

CARSON CITY REGIONAL PLANNING COMMISSION
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A regularly scheduled meeting of the Carson City Regional Planning Commission was held on Wednesday, March 26, 1997, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 3 p.m.

PRESENT: Chairperson Verne Horton, Vice Chairperson Alan Rogers, and
Commissioners Allan Christianson, William Mally, Archie
Pozzi, Deborah Uhart, and Richard Wipfli

STAFF PRESENT: Community Development Director Walter Sullivan, Deputy
District Attorney Mark Forsberg, Assistant Fire Chief
Steven Mihelic, Senior Planners Sandra Danforth and Juan Guzman,
Senior Engineer John Givlin, Associate Planner Tara Hullinger, and Recording Secretary Katherine McLaughlin
(R.P.C. 3/26/97 Tape 1-0001.5)

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

A. ROLL CALL, DETERMINATION OF A QUORUM, AND PLEDGE OF ALLEGIANCE -
Chairperson Horton convened the session at 3 p.m. Roll call was taken. A quorum was present although Commissioner Uhart had not yet arrived. Chairperson Horton led the Pledge of Allegiance.

B. COMMISSION ACTION - APPROVAL OF MINUTES (1-0021.5) - Commissioner Wipfli moved to approve the Minutes for the January 8, 1997, meeting. Commissioner Christianson seconded the motion. Motion carried 6-0.

C. PUBLIC COMMENTS (1-0030.5) - Discussion indicated that Leland Ewing's comments would be considered under Item F-3.

D. MODIFICATIONS TO THE AGENDA (1-0046.5) - None.

E. CONSENT AGENDA (1-0049.5)

E-1. MPA -96/97-3 - DISCUSSION AND POSSIBLE ACTION ON A MASTER PLAN AMENDMENT AND RESOLUTION FROM PAMELA WILCOX (PROPERTY OWNER: STATE OF NEVADA DIVISION OF STATE LANDS)

E-2. U-96/97-15 - DISCUSSION AND POSSIBLE ACTION ON A REQUEST FROM SIERRA PLACE, LLC

E-3. U-96/97-43 - DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT APPLICATION FROM HELEN DONNER KELLY

E-4. U-96/97-47 - DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT APPLICATION FROM JEFF SHAHEEN

E-5. U-95/96-15 - DISCUSSION AND POSSIBLE ACTION ON A REVIEW OF A PREVIOUSLY APPROVED SPECIAL USE PERMIT FROM DAVID LONG

E-6. U-95/96-27 - DISCUSSION AND POSSIBLE ACTION ON A REVIEW OF A PREVIOUSLY APPROVED SPECIAL USE PERMIT FROM RON KIPP

E-7. U-79-25 - DISCUSSION AND POSSIBLE ACTION ON A REVIEW OF A PREVIOUSLY APPROVED SPECIAL USE PERMIT FROM T. E. BERTAGNOLLI AND ASSOCIATES - Commissioner Rogers requested Item E-5 be pulled for discussion. Commissioner Wipfli moved to approve Consent Agenda Items E-1, E-2, E-3, E-4, E-6, and E-7. Commissioner Mally seconded the motion. Motion carried 6-0.

E-5. (1-0079.5) - Senior Planner Sandra Danforth, Deputy District Attorney Mark Forsberg, David Long, Jaydene Yurtinus, Community Development Director Walter Sullivan - Discussion ensued between the Commission and staff on the request to extend the hours of operation and the proposed overnight activities.

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(Commissioner Uhart arrived during this discussion--3:10 p.m. A quorum was present as previously indicated.) Mr. Forsberg recommended the Commission discuss the merits of extending the hours and not consider restricting the activity to specific groups. The impact on the surrounding area would be the same as it would be open for business.

Mr. Long explained his intent to provide a facility for church and school overnight activities. Examples were cited. The children would be monitored and provide a safe alternative. He would not be open 24-hours seven-days a week. He could not estimate the number of overnight activities which would occur. The churches normally provide chaperones. Commissioner Rogers suggested a compromise which would extend the hours of operation to 1 a.m. and allow adult only chaperoned events after normal operating hours. Mr. Long agreed with this suggestion. Commissioner Rogers recommended retention of the one year review condition. Mr. Long agreed although he did not feel that it was necessary. This is a normal operational function. His hours during the school year were noted. Diversity in hours was requested. Parental oversight and participation are encouraged.

(1-0357.5) Public testimony was solicited. Ms. Yurtinus requested the hours for being open to be until 9 p.m. on school days and until curfew on non-school nights or during school vacation periods. She felt that the parents should be responsible for removing elementary students. Students without parental supervision are over the age of 11, which is junior and high school students. Her computer data base included information indicating which school is on vacation. She encouraged the Commission to remove the restriction altogether. Mr. Sullivan suggested the Commission approve the request as written and allow staff to work with the applicant on the wording and return at the next meeting.

Commissioner Mally explained his desire to retain the one year review condition. Commissioner Rogers voiced his desire to not delay the item and retain the one year review. Commissioner Uhart supported the applicant's request based on the youths' ability to do other things in the community. She recommended deletion of the hours and retention of the one year review. The applicants had been monitoring their clientele. A data base is on file. Mrs. Danforth agreed by indicating that staff could bring the matter back if a problem arises within the one year review period. Chairperson Horton explained his personal knowledge of the facility and support for removing the time restraint and, if the Commission desired, retention of the one year review.

