation encompasses only 13 acres. The roadway is outside the dismantling operation. He did not feel that the dismantling operation should be located on the roadway. Therefore, the underground line is within the parcel. The roadway had been "given" to him by Mr. Serpa. It is an honest mistake. He had constructed a nice facility. The power poles along Highway 50 would be more detrimental to the aesthetics than his four poles.

Discussion between Mr. Rombardo and Commissioner Rogers explained that the roadway is not the issue. Franchises only deal with power poles on public right-of-way. The roadway is private. The Commission should consider the issue of compliance with the condition. Mr. Rombardo could not give legal advice concerning whether Mr. Miles had legal recourse against Sierra Pacific. Mr. Guzman pointed out that the roadway is used to access other portions of the dismantling compound and was constructed primarily for that purpose. It had been designated as a corridor for carrying public easements. The roadway will have to be offered to the City as a dedication and accepted in order for it to be a public roadway. Mr. Guzman was unsure whether the 13 acre parcel included the roadway. Mr. Rombardo referenced the Notice of Decision to point out that a specific parcel number is cited. It cannot be determined at this time whether the roadway is part of that parcel. All of the minute details regarding any project are not available for consideration by the Commission during their meetings. The intent clearly indicates that the Commission had meant to include this portion.

Mr. Mills then indicated that the same parcel number referenced a portion of the property to the east of his parcel. He questioned whether this means that he could expand his operation onto that parcel. The conditions also mandate that he encompass the operation with a screened fence. The fence is along the roadway. The poles are outside the fence. He did not believe that he could extend the operation or wreck cars on the roadway. The 13 acres are within the fenced area. He estimated that it would cost between \$40 and \$50,000 to underground the power lines. The only option he could see would bring the power along Highway 50 and across to the site. His last option would be to tear out the roadway and rerun the line.

(1-2052) Mr. Parker explained that he is the property owner on the south side of Mr. Mills and that his statements were his own as an individual and did not represent any group or organization. His comments when the application was originally considered were noted. He had had no fundamental problems during the construction period. A minor issue he had raised during the first hearing had been addressed without speaking further on the matter. He felt that the fence and berm were satisfactory from an aesthetic view. He used an aerial photograph of the area to illustrate his comments regarding the topography and feeling that the four power poles would create little impact on the area's aesthetics, including that from the V&T railway right-of-way which he delineated. His personal tour of the purported right-of-way was described to support his contention. The visual screening and landscaping

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should be adequate to mitigate any impacts of the operation. He hoped that the operation would be as clean as modern industrial sites are elsewhere and not have the appearance of older industrial sites further down the hill. Additional power poles along Highway 50 would be worse than the four along the roadway. He distributed copies of his statements regarding the gateways to the Commission and Clerk. (A copy is in the file.) The Highway 50 corridor is astonishingly still pristine and should be respected. It is possible to visually see the area as it would have appeared when the V&T Railroad operated. The geographical contours made "Pick-N-Pull" and the poles invisible. Only the wall could be seen from the proposed V&T right-of-way. He urged the Commission to maintain the pristine atmosphere and to be cognizant of the impact its decisions will make on it. Opportunities are available to do this and should be taken advantage of. He had felt that the power line would be underground. Based on his presentation, he requested that the project be completed as he had originally understood it would be. Relocation of the power poles to the east or along the Highway would have a larger impact on the aesthetics. He suggested that the area become the V&T Railroad park.

(1-2315) Additional public comments were solicited. Mr. Bray indicated he was present on Mr. Mills' behalf. He used Mr. Mills' parcel map to describe the location of the power poles including those which had been installed as part of the project. He felt that the four poles would not be seen from the Highway. He agreed that they were a mistake. The original plan would have run the power along the Highway, however, Sierra Pacific no longer has a easement along the Highway. This is the reason for the revised plan. The roadway where the poles are has a public easement on it and had been used historically for access to the parcels to the east of Mr. Mills'. Additional comments were solicited. None were given.

Mr. Rannin apologized for Mr. French's absence which he explained. He did not see a problem with the location of the power poles. It would cost a considerable amount of money to underground the line. There would still have to be a portion of it overhead. Clarification indicated that the power line is on Mr. Mills' property. Mr. Adams indicated that Sierra Pacific owns the power poles. There are poles along Highway 50 that have been abandoned by Sierra Pacific. Therefore, new poles would have go into the Highway right-of-way which requires obtaining an encroachment permit from NDOT. The only other option is to underground the line where the four poles are. Commissioner Sedway suggested moving the transformer to the street intersection and undergrounding the power at that point. This would remove three of the poles. Mr. Adams felt that this is possible, however, he was unsure of the cost. Differences between the depth of the blue and green lines were explained. The transformer is located underground.

