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A regular meeting of the Carson City Planning Commission was scheduled for 3:30 p.m. on Wednesday, November 29, 2006 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

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

STAFF: Walter Sullivan, Planning Division Director
Lee Plemel, Principal Planner
Jennifer Pruitt, Senior Planner
Heidi Eskew-Herrmann, Associate Planner
Jeff Sharp, Deputy City Engineer
Tom Grundy, Engineering Division Civil Design Supervisor
Mary-Margaret Madden, Senior Deputy District Attorney
Kathleen King, Recording Secretary

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

A. CALL TO ORDER, DETERMINATION OF A QUORUM, AND PLEDGE OF ALLEGIANCE (3:32:45) - Vice Chairperson Kimbrough called the meeting to order at 3:32 p.m. Roll was called; a quorum was present. Commissioner Bisbee led the pledge of allegiance. Chairperson Peery was absent.

B. COMMISSION ACTION ON APPROVAL OF MINUTES - October 25, 2006 (3:33:39) - Commissioner Mullet moved to approve the minutes. Commissioner Vance seconded the motion. Motion carried 6-0.

C. PUBLIC COMMENT (3:34:13) - Mr. Plemel displayed the Vision 20/20 Award, conferred upon the City by the Sierra Business Council, for the recently-adopted comprehensive master plan, parks and recreation master plan element, and unified pathways master plan element. He noted the mission of the Sierra Business Council to protect the natural, social, and fiscal health of the Sierras for this and future generations. He congratulated the Planning Commission, and advised that the award would be kept in the Planning Division office. Vice Chairperson Kimbrough commended Mr. Plemel.

D. MODIFICATIONS TO THE AGENDA (3:36:00) - Mr. Sullivan requested to pull item F-2 from the consent agenda.

E. DISCLOSURES (3:36:23) - Commissioner Semmens advised he would abstain from discussion and action of items G-2 and G-3.

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F. CONSENT AGENDA

F-1. SUP-04-045 ACTION TO CONSIDER REVIEW OF A PREVIOUSLY APPROVED SPECIAL USE PERMIT FROM PETER WILDAY (PROPERTY OWNER: CARSON GAMING LLC) TO ALLOW AN INCREASE IN PERMITTED FREESTANDING SIGN HEIGHT FROM 20 FEET TO APPROXIMATELY 30 FEET, AND AN INCREASE IN TOTAL PERMITTED ON-SITE SIGN AREA FROM 600-SQUARE-FEET TO 791-SQUARE-FEET, FOR THE REPLACEMENT OF AN EXISTING SIGN WITH A NEW 611.5-SQUARE-FOOT MONUMENT SIGN, ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT 3800 SOUTH CARSON STREET, APN 009-153-16 (3:37:20) - Vice Chairperson Kimbrough introduced this item, and entertained a motion. Commissioner Mullet moved to approve this item. Commissioner Vance seconded the motion. Motion carried 6-0.

F-2. SUP-04-053 ACTION TO CONSIDER REVIEW OF A PREVIOUSLY APPROVED SPECIAL USE PERMIT FROM STEVE REYNOLDS (PROPERTY OWNERS: WANDLER FAMILY 1990 TRUST) TO ALLOW AN INCREASE IN PERMITTED FREESTANDING SIGN HEIGHT FROM 20 FEET TO 30 FEET FOR A NEW FREESTANDING SIGN, ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT 1897 NORTH EDMONDS DRIVE, APN 008-306-14 (3:38:34) - Vice Chairperson Kimbrough introduced this item. Commissioner Reynolds advised he would abstain from discussion and action. Mr. Sullivan reviewed the staff report, and explained the applicant's delay in applying for a new building permit. He responded to questions regarding staff's recommended motion, and explained the reason for pulling the item from the consent agenda. Vice Chairperson Kimbrough entertained a motion. **Commissioner Semmens moved to continue the required review of SUP-04-053 to the Planning Commission meeting of 20 December 2006, and to direct staff to initiate show cause proceedings pursuant to CCMC 18.02.095 regarding a special use permit request from Cletus / Georgette Wandler, property owners Wandler Family 1990 Trust, which allowed an increase in permitted free-standing sign height from 20 feet to 30 feet for a new free-standing sign, on property zoned general commercial, located at 1897 North Edmonds Drive, Silver Dollar Casino, APN 008-306-014, for being in a non-compliant status of the conditions of approval; the appropriate building permit approvals had not been secured which places the subject sign in a non-compliant status with the special use permit conditions of approval. Commissioner Bisbee seconded the motion. Vice Chairperson Kimbrough opened this item to public comment.**

(3:44:23) Mary Lou Schindler, representing Cletus Wandler, advised she would be working on resolving the issues. She acknowledged that the engineered drawings of the sign could not be located.

Vice Chairperson Kimbrough called for a vote on the pending motion; **motion carried 5-0-1, Commissioner Reynolds abstaining.**

G. PUBLIC HEARING MATTERS:

G-1. ZCA-06-207 ACTION TO CONSIDER AMENDMENTS TO THE CARSON CITY MUNICIPAL CODE, TITLE 18, ZONING, CHAPTER 18.12.055, SPECIFICALLY GROWTH MANAGEMENT ORDINANCE REVISIONS INVOLVING THE PAYMENT OF UTILITY CONNECTION FEES AT EITHER SUBMITTAL OF BUILDING PLANS OR AT THE ISSUANCE OF BUILDING PERMIT, AND OTHER MATTERS PROPERLY RELATED THERETO (3:46:43) - Vice Chairperson Kimbrough introduced this item. Mr. Sullivan provided background information and reviewed the staff report. He responded to questions regarding the mechanism of the amendment, and

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reviewed the proposed language. Vice Chairperson Kimbrough called for public comment and, when none was forthcoming, entertained a motion. **Commissioner Vance moved to recommend to the Board of Supervisors approval of ZCA-06-207, an amendment to CCMC 18.12.055, subsection 2(b), specifically revising the process for timing to pay growth management fees and utility connection fees for residential building permits, and other matters related thereto.** Commissioner Semmens seconded the motion. Motion carried 6-0.