(1-0485.5) Commissioner Rogers moved to approve a review of U-95/96-15, Action Lazer Tag, with a modification of Condition 1 to remove the Condition and amend Condition No. 6 for a one year review. Commissioner Mally seconded the motion. Motion carried 7-0.

(1-0591.5) Chairperson Horton explained that the motion had removed Condition 1 rather than Stipulation 1 and requested reconsideration of the motion. Public discussion was not reopened as comments were restricted to correcting the motion. Following discussion between Mr. Forsberg and Commissioner Rogers on the procedure to correct the motion, Commissioner Rogers moved approve the six month review of U-95/96-15 as submitted with an amendment to remove Stipulation No. 1 and amend Condition No. 6 for a one year review and retain Condition No. 1. Commissioner Mally seconded the motion. Motion was voted and carried 7-0.

F. PUBLIC HEARINGS

F-1. U-96/97-42 - DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT APPLICATION FROM MARCUS HITE (1-0499.5) - Senior Planner Danforth, Applicant's Representative Melissa Leliere - Ms. Leliere indicated staff had covered the application and that she was available to respond to any questions. Public testimony was solicited but none given. Commissioner Uhart commended her on the project which she felt the community needed. Commissioner Mally moved that the Planning Commission approve U-96/97-42, a special use permit from Marcus Hite to allow a retirement community consisting of a 44-unit Home for the aged assisted living facility, a 16-unit Alzheimer wing, and three duplex units for individual living units, based on seven findings and subject to eight conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission or Board by the applicant will be considered as further stipulations or conditions of approval on this application. Commissioners Uhart and Wipfli seconded the motion. Motion carried 7-0.

F-2. U-96/97-44 - DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT FROM CHRIS OSHEROFF (1-0620.5) - Associate Planner Tara Hullinger, Deputy District Attorney Forsberg, Chris Osheroff - Discussion between the staff and Commission included the proposed structures and their sizes. Ms. Hullinger indicated that the modular unit would have to be placed on a permanent foundation. This will make it more difficult to remove and will, in all probability, make it become a permanent structure. Commissioner Mally felt that it could easily be removed and sold and the foundation eliminated. Clarification indicated that the modular unit is not a temporary structure. Commissioner Wipfli supported the mother-in-law housing concept. He was concerned that, if two housing units are constructed on one lot, it could create a "rezoning" or new zoning in the area. He questioned how a 1600 square foot unit could be constructed without a kitchen. Ms. Hullinger explained the Code requirement mandating the removal of the kitchen facilities. Kitchens are allowed in the elder care facilities, however, the unit's size is controlled. This issue was debated and stressed the need for controls. Another condition prohibits renting the unit. Use of the unit is restricted to non-paying friends or relatives. Commissioner Uhart also voiced her concerns, specifically, if the property is sold as the original intent could be lost. She questioned whether a deed restriction should be placed against the property to address this concern and to alert future buyers. Mr. Forsberg suggested that the owner be made aware of the fact that the special use permit is personal and valid for him/her only. He indicated his personal doubt as to whether the subject was appropriate for a deed restriction. A deed restriction could unduly burden the property. The special use permit should not run with the land. A subsequent buyer would have to come in for his own special use permit. Concealment of this requirement from a potential buyer could abrogate the "arms length transaction". Commissioner Uhart elaborated on her concern and personal knowledge of such purchases which would indicate that the subsequent buyer may not be aware of the requirement/condition. She indicated that it may be necessary to amend the ordinance. Mr. Forsberg felt that if such an issue goes to court, it would not involve the City but rather a seller who misrepresents the property and the buyer. His recommendation was reiterated. Ms. Hullinger indicated that the special use permit would not be required if the accessory building is less than 50 percent of the primary building. A kitchen could not be installed in the accessory building. If the applicant had completed his addition to the primary structure prior to requesting the accessory building permit, he would not have had to request a special use permit. Clarification indicated that the garage will be attached to the primary structure, however, the proposed accessory building will still exceed 50 percent of the primary structure. Commissioner Rogers suggested the accessory building be limited to not more than 1600 square feet.

Mr. Osheroff explained a Code requirement prohibiting his attaching the garage to the primary structure. His proposal will be to construct a "breezeway". There will not be a fire wall. His plans to expand the primary structure were described. If it is necessary, he will reduce the size of the present garage. This will bring the setback into conformity and allow him to attach the garage to the primary structure. This will provide the necessary square footage to meet the fifty percent requirement and allow the proposed accessory structure to be acquired. The accessory structure would be used only for his mother. Discussion between the Commission and Mr. Osheroff indicated the current garage is considered "additional square footage". Ms. Hullinger indicated that so long as the main structure is under one contiguous roof, i.e., both the main structure and the garage, the total square footage is counted as one building. Mr. Osheroff felt that he would be required to have a one hour fire wall. Ms. Hullinger indicated that this may be a Fire Code requirement. Commissioner Rogers pointed out that even with this addition, the accessory structure would still be over the fifty percent restriction. Mr. Osheroff felt that the breezeway had not been counted and that the accessory structure would be under the fifty percent restriction. Ms. Hullinger reiterated the requirements for the special use permit. Mr. Osheroff reiterated his commitment to have the 1600 square foot accessory building even if he must shrink the garage by one foot. Commissioner Wipfli supported granting the special use permit rather than requiring reduction of the garage.

Public comments were solicited but none given. Commissioner Christianson noted previous Commission approval allowing construction of structures exceeding the fifty percent restriction on smaller lots. The subject lot is one acre. He supported the applicant.