Mr. Mills felt that the line was not deep enough to use if the transformer is relocated as suggested. This would "tear up everything" which had already been done.

Discussion between Mr. Guzman and Commissioner Sedway clarified the letter from ABC Heating and Sheet Metal, who did not object to the poles. They opposed having the line in front of their business along Highway 50. Discussion between Mr. Guzman and the Commission explained its options and

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explored different motions. Commissioner Wipfli suggested that Condition 10 be eliminated and the project be approved as design built. Commissioner Larkin suggested that a bond be required for such items and questioned responsibility for the error. Commissioner Wipfli indicated that Mr. Mills is responsible and would have to foot the bill. Commissioner Rogers explained his concern about the process and the failure to communicate which had occurred. Neither of the two options were acceptable to him. His tour of the site was described. Once the site is completed, the poles will not be that noticeable. Poles along Highway 50 will be a big issue. He preferred to have the lines underground. He did not wish to force the applicant to dig everything out and start over due to the expense. He opposed elimination of Condition 10 due to the value it had in prohibiting having additional lines above ground except for the four poles which bring power to the site. Comments indicated that public comment had been closed. **Commissioner Rogers then moved to modify Condition of Approval No. 10 for U-99/00-13 to indicate that electrical power on the property shall be extended underground and that power to the site may be extended above ground only to the point of the site transformer.** **Commissioner Mally seconded the motion.** Commissioner Sedway indicated he would support the motion although it seems like there are other ways to intercept the line. He realized that a mistake had been made. Those things happen. He wanted to be sure that the balance of the conditions apply regarding landscaping as Mr. Parker had alluded to on his property line, etc. The project looks great. Everyone wishes the poles weren't there, but they are and there are a lot of circumstances for them. He had made these findings in case there is a challenge. He hoped that they could get past this situation. **The motion to amend Condition 10 as indicated was voted and carried 7-0.** Mr. Sullivan briefly described the appeal process.

G-5. U-00/01-12 - DISCUSSION AND ACTION ON A SPECIAL USE PERMIT APPLICATION FROM MULVANNY ARCHITECTS (1-2665) - Senior Planner Juan Guzman, Applicant's Representative Allen Dauterman, Gene Lepire, Deputy District Attorney Neil Rombardo, Community Development Director Walter Sullivan - Mr. Guzman indicated that Costco's architects felt they had mitigated the impact of the lighting and suggested they describe the design. The east side of the building will not have a sign. Discussion between Commissioner Mally and Mr. Rombardo ensued regarding Commissioner Mally's feelings about the project. Mr. Rombardo stated that he had the right to his opinion and did not have to recuse himself or abstain.

Mr. Dauterman indicated that there would not be a sign on the east wall of the building. A computerized photo simulation of the building was displayed to illustrate the sign locations. Discussion pointed out that the roof sign had been for display only and would not be installed. Signs are on the north, south, and west walls as well as the southwest gas station canopy and two on the gas station. The lights are illuminated from overhead and the ends. The lighting shines back onto the sign. Any light spillage over the ends of the sign will be mitigated. A light study had not been conducted, however, it was felt that the distance from the property line with the fencing and landscaping will shield any stray lighting. (1-2810) Mr. Dauterman agreed to move the sign on the rear of the building at least ten feet to the east when asked by Commissioner Rogers.

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Public testimony was then solicited. Mr. Lepire questioned when it would stop. The sign had been negotiated and was included in his signed contract. It is to be a 300 foot sign. He felt that the 107 feet distance between the sign and his building/apartment would not mitigate the lighting impact. The signage will make it look like a "Jack-In-The-Box". The hours of illumination were not included in the discussion/report. Chairperson Christianson reminded Mr. Lepire that the issues previously discussed could not be considered this evening. Only the signage issue was agendized and could be considered. Mr. Lepire reiterated his concerns about the signage on the metal building and the creation of a "Jack-In-The-Box" appearance. The fence was to have eliminated the truck lighting. The signs raise the lighting over the fence. He requested a clarification concerning the hours when the lights would be on. As they were changing his agreement, he felt that he should be compensated for the impact specifically if his customers sign his petition objecting to the lighting. His agreement indicated he should be compensated for any loss of business. He reiterated his question regarding the compensation which would be provided. Chairperson Christianson reiterated that this issue is not one which the Commission could consider. He also indicated that the only light he felt would impact Mr. Lepire and his business is the one on the northeast corner of the building. Mr. Lepire restated that his agreement had restricted the signage to 300 feet.

