

DRAFT MINUTES
Regular Meeting
Carson City Planning Commission
Wednesday, October 25, 2017 ● 5:00 PM
Community Center Sierra Room
851 East William Street, Carson City, Nevada

Commission Members

Chair – Mark Sattler	Vice Chair – Charles Borders, Jr.
Commissioner – Paul Esswein	Commissioner – Elyse Monroy
Commissioner – Daniel Salerno	Commissioner – Candace Stowell
Commissioner – Hope Tingle	

Staff

Lee Plemel, Community Development Director
Hope Sullivan, Planning Manager
Dan Stucky, City Engineer
Steven Pott y, City Engineer
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

(5:08:04) – Chairperson Sattler called the meeting to order. Roll was called. A quorum was present. Commissioner Salerno led the Pledge of Allegiance.

Attendee Name	Status	Arrived/Left
Chairperson Mark Sattler	Present	
Vice Chairperson Charles Borders, Jr.	Present	
Commissioner Paul Esswein	Present	
Commissioner Elyse Monroy	Present	
Commissioner Daniel Salerno	Present	
Commissioner Candace Stowell	Present	
Commissioner Hope Tingle	Present	

B. PUBLIC COMMENT

(5:09:07) – Chairperson Sattler entertained public comments; however, none were forthcoming.

C. POSSIBLE ACTION ON APPROVAL OF MINUTES – September 27, 2017

(5:09:28) – MOTION: I move to approve the September 27, 2017 meeting minutes [as corrected].

(5:09:44) – Commissioner Stowell requested identifying Jerry Goodman, who spoke in favor of the project during public comments on agenda item F-1, as the building owner. She also made a correction to a typographical error.

RESULT:	APPROVED (6-0-1)
MOVER:	Esswein
SECONDER:	Borders
AYES:	Sattler, Borders, Esswein, Salerno, Stowell, Tingle
NAYS:	None
ABSTENTIONS:	Monroy
ABSENT:	None

D. MODIFICATION OF AGENDA

(5:11:56) – There were no modifications to the agenda.

E. PUBLIC HEARING MATTERS

E-1 SUP-17-131 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FOR A SPECIAL USE PERMIT FROM DONALD GURNEY (PROPERTY OWNER: DONALD GURNEY) TO CONVERT AN ART STUDIO INTO A GUEST BUILDING, ON PROPERTY ZONED SINGLE FAMILY 6000 (SF6), LOCATED AT 608 CHERNUS DRIVE, APN 001-045-13.

(5:12:09) – Chairperson Sattler introduced this item, and Ms. Sullivan reviewed the agenda materials in conjunction with displayed slides. She also noted that Staff has been able to make all seven findings and recommended approval. Chairperson Sattler was informed that the originally-approved plan for an art studio contained the bathroom. Commissioner Esswein inquired about a deed restriction requirement in relation to future discussions on accessory units, and Ms. Sullivan explained that moving forward they can “reference the codified limitation on the occupancy”. Commissioner Stowell received confirmation that a home business would not be allowed to invite students and instructors; however, they may occasionally invite people to view their craft. Ms. Sullivan explained to Vice Chair Borders that the applicants had not originally intended to use the premise as a guest building; therefore the planner had prepared a deed restriction which would require a Special Use Permit should the art studio become a guest building.

(5:21:02) – Applicant Donald Gurney introduced himself and noted that no art classes were and will be held at the location. He also clarified that the person living on the premises is a family member. There were no public comments.

(5:23:43) – MOTION: I move to approve SUP-17-131, a Special Use Permit to allow an existing building to be used as a guest building, on property zoned Single Family 6000, located at 608 Chernus Drive, APN 001-045-13 based on the findings and conditions of approval contained in the Staff Report.

RESULT:	APPROVED (7-0-0)
MOVER:	Monroy
SECONDER:	Salerno
AYES:	Sattler, Borders, Esswein, Monroy, Salerno, Stowell, Tingle
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

E-2 SUP-17-136* FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FOR A SPECIAL USE PERMIT FROM SPEAR AND PHILLIPS LLC (PROPERTY OWNER: JOHN BLOCK) TO ALLOW THE EXPANSION OF A NON-CONFORMING USE, SPECIFICALLY A MULTI-FAMILY RESIDENTIAL USE, ON PROPERTY ZONED SINGLE FAMILY 6000 (SF6) LOCATED AT 504 PHILLIPS STREET, APN 003-243-04.