(1-1225.5) Commissioner Mally moved to approve U-96/97-44, a special use permit request from Chris Osheroff, Chris and Jennifer Osheroff property owners, to allow expansion of a non-conforming building and an accessory structure which may, which Ms. Hullinger indicated currently does, exceed 50 percent of the size of the primary structure in a Single Family One Acre zoning district located at 3585 Bigelow Drive, APN 9-331-18, based on

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seven findings and subject to 12 conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission or Board by the applicant may be considered as further stipulations or conditions of approval, adding a Condition 13 which will read that this special use permit shall be limited to this applicant only. Commissioner Rogers seconded the motion and requested a clarification of Condition 10. Commissioner Mally amended his motion to modify Condition 10 to reflect that the size of the modular home will be restricted to 1600 square feet. Commissioner Rogers continued his second. The motion as amended was voted and carried 7-0.

F-3. V-96/97-10 - DISCUSSION AND POSSIBLE ACTION ON A VARIANCE REQUEST FROM JOHN SERPA (1-1270.5) - Senior Planner Juan Guzman, Applicant's Representative Mark Rotter, Leland Ewing - Discussion between the staff and the Commission explained the design which would make the back wall part of the building abutting the MFA. The building will be for storage. Landscaping had not been required to buffer this area because it could not be seen from the adjacent property and would not be maintained. Landscaping will be required in the detention area. Discussion indicated the road is an "alleyway" and is used for vehicular access to the adjacent parcels. Mr. Rotter used a plot plan to illustrate the layout. The retention basin will be landscaped. The 30 foot setback did not make a lot of sense for security reasons. The units will be tilt-up concrete panels. Different finishes had been discussed with staff, however, the final design had not been determined. The homeowners will participate in the final selection. Mr. Rotter will work with the homeowners on the retention basin issues. Contacts with the homeowners were described as well as the landscaping plans at the front of the parcel. Mr. Rotter also indicated that the rear concrete wall would be the back wall of the building. All of the drainage will run onto the interior of the lot and into detention facility.

(1-1456.5) Public testimony was solicited. Mr. Ewing questioned whether the apartment dwellers would be allowed to continue to use the access route from Highway 50. Mr. Rotter had been unaware of this access and stipulated to working with Mr. Ewing on this issue. Clarification by Mr. Guzman indicated that these final plans would be reviewed and approved by staff in order for Mr. Rotter to obtain the appropriate permits. Additional public comments were solicited but none made.

(1-1515.5) Commissioner Mally moved that the Planning Commission approve V-96/97-10 based on five findings and subject to six conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission or Board by the applicant may be considered as further stipulations or conditions of approval on this application. Commissioner Wipfli seconded the motion. Motion carried 5-0.

F-4. U-96/97-45 - DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT APPLICATION FROM THE TOY SHOPPE (1-1535.5) - Senior Planner Guzman, Helen Tappero - Chairperson Horton passed the gavel to Vice Chairperson Rogers and stepped from the room--4:33 p.m. (A quorum was still present.) Ms. Tappero was present to answer questions. Public comments were solicited but none given. Commissioner Uhart moved to approve U-96/97-45, a special use permit from "The Toy Shoppe" in order to conduct sales of previously owned children's merchandise within the Retail Commercial district on property located at 591 South Saliman Road, also known as APN 10-521-05, based on six findings and subject to five conditions of approval contained in the staff report. Commissioner Christianson seconded the motion. Motion carried 6-0-0-1.

F-5. U-96/97-46 DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT APPLICATION FROM JOHN SERPA (1-1595.5) - Senior Planner Guzman, Applicant's Representative Mark Rotter, Capitol City Gun Club Representative Raymond Smith - Chairperson Horton returned to the dais during Mr. Guzman's introduction and took back the gavel--4:38 p.m. (The entire Commission was present constituting a quorum.) Mr. Rotter was present to respond to any questions. Public comments were solicited. Mr. Smith explained the history of the gun club and the industrial growth around it. He requested that the record clearly reflect the Club's concern about this encroachment and that its use creates noise. He wished to avoid complaints in the future from this usage. Additional public comments were solicited but none given. Commissioner Christianson moved that the Regional Planning Commission move to approve 96/97-26, a special use permit to allow two office buildings to exceed the maximum height requirement of Limited Industrial zoning district up to a

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maximum of 45 feet based on seven findings and subject to eight conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission/Board by the applicant may be considered as further stipulations or conditions of approval on this application. Commissioner Wipfli seconded the motion. Motion carried 7-0.

F-6. L-96/97-1 - DISCUSSION AND POSSIBLE ACTION ON A REQUEST FROM THE ESTATE OF HARRY SCHNEIDER FOR A DIVISION OF LAND MAP (1-1686.5) - Community Development Director Walter Sullivan - Discussion between Mr. Sullivan and the Commission corrected Condition 3 to be for a two year timeframe. The applicant was not present. Public testimony was solicited but none given. Commissioner Rogers moved to approve L-96/97-1, a Land Division Map for the Harry R. Schneider Estate based on one finding and subject to nine conditions of approval contained in the staff report. Commissioner Christianson seconded the motion. Following a request for an amendment, Commissioner Rogers amended his motion to include an amendment to Condition 3 to correct the timeframe for submittal of the tentative map to the Board of Supervisors to be within two years. Commissioner Christianson continued his second. Motion was voted and carried 7-0.