(1-2988) Mr. Rombardo indicated that he had drafted the agreement. It did not include such a statement regarding the signage. Mr. Lepire responded by indicating that this is the same response he had gotten regarding the fence. Chairperson Christianson again indicated that this is off of the agenda. Mr. Lepire repeated his contention that the signage would make the building along a City gateway look like a "Jack-In-The-Box". He would protect his property and customers. He again questioned the hours when the signs would be lit.

Mr. Dauterman indicated that he had been authorized to offer a period when the light on the northeast corner of the building could be turned off. He suggested that this be after the close of business, which he felt was 8:30 p.m. or 9 p.m. The other lights would remain on. There are lights around the building for security purposes that will stay on. The signs are for identification of the store. He stipulated that the one specific sign could be turned off at the end of the business day and stay off all night.

Mr. Lepire then asked that after daylight savings time occurs, that the light be turned off at 6 p.m. as his clientele are retired and go to bed early. Mr. Dauterman would not agree. He felt that Costco wanted the signs illuminated during business hours. Commissioner Rogers reiterated the two stipulations as being that the sign would be moved further west away from the corner and that the sign would be illuminated during business hours only. Mr. Dauterman agreed that these were the two stipulations on the one sign.

Mr. Sullivan pointed out a third stipulation which was that any light spillage occurring from the northeast sign would be mitigate. Commissioner Rogers explained his intent in suggesting that the sign "maybe" moved ten feet had been to allow their engineers to decide the correct location so that there would be no spillage around the corner of the building. Mr. Sullivan suggested that the stipulation be that the sign will be moved to the west so that there will not be any light spillage. Commissioner Rogers preferred

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that the stipulation be that the sign will be engineered such as to the location and the shielding of the light to guarantee that there will be no spillage around the east end of the building. Mr. Dauterman agreed. Mr. Sullivan questioned the length of time that the light would be turned off--from 8:30 or 9 p.m. until when? Mr. Dauterman indicated that he was unsure when the store opens. Due to Costco's concerns about energy management, he did not feel that the lights would be on during the daytime. Mr. Sullivan explained his reasons for wanting a specified period when the lights would be off. Commissioner Rogers responded by explaining that the stipulation had been that the lights would be on during business hours. If the business hours are modified, the lights would be modified accordingly. He felt that Costco closed at 8 p.m. Mr. Dauterman indicated he was unsure of the Reno store hours and whether they would be the same in Carson City. Commissioner Rogers reiterated his feeling that the stipulation had been for the lights to be on during business hours.

Mr. Lepire explained his desire to have it in writing. Trucks could be on the site 24 hours a day. He suggested that the lights be off between 7 p.m. and 4 a.m. on this one side. Chairperson Christianson replied that the desire had been for the signs to be on during business hours. Mr. Lepire felt that it is a 24-hour a day operation. He supported Mr. Sullivan's request that the hours be stipulated. He agreed that the stipulation regarding moving the sign had provided a little bit of help. Chairperson Christianson explained his feeling that the stipulation restricting the signage to "during business hours" was reasonable. Business hours is when the store is open. Mr. Lepire agreed to this period. Additional public comments were solicited but none given.

Mr. Dauterman then requested clarification of Condition 7 regarding the two canopy signs for the gas station. He requested the Condition be amended to state: Canopy signs of 27 square feet each, not to exceed a total of 54 square feet. Mr. Guzman agreed.

Mr. Rombardo asked that each Commissioner place his findings on the record either before or after the vote. Mr. Sullivan also asked that the motion include the findings. Clarification indicated that the findings could either be a part of the motion or separate statements after the vote.