(5:24:22) – Chairperson Sattler introduced this item. Ms. Sullivan reviewed the agenda materials in conjunction with displayed slides, and responded to clarifying questions. She also explained that the Planning Division alone could not approve the expansion of a non-conforming use; hence, it is being heard by the Planning Commission. Ms. Sullivan noted that both the Fire Department and the Building Department would be reviewing the occupancy, and that a building permit was a requirement. Discussion ensued regarding fencing and Commissioner Monroy was informed that Mr. Block’s fence height was allowed per code and had been approved by the Historic Resources Commission. Commissioner Salerno was informed that three of the four one-bedroom units will remain unchanged, and the fourth one will become a two-bedroom unit. Commissioner Stowell inquired about the two different addresses describing the property and Ms. Sullivan requested that the applicant explain that. Commissioner Tingle was informed that the parking situation would not change, since the number of units will remain the same.

(5:42:42) – Susie Block introduced herself and indicated that she had read the conditions of approval and was in agreement with them. Commissioner Stowell received confirmation that the plans were submitted to the Building Department. Ms. Sullivan indicated that building permit was approved in error, which was discovered and construction was halted, at which point they were forwarded to all City agencies including the Planning Division. She also noted that Building Official Charlene Gaworski was present to answer questions. Mr. Plemel clarified that the Commissioners’ packet included the floor plan of the new area, but not the existing ones. Commissioner Tingle was informed that the four dwellings were identical at this time. Discussion ensued regarding parking spaces and Ms. Block noted that there was room for six parked cars, in addition to street parking.

(5:49:02) – John Block introduced himself as “the single owner of Spear and Phillips LLC”, and gave historic background on the property, explaining why the property had two addresses. Discussion ensued regarding the Fire Department access and Ms. Sullivan confirmed that the Building Department and the Fire Department were scheduled to meet with the property owners to discuss their requirements. Ms. Block reviewed the floor plans of the units and responded to clarifying questions. Chairperson Sattler entertained public comments.

PUBLIC COMMENT

(5:57:36) – Jack McLaughlin of 611 Robinson Street commended Mr. Block for renovating the historic building; however, he stated that when the project had been initially proposed, “[Mr. Block] promised that there would never be a unit on the top floor, there wouldn’t be dormers looking down into our houses...and also he would tear down the tin shed that sat on our property line”. He was also pleased to hear that “the dormers were removed from the project” and hoped they “would not reappear”, referring to an elevation that will no longer contain a window. There were no additional comments; therefore, Chairperson Sattler entertained a motion.

(6:02:13) – MOTION: I move to approve SUP-17-136, a request from Susan Block (property owner: Spear and Phillips LLC) for a Special Use Permit to allow the expansion of a non-conforming use, multi-family residential, on property zoned Single Family 6000, and located at 504 Phillips Street, APN 003-243-04,

based on the ability to make findings as outlined in the Staff Report, and subject to the conditions of approval, including adding Condition 13 to state that the property should not exceed 4 units.

(6:03:11) – In response to Chairperson Sattler’s inquiry, the applicants accepted the additional condition of approval. Ms. Sullivan read into the record the two additional changes to the Conditions of Approval recommended by Staff. The first would read: “[adding] Condition 14: The proposed construction creates change of use from R3 to R2 occupancy. The applicant must submit plans and obtain permits to convert the space to an R2 occupancy.” The second change would add language to conditions 6, 7, and 8 to read: “...or identify alternative means and methods to the satisfaction of the Building Official and the Fire Marshall.”

RESULT:	APPROVED (7-0-0)
MOVER:	Salerno
SECONDER:	Tingle
AYES:	Sattler, Borders, Esswein, Monroy, Salerno, Stowell, Tingle
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

E-3 SUP-17-132 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FOR A SPECIAL USE PERMIT FROM KENT SKOGERSON (PROPERTY OWNER: KENT SKOGERSON) TO ALLOW A MULTI-FAMILY RESIDENTIAL USE, ON PROPERTY ZONED RESIDENTIAL OFFICE (RO), LOCATED AT 550 W WASHINGTON STREET, APN 001-201-24.

