

A regularly scheduled meeting of the Carson City Regional Planning Commission was held on Wednesday, January 6, 1999, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 3:30 p.m.

PRESENT: Chairperson Vern Horton, Vice Chairperson Deborah Uhart,
and Commissioners Allan Christianson, William Mally,
Alan Rogers, Roger Sedway, and Richard Wipfli

STAFF PRESENT: Community Development Director Walter Sullivan,
Principal Planner Rob Joiner, Development Engineering
Manager Jay Ahrens, Senior Planner Juan Guzman, Parks Planner Vern Krahn,
Deputy District Attorney Melanie Bruketta, and Recording Secretary Katherine McLaughlin (R.P.C. 1/6/99 Tape 1-0001)

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 meeting at 3:35 p.m. Roll call was taken. The entire Commission was present constituting a quorum. Chairperson Horton lead the Pledge of Allegiance.

B. APPROVAL OF MINUTES - None.

C. PUBLIC COMMENTS (1-0016) - Albert LeBalch requested clarification on Item G-5 due to his understanding that the applicant had requested a continuance. Mr. Sullivan suggested the Commission consider Item G-5 first. Additional public comments were requested but none given.

D. MODIFICATIONS (1-0044) - Chairperson Horton again noted the continuance request for Item G-5 and that this Item would be taken out of order. Item F-1 had also requested a continuance.

E. DISCLOSURES (1-0053) - None.

F. CONSENT AGENDA (1-0055)

F-1. Z-98/99-2 - DISCUSSION AND POSSIBLE ACTION ON A REQUEST FROM PALMER AND LAUDER ENGINEERS, INC.

F-2. U-79-30 - DISCUSSION AND POSSIBLE ACTION ON THE ANNUAL REVIEW OF A PREVIOUSLY APPROVED SPECIAL USE PERMIT FOR CINDERLITE

F-3. U-96/97-31(a) - DISCUSSION AND POSSIBLE ACTION ON THE ANNUAL REVIEW OF A PREVIOUSLY APPROVED SPECIAL USE PERMIT FOR ALAN MOSS - Commissioner Wipfli moved to approve the Consent Agenda as read. Chairperson Horton noted that an Aye vote would approve the continuance requested for Item F-1. Commissioner Rogers then moved to approve the Consent Agenda Items F-1, F-2, and F-3 with Item F-1 being a continuance as recommended by staff. Commissioner Wipfli seconded the motion. Motion carried 7-0.

G. PUBLIC HEARING (1-0078)

G-5. U-98/99-33 - DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT APPLICATION FROM JIM LEHAN OF SIERRA PACIFIC POWER COMPANY - Community Development Director Walter Sullivan, Senior Planner Juan Guzman, Alvin LeBalch, Walt Owens -

(1-0275) Commissioner Mally moved that U-98/99-33 be continued until the next meeting. Commissioner Christianson seconded the motion. Mr. Sullivan suggested the item be continued until the February meeting and indicated that staff would renote the hearing. Commissioner Mally amended his motion to be to the February

meeting. Commissioner Christianson seconded the motion. Motion carried 7-0.

BREAK: An eight minute recess was declared at 3:55 p.m. The entire Commission was present when the meeting was reconvened at 4:03 p.m., constituting a quorum.

G-1. U-98/99-37 - DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT APPLICATION FROM SANDRA S. MALCOLM (1-0312) - Principal Planner Rob Joiner, Sandra Malcolm - Ms. Malcolm indicated she had read the staff report and concurred with it. Public testimony was solicited but none given. Commissioner Wipfli moved to approve U-98/99-37, a special use permit request from Sandra S. Malcolm and Roger K. Kingsland, to allow an accessory structure measuring 24 by 52 for a total of 1,248 square feet, which exceeds 50 percent of the square foot area of the primary structure on property located at 6812 Saddlehorn Road, APN 9-711-02, based on seven findings and six conditions of approval as 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. Commissioner Mally seconded the motion. Motion carried 7-0.