Commissioner Rogers moved to approve U-00/01-12, a special use permit application from Mulvaney Architects, property owner: Costco Wholesale, for additional signage in excess of 300 square feet at the future Costco building on property zoned Retail Commercial located at 700 Old Clear Creek Road, APN 9-302-14, based on seven findings and subject to seven conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission or Board by the applicant will be considered as further stipulations or conditions of approval on this application----. Commissioner Wipfli seconded the motion. Commissioner Rogers indicated he wanted to read all of the findings including amendments to the Conditions and was not ready for a second. **Commissioner Rogers continued his motion to include an amendment to Condition No. 7 after "124 square feet; and two canopy signs of 27 feet each, not to exceed a total of 54 square feet, at the gasoline station canopy; regarding Item No. 6**

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"Applicant shall use luminaries for the purpose of reducing glare and aiming light directly onto the proposed signage", added "On the northeast sign, that the distance of the sign from the corner of the building will be engineered such that there will be no spillage around the corner of the building" as was stipulated anyway, which I wish to add; and that I want to go on record that the applicant made three stipulations--one is that all of the signs would be engineered such that light spillage would be minimized and eliminated from the east exposure of the building; that, as stated in Condition No. 6, that the northeast sign will be located as to eliminate all spillage around the corner of the building; and the third was that the time for the sign on the northeast corner to be illuminated is only during public operating hours of the store. He also stated for the record that his concurrence with the findings that: Item No. 1 - Will be consistent with the Master Plan elements. This proposal advances Goal No. 2, which promotes better community design, appearance, and recognition of Carson City as identified in the various design guidelines, ordinances, Visual Preference Survey, Carson City Focus, and Downtown Master Plan Policy 2.3 which is to encourage the reduction of visual clutter, signs, by establishing a minimal amount of signage that is needed in order to properly identify the building from U.S. Highway 50 West and Highway 395 while keeping a relationship to the size of the structure, where the signs are to be located, is advanced. The proposed signage program advances Goal 4 which is to ensure balanced development to maintain a sound local economy and Policy 4.2 by permitting the identification of a major retailer within Carson City. I also think that the location of the sign on the structure is more appropriate and more desirable than on the signs or other large structures that might have been proposed along the Highway 50 corridor. No. 2 - Will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood and will cause no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity. The proposed sign colors are in keeping with the character of the building. The proposed lighting will contain luminaries sufficient to direct light as necessary to the sign and reduce the amount of glare. Adding under No. 2, that when we agreed to bring Costco into the City, we understood the type of signage and the type of business they were and have agreed that that is acceptable to the City. No. 3 - Will have little or no detrimental effect on vehicular or pedestrian traffic. The proposed signage is to facilitate the identification of the building from U.S. Highway 50 West and U.S. Highway 395. By facilitating the identification of the building, the public can locate where the building is suited more readily, avoiding confusion in trying to find the site. No. 4 - Will not overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public improvements. All public facilities and services necessary to support this retail use are in place; the signage will simply add to the ability of people to identify the building. No. 5 - Meets the definition and specific standards set forth elsewhere in this title for such particular use and meets the purpose statement of that district. The proposed signage is allowed subject to a special use permit in accordance with the provisions of the Carson City Municipal Code Title 20. No. 6 - Will not be detrimental to the public health, safety, convenience and welfare. As previously stated, luminaries will be installed on the lighting in order to eliminate glare. The public health, safety, convenience and welfare will be served by the proper identification and signage of these buildings. Adding

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to No. 6 that this is enhanced by the conditions and stipulations made during this hearing. No. 7 - Will not result in material damage or prejudice to other property in the vicinity. Other property in the vicinity has the ability to request, through the special use permit process, the ability to add additional signage, and upon demonstration and presentation of information to support the required findings, the Planning Commission may grant approval of such a request. Commissioner Wipfli seconded the motion. Mr. Sullivan indicated that Mr. Lepire had stated on the record that he could live with 8 p.m. to 6 a.m. which is when the light will be turned off. Mr. Sullivan had asked the applicant if he could live with that and he had agreed. Mr. Sullivan asked that the motion be revised accordingly. This restriction dealt only with the light at the northeastern corner of the building. Commissioner Rogers asked for comments from the applicant. Mr. Dauterman indicated that he assumed this was acceptable to Costco. He would have to verify it with them. If they wished to modify it, they will come back. Mr. Sullivan agreed. Mr. Dauterman then stated that for now, yes. **Commissioner Rogers then amended Condition No. 6 to strike the business hours and say that the signage will not be illuminated between the hours of 8 p.m. to 6 a.m. Commissioner Wipfli concurred.** Comments/amendments were solicited but none were given. **The motion as amended was voted and carried 6-0-1 with Commissioner Mally abstaining.**