F-7. AB-96/97-9 - DISCUSSION AND POSSIBLE ACTION ON A REQUEST FROM TRONA HOLCOMB TO ABANDON A PORTION OF THE NORTH DEER RUN ROAD PUBLIC RIGHT-OF-WAY (1-1785.5) - Community Development Director Sullivan - Mr. Sullivan explained staff's request for a continuance. The applicant was aware of staff's request for a continuance. The applicant was not present. Commissioner Rogers moved to continue Item AB-96/97-9 to the April regular meeting of the Planning Commission. Commissioner Uhart seconded the motion. Motion carried 7-0.

F-8. U-96/97-41 - DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT APPLICATION FROM KEITH ROBERTSON, LONGS DRUG STORES (1-1855.5) - Community Development Director Sullivan, Keith Robertson - Mr. Robertson indicated there had been similar outdoor sales for several years. His relocation plans were briefly explained. Public testimony was solicited but none given. Commissioner Wipfli moved to approve U-96/97-41, a special use permit application request from R. Keith Robertson, Long Drug Stores, Nevada Department of Transportation in care of Premier Properties, for a temporary outdoor sales and activities on property zoned General Commercial located at 2500 Highway 50 East, APN 8-161-30, based on six findings and subject to eight conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission/Board by the applicant may be considered as further stipulations or conditions of approval on this application. Commissioner Uhart seconded the motion. Motion carried 7-0.

F-9. Z-96/97-11 - DISCUSSION AND POSSIBLE ACTION ON A REQUEST BY CARSON CITY FOR A CHANGE OF LAND USE (1-1938.5) - Community Development Director Sullivan - Discussion noted the history of the site. Public comment were solicited but none given. Commissioner Christianson moved that the Regional Planning Commission approve a motion to recommend that the Board of Supervisors approve Z-96/97-11, a request for a change of land use from Carson City, property owner: Union Oil Company of California, on property located at 1051 South Carson Street, APN 4-055-05, consisting of approximately 12,800 square feet, from Downtown Commercial to Retail Commercial based on the findings as discussed in the staff report. Commissioner Pozzi seconded the motion. Motion carried 7-0.

F-10. U-95/96-19 AND 20 - DISCUSSION AND POSSIBLE ACTION ON A REQUEST FROM CARSON-TAHOE HOSPITAL (1-2030.5) - Principal Planner Rob Joiner, Carson-Tahoe Hospital Project Manager Roger Sedway - Discussion between the staff and Commission explained that the lights had been lowered and were shielded. The hours of operation had been deleted by the Board of Supervisors. Notices had been sent to the neighbors, however, staff had not received any response from them. The lot must be constructed within one year or the request will have to be resubmitted. Commissioner Uhart voiced her concerns about the use of the parking area as a construction staging area. Mr. Sedway indicated he would have the contractor cleanup the site although he was unsure how successful this would be. Public testimony was solicited but none given. (2-2168.5) Commissioner Wipfli moved to approve a final one year extension for Special Use Permit U-96/97-19 and U-95/96-20 allowing a parking lot to be developed on property zoned Public located on the north side of Fleischmann

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Way approximately 120 feet east of Lane Circle, Assessor's Parcel Number 1-141-67, based on the seven findings contained in the staff report dated January 19, 1996, and subject to eight conditions of approval with the understanding that any further acknowledgements to the Planning Commission by the applicant may be construed as further stipulations or conditions of approval on this application. Commissioner Uhart seconded the motion. Motion carried 7-0.

F-11. A-96/97-13 - DISCUSSION AND POSSIBLE ACTION ON A REQUEST FROM CARSON CITY TO AMEND CCMC SECTION 18.05.109 (1-2193.5) - Principal Planner Joiner, Community Development Director Sullivan - Commissioner Rogers explained his feeling that the ordinance did not need a major revision. Each application should be weighed on its own merits and approved/rejected based upon that information. He encouraged the businesses to display their merchandise in more open areas rather than in the parking lot. The Pony Express Pavilion was suggested as such a location. Clarification of his comments indicated that staff is not to undertake the reviews administratively. Mr. Joiner questioned whether the use of the Pavilion would be competing with private industry. He agreed that the City should not market the parking lots. Commissioner Uhart supported allowing the merchants to display their promotion material, however, had problems with allowing them to use the parking for such displays. The Pavilion/Community Center were felt to be more appropriate. She suggested that the staff be allowed to conduct an administrative review over requests from merchants, i.e., Kmart, when the display is for the merchant's own merchandise. She opposed the "parking lot for hire" situations. Mr. Sullivan felt that, although the ordinance is vague, the ordinance indicates the parking lot is for the benefit of the shopping center/stores. Sales by others should be prohibited. Commissioner Christianson felt that the parking lot plans should clearly indicate that the occupants plan to use the area for such displays/sales in an area contiguous to the building. Reasons the first sales were approved were noted. He agreed that the ordinance should be tightened to restrict such sales/displays to the property owners. The parking lot should not be used to generate rental income. Commissioner Pozzi urged the Commission to uphold the local dealers based on their commitments to the area including buildings, business licenses, sales taxes, contributions to non-profit organizations, employees, etc. It may have been improper for the Commission to have approved the first off-site sales event for local merchants. The ordinance needed to be "tightened". Commissioner Wipfli pointed out that other merchandise could be sold in the parking lot as well as automobiles. Although it would prohibit local merchants from having off-site sales, the trade-off is worth it to the remainder of the community. Commissioner Mally supported restricting the parking lot usage to the tenants of the center. Chairperson Horton supported avoided the "parking lot for hire" situation. Commissioner Uhart indicated that the Commission was not attempting to restrict trade as there are more appropriate sites for such sales, such as the Pavilion. The Commission was setting the standard for Carson City which deals with the quality of life and how the community should be represented. Commissioner Christianson indicated that "some elected officials" felt that this type of sales activity is the waive of the future. The Commission should consider whether this is something Carson City should allow. He felt that such sales should occur in Reno or Las Vegas. Commissioner Rogers reiterated the desire to reconsider the ordinance related to parking lots to eliminate the potential of "too much parking". The Commission should consider limiting the parking area unless a good argument can be made to justify the oversized parking lot. He encouraged making the parking lots more presentable with additional landscaping and limiting the size to that which would be adequate to support the business(es). Mr. Sullivan indicated that there is a class on this subject at the APA conference. He volunteered to bring back a tape on this session. Mr. Sullivan suggested that a special use permit be required for parking lots over the specified size. Chairperson Horton felt that the oversized lot should be prohibited from the beginning. Mr. Joiner read from the ordinance the language which should be tightened to provide parking for on-site businesses. Commissioner Wipfli noted that the applicants need a certain amount of parking for current and future customers. He suggested that the overage be landscaped until the future needs support the additional spaces. Commissioner Pozzi noted the quality of life initiate and the open space such a proposal would provide. He recommended that that Committee and its program be used to prohibit oversizing of parking lots. No formal action was taken.