G-2. LDM-06-198 ACTION TO CONSIDER A DIVISION OF LAND INTO LARGE PARCELS APPLICATION FROM WASHOE HILLVIEW PROPERTIES, LLC, PROPERTY OWNER, TO SUBDIVIDE ONE PARCEL OF APPROXIMATELY 640 ACRES INTO 14 PARCELS OF APPROXIMATELY 40 ACRES AND ONE PARCEL OF APPROXIMATELY 80 ACRES, ON PROPERTY ZONED CONSERVATION RESERVE (CR), LOCATED GENERALLY NORTHWEST AND NORTHEAST OF THE GONI ROAD TERMINUS, APN 008-011-04; and G-3. LDM-06-199 ACTION TO CONSIDER A DIVISION OF LAND INTO LARGE PARCELS APPLICATION FROM WASHOE HILLVIEW PROPERTIES, LLC, PROPERTY OWNER, TO SUBDIVIDE TWO PARCELS TOTALING APPROXIMATELY 320 ACRES INTO EIGHT PARCELS OF APPROXIMATELY 40 ACRES, ON PROPERTY ZONED CONSERVATION RESERVE (CR), LOCATED GENERALLY NORTHWEST AND NORTHEAST OF THE GONI ROAD TERMINUS, APN 008-011-05 AND APN 008-011-07 (3:54:39) - Vice Chairperson Kimbrough introduced these items. Mr. Plemel reviewed the staff reports, and oriented the commissioners to the subject parcels using displayed maps. He reviewed the Fire Department's recommended conditions of approval, as outlined in the October 24, 2006 memo included in the agenda materials. He advised of staff's recommendation of approval subject to the seven conditions outlined in the staff report. In response to a question, he explained the intent of condition of approval #6. He acknowledged that the final map would not be submitted for commission review.

(4:04:10) Greg Lehman acknowledged his agreement with the conditions of approval outlined in the staff report. In response to a question, Mr. Plemel advised that only one access would be required for the purpose of the land division map being recorded. Almost certainly, with any further division of the land, additional parcel map requirements would apply.

Vice Chairperson Kimbrough called for public comment. (4:06:12) Lynn Zonge, a resident of the Goni Road neighborhood, commended Mr. Lehman as "a terrific neighbor." She expressed concerns over visual impacts and drainage. She noted that parcel 4, section 21, is the "northern backdrop to the entire City," and described the steep terrain. She expressed concern over no consolidated roadway plan for the residential development, and perpetual impacts to the City. She discussed impacts to her neighborhood following a 25-year flood event which took place in January 2006, and the subsequent downstream impacts to the industrial area. She expressed the opinion that not having a plan for development would be shortsighted and irresponsible because the area is so visual and the watershed is so delicate with regard to sediment production and erosion. Vice Chairperson Kimbrough advised that no development had been proposed. Ms. Zonge expressed concern over subdividing the parcels and allowing future "piecemeal development." Mr. Sullivan explained the purpose of this item, and advised that any building permit or further development of the property will require conditions to address drainage and visual impacts pertinent to slope steepness and development.

Vice Chairperson Kimbrough called for additional public comment and, when none was forthcoming, entertained additional comments. Mr. Plemel acknowledged the open space and recreational values of the property, and advised that the applicant has indicated no imminent plans for development. Mr. Plemel

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reviewed statutory regulations pertinent to land subdivisions. Vice Chairperson Kimbrough entertained a motion. **Commissioner Bisbee moved to approve application LDM-06-198, a tentative map for division of land into large parcels to subdivide a parcel of approximately 640 acres into 14 parcels of approximately 40 acres each, and one parcel of approximately 80 acres, APN 008-011-04, subject to the conditions contained in the staff report.** Commissioner Vance seconded the motion. Motion carried 5-0-1, Commissioner Semmens abstaining.

Commissioner Bisbee moved to approve application LDM-06-199, a tentative map for division of land into large parcels, to subdivide two parcels totaling approximately 320 acres into 8 parcels of approximately 40 acres each, APNs 008-011-05 and -07, subject to the conditions contained in the staff report. Commissioner Reynolds seconded the motion. Motion carried 5-0-1, Commissioner Semmens abstaining.

G-4. SUP-06-196 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM ROBERT G. AND MELINDA S. KOLB, PROPERTY OWNERS, TO ALLOW CONSTRUCTION OF AN ACCESSORY STRUCTURE (GUEST HOUSE), ON PROPERTY ZONED SINGLE-FAMILY ONE ACRE (SF1A), LOCATED AT 1293 EAST ROLAND STREET, APN 009-215-12 (4:13:56) - Vice Chairperson Kimbrough introduced this item. Mr. Sullivan reviewed the staff report, and narrated pertinent slides. He advised of staff's recommendation of approval subject to the findings and conditions outlined in the staff report.

(4:17:50) Robert Kolb acknowledged his agreement with the conditions of approval, and explained the design and purpose of the guest house.

Vice Chairperson Kimbrough called for public comment. (4:19:00) Gary Barnett, a resident of the area, discussed concerns over the guest house being used as a rental property at some time in the future. Vice Chairperson Kimbrough expressed understanding for Mr. Barnett's concern.

Mr. Sullivan read condition of approval 11 into the record, and noted the responsibility of the neighbors to inform the Planning Division of violations. Vice Chairperson Kimbrough entertained a motion. **Commissioner Semmens moved to approve SUP-06-196, a special use permit request from applicants and owners Robert G. and Melinda J. Kolb, to allow an accessory building of 1,709 square feet, which another accessory structure of 240 square feet already on site, exceeds 75 percent of the size of the primary structure, on property zoned single-family one acre, located at 1293 East Roland Street, APN 009-215-12, based on seven findings and subject to the conditions of approval contained in the staff report.** Commissioner Reynolds seconded the motion. Motion carried 6-0. Vice Chairperson Kimbrough commended Mr. Kolb on his application materials.