Mr. Sullivan indicated that anyone wishing to appeal the matter should obtain the forms from his office. Commissioner Rogers reiterated for clarification that the discussion had related to the northeast sign when the business hours were removed and 8 p.m. to 6 a.m. restriction was made. The amendment dealt with only this one sign. Mr. Rombardo reiterated his request that anyone wishing to add to the findings should do so and explained the reasons for his request. Commissioner Sedway indicated that he had supported the motion due to his feeling that the scale and the proportions of the building dictate the allowance of signage to be increased accordingly. Chairperson Christianson expressed his agreement with Commissioner Sedway. For Costco to have that much of an investment in the building without a proper way to identify the building from the highway would be a shame. He did not see any problem with the increased signage area. Everything possible had been done with the stipulations to help the adjacent property owners with the spillage of light. He believed the sign on the northeast corner, as he recalled looking at it from Highway 50, is not going to be that evident any how. The roof from the road will be much more evident so that the spillage from the sign, whether it is on or off, will not materially effect how often his wife will be there. He then asked for additional comments. On hearing none, he thanked the audience for taking the time, specifically the Costco architects, who had done an exemplary job of making the presentation and apologized for the time it had taken to reach the item. He felt the project would be worthwhile.

BREAK: A recess was declared at 6:30 p.m. Chairperson Christianson reconvened the meeting at 6:35 a.m. The entire Commission was present, constituting a quorum.

G-8. U-98/99-59 - DISCUSSION AND ACTION ON A REQUEST FROM JEFF WILLIAMS (2-0012) - Community Development Director Walter Sullivan, Michelle Williams - Ms. Williams had read the report and described the status of the project.

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Public comments were solicited but none given. Commissioner Mally moved to approve a one year extension of a previously approved special use permit to May 2001, U-98/99-59, a request from Jeff and Michelle Williams to allow an accessory structure of approximately 1,816 square feet, which exceeds 50 percent of the primary structure of 3,041 square feet, on property zoned Single Family One Acre, located at 3793 Meadow Wood Road, APN 7-194-09; this special use permit is subject to the original conditions of approval. Commissioner Wipfli seconded the motion. Following discussion, Commissioner Mally corrected the APN to be 7-164-09. Commissioner Wipfli concurred with the amendment. Motion carried 7-0.

G-9. V-00/01-5 - DISCUSSION AND ACTION ON A VARIANCE REQUEST FROM SYNCOR HOMES (2-0082) - Community Development Director Walter Sullivan, Syncor Homes Agent/Representative Tony Hukari - Mr. Sullivan's introduction included the hope that the request would not become a standard practice by Syncor Homes. A mistake is one thing. A practice may not receive staff's favorable recommendation. He also noted that the Title 18 revision included granting staff the ability to address minor variances administratively. Discussion indicated that the property owner had brought the issue to the Department. Reasons this matter was brought to the Commission were explained by Mr. Sullivan. Ms. Hukari had read the staff report and concurred with it. Public comments were solicited but none given. Public comments were solicited but none given. Discussion also indicated that comments regarding the proposal to grant staff the administrative ability to address such variances should be made to Mr. Sullivan later. Commissioner Wipfli moved to approve variance application V-00/01-5 for Toni Hukari, agent, and Noel and Helene Silverman, property owner, of a variance located at 556 Oxford Court, APN 7-392-36, based on five findings and subject to five conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission/Board by the applicant may be considered as further stipulations or conditions of approval on this application. Commissioners Mally and Farley seconded the motion. Motion carried 7-0. Commissioner Sedway thanked the applicant and owners for bringing the matter forward.

NOTE FOR THE RECORD: Due to a recording equipment failure, tape 2 was stopped and tape 3 was started.

G-7. U-96/97-16 - DISCUSSION AND ACTION ON THE REVIEW OF A SPECIAL USE PERMIT APPLICATION FOR SILVER OAK DEVELOPMENT COMPANY (3-0005) - Community Development Director Sullivan - Commissioner Larkin stepped from the room during Mr. Sullivan's introduction. Public comments were solicited but none given. Commissioner Farley moved to approve U-96/97-16, a review of a request from Silver Oak Development Company Limited Partnership to allow temporary poles and flags within the Silver Oak Planned Unit Development based on the original findings and conditions of approval and with the understanding that any acknowledgement to the Commission/Board by the applicant may be considered as further stipulations or conditions on this application. Commissioner Sedway seconded the motion. Motion carried 6-0-1 with Commissioner Larkin abstaining.