(6:04:38) – Chairperson Sattler introduced the item. Commissioner Monroy read a statement into the record noting that she resides in a rental property within the noticed radius of the subject property of the SUP: however, the resulting benefit to her as a result of the action item is not greater than it occurring to any other member of the group living within the noticed radius. Therefore, Legal Counsel has advised that Commissioner Monroy does not have a significant pecuniary interest that would be a disqualifying conflict, and she will be participating in the discussion and voting on the item. Chairperson Sattler also disclosed that he has “known Dr. Skogerson for years” through a past business, prior to the applicant’s retirement. Commissioner Tingle also disclosed that she had been treated by Dr. Skogerson “a number of years ago”.

(6:06:40) – Ms. Sullivan presented the agenda materials with accompanying slides and responded to clarifying questions. She recommended approval with additional language to Condition 5, requiring additional on-site parking should the use be a combination of residential and office use. Ms. Sullivan noted a minor correction to Condition 15, replacing Spear Street with Washington Street. She also noted that Keith Shaffer and Karen Downs of Manhard Consulting, and their clients, were present to answer questions by the commissioners.

(6:10:18) – Mr. Shaffer introduced Ms. Downs, Planner, who had worked on the application. He also stated that they had read the conditions of approval and wished to “discuss a few”. Ms. Downs requested a site review for Condition 15 to determine whether or not the sidewalks will need to be replaced. City Engineer Dan Stucky clarified that the applicants had requested the site review to find out which sidewalk panels needed replacing. Ms. Downs also clarified for Commissioner Stowell that at the time the application was submitted, the entire building was to be converted to five multi-family residences; however, the applicant may want to keep some of the office space. Mr. Shaffer noted that the owner had the property up for sale or lease for the last year “but it’s just not

happening”; therefore he is looking for the highest and best use of the property. He confirmed that should part of the building remain as office space, the 12 or 13 required parking spaces are currently on site. Mr. Shaffer also requested removing Condition 14 as the remodel was for the interior only.

(6:20:00) – Commissioner Monroy requested additional explanation from Staff regarding Condition 14. Mr. Plemel stated that most of the Conditions of Approval are directly from the Building Code, adding that this particular condition may be waived by the Public Works Director and suggested keeping it in for the time being and having a conversation with the Public Works Director. Commissioner Tingle received confirmation that the driveway on Minnesota Street was an exit only. City Engineer Steven Pottéy informed Commissioner Esswein that the requested Condition 14 modification was for “an old driveway apron so it doesn’t meet the slopes” for ADA and wheelchair use. Ms. Sullivan suggested, based on the discussion, added language to Condition 14: “to the satisfaction of the Public Works Director and the Building Official”. Discussion ensued regarding the removal of Condition 14; however, Commissioner Monroy suggested leaving it in as there was an established process for waiving it by the Public Works Director. Vice Chair Borders agreed with the suggestion along with Mr. Plemel. Chairperson Sattler entertained public comment.

PUBLIC COMMENT

(6:28:06) – Julie Maxwell introduced herself as a 12-year Minnesota Street resident and expressed concern over the lack of common areas when businesses convert into residential units.

(6:30:24) – Dr. Kent Skogerson explained that the subject property was his “pension”, and that they had “spent a huge amount of money getting the other [part of the] office finished...carpet, paint, and flooring...and I’d hate to see that torn out.” He also addressed Ms. Maxwell’s concern noting that he wished to see an area for tenants, such as the area in the front of the building and the side where a barrier and a bench already existed, along with nearby Treadway Park. Commissioner Monroy noted that children from a nearby apartment unit play in the street regardless of the park nearby and wished to understand why green space was not requested in this situation. Ms. Sullivan read the open space requirements (on page six of the Staff Report) and clarified that according to the Municipal Code, river rock was considered open space. In response to a question by Commissioner Stowell, Mr. Shaffer explained that there will not be a common laundry area; however, washers/dryers or appropriate closet space will be provided inside the units for stackable washers and dryers. Commissioner Monroy expressed concern over parking should the property be partially designated as office space. She also spoke in favor of converting existing properties to residential units. Commissioner Stowell spoke in agreement to the latter as well.

(6:20:28) – MOTION: I move to approve SUP-17-132, a Special Use Permit request to allow the conversion of an office building to a five-unit multifamily residential building on property zoned Residential Office (RO), located at 550 West Washington Street, APN 001-201-24, based on the findings and subject to the recommended conditions of approval in the Staff Report as modified: Condition number five to address the parking, eliminating Condition 14 [modification of the eastern driveway to be ADA compliant], and replacing Spear Street with Washington Street in Condition number 15.