G-5. TPUD-06-202 ACTION TO CONSIDER THE FOLLOWING: TENTATIVE PLANNED UNIT DEVELOPMENT APPLICATION, KNOWN AS MILLS LANDING, FROM CAPITAL ENGINEERING (PROPERTY OWNER: DGD DEVELOPMENT AND MSB PROPERTIES) TO ALLOW A MIXED-USE DEVELOPMENT, ON APPROXIMATELY 10.14 ACRES RESULTING IN 94 SINGLE-FAMILY DWELLING UNITS ON APPROXIMATELY 7.7 ACRES AND COMMERCIAL / RETAIL DEVELOPMENT ON APPROXIMATELY 2.4 ACRES, WITH ASSOCIATED VARIANCES, TO ALLOW A REDUCTION IN THE 30-FOOT MINIMUM BUILDING SETBACK FROM AN ADJACENT RESIDENTIAL ZONING DISTRICT, TO VARY FROM 20-FOOT DRIVEWAY REQUIREMENT, PUD PERIPHERY SETBACKS, AND RELATED PARKING VARIANCES FROM CITY REQUIREMENTS, AND A SPECIAL USE

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PERMIT REQUEST TO ALLOW RESIDENTIAL USES IN GENERAL COMMERCIAL (GC) ZONING DISTRICT IN ADDITION TO MODEL HOMES, TEMPORARY SALES OFFICE, AND ASSOCIATED FLAGS / FLAGPOLES, ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT 1208 EAST WILLIAM STREET AND STATE STREET, APN 002-441-21 AND 002-441-23 (4:22:45) - Vice Chairperson Kimbrough introduced this item. Ms. Pruitt provided an overview of the project, and suggested a presentation format. She reviewed the staff report, and advised of proposed changes to the conditions of approval, as follows: to add the words "with the exception of existing overhead lines" to condition of approval 20; to delete conditions of approval 24 and 28 due to inapplicability; to amend the language of condition of approval 11, at page 8, to state, "The temporary tract sales office within the model homes shall be for the exclusive use of selling homes located within the Mills Landing Planned Unit Development;" and to revise condition of approval 2 pertinent to the variance request, to have the variance time frame as well as the special use permit time frame run consistent with the tentative map time frame of 24 months. In addition, a single one-year extension of time may be granted if requested in writing to the Planning Division thirty days prior to the two-year expiration date. Ms. Pruitt invited the applicant to present the project.

(4:31:43) Susan Dorr, of Landmark Communities, provided an overview of her presentation and requested to address questions and comments following public testimony. She noted that the subject development is the first to be presented pursuant to the mixed-use residential designation defined in the comprehensive master plan adopted in April 2006. She narrated a PowerPoint presentation, which included an overview of the project; a description of the project location and proposed development; demographics and trends which have influenced the project design; pricing and affordability; review of a commercial market study; community amenities; access and circulation; landscaping, park facilities, and open space; proposed elevations; and the homeowners association. In reference to a written concern regarding the 30-foot setback between the property line and the first row of structures, Ms. Dorr noted that a 30-foot setback is generally intended, in a commercial zone, to buffer dissimilar uses. Residential uses wouldn't require as large a setback. She explained the reason for requesting the variance to the 20-foot periphery setback required for the planned unit development to maintain circulation and access. In addition, the 50-foot open space area is also a power easement within which construction is prohibited. With those site constraints and the proposed lot sizes, the developers believe the area would be best served with a lower density as well as a reduction in the setback requirement.

Ms. Dorr advised of agreement with the conditions of approval, except for conditions 2 and 3, and the recommendations set forth in the staff report. In response to a question, she pointed out the power line which will remain above ground. She acknowledged that the square footage allocated to common open space includes a portion of the front yards. She explained that the front yards are construed as open space because they are proposed to be maintained by the homeowners association. She responded to questions regarding the methods by which parking regulations would be enforced by the homeowners association. She pointed out the centrally located park on a displayed map, and acknowledged that it would be accessible to residents of the Millennium development. She acknowledged the general demographics displayed during the presentation are representative of Carson City. She advised that the market study revealed 65% of the target buyers would be from Carson City. She responded to questions regarding the additional bedrooms proposed following the market study. She agreed to consider the possibility of applying the same architecture to the rear of the structures on the north which abut the adjacent property. Commissioner Mullet expressed a preference for either shortening the driveways to prohibit parking or lengthening them to allow for parking. Vice Chairperson Kimbrough expressed concern over the driveway situation. Discussion took place regarding the garage sizes and the homeowners association. In response to a question, Ms. Dorr explained the applicant's disagreement with conditions of approval 2 and 3. In

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response to a further question, she expressed a willingness to include sidewalks on both sides of the streets if the driveway aprons could be reduced. In such case, there would be no need to revise the site plan. In response to a further question, she advised that allowing a reduced driveway would provide for the possibility of lengthening the garages to accommodate storage space.

(5:17:18) Ms. Pruitt requested the commission to leave the decision regarding the possibility of reducing the driveway apron to the Engineering and Planning Divisions in order to ensure the reduction satisfies all the requirements associated with the driveway as well as the public utilities easement. In response to a question, Ms. Pruitt advised that the code requires a minimum of 30% open space. In response to a further question, she advised that the sidewalks provide connectivity and are therefore counted as open space. In response to a question, Ms. Dorr advised that the back fence between the subject development and the Long Street Townhouses would be on the property line. Vice Chairperson Kimbrough commended the applicants on working with the Millennium Homeowners Association. He called for public comment.