- H. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (NON-ACTION ITEMS)**
- 1. CORRESPONDENCE TO THE COMMISSION**
(1-2715.5) - None.
 - 2. STAFF BRIEFING ON THE STATUS OF COMMISSION RECOMMENDATIONS TO**

THE BOARD OF SUPERVISORS (1-2725) - The Board approved/discussed the ordinance on second reading for the Women's Prison expansion, the Master Plan Housing Element with two minor changes, Section 18.04.040, the medical elder care facility which exceeds the 7500 gallons per day Growth Management water usage restriction, the renumbered ordinance, three abandonments, the abandonment process, the Randy Harris rezoning, South Pointe Phase III Subdivision Final Map, and Quail Run Phase III Mobile Home Development.

The Commission will consider the Master Plan Housing Element final draft in April. The Board's concerns related to the process used to assess a fee for abandonments were explained. The Alex Bernhard Master Plan Amendment will be considered on April 3. The Board of Supervisors' goal setting session was explained. Mayor Masayko had requested the ordinances be simplified and additional administrative decision making be allowed to create a more user friendly atmosphere. Mr. Sullivan committed to working toward this end during the coming budget cycle. Title 18 had been put into the computer in this endeavor. (Commissioner Mally stepped from the room at 5:35 p.m. A quorum was still present.) Mr. Sullivan suggested the Commission review the Department's goals at its next meeting. Discussion ensued on the budget and need to compensate the Commission for its service. Mr. Sullivan indicated his budget documents include a statement that the Commission had held 25 meetings during 1996. He expressed his appreciation for the Commission and its dedication.

3. REPORTS FROM COMMISSIONERS (1-2961.5) - None.

4. REPORT FROM OPEN SPACE ADVISORY COMMITTEE BY EITHER A MEMBER OR STAFF - Commissioner Uhart indicated that the Open Space Bill was out of the Assembly and will be heard by the Senate Affairs on Monday. If all goes well the Board of Supervisors will consider the ordinance on first reading on April 17. The Committee will then commence work on the Master Plan Open Space Element.

5. STAFF COMMENTS (1-2982.5) - Mr. Guzman explained a memo which had been placed before the Commissioners urging them to attend the Senate session on the Open Space Initiative and/or to contact the Legislators supporting this measure. Mr. Sullivan indicated that Ms. Hullinger had drafted a memo on Growth Management and population estimates. He requested feedback from the Commission on this memo. Building permits are measured at three percent and not population. Chairperson Horton noted that Dr. Judson's adjusted figures had established a 3.3 percent population increase.

6. FUTURE COMMISSION ITEMS/DATES (1-3027.5) - A special meeting on the Housing Plan was scheduled for April 16. The next regular meeting is scheduled for April 30.

DINNER RECESS: There being no other matters scheduled until 7:30 p.m. a dinner recess was taken at 5:40 p.m. When the meeting was reconvened at 7:33 p.m., the entire Commission was present constituting a quorum. Staff members present were: Community Development Director Sullivan, Deputy District Attorney Forsberg, Senior Planner Guzman, Senior Engineer Givlin, Associate Planner Hullinger, and Recording Secretary McLaughlin.

G-1. S-93/94-7 - DISCUSSION AND POSSIBLE ACTION ON THE EMPIRE RANCH ESTATES TENTATIVE SUBDIVISION MAP CONDITIONS OF APPROVAL COMPLIANCE (2-0001.5) - Senior Planner Juan Guzman, Dwight Millard, Therese Primrose-Cain, Tom Blanchard - The conditions mandating the use of Morgan Mill Road as the construction access, gating of a secondary access to the subdivision, and the installation of stop signs off-site for speed control were explained. The gate has recently been installed. A letter of concern about the status of landscaping commitments which had been made to an adjacent resident was also noted. The clubhouse sign had been reviewed and approved by staff administratively. This issue could not be considered by the Commission this evening. It had not been agendaized.