RESULT:	APPROVED (7-0-0)
MOVER:	Esswein
SECONDER:	Tingle
AYES:	Sattler, Borders, Esswein, Monroy, Salerno, Stowell, Tingle
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

(6:41:48) – Chairperson Sattler recessed the meeting.

(6:48:35) – Chairperson Sattler reconvened the meeting. A quorum was still present.

E-4 ZCA-16-199 REVISED FOR POSSIBLE ACTION: TO MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING AN ORDINANCE AMENDING TITLE 18, CHAPTER 18.03, DEFINITIONS, SECTION 18.03.010 WORDS AND TERMS DEFINED, TO MODIFY THE DEFINITION OF “DWELLING, SINGLE-FAMILY” AND THE DEFINITION OF “SINGLE-FAMILY DWELLING”, AND OTHER MATTERS PROPERLY RELATED THERETO.

(6:48:38) – Chairperson Sattler introduced this item. Ms. Sullivan gave background, reviewed the agenda materials incorporated into the record, and responded to clarifying questions. She also explained that the District Attorney’s Office had not yet reviewed the ordinance; therefore, some non-substantive, technical changes may occur. There were no public comments.

(6:52:29) – MOTION: I move to recommend to the Board of Supervisors approval of ZCA-16-199(a), an ordinance amending Title 18, Zoning, Chapter 18.03, Definitions, Section 18.03.010 Words and Terms Defined, to modify the definition of “Dwelling, Single-Family” and the definition of “Single-Family Dwelling”, and other matters properly related thereto.

RESULT:	APPROVED (7-0-0)
MOVER:	Borders
SECONDER:	Stowell
AYES:	Sattler, Borders, Esswein, Monroy, Salerno, Stowell, Tingle
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

E-5 ZCA-17-157 FOR POSSIBLE ACTION: TO MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING AN ORDINANCE AMENDING TITLE 18, ZONING, CHAPTER 18.05, GENERAL PROVISIONS, SECTION 18.05.080, TO REVISE THE STANDARDS OF “WIND ENERGY CONVERSION SYSTEMS;” AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

(6:53:15) – Chairperson Sattler introduced the item. Ms. Sullivan presented the Staff Report which is incorporated into the record, and responded to clarifying questions. She also recommended approval, adding that the language is a duplication of the language put in place by the legislature. There were no other Commissioner or public comments.

(6:55:46) – MOTION: I move recommend to the Board of Supervisors approval of ZCA-17-157, an Ordinance amending Title 18, Chapter 18.05, General Provisions, Section 18.05.080 Private Use Wind Energy Conversion Systems to eliminate prescriptive height limitations, to add supplemental review standards, and providing other matters properly related thereto.

RESULT:	APPROVED (7-0-0)
MOVER:	Esswein
SECONDER:	Salerno
AYES:	Sattler, Borders, Esswein, Monroy, Salerno, Stowell, Tingle
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

F. STAFF REPORTS (NON-ACTION ITEMS)

F-1. DIRECTOR'S REPORT TO THE COMMISSION

(6:56:35) – Chairperson Sattler introduced this item, and Mr. Plemel updated the Commission on relevant items addressed by the Board of Supervisors including recreational marijuana dispensaries and the Lompa Ranch Development. He also clarified that the building permit fees will be passed on to the schools once they are collected, confirming that they will not have “up-front money”. Mr. Plemel noted that the November meeting would contain several Special Use Permits, Zoning Code Amendments, and the Master Plan Annual Report presentation as well. He also reminded the Commission that the next meeting will be held on November 29, 2017 at 5 p.m.; however, the December meeting will be moved to December 20, 2017 at 1:00 p.m.

FUTURE AGENDA ITEMS

(7:01:13) – Commissioner Stowell requested a discussion on accessory dwelling units, possibly in December.

COMMISSIONER REPORTS/COMMENTS

There were no Commissioner reports or comments.

G. PUBLIC COMMENT

(7:01:58) – There were no public comments

H. FOR POSSIBLE ACTION: ADJOURNMENT

(7:02:05) – Commissioner Esswein moved to adjourn. The meeting adjourned at 7:02 p.m.

The Minutes of the October 25, 2017 Carson City Planning Commission meeting are so approved this 29th day of November, 2017.

MARK SATTLER, Chair