(5:21:50) Mark Sivazlian referred to his letter which was included in the agenda materials. He expressed no opposition to development in general, and a preference for maintaining the open space adjacent to his residence. He expressed support for staff's solution to require sidewalks and extend the driveways. He expressed concern over traffic issues at the intersection of Long and State Streets, and requested that solutions be considered. He commended the proposed development, and its connectivity with the Millennium project. He advised that nothing had been offered to the Long Street Townhouse property owners, however. He compared the design to a "three-wheeled truck" in that the proposed development doesn't integrate completely with the surrounding community. He suggested there are fairly simple solutions such as relocating one of the ingress roads to border the townhouse property. He suggested that the five-foot buffer could be landscaped and that the Long Street Townhouse property owners could maintain continuity between the two developments. He acknowledged having been aware of the subject property's zoning designation with the associated setbacks at the time he purchased his property. Commissioner Mullet expressed support for the idea of relocating the ingress road. In response to a question, Mr. Sivazlian expressed a preference for a commercial development adjacent to the Long Street Townhouse property. He expressed concern over 24-hour-a-day occupancy of residences. He noted the configuration of the townhouses and that there are no backyards. He advised that there are no other residential developments with "houses backing up within a few feet of the fronts of other houses."

(5:31:37) Bruce Backman, President of the Long Street Townhouses Association and Managing Member of Moriah Properties LLC, expressed concern for the Long Street Townhouse property owners. He expressed the opinion that five-foot setbacks amount to "a bit of insanity." He advised that the townhomes are set back twenty feet "which is reasonable." He expressed support for compromise with property landscape, fencing, and architectural design to the rear of the residences. He reiterated that five feet "is insanity." He discussed improvements to the townhouse property since its purchase by Moriah Properties LLC, and expressed concern that the townhomes directly adjacent to the proposed development will again become rental properties. He expressed further concern that the proposed development doesn't incorporate the entire community. He commended incorporation of the Millennium development, but objected to neglect of the Long Street Townhouses. He offered to participate in negotiating a compromise, and expressed the opinion that "at the moment it's a horrible plan." He expressed a preference for eliminating the driveways and moving "these places up ... seven feet and work the situation that way; take out the sidewalks on that side, put the sidewalks on the other side of the street. You could buy yourself thirteen

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feet or so." He reiterated his concern for the current residents and future buyers of the Long Street Townhouses, and requested the commissioners to consider his concerns in their decision-making process. In response to a comment, Mr. Backman advised of having owned the Long Street Townhouses for approximately eighteen months.

(5:38:13) Bill Bryant, of 1450 Millennium Terrace, inquired as to the boundaries of the proposed development, lighting, and amenities proposed for the park area. He expressed concern over criminal activity in the area of the proposed development. Vice Chairperson Kimbrough suggested that Mr. Bryant request that representatives of the Millennium Homeowners Association work with the developer regarding his concerns. Mr. Bryant expressed concerns over flooding issues associated with the boundary at the intersection of Molly Drive and Long Street. Vice Chairperson Kimbrough advised that a drainage analysis was submitted as part of the application, and that drainage facilities had been included in the plan. He suggested that Ms. Dorr address these issues in her rebuttal. Mr. Bryant inquired as to the stability of the hills behind the houses on Molly Drive in the Millennium subdivision. The original hydroseeding process did not take and the hill is "full of cheatgrass."

Vice Chairperson Kimbrough called for additional public comment and, when none was forthcoming, offered the applicant an opportunity for redress. (5:43:31) Mark Rotter, of Capital Engineering, acknowledged an awareness of the discharge from the Millennium project. Storm waters will be collected in pipe systems and detention / retention basins. He further acknowledged an awareness of the erosion issues, and advised that the problem will be resolved. He advised of having spoken with Traffic Engineer Paul Solaegui, who was unable to attend this meeting because of a scheduling conflict. He provided an overview of the method by which the traffic study was conducted. He advised that the analysis at State and Long Streets, as well as Saliman Road and Long Street, are "very legitimate issues." He explained that, based upon the amount of traffic, the worst case scenario would be a requirement for left-hand turn pocket striping. At fifty feet wide, State Street would allow for parking on both sides, two lanes, and a left-hand turn lane. A left-hand turn pocket would also need to be considered for Long Street. Mr. Rotter agreed to consider these issues and provide for appropriate mitigation. Discussion took place with regard to specific traffic scenarios.

(5:48:25) Ms. Dorr acknowledged having spent considerable time addressing connectivity between the proposed development and the Millennium project. She expressed a willingness to explore, with the Long Street Townhouses Association, access to the public areas within the Mills Landing development. She expressed the opinion that the Mills Landing developers considered adjacent properties by eliminating the potential for commercial development. Residential development is a "like use." Ms. Dorr discussed detriments associated with commercial development, such as parking, loading, etc. With regard to the proximity of the residences to the Long Street Townhouses, she requested consideration of the fact that the townhouses are connected and, therefore, subject the "same disturbance issues amongst themselves that they would with us." She expressed the belief that residential development, "in the long run and in general tends to be a less invasive use than ... commercial." With regard to the proposed setbacks, she referred again to the residential versus commercial nature of the proposed development. She advised that a proposed commercial development would have observed the 30-foot setback as has been done between the residences and commercial proposed within the development. With regard to concerns over the Millennium open space, she advised that no lighting is proposed for the areas between Millennium and Mills Landing. She expressed the belief that the development will displace any criminal activity. She advised that the erosion problem will be addressed, and that the area will be reseeded in a joint effort between Landmark Communities and the Millennium Homeowners Association. In response to a question, she advised that all the homes are proposed to be two stories. Vice Chairperson Kimbrough suggested that single story

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homes adjacent to the existing neighborhoods may provide more of a “buffer feeling.” Commissioner Semmens suggested changing the footprint, for homes 1-9, to allow for a ten-foot driveway and thereby provide fifteen feet between the residences and the townhouses. Ms. Dorr advised that the site is presently configured to indicate ten and twelve foot driveways. Reducing the driveways beyond the ten feet would allow for moving the homes forward and increasing the setback between the proposed development and the Long Street Townhouses.

In response to a question, Ms. Pruitt advised that the proposed development had not been submitted to the Parks and Recreation Commission. She advised that, as a matter of procedure, the proposed development was reviewed by Parks and Recreation Department staff. In response to a question, she reiterated the 30 percent open space requirement for the proposed development. She advised there is no open space or park requirement for a typical subdivision development.

