

MINUTES
Regular Meeting
Carson City Planning Commission
Wednesday, July 30, 2014 ● 5:00 PM
Community Center Sierra Room, 851 East William Street, Carson City, Nevada

Commission Members:

Chair – George Wendell	Vice Chair – Paul Esswein
Commissioner – Victor Castro	Commissioner – Malkiat Dhami
Commissioner – Walt Owens	Commissioner – Mark Sattler
Commissioner – Kent Steele	

Staff:

Lee Plemel, Community Development Department Director
Susan Dorr Pansky, Planning Manager
Danny Rotter, Engineering Manager
Joseph Ward, Senior Deputy District Attorney
Kathy King, Chief Deputy Clerk
Transcribed by: Tamar Warren, Deputy Clerk/Recording Secretary

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

The televised Carson City Planning Commission recordings are available on http://www.breweryarts.org/?page_id=2607.

A. CALL TO ORDER, DETERMINATION OF QUORUM, AND PLEDGE OF ALLEGIANCE
(5:01:03) – The meeting was called to order at 5:01 p.m. A quorum was present. Commissioner Dhami led the pledge of allegiance.

Attendee Name	Status	Arrived
Chairperson George Wendell	Present	
Vice Chairperson Paul Esswein	Present	
Commissioner Victor Castro	Present	
Commissioner Malkiat Dhami	Present	
Commissioner Walt Owens	Present	
Commissioner Mark Sattler	Absent	
Commissioner Kent Steele	Present	

B. PUBLIC COMMENTS: (5:02:21) – None.

C. POSSIBLE ACTION ON APPROVAL OF MINUTES – June 25, 2014

(5:02:45) – There were no minutes to approve.

(5:02:55) – Chairperson Wendell introduced new Commission Member Victor Castro and welcomed him to the Planning Commission.

D. MODIFICATIONS TO THE AGENDA.

(5:03:31) – None.

E. DISCLOSURES.

(5:03:40) – None.

F. PUBLIC HEARING MATTERS:

F-1 SUP-14-050 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FROM YESCO OUTDOOR MEDIA (PROPERTY OWNER: PAUL AND YOLANDA FISCHER) FOR A 5-YEAR REVIEW OF A PREVIOUSLY APPROVED SPECIAL USE PERMIT, SUP-09-054, ON PROPERTY ZONED GENERAL INDUSTRIAL (GI), LOCATED AT 5354 HWY 50 EAST, APN 008-384-34.

(5:03:55) – Ms. Dorr Pansky gave background and introduced the agenda materials, incorporated into the record, along with a PowerPoint presentation. She recommended approval of the application and confirmed that there had been no complaints to date about the sign.

(5:06:28) – Mike Helm, YESCO Outdoor Media representative, introduced himself and confirmed that he had read the Staff Report and agreed with the special conditions of approval attached to the application.

(5:07:06) – There were no public comments.

(5:07:24) – MOTION: I move to approve SUP-14-050, a Special Use Permit request from YESCO Outdoor Media to allow the continued use of a double faced off-premises advertising (billboard) sign, on property zoned General Industrial located at 5354 Highway 50 East, Assessor’s Parcel Number 008-384-34 based on the findings and subject to the conditions of approval contained in the staff report.

RESULT:	APPROVED (6-0-0)
MOVER:	Dhami
SECONDER:	Esswein
AYES:	Wendell, Esswein, Castro, Dhami, Owens, Steele
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Sattler

F-2 SUP-14-051 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FROM YESCO OUTDOOR MEDIA (PROPERTY OWNER: WESTERN STATES STORAGE C/O) FOR A 5-YEAR REVIEW OF A PREVIOUSLY APPROVED SPECIAL USE PERMIT, SUP-09-074, ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT 5853 S. CARSON ST., APN 009-304-06.

(5:08:30) – Ms. Dorr Pansky presented the Staff Report, incorporated into the record, along with a PowerPoint presentation, and recommended approval. She also noted that Staff had not received any complaints regarding the sign.

(5:10:36) – Mr. Helm noted that he was also the representative for this applicant and noted that he had read the Staff Report and agreed with the conditions of approval. He also noted that he had a positive experience working with Kathe Green in the Planning Department.

(5:11:29) – There were no public comments.

(5:11:48) – MOTION: I move to approve SUP-14-051, a Special Use Permit request from YESCO Outdoor Media to allow the continued use of an off-premises double faced advertising (billboard) sign, on property zoned General Commercial located at 5853 South Carson Street, Assessor’s Parcel Number 009-304-06 based on the findings and subject to the conditions of approval contained in the staff report.

