

DRAFT MINUTES
Regular Meeting
Carson City Planning Commission
Wednesday, June 29, 2016 ● 5:00 PM
Community Center Sierra Room, 851 East William Street, Carson City, Nevada

Commission Members

Chair – Paul Esswein

Commissioner – Victor Castro

Commissioner – Elyse Monroy

Commissioner – Daniel Salerno

Vice Chair – Mark Sattler

Commissioner – Monica Green

Commissioner – Walt Owens

Staff

Lee Plemel, Community Development Director

Hope Sullivan, Planning Manager

Steven Potte'y, Engineering Project Manager

Dan Yu, Deputy District Attorney

Tamar Warren, Deputy Clerk

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 are available for review during regular business hours.

An audio recording of this meeting is available on www.Carson.org/minutes.

A. ROLL CALL, DETERMINATION OF QUORUM, AND PLEDGE OF ALLEGIANCE

(5:04:09) – Chairperson Esswein called the meeting to order at 5:04 p.m. Roll was called and a quorum was present. Vice Chairperson Sattler led the Pledge of Allegiance.

Attendee Name	Status	Arrived
Chairperson Paul Esswein	Present	
Vice Chairperson Mark Sattler	Present	
Commissioner Victor Castro	Present	
Commissioner Monica Green	Present	
Commissioner Elyse Monroy	Present	
Commissioner Walt Owens	Present	
Commissioner Daniel Salerno	Absent	

B. PUBLIC COMMENTS

(5:05:35) – John Bullis introduced himself and expressed his opposition to the proposed Vintage project. Mr. Bullis urged the Commission not to approve “any zoning changes or special allowances”, citing incompatibility of the development to the area.

C. POSSIBLE ACTION ON APPROVAL OF MINUTES – April 27, 2016 and May 25, 2016.

(5:06:48) – Chairperson Esswein introduced the item.

(5:07:01) – I move to accept the April 27, 2016 meeting minutes as written.

RESULT:	APPROVED (6-0-0)
MOVER:	Sattler
SECONDER:	Green
AYES:	Esswein, Sattler, Castro, Green, Monroy, Owens
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Salerno

(5:07:28) – I move to approve the May 25, 2016 meeting minutes as written.

RESULT:	APPROVED (5-0-1)
MOVER:	Sattler
SECONDER:	Green
AYES:	Sattler, Castro, Green, Monroy, Owens
NAYS:	None
ABSTENTIONS:	Esswein
ABSENT:	Salerno

D. MODIFICATION OF AGENDA

(5:07:55) – There were no modifications to the agenda.

E. DISCLOSURES

(5:08:25) – There were no disclosures by the commissioners.

F. PUBLIC HEARING MATTERS

F-1 SUP-16-051 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FOR A SPECIAL USE PERMIT FROM MAVERIK, INC. (PROPERTY OWNER: MAVERIK, INC., AGENT: WOOD RODGERS) TO ALLOW A SECOND FREESTANDING SIGN THAT EXCEEDS THE PERMITTED HEIGHT AND SIGN AREA ON PROPERTY ZONED LIMITED INDUSTRIAL (LI), LOCATED AT 1450 COLLEGE PKWY/3370 RESEARCH WY., APN 008-922-27.

(5:08:42) – Chairperson Esswein introduced the item. Ms. Sullivan introduced the applicant representatives: Amber Herman and Stacy Huggins from Wood Rodgers, Paul Haywood from Maverik, Inc., and Kent Jorgenson from CAT Scale. She also presented the agenda materials which are incorporated into the record. Ms. Herman stated that she was representing the business owner and was in agreement with the findings and conditions of approval presented by Staff. Chairperson Esswein inquired about the height of the canopy at the fuel station and Mr. Haywood noted that “the canopy is very similar to the same height”.

There were no public comments.