(5:57:50) Park Planner Vern Krahn described the Parks and Recreation Department’s process for reviewing proposed developments. He referred to the parks and recreation master plan element and advised that the neighborhood in which the proposed development is located has “100 percent of its population within walking distance” of existing parks. In response to a question, he listed the parks and recreation facilities available in the subject neighborhood, including Sunland Vista Park, Fulstone Wetlands, Fulstone Park, Blackwells Pond Park, Lone Mountain Park, Steinheimer Park, and Mills Park. Mr. Sullivan discussed the purview of the commission with regard to open space.

Vice Chairperson Kimbrough entertained a motion. **Commissioner Vance moved to recommend to the Board of Supervisors approval of tentative planned unit development application, known as Mills Landing, from Capital Engineering, property owner DGD Development and MSB Properties, to allow mixed-use development on approximately 10.14 acres, resulting in 94 single-family dwelling units on approximately 7.7 acres and commercial retail development on approximately 2.4 acres, with associated variances to allow a reduction in the 30-foot minimum building setback from an adjacent residential zoned district, PUD periphery setback reduction and to vary from 20-foot driveway requirement and related parking variances from City requirements and a special use permit request to allow residential uses in general commercial zoning district, in addition to model homes, temporary sales office, and associated flags, flagpoles, and associated zone change, on property zoned general commercial, located at 1208 East William Street and State Street, APN 002-441-21 and 002-441-23, based on 12 findings and subject to the recommended conditions of approval contained in the staff report. Commissioner Reynolds seconded the motion.**

In response to a question regarding conditions 2 and 3, Ms. Pruitt referred to the clarification offered at the beginning of this item. Commissioner Vance explained the intent of his motion to propose no variance in the driveway requirement. He referred to condition of approval 3 pertinent to the tentative map revision, and read the same into the record. Discussion took place regarding the motion. Commissioner Bisbee commended the project as well done and attractive, but expressed hesitation over approving it without the applicant having worked with the Long Street Townhouses Association. She expressed no opposition to an earlier suggestion to eliminating the driveway and thereby increasing the distance between the Long Street Townhouses and lots 1-9 of the Mills Landing project. She noted the only problem as the relationship between the northern boundary of the Mills Landing project and the Long Street Townhouses. Commissioner Reynolds referred to the mixed-use residential component of the comprehensive master plan, and the issue of integrating such projects into existing neighborhoods. He expressed less concern with “what goes on inside the development” with regard to driveway lengths, and a preference for no driveways or shorter driveways and an increased setback from the Long Street Townhouses. He expressed a further

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preference for a larger setback between new and existing developments in consideration of future projects. He suggested amending the motion to provide for ten-foot or shorter driveways and a 15- to 20-foot setback between the proposed development and the Long Street Townhouses. Commissioner Semmens agreed, and suggested the proposed amendment wouldn't cost the developer anything. Additional discussion took place with regard to the pending motion.

Commissioner Reynolds referred to the tentative map which indicated a minimum of 10-foot driveways. Requesting consideration of an increase in the setback toward the Long Street Townhouses would reduce the driveways to shorter than ten feet. Discussion followed, and Commissioner Mullet expressed support for an increased setback to the northern portion of the development. He expressed further support for a sidewalk on only one side of the street in favor of increased green space. He suggested that giving up sidewalks on each side of the street to allow for increasing the setback on the northern portion of the development is a "pretty reasonable consideration." Ms. Pruitt requested clarification with regard to the reduction of front yard setbacks. Vice Chairperson Kimbrough advised that the pending motion indicated a setback of 20 feet. Ms. Pruitt pointed out that, in consideration of the reduction in the driveway aprons, there may be some flexibility afforded to the applicant regarding the entire development rather than just those lots adjacent to the Long Street Townhouses. Mr. Sullivan agreed that the revision would benefit the entire development. Commissioner Mullet expressed concern over parking, and support for staff's suggestion. Mr. Sullivan noted that, in the single family 6,000 residential zone, the rear yard setback is ten feet. In response to a question, he advised that the conditions of approval pertinent to sidewalks are pursuant to the code. There is no engineering requirement for a 20-foot driveway.

(6:23:30) Mr. Sharp explained the intent of the 20-foot building setback to provide for a 20-foot driveway. He provided suggestions for a five-foot sidewalk and a five-foot driveway slab which would allow for shrinking "the entire development to the south and probably ... get maybe a 20-foot setback on the north boundary." He advised that green space would be lost in the front yards, but this would resolve the issue of sidewalks on both sides.

Commissioner Vance withdrew his motion, and Commissioner Reynolds withdrew his second. Mr. Sharp acknowledged a preference for sidewalks on both sides of the streets to accommodate pedestrian access to the off-site parking areas. Vice Chairperson Kimbrough entertained a motion. Commissioner Reynolds suggested a motion to remove condition of approval 3 pertinent to the tentative map in light of the discussion which indicated no preference for a 20-foot minimum depth driveway slab for all lots. Commissioner Reynolds proposed a motion to direct staff to work out the sidewalk and driveway issues with the developer. Commissioner Vance expressed support for the suggestion to provide for pedestrian access to the off-site parking areas.