Mr. Millard explained the location and attempts to control the construction access. Trucks had used Empire Ranch Road when access/egress had been conducted in a circular route due to the lack of space for a turnaround. The flood had destroyed Morgan Mill and as a result it was closed for eight weeks. It is open and the subdivision is paved. The sidewalks are all constructed. The walkways and medians need to be landscaped. Concrete is still needed around the clubhouse. The clubhouse parking lot is paved. This construction should all be completed by the end of next week. This will eliminate construction traffic except for that required for individual lots. The haul road has been clearly marked in the CC&Rs as Morgan Mill Road. The route from Gregg Street had been paved in an effort to provide the Fire Department with an alternate route, however, the public had discovered this route and were using it to check the area/access the subdivision work sites. The gate was set today. As both lots on either side of the gate are vacant, people are circumventing the gate. The road will be posted as a fire road only. People

have been stationed along the road to inform the users that it is not a public road. A notice has been included with all of the employees' checks informing them that it is not a road. Public Works had contacted him about the off-site stop signs, etc. These signs have now been constructed. Public Works is to contact him and advise him where they are to be placed. The Fire Department has used its access road to respond to an emergency. The colors selected for the golf course sign and its lighting were explained. He agreed to address the color and indicated that the sign company also agreed to change it. A temporary occupancy permit has been issued for the clubhouse. Plans are to open it on the fourth. The course will open on the 14th. Theresa Primrose-Cain's letter will be pursued. His experience with the trees/landscaper in the subdivision was explained to indicate a reason for the delay installing the landscaping he had promised her.

(2-00225.5) Public testimony was solicited. Ms. Primrose-Cain indicated her pleasure at hearing that the commitment would be fulfilled and that the sign would be addressed. A poll of the neighborhood supported changing the sign. Additional public testimony was solicited. Mr. Blanchard indicated that there are at least 12 trips on the emergency road after 5:30 p.m. Also skiploaders as wide as the street have traversed his residential street. Children are also playing in the street. Morgan Mill Road has not been paved as stipulated in number two. Also, the right-hand turn lane onto Empire Ranch Road has not occurred. He questioned when these items would be addressed and why the gate could not have been installed before yesterday. Additional public comments were solicited but none given.

Mr. Guzman indicated that he would continue to monitor the conditions. Formal action could be taken if the Commission desired. Chairperson Horton directed Mr. Guzman to continue enforcing the conditions related to the permit. No formal action was taken.

G-2. U-93/94-54 - DISCUSSION AND POSSIBLE ACTION ON A REQUEST FROM CARSON CITY TO REVIEW A PREVIOUSLY APPROVED SPECIAL USE PERMIT FROM IVAN LEPIRE (2-0300.5) - Principal Planner Joiner, Ivan Lepire - Mr. Joiner indicated that there had been several meetings with the applicant. Progress has been made on the conditions of approval, however, there are several outstanding issues and Code requirements about which staff felt the Commission should be informed. Requirements within the first phase included landscaping, trash enclosures, and adoption of park standards. Staff's biggest concern is the period of stay as mandated within the ordinance. The ordinance restricts the stay to fourteen days or less. The District Attorney's office has been asked to issue an opinion concerning whether the 14 day restriction could be upheld on the older portion of the park, if the 30 day restriction is to be upheld, or is the park grandfathered and the period of stay unlimited. The conditions of approval under discussion are related to only the new phase of the park. If the period of stay is extended and the ordinance revisited, additional standards may be needed such as those mandated for a mobile home park. The District Attorney's office has not yet issued its opinion on the issues. The new portion of the park was approved in May 1994. Commissioner Christianson explained that his personal experience indicates 14 days is too short if the occupants like the area and that the RV units need to have either a sewer connection or dumpsite for that period. Other communities have special provisions which allow the units to stay longer than 14 days. Mr. Joiner indicated that this is part of the issues which should be analyzed, i.e., are there different amenities in the parks allowing longer stays. Commissioner Christianson explained the services. If there are full hookups in Mr. Lepire's new phase, it could be detrimental to his business to require the occupants to vacate at the end of 14 days. Mr. Joiner pointed out that the adjacent neighbors had been informed that the occupants' stay was restricted to 14 days. Standards required for mobile home parks were noted which should be considered if longer stays are allowed. Differences in the definitions for RV parks and Mobile Home Parks were discussed. Commissioner Uhart questioned whether other community standards had been analyzed as some vacationers remain in one locale for long periods. Reno has permanent RV parks. Better standards should be considered for Carson City. The 14 day limit could pose an undue hardship on the property owner. Mr. Joiner explained the "life safety issues" staff had considered. Research indicates that the new RV units are constructed at the same standard level as the new mobile homes. Commitments to the neighbors was reiterated and needed to be reconsidered if the period is lengthened. Additional amenities and standards should also be required. The applicant is going to supply staff with ordinances from other areas. Chairperson Horton requested the discussion relate to the applicant and not the policy issues. Commissioner Christianson indicated the 1,000 Trails policy is 14 days. Snow birds can, however, provide volunteer services and receive an extended stay. A majority of the parks are located by themselves and are not in the middle of a city. Mr. Joiner also pointed out the issue related to the

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zoning district. Commissioner Rogers noted that a lot of parks allow a percentage of the units to be long term and a percentage of short term. The long term area has additional amenities which make it easier to stay. Mr. Joiner then explained the Code monitoring requirement. The applicant has refused to provide the register so that staff can verify the turnover. Mr. Joiner indicated that the Commission could require existing parks to upgrade the facilities if longer stays are allowed. He also felt that the RV park owners would support such an ordinance specifically as there is a need for this service in the community. Commissioner Rogers pointed out the need for the children to attend schools if the stay is extended to six months. Mr. Joiner indicated that the request was for more than 30 days--multiple months or even a year at a time. Commissioner Wipfli questioned whether this service would provide low cost housing, specifically, if the children are attending schools, etc. Additional amenities should be provided. A comparison between the mobile home parks and RV parks was made. Commissioner Wipfli felt that the standards should be increased if a longer stay is allowed. RV amenities were also discussed.