(5:14:27) – MOTION: I move to approve SUP-16-051 a request from agent Wood Rodgers (property owner: Maverik, Inc.) for a special use permit to allow a second freestanding sign of 21 feet 4.5 inches and a sign area of 107.5 square feet, which exceeds the permitted height and sign area on property zoned Limited

Industrial (LI), located at 1450 College Pkwy/3370 Research Way, APN 008-922-27, based on the findings and subject to the conditions of approval contained in the Staff Report.

RESULT:	APPROVED (6-0-0)
MOVER:	Monroy
SECONDER:	Sattler
AYES:	Esswein, Sattler, Castro, Green, Monroy, Owens
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Salerno

F-2 SUP-16-052 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FOR A SPECIAL USE PERMIT FROM DANE PURCELL (PROPERTY OWNER: DANE PURCELL) TO ALLOW AN EIGHT-UNIT MULTI-FAMILY APARTMENT ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT 1770 NICHOLS LN, APN 008-161-11.

(5:15:38) – Chairperson Esswein introduced the item. Ms. Sullivan presented the agenda materials which are incorporated into the record. Ms. Sullivan presented the agenda materials which are incorporated into the record. She also indicated that Property Owner Dane Purcell was present in the audience. Commissioner Monroy inquired about the minimum road width of 20 feet and Ms. Sullivan noted that she had specified the pavement section to be 20 feet to ensure meeting the requirements of the Carson City Fire Department. Chairperson Esswein invited the applicant to the podium.

(5:21:04) – Dane Purcell stated that he had read and was in agreement with the conditions of approval outlined in the Staff Report. Commissioner Monroy noted that the “road felt small” when she drove by the property one evening as she saw “lots of cars and lots of kids” there and inquired about when traffic studies are needed. Mr. Potte’y indicated that “80 or more peak hour trips, generated by the project, or 500 or more trips per day” or the determination by the City Engineer could trigger a traffic study, adding that the current usage would not require a traffic study. Ms. Sullivan stated that the engineering staff had addressed the issue and not found it to be detrimental since the proposed plan was for eight units only.

PUBLIC COMMENTS

(5:26:00) – Maurice White introduced himself and stated that he lived north east of the property. He explained that he did not object to the project and believed it would improve the area. However, he cautioned that a power pole was “in the middle of the street” and could interfere with street improvements done by the property owner. Mr. White suggested having an attached sign to the building instead of a free-standing one to keep the neighborhood atmosphere. He also inquired about electric service accommodations to nearby properties that shared a transformer. Mr. Purcell noted that he planned to have an attached sign on the building.

(5:29:40) – MOTION: I move to approve SUP-16-052 a Special Use Permit request to allow an eight-unit multi-family apartment building on property zoned General Commercial (GC), located at 1770 Nichols Ln, APN 008-161-11, based on the findings and subject to the recommended conditions of approval in the Staff Report.

RESULT:	APPROVED (6-0-0)
MOVER:	Sattler
SECONDER:	Monroy
AYES:	Esswein, Sattler, Castro, Green, Owens, Monroy,
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Salerno

F-3 TPUD-16-053 FOR POSSIBLE ACTION: TO MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING A TENTATIVE PLANNED UNIT DEVELOPMENT REQUEST FROM STATE STREET DEVELOPMENT LLC (PROPERTY OWNER: STATE STREET DEVELOPMENT LLC, AGENT: MANHARD CONSULTING) TO CREATE 105 SINGLE FAMILY ATTACHED RESIDENTIAL PARCELS, INCLUDING A REQUEST FOR A REDUCTION IN PERIMETER SETBACKS, A REDUCTION IN THE MINIMUM LOT SIZE, THE USE OF A MODIFIED PARKING STANDARD, AND A SPECIAL USE PERMIT TO ALLOW A RESIDENTIAL USE ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT STATE STREET, APN 002-441-23.

(5:30:34) – Chairperson Esswein introduced the item. Ms. Sullivan introduced the applicants and their representatives: Chris Baker of Manhard Consulting, Robert McFadden, Sam Landis and Mark Turner of State Street Development LLC, and presented the Staff Report which is incorporated into the record. She also noted an error in the suggested motion (corrected) in the Staff Report.