Vice Chairperson Kimbrough entertained a motion. **Commissioner Vance moved to recommend to the Board of Supervisors approval of tentative planned unit development application, known as Mills Landing, from Capital Engineering, property owner DGD Development and MSB Properties, to allow a mixed-use development, on approximately 10.14 acres resulting in 94 single-family dwelling units on approximately 7.7 acres, and commercial retail development on approximately 2.4 acres, with associated variances; to allow for a reduction in the 30-foot minimum building setback from an adjacent residential zoning district, PUD periphery setback reduction, and to vary from 20-foot driveway requirement and related parking variances from City requirements; and a special use permit request to allow residential uses in general commercial zoning district in addition to model homes, temporary sales office, and associated flags, flagpoles, and associated zone change, on property zoned general commercial, located at 1208 East William Street and State Street, APNs 002-**

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441-21 and 002-441-23, based on the twelve findings and subject to the recommended conditions of approval; with the deletion of conditions of approval 24, 28, modification to condition of approval 20, which includes not burying the existing power line, and the condition to be submitted are included as part of the building permit application; that the temporary sales tract office be within the model homes; and on the variance recommended conditions of approval #2 that the variance not be initiated within two years and a one-year extension can be granted; and to remove the specific revision to the tentative map that would have provided for a 20-foot minimum driveway depth for all lots; and to leave in sidewalks on both sides throughout the subdivision as well as along the State Street frontage; and in lieu of providing a minimum depth driveway slab for all lots, to direct staff to work with the applicant on driveway depth. **Commissioner Reynolds seconded the motion.** Commissioner Bisbee inquired as to whether the Long Street Townhouse issues had been addressed by the motion. Discussion followed, and Mr. Sullivan advised that staff's direction would be to consider a shorter driveway for the lots on the north side that abut the Long Street Townhouses and applying it to the rear yard. In response to a question, he explained the request to vary the 20-foot periphery setback requirement. He acknowledged the direction for at least ten feet, "maybe more if it can happen." Vice Chairperson Kimbrough called for a vote on the pending motion; **motion carried 6-0.** He recessed the meeting at 6:38 p.m. and reconvened at 6:50 p.m.

G-6. TSM-06-203 ACTION TO CONSIDER THE FOLLOWING: TENTATIVE SUBDIVISION MAP APPLICATION, KNOWN AS SUMMER HAWK, FROM CAPITAL ENGINEERING (PROPERTY OWNERS: STANTON PARK DEVELOPMENT AND HANSLER, LLC), TO ALLOW CONSTRUCTION OF 201 RESIDENTIAL UNITS (WITH APPROXIMATELY 86.2 PERCENT COMMON AREAS / OPEN SPACE) ON APPROXIMATELY 548.2 ACRES, ON PROPERTY ZONED CONSERVATION RESERVE (CR) / SINGLE-FAMILY 12,000 (SF12), A SPECIAL USE PERMIT TO ALLOW COMPLIANCE OF THE CARSON CITY HILLSIDE ORDINANCE AND MODEL HOMES (ON LOTS 1, 2, 66, AND 67), A TEMPORARY SALES OFFICE AND ASSOCIATED FLAGS / FLAGPOLES, AND A VARIANCE TO ALLOW MINIMUM LOT SIZE REDUCTION FROM THE CONSERVATION RESERVE (CR) / SINGLE-FAMILY 12,000 (SF12) STANDARDS TO AN 8,000-SQUARE-FOOT MINIMUM LOT SIZE, IN ADDITION TO A REDUCTION IN SETBACK / LOT WIDTH STANDARDS, LOCATED ON RHODES STREET AND CURRY STREET, APNs 009-021-02, 009-031-01, 009-031-02, 009-031-07, AND 009-151-01 (6:50:46) - Vice Chairperson Kimbrough introduced this item. Ms. Pruitt provided an overview of this item, and requested that the applicant be allowed to present the project following staff's presentation. Ms. Eskew-Herrmann reviewed the staff report, and narrated pertinent slides. Ms. Pruitt continued reviewing the staff report. She noted proposed amendments to the following conditions of approval: #23 - to add the words "with the exception of the existing overhead power lines"; #24 references the 96th residential lot, and the applicant has requested an amendment to indicate the 120th residential lot. Ms. Pruitt noted staff's agreement with the proposed amendment. To condition of approval 31(e), she requested to add the language "except for within the park development"; #54 to add the words "or LMD" prior to the words "as long as the subdivision contains 50 or more habitable lots"; and a correction to the bottom of page 16 of the staff report to read: "Improvements will include a 50-foot right-of-way with paving, ..." She advised that the applicant had been made aware of the proposed changes and would be available to address them.

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Ms. Pruitt advised that the applicant had addressed the required tentative map, special use permit, and variance findings. She referred to the written comments from various agencies, City departments, and divisions. She reviewed the public noticing requirements, and referred to the responses provided to the commissioners and staff. She noted the availability of Park Planner Vern Krahn and Open Space / Property Manager Juan Guzman to respond to questions.

(7:01:38) Mark Rotter, of Capital Engineering representing Syncon Homes, introduced Chip Hanley, Michelle Godde, and Joe Penter of Syncon Homes, and Attorney John Griffin. Mr. Rotter narrated a SlideShow presentation, which included a description of the project location; an overview of the terrain and the project's relationship to the rest of the town; concepts association with a common open space subdivision; parks, open space, and development area; review of the hillside development standards; review of adjacent properties; project design, streetscape, trails and pathways; incorporation of Fire Safe Council recommendations; formation of a landscape maintenance district; approval recommendations by the Open Space Advisory Committee and the Parks and Recreation Commission; dedication of approximately 88 percent of the total site to open space and parks; review of park amenities, access and circulation, and drainage. Mr. Rotter requested the commission's approval of the project, and the opportunity to redress questions and comments following public comment. He acknowledged agreement with the findings and the conditions of approval, with the revisions Ms. Pruitt outlined in her presentation. He requested to add the language "and / or open space areas" to condition of approval 31(e).

In response to a comment, Mr. Rotter reviewed the process involved in developing the project. In response to a question, he pointed out the locations of two portable restroom enclosures. In response to a further question, he advised that the trails will be maintained by the Parks and Recreation Department and the Open Space Program. Commissioner Reynolds commended the hillside development and drainage considerations. He discussed concerns over increased traffic on Curry Street. In response to a question, Mr. Rotter advised that, as Rhodes Street is constructed out to Curry Street, left-hand turn pocket improvements and requirements will have to be done. He advised of a number of discussions with Regional Transportation staff, who have done preliminary engineering on the Curry Street widening project. In response to a question, he pointed out the extension of Betts Street on a displayed slide. The traffic study indicates the level of service at Betts Street is significantly lower than at Rhodes Street. He acknowledged the traffic study indicates the current condition of Betts Street will handle the increased traffic. Commissioner Vance commended Mr. Rotter on his presentation. Vice Chairperson Kimbrough called for public comment.