G-2. U-98/99-39 - DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT APPLICATION FROM ROBERT C. HERMAN (1-0375) - Principal Planner Joiner and Robert Herman - Mr. Herman indicated that he had read the staff report and concurred with it. Discussion between Commissioner Wipfli and Mr. Herman indicated that he would replace the sewer line only if the proposal increases the usage. Public testimony was solicited but none given. Commissioner Rogers moved to approve U-98/99-39, a special use permit request from Robert C. Herman to allow expansion of an existing nonconforming use by allowing construction within the required sidestreet yard and rear yard of property located at 301 West 4th Street, APN 3-129-02, based on seven findings and subject to five conditions of approval contained in the staff report. Commissioner Uhart seconded the motion. Motion carried 7-0.

G-3.V-98/99-5 - DISCUSSION AND POSSIBLE ACTION ON A VARIANCE REQUEST FROM WAYNE CHIMARUSTI, ESQ. (1-0458) - Principal Planner Joiner, Wayne Chimarusti - Mr. Chimarusti clarified for the record that Karin Slates is one of the property owners as well as one of the property managers. Public testimony was solicited but none given. Commissioner Rogers moved to approve V-98/99-5, a variance request from S/A Properties, Limited Liability Corporation, to vary from two of the four required parking spaces on property located at 508 West Third Street, APN 3-121-06, based on five findings and subject to five conditions of approval contained in the staff report. Commissioner Christianson seconded the motion. Motion carried 7-0.

G-4. U-98/99-38 - DISCUSSION AND POSSIBLE ACTION ON A SPECIAL USE PERMIT APPLICATION FROM JABA, LLC - Senior Planner Juan Guzman, Applicant's Representative Jack Randell, and Al Bernhard - Discussion between Mr. Guzman and the Commission explained the Code restrictions on balloons. Mr. Randell and Mr. Bernhard described the balloon's size and color. Discussion also explained the term "appurtenances" and its purpose. The balloon is to be used only on special occasions or for special promotions. Public testimony was solicited but none given. Commissioner Uhart moved to approve U-98/99-38, a special use permit from JABA, LLC, Al Bernhard, managing member, to allow a temporary tract sales office, poles and flags, free-standing signs, and related improvements including appurtenances to the sales office and a tethered balloon, 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 Rogers seconded the motion. Motion carried 7-0.

G-6. U-98/99-40 - DISCUSSION AND POSSIBLE ACTION ON: (a) SPECIAL USE PERMIT APPLICATION FROM JOEL S. LANGSFELD, CC (WINNIE) LLC AND (b) DISCUSSION AND POSSIBLE ACTION ON THE CONSIDERATION OF A REPORT SUBMITTED BY CARSON CITY (WINNIE) LLC (1-0652) - Senior Planner Guzman; Applicant's Representatives from Lumos and Associates Carol Dotson and Glen Martel; Dee Tucker; Don Hassett; and Dan Webster -

(1-2104) Commissioner Mally moved to accept the report prepared by Carson City, Winnie, LLC, in order to fulfill the requirements of Nevada Revised Statutes 278.0232, and further that Carson City, Winnie, LLC make this report available to each resident of the Sierra Vista Mobile Home Park by certified mail and provide six copies of

the report to the Community Development Department for distribution through the City's offices and Library. Commissioner Uhart seconded the motion. Discussion indicated the wall would be included in the second motion. The motion was voted and carried 7-0.