RESULT:	APPROVED (6-0-0)
MOVER:	Owens
SECONDER:	Dhami
AYES:	Wendell, Esswein, Castro, Dhami, Owens, Steele
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Sattler

F-3 SUP-13-022 FOR POSSIBLE ACTION: TO ACCEPT A ONE-YEAR REVIEW REGARDING THE SIGN ILLUMINATION, DIMMING, AND MESSAGE DISPLAYS TO DETERMINE THAT EXISTING CONTROLS ARE ADEQUATE TO MINIMIZE IMPACTS TO SURROUNDING PROPERTIES FROM THE APPROVED AND CONSTRUCTED COMMUNITY CENTER MESSAGE CENTER SIGN, LOCATED AT 851 EAST WILLIAM STREET, APN 002-181-01.

(5:13:29) – Mr. Plemel presented the agenda materials which are incorporated into the record.

(5:20:03) – Tom Grundy, Carson City Public Works, explained that the average message hold time of three seconds was more than the minimum required time, adding that they were operating at zero second transition time, below the maximum of one second.

(5:21:25) – There were no public comments.

(5:21:54) – MOTION: I move to accept a one-year review regarding the Community Center sign illumination, dimming, and message displays to determine that the existing sign operational plan is adequate to minimize impacts to surrounding properties.

RESULT:	APPROVED (6-0-0)
MOVER:	Steele
SECONDER:	Esswein
AYES:	Wendell, Esswein, Castro, Dhami, Owens, Steele
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Sattler

F-4 SUP-14-036 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FOR A SPECIAL USE PERMIT FROM HERMAN BAUER (PROPERTY OWNER: HERMAN BAUER) TO ALLOW MULTI-FAMILY DWELLING UNITS ON PROPERTY ZONED RESIDENTIAL OFFICE (RO), LOCATED AT 812 N. DIVISION ST., APN 001-191-06.

(5:23:07) – Ms. Dorr Pansky gave background and presented the Staff Report, incorporated into the record. She also presented the subject property via a PowerPoint presentation. She also recommended approval with several conditions.

(5:38:55) – Commissioner Owens inquired about the density of the surrounding units, and Commissioner Dhami received clarification that variances referenced in the original permit were no longer needed because all conditions were met for the right-of-way abandonment, which had been approved in 2010, and an extension would be requested from the Board of Supervisors in August 2014.

(5:42:16) – Herman Bauer, the applicant, noted that the project architect and the realtor were both present and could answer the Commissioners' questions. He also confirmed that he had read the Staff Report and was in agreement with the conditions of approval.

(5:43:52) – Commissioner Owens inquired about covenants or restrictions preventing large families from moving into the proposed one-bedroom apartments, and Mr. Bauer assured that "we can control it". He also confirmed for Vice Chairperson Esswein that a property management company would manage the apartments.

PUBLIC COMMENTS

(5:45:40) – Alexander Kirsch, adjacent property owner, noted that he had raised his concerns to the Board of Supervisors, the Planning Commission, the Planning Department, and to the Historic Resource Commission (HRC). He noted that an eight-plex was not available anywhere in the Historic District, and that he had collected 80 signatures against the project. Mr. Kirsch considered the project "offensive" and noted that several trees that were to be preserved had been cut without a plan to replace them "with the feel of existing properties". Mr. Plemel noted that the landscape plan, approved by the HRC, had not been met as the trees had been cut. Mr. Kirsch insisted on a lack of recourse. Chairperson Wendell explained that these issues would be addressed in a follow-up HRC meeting and clarified that Mr. Kirsch's concerns were previously addressed. Mr. Kirsch reiterated that he was opposed to the eight-plex structure. Commissioner Castro received confirmation that the Board of Supervisors had no reason to deny the right-of-way extension.

(6:07:46) – MOTION: I move to approve SUP-14-036, a Special Use Permit request to allow eight multi family dwelling units in two buildings on property zoned Residential Office, located at 812 N. Division Street, APN 001-191-06, based on the findings and subject to the conditions of approval contained in the staff report.

(6:09:33) – Vice Chairperson Esswein suggested amending the motion to modify Condition of Approval number eight to read: "The applicant shall provide a final landscaping plan in substantial compliance with the revised plan approved by the Historic Resources Commission." Commissioner Dhami noted that the HRC would go through its approvals, and confirmed that his motion would stand. Chairperson Wendell called for the vote on the original motion.

RESULT:	APPROVED (6-0-0)
MOVER:	Dhami
SECONDER:	Steele
AYES:	Wendell, Esswein, Castro, Dhami, Owens, Steele
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Sattler

(6:10:55) – Mr. Plemel noted that this decision could be appealed within 10 days to the Board of Supervisors via the Planning Division. He also noted that the landscaping plan remedy will be considered by the HRC.