(7:37:19) Dave Helgren read prepared comments into the record, a copy of which he provided to the recording secretary.

(7:45:18) David Ruf, owner of Greenhouse Garden Center, advised that the proposed project is adjacent to his business. He further advised of having spent numerous hours with the applicants and that his concerns had been addressed quite well. He noted that Greenhouse Garden Center has been in its present location for 34 years, and advised that Rhodes Street has been used as an access to unload semi trucks since the business opened. He explained that the semi trucks head directly west on Rhodes Street and turn around at the church property. Syncon Homes representatives have witnessed the amount of truck traffic frequenting Greenhouse Garden Center. Mr. Ruf discussed various solutions in conjunction with a displayed map. He noted that three parks are proposed for the project, and inquired as to the possibility of extending an effluent pipeline across Fairview while freeway construction is ongoing. He advised that the effluent line has been discussed in the past in conjunction with fire suppression. He discussed a proposed bike path in conjunction with concerns over increased traffic on Curry Street, and a development

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agreement entered into between his parents and the City regarding improvements to the Greenhouse Garden Center property. Mr. Sullivan referred Mr. Ruf to the Engineering Division with regard to his concerns over semi truck access and the development agreement. Mr. Ruf commended the project.

(7:53:38) Ed Silsby advised that the proposed project will be adjacent to the rear of his property. He expressed concerns over development within the FEMA flood zone and fire issues.

(7:55:11) Steve Oxoby, of 1224 Crain Street, advised of having received the public notice pertinent to this item last Friday. He expressed support for the “excellent development.” He suggested that Planning Division staff include an outline of the proposed development area in the public notices. He commended the trail / fire access pathways. In response to a question, Mr. Sullivan advised that the open space areas will be dedicated to the City and that further development of open space areas is fairly restricted. Mr. Oxoby expressed appreciation for the open space features.

Vice Chairperson Kimbrough called for additional public comment and, when none was forthcoming, entertained additional comments, questions, or a motion. **Commissioner Bisbee moved to recommend to the Board of Supervisors approval of a tentative subdivision map, TSM-06-203, Summerhawk Development, an application from Capital Engineering, owners Hansler LLC and Stanton Park Development, Inc., to allow a common open space development of 201 residential lots and variances for lot area, lot width, and lot setback requirement within the subdivision, a special use permit to allow compliance with the Carson City Hillside Ordinance, and to allow a temporary sales tract office, model homes on lots 1, 2, 66, and 67, and flag poles and a variance to allow minimum lot size reduction from the conservation reserve single family 12,000 standards to an 8,000-square-foot minimum lot size, in addition to a reduction in set back lot width standards, on property zoned single-family 12,000 and conservation reserve, located west of Rhodes Street, APN 009-031-01, -02, -07, 009-021-02, and 009-151-01, based on required findings and subject to the recommended conditions of approval contained in the staff report; condition 23 is amended to have the exception of the existing overhead power lines; condition 24 changing the 96th residential lot to the 120th; condition 31(e) to add “except for within the park development and / or open space; condition 54 to include “shall be required of the homeowners association or LMD”; to change, on page 16, improvements will include a 50-foot right-of-way with paving. Commissioner Semmens seconded the motion.** Vice Chairperson Kimbrough apologized for not allowing Mr. Rotter redress, but suggested he could discuss issues raised with the individual citizens providing comment. He called for a vote on the pending motion; **motion carried 6-0.** He commended Mr. Rotter on the project, and recessed the meeting at 8:02 p.m. The meeting was reconvened at 8:09 p.m.

G-7. ZMA-06-190 ACTION TO CONSIDER A ZONING MAP AMENDMENT APPLICATION FROM WESTERN ENGINEERING AND SURVEYING (PROPERTY OWNERS: DANNY AND KAREN RASNER) TO CHANGE THE ZONING ON TWO PARCELS FROM SINGLE-FAMILY ONE ACRE (SF1A) TO SINGLE-FAMILY 21,000 (SF21) LOCATED AT 1400 AND 1410 KOONTZ LANE, APNs 009-331-21 AND 009-331-22 (8:09:53) - Vice Chairperson Kimbrough introduced this item. Mr. Plemel oriented the commissioners to the subject property, using a displayed zoning map, noted staff’s recommendation of denial, and reviewed the staff report. He suggested the possibility of considering the entire area north of Koontz Lane and west of Saliman Road as an alternative to denying the application. He noted the written comments, included in the agenda materials, in opposition to the application. He advised of having received telephone calls from two property owners, who were unable to attend the meeting, both of whom expressed opposition to the application: William Smith of 1290 Koontz Lane and Jack Wilson of 1279 Koontz Lane. He noted the presence of the applicant.

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He acknowledged that a master plan amendment application was submitted during the comprehensive master planning process and subsequently withdrawn prior to review by this commission. He advised that there had been no previous request for the single family 21,000 zoning designation.

(8:18:55) Dennis Smith, of Western Engineering representing the property owners, pointed out a transition abutting the property from single-family 6,000 to single-family one acre. He referred to the master plan amendment application previously submitted requesting a single-family 12,000 zoning designation. He provided background information on withdrawal of the application, and advised of the hope that the area would be considered for redevelopment or a higher density zoning designation. He advised that water utilities are now available in the area. He further advised that a poll of adjacent neighbors, suggested by Mr. Sullivan and Mr. Plemel, at the time the previous application was submitted was met with opposition. He advised of no intent to impact the area or to attempt to rezone other properties, but of his client's desire to apply the highest and best use to his property. He expressed support for staff's suggestion to consider the entire area north of Koontz Lane and west of Saliman Road. He expressed understanding for staff's position and advised of no dispute over their recommendations. He requested the commission to consider continuing this item and providing appropriate direction to staff.