Commissioner Mally moved that the Regional Planning Commission approve U-98/99-40, a special use permit for Carson City, Winnie, LLC, for the reorganization of existing Sierra Vista Mobile Home Park based on seven findings and subject to six conditions of approval contained in the staff report with the Sixth Condition being amended to read a six foot sight obscuring chain linked fence 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. Commissioner Rogers requested Condition 6 be returned to staff's listing due to his concern about having a retail establishment so close to a residential area. A sound barrier is necessary and more than a chain-linked fence is required. The Commission has heard on several occasions about the problems with using slates in chainlink fences. It is not a good sound barrier. The fences are not maintained that well. He suggested that the fence be a six foot block wall. Commissioner Wipfli indicated he would support the six foot chainlinked sight obscuring wall if its sound deadening ability is incresed with landscaping such as Australian Pines. The block wall will become a canvass for artists in addition to other problems. The price difference in the masonry fencing and the chainlink should be used for landscaping. Commissioner Uhart noted that the normal practice is for the trash compactors and air conditioning units to be in the rear of the commercial buildings. This will be directly adjacent to the residential properties. As it will become a gated access community and only the people who are residents of the area will be inside the community, she did not feel that too many of the residents would decorate the wall with spray paint. The chainlink fence will become a maintenance issue for Rite-Aid but the firm should bear the burden of this cost. If the firm wishes to put vines on the masonry wall, it could do so. She petitioned Commissioner Mally to return Condition 6 to the masonry wall to handle the noise issues created by the large retail commercial establishment. Commissioner Mally felt that the Commission should not address the Rite-Aid project at this time in so far as the trash and air conditioning requirements are concerned. These issues will be addressed when the project is considered. The motion stands as originally proposed. Commissioner Rogers voiced his agreement with Commissioner Wipfli's landscaping proposal if adequate space is available to install a berm for sound deadening purposes. He was unsure whether there is adequate space for this purpose. He also felt that the trees would not be as effective as a sound barrier wall. Mr. Martel indicated that he did not have a concern with either suggestion; however, he agreed to plant the additional trees on the residents' side of the fence to provide additional landscaping in the 20 foot setback where the mature trees are now. He also noted that the Commission could not consider the Rite-Aid project at this time. He would, however, indicated that the equipment is on the roof and the garbage container is in the center of the south side and not on the west side. "It will still receive some of the noise but not directly as it is on the south center side of the building. Anything is agreeable to them on the walls." He "did not wish to hold the Commission up much longer". Commissioner Mally indicated that this statement is a stipulation. The motion to approve U-98/99-40 as recommended with the change to Condition 6 and its stipulation was voted and carried 5-2 with Commissioners Uhart and Rogers voting Naye.

G-7. DISCUSSION AND POSSIBLE ACTION ON THE ELECTION OF CHAIRMAN AND VICE CHAIRPERSON (1-2268) - Commissioner Uhart nominated Commissioner Rogers as Chairperson. Commissioner Rogers expressed a willingness to accept the position if elected. Commissioner Christianson nominated Commissioner Horton as Chairperson. Additional nominations were not made. Commissioner Rogers' nomination was voted and failed on a 2-5 vote with Commissioners Mally, Wipfli, Sedway, Christianson, and Horton voting Naye. Commissioner Horton's nomination was voted and carried 5-2 with Commissioners Rogers and Uhart voting Naye. Commissioner Horton was elected as Chairperson.

Nominations were then solicited for Vice Chairperson. Commissioner Uhart nominated Commissioner Rogers as Vice Chairperson. Commissioner Rogers agreed to accept the position if elected. Commissioner Wipfli nominated Commissioner Christianson as Vice Chairperson. Commissioner Christianson agreed to accept the position if elected. Commissioner Rogers' nomination for Vice Chairperson was voted and failed 3-4 with Chairperson Horton and Commissioners Christianson, Mally, and Wipfli voting Naye. Commissioner Christianson's nomination for Vice Chairperson was voted and carried 4-3 with Commissioners Rogers, Sedway, and Uhart voting Naye. Commissioner Christianson was elected as Vice Chairperson.

H. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (NON-ACTION) (1-2415)

I. ADJOURNMENT (1-2705) - Commissioner Wipfli moved to adjourn. Commissioner Uhart seconded the motion. Motion carried 7-0. Adjourned 6:15 p.m.