(2-0630.5) Mr. Lepire indicated his park had all of the necessary amenities including hookups at every space for power, sewer, water, telephone, television, etc. The new section is all adults. The rigs were all constructed since 1985. His occupants ranged from snow birds to construction workers who want to stay longer than 14 days. Some had remained for six months and longer. It would pose a financial hardship for him if the 14 day restriction is enforced. He was willing to make the RV space five feet wider to accommodate the Michael Drive residents.

Commissioner Rogers described the concern about children if the period of stay is longer than 14 days. He was willing to consider a "sliding scale" allowing longer periods of stay and additional development standards for that area. If such occupants become permanent residents, a different standard should be established and located in areas which would not cause problems. He was also willing to consider these issues. It should be carefully analyzed before being allowed in an RV park. A different classification may be warranted.

Mr. Lepire was willing to consider this proposal. He reiterated his comments about the economic hardship imposed by the 14 day restriction. Examples of long-term occupants were provided. Mr. Lepire had been a member of the Good Neighbor Sam Association. Discussion between Commissioner Christianson and Mr. Lepire elaborated on the type of RV unit being used by the occupants and stressed his need to research the standards.

Commissioner Wipfli explained his concern about the use of temporary facilities as a permanent residence, specifically, if there are children involved. He encouraged Mr. Lepire to provide staff with appropriate suggestions for standards and amenities.

Chairperson Horton noted that the review had covered two separate issues--review of the special use permit and potential ordinance amendments to afford longer term stays. Mr. Joiner indicated that staff is working with the applicant on the conditions. Until the ordinance is amended, however, he could not find that Mr. Lepire is in compliance with the conditions and Code. The 14 day restriction is not enforced. The registry had not been proved. An alternative would be to direct staff to develop ordinance modifications, standards, etc., posthaste.

(2-0810.5) Public testimony was solicited but none provided.

Discussion between Commissioner Rogers and Mr. Joiner indicated Mr. Lepire is in violation of Condition 2 mandating compliance with all City standards and requirements for on and off-site improvements as well as CCMC 18.24, submittal of the registry. Commissioner Rogers suggested that the Commission postpone action today to allow staff and Mr. Lepire to work on the ordinance modifications. Mr. Joiner indicated that there is an application for a new park and an expansion of an existing park pending. Both of these applicants had questioned the enforcement of the 14 day restriction. He was willing to work with the applicant. Commissioner Rogers felt that these applicants should be informed that the ordinance is being reviewed. These applicants may wish to participate in the review process. Commissioner Uhart supported Commissioner Rogers' recommendation. The 14 day restriction is not appropriate at this time. Design standards should be established similar to those provided by Mr. Lepire. Chairperson Horton suggested enforcement of the ordinance be "stayed" during the review process. He urged the applicant to submit the register to Mr. Joiner as it is a requirement.

(2-0901.5) Mr. Lepire stipulated to submitting the registration information to staff as previously required and working with staff on the ordinance.

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(2-0900.5) Commissioner Rogers moved to postpone review of Special Use Permit 93/94-54 until staff has sufficient time to meet with the owners of the RV parks and review the ordinance. Commissioner Christianson seconded the motion. Motion carried 7-0.

BREAK: An eight minute recess was declared at 8:30 p.m. The entire Commission was present when the meeting was reconvened at 8:38 p.m., constituting a quorum.

G-3. A-96/97-11 - DISCUSSION AND POSSIBLE ACTION ON A REQUEST FROM CARSON CITY TO AMEND CCMC TITLE 20 (2-0915.5) - Principal Planner Joiner, Chamber of Commerce Executive Vice President and Team Member Larry Osborne, Team Members Pete Livermore and Sandy Ohern, Jay Meierdierck - Chairperson Horton explained the process and requested that members of the public who wished to speak to restrict their comments to three minutes. Mr. Joiner's introduction included the team members. Compromises reached during the review were cited to illustrate the cooperation which had occurred. Mr. Joiner requested comments from the Commission regarding the modification. Action would be requested at the next regular meeting and Board of Supervisors' consideration would be requested the following month. Copies of Mr. Meierdierck's comments were distributed to the Clerk and Commission.

Mr. Joiner recommended against Mr. Meierdierck's request that a second citizens committee be established to review the ordinance. Mr. Meierdierck had participated for a brief while with the team. All of the meetings had been open to the public. He agreed that the process had been very laborious and lengthy. Chairperson Horton indicated that action would not be taken on the modification. Public comments were solicited. He did not feel at this point that another committee was necessary. Unless the Commission indicated otherwise, he would not establish one. This meeting is the beginning of the public input process for the Commission.

Discussion between the Commission and staff indicated the maximum sign height is 28 feet. Exhibit A illustrates the measurements for signs. Commissioner Pozzi indicated his intent to be sure the five-minute time allotment is maintained. Chairperson Horton indicated he would enforce the time allotment.

Commissioner Rogers then explained his participation as a member of the team and its efforts to address through compromises and negotiation all of the issues. The ordinance had been reviewed line by line. No one group won 100 percent of the time. The ordinance is a dynamic document which may need additional tweaking over time. There would not be an immediate change in the signs. It will occur overtime. The ordinance will promote public safety, protect against dangerous situations which had occurred in the past, and develop aesthetically pleasing signs and standards. His cursory review of Mr. Meierdierck's statement indicates that the modifications had considered the Master Plan's goals, objectives, and standards, does promote visioning, as well as meet the team's purpose. He agreed that it is not perfect but is a good start.