(5:36:32) – Chris Baker of Manhard Consulting introduced himself as the applicant representative and presented the agenda materials. Vice Chairperson Sattler was informed that eight-foot patios will be constructed in the back and the balconies would be in the front of the homes. Chairperson Esswein was informed that the yards would be fenced by “six-foot, dog-eared fences”. Mr. Baker also indicated that the trails were not included in the “green space” provided by the applicant and they were there to show connectivity. In response to a request by Commissioner Castro, Carson City Transportation Manager Patrick Pittenger explained that the applicant had complied with all the requests from the Public Works Departments and noted that the traffic study had been done for the intersection of State and William Streets and concluded that the traffic “would go from level of service C to D”; however, the traffic signals would create gaps allowing for turns to be made. Mr. Pittenger also noted that they “would keep an eye on it” for future development. Vice Chairperson Sattler was informed by Mr. Baker that the 20 foot setback had not been included in the original PUD because of its commercial component.

PUBLIC COMMENT

(6:08:43) – Bruce Backman introduced himself as “one of the owners of the townhouses to the north” and stated that he was in favor of the townhomes; however, he was concerned about the setbacks and the traffic. John Everhart introduced himself as a Molly Drive resident and expressed concern over a culvert and its safety on the intersection of Molly Drive and Long Street. He was also concerned about pedestrians crossing William Street to get to Mills Park. Maxine Nietz introduced herself as a resident, a homeowner, a voter, and an activist. Ms. Nietz was concerned that the townhomes would be built on an earthquake fault. She also expressed concern over creating too much density and the lack of open space. Ms. Nietz commended the applicant for including all the calculation for water, sewage, and traffic patterns. Ms. Sullivan clarified that the earthquake fault is “on the

slope”; however, the buildings were not immediately on it based on the recommendations of the geotechnical engineer who had also identified construction methods as a condition of approval. She also explained that the Parks and Recreation Department had not specified a park because of the property’s proximity to Mills Park and had requested that the applicant comply with the “Greening William Street” project via the pathway system. Commissioner Green also expressed concern over children crossing the street on William Street. Mr. Plemel clarified that the “Greening William Street” project addresses the improvement of the pedestrian connection from the north to the south of William Street. In response to a comment by Vice Chair Sattler, Mr. Plemel explained that the parking space standard was 18 feet. Chairperson Esswein inquired about the previously-mentioned culvert and Mr. Potte’y noted that it was on the southwest side of the property along with some existing detention basins.

(6:28:52) – Mr. Baker clarified that the earthquake fault was not on the subject property and reiterated that they would follow all the geotechnical recommendations. He also noted that almost 40 percent of the site was left as open space, including privately fenced space as front and back yards.

(6:33:32) – Deborah Hayward introduced herself as a homeowner at Long Street Town Homes noted that the leakage from the culvert has caused “extensive damage”, adding that the drainage needed to be diverted to avoid flooding. She also expressed concern about the resident wildlife and children playing on the street without appropriate lighting, adding that most units in her condominium complex are rentals and they keep their belongings in their garage and park on the street. Discussion ensued regarding drainage and Mr. Baker clarified that they could have “no net increase going out” of the units to be built. Commissioner Castro suggested a “field trip” to the site along with engineering and the developers and their representatives. Mr. Plemel indicated that such a meeting should be noticed; however, he clarified that a decision on the agenda item must be made tonight “barring the concurrence and agreement of the applicant to wave rights to the timeframe and continue it at a later date”. Deputy District Attorney Yu expressed concerns over record-keeping and noticing, and offered to “define parameters to such excursions in regards to the Open Meeting Law and quorum provisions”. Sean Gallagher introduced himself as a “new resident in Carson City” and expressed “frustration over these developers” and commended the Commission for helping him “sleep better” because the commissioners were critical of the developers’ requests. Mr. Backman identified himself as “an out of state owner” of 17 townhomes in the area and noted the new development “will raise everybody’s values”; however, he suggested reducing the number of units for additional open space. Commissioner Monroy suggested calling for a motion. Mr. Baker clarified that the developers had reached out to the community and encouraged concerned parties to contact him or other representatives. He also noted that the new development will look better than what is there now. He also reiterated that they had designated 40 percent of the property as open space. Chairperson Esswein was informed by Mr. Potte’y that street lighting will be evaluated while reviewing construction plans. Commissioner Castro inquired about the pitfalls of a right-turn-only option on William Street and Mr. Pittenger clarified that the problem would then be pushed to another location, negatively impacting the upcoming and existing developments, and cited a former study at another intersection. Further discussion ensued regarding setbacks and Mr. Baker was open to adding another 10 feet to the setback on the commercial side. Chairperson Esswein requested specifying the fault line separation requirement in Condition 47. The Chair entertained additional comments regarding the required finding for a variance, and when none were forthcoming, a motion.