G-10a. Z-00/01-1 - DISCUSSION AND ACTION ON A REZONING REQUEST FROM KIM

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MASON, DIRECTOR OF FACILITIES SERVICES; AND G-10b. U-00/01-9 - DISCUSSION AND ACTION ON A SPECIAL USE PERMIT APPLICATION FROM KIM MASON, DIRECTOR OF FACILITIES SERVICES (3-0028) - Community Development Director Walter Sullivan, Carson-Tahoe Hospital Director of Facilities Services Kim Mason - During Mr. Sullivan's introduction, Commissioner Larkin returned and Commissioner Sedway left the room--6:53 p.m. (A quorum was still present.) Chairperson Christianson indicated he would discuss a neighborhood nuisance in this vicinity with Mr. Sullivan after the meeting. Ms. Mason felt that the project would be an asset to the community. She had read the staff report and concurred with them. Commission comments supported the project based on the community need. Public comments were solicited but none given. Discussion between the Commission and Mr. Sullivan explained that the proposed use is not allowed under Public or Residential zoning. Commissioner Larkin was asked to discuss his zoning with Mr. Sullivan after the meeting. Commissioner Mally moved to recommend to the Board of Supervisors approval of a change of land use, Z-00/01-1, for Carson-Tahoe Hospital/Kim Mason, a change of land use from Single Family 6,000 to Residential Office on APNs 1-141-20 and 1-141-01, based on seven findings contained in the staff report. Commissioner Wipfli seconded the motion. Motion carried 6-0-1 with Commissioner Sedway abstaining.

Commissioner Mally moved to approve U-00/01-9, a special use permit for Kim Mason, Director of Facilities Services; property owner: Carson-Tahoe Hospital, a hospitality house for temporary/short-term housing of patients' family during the patients' hospitalization, on property zoned Residential Office, located at 700 Fleischmann Way, APN 1-141-20, subject to seven findings and subject to seven conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission/Board by the applicant may be considered as further stipulations or conditions of approval on this application. Commissioner Wipfli seconded the motion. Motion carried 6-0-1 with Commissioner Sedway abstaining.

G-12. DISCUSSION AND ACTION ON THE PLANNING COMMISSION WORKSHOP REVIEW PROCESS AND DATES CONCERNING THE UPDATE AND POSSIBLE REVISIONS TO TITLE 18 ZONING (3-0238) - Community Development Director Walter Sullivan, Deputy District Attorney Neil Rombardo, Lumos and Associates Representative Carol Dotson - Commissioner Sedway returned during Chairperson Christianson's reading of the title. (The entire Commission was present, constituting a quorum.) Various dates, times, and the Commissioners availability for a meeting were discussed. The meetings were to be held in the Sierra Room to allow for televising. Ms. Dotson indicated that staff had been assisting her in developing various issues which should be considered and asked the Commissioners to point out issues or items which they want studied. Chairperson Christianson suggested that a website be developed for Title 18 which would allow public access to the Code. A schedule was not finalized. No formal action was taken.

G-11. GROWTH MANAGEMENT COMMISSION (3-0484) - Chairperson Christianson recessed the Planning Commission and immediately convened the Growth Management Commission. For Minutes of this meeting, please see its folder. Following adjournment of the Growth Management Commission, Chairperson

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Christianson reconvened the Planning Commission. The entire Commission was present constituting a quorum.

H. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS - NON-ACTION

H-1. STAFF BRIEFING ON THE STATUS OF COMMISSION RECOMMENDATIONS TO THE BOARD OF SUPERVISORS AND CORRESPONDENCE TO THE COMMISSION (3-0620) - The Commissioners had purportedly received correspondence concerning Emergency Management courses. The Board approved the three abandonment requests for the Albertson's site and the Weikel tentative industrial subdivision map.

H-2. FUTURE COMMISSION ITEMS AND DATES (3-0635) - The American Planning Association's national conference is scheduled for March 10 to 14. Training funds are available for this conference. The Commissioners were urged to attend if at all possible.

STAFF COMMENTS (3-0450) - Mr. Sullivan introduced Senior Planner Canfield and thanked Senior Engineer John Givlin for his attendance. New City pins were distributed to the Commissioners.

I. ADJOURNMENT (3-0675) - Commissioner Sedway moved to adjourn. Commissioner Mally seconded the motion. Motion carried 7-0. Chairperson Christianson adjourned the meeting at 7:40 p.m.

The Minutes of the September 27, 2000, Carson City Planning Commission meeting

ARE SO APPROVED ON October 25, 2000.

/s/ _____
Allan Christianson, Chairperson