(2-1240.5) The team members were encouraged to make statements. Mr. Osborne echoed Commissioner Rogers statements. Reasons for urging staff to review the ordinance were provided. Not everyone was 100 percent happy with the proposal, however, it was a good compromise which could be supported. His objection to the news article about the ordinance was voiced. He commended all of the team members who had had the perseverance to complete the process. The public hearing process on the modifications is beginning and input should be considered. Even his Chamber members had not 100 percent supported the proposal. It is a dynamic document which is better than the original and better for the community. The entire process had been a great learning experience for the participants. He thanked the Commission for its review and City staff for its work on it.

Mr. Livermore thanked staff, the community, and the other team members for their participation and dedication. It had been a learning process for him. The educational value of the signs was cited to illustrate this process. It had been a compromise which he could support. As the community grows, the document will be revised.

(1-1405.5) Ms. Ohern felt that the revisions would be enforceable. It had been a compromise for both large and small businesses. The process was very educational and informative. The need for signs was stressed. She urged the Commission to consider the ordinance with an open mind.

Chairperson Horton thanked the team for its dedication and effort on the proposal. It is a complex subject with

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broad interpretation. The difficulty determining what is aesthetically pleasing was described.

Public comments were solicited. (1-1489.5) Mr. Meierdierck explained for the record that he was speaking as a private citizen and not as a member of the Parks and Recreation Commission. His educational and professional background was explained. He read from his prepared statement. (A copy is included in the file.) He felt that the team had dwindled down to representatives with personal motives and had not represented the public. The sign ordinance needed to be revised. Signage should reflect a modern environment when tourists visit the community. The ordinance revision could create this environment. The proposal, however, fails to meet Goal 2 in the Master Plan, specifically, as the proposal is based solely upon the business interests of the community and not the citizens, business community, or the City. He urged the Commission to take the time required to provide this input. The modifications should be used as the beginning. A citizen's committee should be established to provide a review. Areas with "good ordinances" were cited to illustrate his feeling that the committee could provide the necessary review and do it quickly, perhaps as early as June or July. Issues which he felt the committee should analyze were listed. Chairperson Horton thanked him for his time and effort to make his recommendations known.

Chairperson Horton reiterated his intent to defer action this evening. Commissioner Pozzi pointed out that Mr. Meierdierck had been a part of the team. Mr. Meierdierck's view is in opposition to that expressed by the Chamber of Commerce. Commissioner Rogers indicated that a majority of Mr. Meierdierck's comments had been considered during the review, however, Mr. Meierdierck did not support the team's decision. There are two issues on page three of his comments which the team had not considered. Commissioner Pozzi felt that Mr. Meierdierck was only attempting to address his personal ideas because the committee would not support him. Commissioner Rogers felt that several of the ideas were sound, however, they are based on a strict interpretation of what a sign ordinance should be. Such items could create a major problem when considered for adoption. Examples were indicated to illustrate this concern. He reiterated his comment that the document was a good start which had been a compromise and is supported by the committee. He solicited public comments so that problems could be identified and addressed. The proposal is enforceable, which the original had not been. Commissioner Pozzi reiterated his position on Mr. Meierdierck's comments.

Mr. Joiner indicated that both Mr. Meierdierck and former Code Enforcement Officer Ruedy had provided ordinances and standards for consideration by the team. Staff had reviewed all of this material and made recommendations to the team. The current ordinance provides for review of the material, design, and surroundings. It is enforceable. The historic district and the downtown design review standards will be added to the sign standards when applicable. Billboards will be reviewed and their standards revised. Staff had included the strategic planning and visual preference survey in its comments. He stressed that it had not been a "love fest". There had been strong debate. It had been a constructive process and respect had been maintained for each other's point of view.

Mr. Sullivan indicated the Commission's review was the second step in the three step process, which he described. Comments should be considered from both sides of the issue during the public hearing process. The Commission should carefully weigh these comments and make a formal recommendation to the Board of Supervisors. The Board will repeat the public hearing process. Its options were described. The process provides for a diversity in opinions to be voiced. It will result in the best sign ordinance for the community.

Chairperson Horton supported his comments and expressed the hope that additional input would be provided between now and the next regular session and/or at that meeting. The final document may or may not be revised. The committee's duty was to provide a document which it could support. The Commission is now in that "hot seat" as it must make a recommendation to the Board.

Commissioner Uhart stated her reasons for opposing the creation of another committee to review the document. She urged the public to take the time before the next meeting to review the ordinance and provide input. The document is a beginning and is better and more enforceable than the current ordinance. She agreed that it did not represent all of her views but is a compromise which is workable. She would dedicate the time to review Mr. Meierdierck's comments and the revisions. She appreciated his time and effort taken to make a statement. A compelling argument would be necessary in order for her to support the request to start the process over again.

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Chairperson Horton reiterated that the item was for discussion only. Therefore, no formal action was taken.

Commissioner Wipfli moved to adjourn. Commissioner Pozzi seconded the motion. Motion carried unanimously. Chairperson Horton adjourned the meeting at 9:30 p.m.

The Minutes of the March 26, 1997, Carson City Regional Planning Commission meeting

1997. ARE SO APPROVED ON____July_30____,

____/s/_____

Verne Horton, Chairperson