(7:14:17) – MOTION: I move to recommend approval of TPUD-16-053, a Tentative Planned Unit Development for 105 single family attached residential lots, to the Board of Supervisors, including approval of a Special Use Permit to allow a residential use on property zoned General Commercial (GC), the use of a

modified parking standard, a reduction in the perimeter setbacks as reflected on the proposed plans, a reduction in the minimum lot size for the property located on the west side of State Street, APN 002-441-23, based on the findings and subject to the recommended conditions of approval in the Staff Report along with the modification to condition 47 to expand upon the condition to clarify the separation requirements from the fault and to clarify the construction requirements for retaining walls and to add a condition that encumbers the property to the south for a 10 foot public utility easement with a prohibition of building in that easement.

RESULT:	APPROVED (5-1-0)
MOVER:	Sattler
SECONDER:	Castro
AYES:	Esswein, Sattler, Castro, Green, Monroy,
NAYS:	Owens
ABSTENTIONS:	None
ABSENT:	Salerno

(7:18:06) – Mr. Plemel clarified that this item will be heard by the Board of Supervisors on July 21, 2016.

G. STAFF REPORTS (NON-ACTION ITEMS)

G-1 DIRECTOR'S REPORT TO THE COMMISSION.

(7:18:40) – Mr. Plemel reported that the Special Use Permit for the proposed church on Clear Creek Road was appealed to the Board of Supervisors (BOS) and the Planning Commission’s denial of the permit was reversed by the BOS in the June 2, 2016 meeting, with additional conditions of approval. He also noted that the BOS had approved the Arbor Villas project and the first reading of the expanded notification of boundaries ordinance. Mr. Plemel noted that Vice Chair Sattler had applied for reappointment, adding that the Open Meeting Law training would take place after the Board’s appointment of a new Commissioner.

FUTURE AGENDA ITEMS

COMMISSIONER REPORTS/COMMENTS

Commissioner Castro inquired about the status of the right turn-only signal on William and Carson Streets. He also pointed out that the Lompa Lane and Russel Way intersection was becoming a “drag race”. Chairperson Esswein disclosed that he had been invited by Mr. Pittenger to participate in a newly-formed Committee. Mr. Pittenger clarified that the Transportation Resource Advisory Forum Carson City (TRAFCC) is a 22-member citizens’ advisory group to keep the public informed on transportation resources and funds. Commissioner Monroy was informed that the Committee would not be making any recommendations.

H. PUBLIC COMMENT

There were no public comments.

I. FOR POSSIBLE ACTION: FOR ADJOURNMENT

(7:29:50) – **MOTION:** Vice Chairperson Sattler moved to adjourn. The motion was seconded by

Commissioner Owens. The meeting was adjourned at 5:00 p.m.

The Minutes of the June 29, 2016 Carson City Planning Commission meeting are so approved this 19th day of July, 2016.

PAUL ESSWEIN, Chair