Vice Chairperson Kimbrough expressed the opinion that the burden to "champion" a zone change is on the property owners. In response to a comment, Mr. Smith advised he wouldn't argue with the staff report. Vice Chairperson Kimbrough expressed appreciation for Mr. Smith's attendance and presentation in light of staff's recommendation of denial. Commissioner Vance noted that the zone change was considered during the comprehensive master planning process and decided to be inappropriate. Mr. Smith explained the request to consider the application in "a smaller spectrum than the broad brush of the master plan." The master planning process considered the appropriateness of medium density residential, "and the answer was no." The current low density master plan designation is appropriate. Mr. Smith acknowledged a request to reconsider the zoning designation.

Vice Chairperson Kimbrough opened this item to public comment. (8:25:25) James Moran described the location of his property in proximity to the subject property, and expressed opposition to the application in that it would limit use of his property. He discussed concerns over flooding issues, and reiterated opposition to the application.

(8:28:34) Fran McClain, a resident on the northwest corner of Koontz Lane and Hillview Drive, pointed out the 30-foot setback between the houses on Kingsley Lane and the acreage to the south. She advised there would be "no place to put a buffer zone to separate the 21,000 square foot lots and the acre lots." She advised of having lived at her current residence for 27 years, and expressed opposition to the application.

(8:30:47) Dave Helgren, of 801 Koontz Lane, agreed with staff's recommendation of denial.

(8:31:43) James Kirk, of 1333 Kingsley Lane, expressed concerns over flooding issues. He advised of having purchased his home in 1986, and that the one-acre lots behind his property were a selling point.

(8:32:28) Gary Barnett, a resident of Bigelow Drive, advised of having purchased his property for the purpose of horse keeping. He agreed with previously expressed concerns over flooding issues, and expressed opposition to the application.

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(8:33:39) Don Busey described the location of his property in proximity to the subject property. He discussed flooding issues associated with his property, and the reasons for purchasing his property. He expressed opposition to spot zoning.

(8:35:20) Pat Fox advised that her property is to the east of the subject property. She advised that rezoning the property would be detrimental because of the way her residence is situated. She expressed opposition to the application, and discussed reasons for purchasing her property.

Vice Chairperson Kimbrough called for additional public comment and, when none was forthcoming, entertained additional questions, comments, or a motion. **Commissioner Semmens moved to recommend to the Board of Supervisors denial of ZMA-06-190, a zoning map amendment to change the zoning of property located at 1400 and 1410 Koontz Lane, APNs 9-331-21 and -22, from single-family one acre to single-family 21,000, based on the findings for denial contained in the staff report. Commissioner Vance seconded the motion. Motion carried 6-0.** Mr. Sullivan advised that the commission's recommendation would be presented to the Board of Supervisors at their December 21st meeting. In response to a question, Mr. Sullivan reviewed the three options available to the Board of Supervisors with regard to this commission's recommendation. He encouraged the citizens to attend the Board of Supervisors meeting to provide comment.

G-8. MPA-06-212 DISCUSSION REGARDING THE CITY MASTER PLAN ANNUAL REPORT AND ACTION TO MAKE RECOMMENDATIONS TO THE BOARD OF SUPERVISORS REGARDING THE IMPLEMENTATION OF THE CARSON CITY MASTER PLAN, SPECIFICALLY THE ENVISION LAND USE ELEMENT AND THE PARKS AND RECREATION ELEMENT, AND OTHER MATTERS RELATED THERETO (8:39:45) - Vice Chairperson Kimbrough introduced this item, and Mr. Plemel reviewed the staff report. Mr. Sullivan reviewed Attachment B to the staff report, and commended Mr. Plemel on the report. In response to a question, Mr. Sullivan provided an overview of his year-end report to the City Manager. Discussion took place with regard to freeway signage, applicants' due process, and trends in the housing market. Vice Chairperson Kimbrough discussed the need to update the Carson River Master Plan element, and entertained a motion. **Commissioner Reynolds moved to recommend the Master Plan Action Plan priorities identified by staff to the Board of Supervisors for consideration in establishing City and staff goals for 2007. Commissioner Mullet seconded the motion. Motion carried 6-0.**

G-9. PRESENTATION AND DISCUSSION ONLY REGARDING MIXED-USE MASTER PLAN LAND USE DESIGNATIONS AND FUTURE MIXED-USE ZONING DISTRICTS (8:58:57) - Vice Chairperson Kimbrough noted that this item would be deferred to a future agenda.

G-10. ACTION TO ELECT A PLANNING COMMISSION CHAIRMAN AND A VICE CHAIRMAN FOR THE PERIOD DECEMBER 2006 TO NOVEMBER 2007 (8:59:57) - Vice Chairperson Kimbrough introduced this item, and called for nominations for chairman. **Commissioner Mullet nominated John Peery for chair. Commissioner Semmens seconded the nomination.** Vice Chairperson Kimbrough called for additional nominations and, when none were forthcoming, a vote on the pending nomination. **Nomination carried 6-0.** Vice Chairperson Kimbrough called for nominations for vice chair. **Commissioner Semmens nominated Mark Kimbrough. Commissioner Vance seconded the nomination.** Vice Chairperson Kimbrough called for additional nominations and, when none were forthcoming, called for a vote on the pending nomination. **Nomination carried 6-0.**

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H. STAFF REPORTS

H-1. REPORT ON BOARD OF SUPERVISORS ACTION ON PRIOR PLANNING COMMISSION APPLICATIONS (9:01:57) - Mr. Sullivan advised that the Race Track Road abandonment request was approved by the Board of Supervisors. A billboard appeal was approved, on a vote of 3-2, by the Board of Supervisors, with direction to Mr. Sullivan to work with the property owner, the sign company representative, and the adjacent neighbor.

I. ACTION ON ADJOURNMENT (9:06:10) - Commissioner Semmens moved to adjourn the meeting at 9:06 p.m. Commissioner Bisbee seconded the motion. Motion carried 6-0.

The Minutes of the November 29, 2006 Carson City Planning Commission meeting are so approved this 31st day of January, 2007.

JOHN PEERY, Chair