F-5 MISC-14-046 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FROM JEFFREY FLEEMAN, (PROPERTY OWNER: THE FLICKA GROUP LLC) TO APPEAL A STAFF DECISION REGARDING TERMINATION OF THE NON-CONFORMING MOBILE HOME PARK USE AT MOUNTAIN VIEW TRAILER PARK, ON PROPERTY ZONED MULTI-FAMILY APARTMENT (MFA), LOCATED AT 3769 REEVES ST., APN 008-308-01.

(6:12:27) – Mr. Plemel presented the agenda materials, incorporated into the record, noting that it was an appeal to a Staff decision.

(6:22:18) – Mr. Ward confirmed for Commissioner Castro that he had seen the documents today.

(6:22:50) – Jeffrey Fleeman, explained that he was unaware that the “clock was ticking” on the abandonment six months prior to his purchase of the property. He also explained that he was maintaining the property and not abandoning it. Discussion ensued regarding the abandonment timelines versus the property purchase date. Chairperson Wendell clarified for Mr. Fleeman that the Commission must make a decision according to the law, and that the property had been declared abandoned in June, prior to Mr. Fleeman’s purchase of the property in January 2013. He also noted that the realtor should have conveyed the issue to him as a buyer. Discussion ensued regarding Mr. Fleeman’s intent to build on the property. Ms. Dorr Pansky explained that she had replied to a request by the Nevada Manufactured Housing Division, incorporated into the record, informing them of the abandonment. Mr. Fleeman noted that “starting over” to re-zone the property would be costly, adding that the legal advice he received contradicted the District Attorney’s and the Planning Division’s explanation. He also clarified that he had made arrangements to bring in refurbished mobile homes.

(6:49:27) – There were no public comments.

(6:49:51) – MOTION: I move to deny an appeal of the Planning Division’s determination that the mobile home park located at 3769 Reeves Street, APN 8-308-01, was abandoned and affirm that the mobile home park use of the subject property was operationally abandoned or discontinued for a period of more than 12 months and may not be continued on the site without the appropriate zoning and permits for such use.

RESULT:	APPROVED (6-0-0)
MOVER:	Owens
SECONDER:	Esswein
AYES:	Wendell, Esswein, Castro, Dhami, Owens, Steele
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Sattler

(6:10:55) – Mr. Plemel noted that this decision could be appealed within 10 days to the Board of Supervisors by contacting the Planning Division.

F-6 MISC-14-065 FOR POSSIBLE ACTION: TO ELECT A PLANNING COMMISSION CHAIRMAN AND VICE-CHAIRMAN FOR THE TERM ENDING IN JULY 2015.

(6:51:38) – MOTION: I nominate George Wendell as Chairman for the upcoming year of the Planning Commission.

RESULT:	APPROVED (6-0-0)
MOVER:	Esswein
SECONDER:	Dhami
AYES:	Wendell, Esswein, Castro, Dhami, Owens, Steele
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Sattler

(6:52:06) – MOTION: I nominate Paul Esswein as Vice Chairman through the Fiscal Year ending on July 2015.

RESULT:	APPROVED (6-0-0)
MOVER:	Steele
SECONDER:	Castro
AYES:	Wendell, Esswein, Castro, Dhami, Owens, Steele
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Sattler

G. STAFF REPORTS (NON-ACTION ITEMS)

G-1 - DIRECTOR'S REPORT TO THE COMMISSION.

(6:53:15) – Mr. Plemel announced that the medical marijuana ordinance was adopted by the Board of Supervisors on second reading on July 3, 2013, adding that some modifications, suggested by the Planning Commission, were made after the first reading. He also noted that special use permit requests would be seen by this Commission in the next two or three months, in addition to the Governors Square planned unit development modification, and the resolution recognizing former member Mark Kimbrough.

(6:53:55) – Mr. Plemel stated that growth management was approved on July 17, 2014, by the Board of Supervisors. He added that the tentative Clear Creek subdivision map approval was continued by the Board of Supervisors to revisit construction access from Highway 50. Mr. Plemel also stated that the Downtown Development Project would host several public hearings, and agreed to send this Commission the upcoming schedule for the hearings.

- FUTURE AGENDA ITEMS – Previously discussed.

- COMMISSIONER REPORTS/COMMENTS

H. PUBLIC COMMENT – None.

I. FOR POSSIBLE ACTION: FOR ADJOURNMENT

(6:58:13) – Vice Chairperson Esswein moved to adjourn. The motion was seconded by Commissioner Castro. The meeting was adjourned at 6:58 p.m.

The Minutes of the July 30, 2014 Carson City Planning Commission meeting are so approved this 29th day of October, 2014.

GEORGE WENDELL, Chair