



STOREY COUNTY PLANNING COMMISSION

Meeting

Thursday April 15, 2021 6:00 p.m.
26 South B Street, District Courtroom, Via Zoom
Virginia City, Nevada

MEETING MINUTES

CHAIRMAN: Jim Hindle

VICE-CHAIRMAN: Summer Pellett

COMMISSIONERS:

Kris Thompson, Adrienne Baugh, Bryan Staples, Jim Umbach, Alexia Sober

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- Call to Order:** The meeting was called to order by the Chairman at 6:01 P.M.
 - Roll Call via Zoom:** Jim Hindle, Summer Pellett, Jim Umbach, Alexia Sober, Kris Thompson, Adrienne Baugh
Absent: Bryan Staples

Also Present: Senior Planner Kathy Canfield, County Manager Austin Osborne, Deputy D.A. Keith Loomis, County Commissioner Jay Carmona, and County Commissioner Clay Mitchell.
 - Pledge of Allegiance:** The Chairman led the Pledge of Allegiance.
 - Discussion/For Possible Action:** Approval of Agenda for April 15, 2021.

Motion: Approval of Agenda for April 15, 2021, **Action:** Approve, **Moved by** Commissioner Baugh, **Seconded by** Commissioner Thompson, **Vote:** Motion carried by unanimous vote (**summary:** Yes=6).

No Public Comment.
 - Discussion/For Possible Action:** Approval of Minutes for March 18, 2021.

Motion: Approval of Minutes for March 18, 2021, **Action:** Approve, **Moved by** Commissioner Sober, **Seconded by** Commissioner Umbach, **Vote:** Motion carried by unanimous vote (**summary:** Yes=6).

No Public Comment
 - Discussion/For Possible Action:** SUP 2021-15 by applicant Brighton Denison. The applicant requests a Special Use Permit to operate an outdoor establishment. The outdoor venue will include a variety of scheduled uses and events including a farmer's market, craft fair, live music and dancing, wedding venue and other outdoor events. A deck is proposed to be constructed on the property similar to the neighboring property (Roasting House) which will provide the setting for all the outdoor events and be accessed from C Street. The property is located at 47 N. C Street, Virginia City, Nevada, Assessor's Parcel Number (APN) 001-086-05.

Senior Planner Canfield: Summarized the request for a special use permit to operate an outdoor establishment. The property is located at 47 N. C Street. The outdoor venue will include a variety of scheduled uses and events including a

farmer's market, craft fair, live music and dancing, wedding venue and other outdoor events. A deck is proposed to be constructed on the vacant property similar to the neighboring property (Roasting House) which will provide the setting for all the outdoor events and be accessed from C Street. The boardwalk exists in front of the parcel and the property drops downward from the C Street level. The parcel is small and does not have street frontage to D Street below. Because of the configuration of the parcel, development potential is limited for this site. To construct a stand-alone building on this parcel would be a challenge. Water and sewer hookups are from D Street, which would require a private easement through an adjacent parcel, and access to the site for vehicles would need to be from C Street. Allowing vehicle access from C Street is a concern because of the boardwalk and pedestrian usage. The intersection of pedestrians and cars and the limited visibility because of parked cars makes vehicle access from C Street a safety issue. Staff originally had concerns that an outdoor venue might be in competition with fixed building businesses with investment into the community. County staff do not desire to favor one type of business over another but do recognize the investment building owners make to the community. There is an investment being made into the parcel by the applicant with the construction of the deck which will need to be designed and constructed to a commercial standard. This investment is significant compared to a property owner renting space on a piece of level vacant property with no other improvements provided.

In assessing the downtown community, along with businesses that serve both local residences and tourists, the only other property with an active outdoor venue space is the Red Dog Saloon with their rear yard patio area. There are a few other level parcels with no buildings, however these parcels have been developed into parking lots, and although during special events these might be used for outdoor venues, the majority of time these serve as parking lots. The applicant's proposed outdoor venue space is a unique development for the downtown Virginia City area.

Constructing a deck is an improvement to the parcel and is an investment in the community. A deck offers a vista to the Comstock area below C Street which is accessible to the public. Based on the limitations identified for constructing a stand-alone building, staff have concluded a deck is a good option for the site. It may be that an investment could be made to construct a building in this location, however, this parcel has been vacant for at least 40 years, and no one has attempted to construct something permanent in this location during that time. Constructing a deck does not prohibit future development from occurring on the parcel.

Based on this rationale, staff has concluded that having some commercial activity at the site, even if it is not in the form of a building, is a benefit to the downtown community. Staff is supportive of the idea of an outdoor venue. The construction of the deck is an investment in the community. Infilling a vacant parcel in downtown Virginia City is desired and providing for a variety of outdoor uses in this location is unique compared to the other businesses existing along C Street.

Staff did receive a letter from an adjacent business owner stating concerns about noise and if there would be restrooms. We spoke with that person and told her that we would share her letter. The letter was sent to planning commission members and posted to the website. The applicant is here to answer questions.

Brighton Denison, applicant: Addressed the question about the restrooms. There is a plan to have portable restrooms on the deck and handwash stations which will be accessible to the public. There will not be plumbing directly to the deck, they will be portable.

Chairman Hindle: Received a letter of correspondence in support of the project. Will forward the email to staff to include in the record.

Commissioner Sober: Some concerns were voiced from members of the community regarding the "look and feel" of the venue detracting from the historic look and feel of Main Street, such as portable restrooms and booths with tents. Maybe there is a way to mitigate those concerns and still stay with the historic feel of the downtown district. Sober said that she has heard concerns and questions about whether or not the items offered for sale will be one-of-a-kind items and craft fair type items? People are concerned about a "flea market". Sober said that she has gotten mostly positive feedback about the project with just a few people having some concerns.

Brighton Denison, applicant: Said his company, Great American Craft Fairs, solely provides fine art and craft fairs. No "buy and sell" is allowed, i.e., flea markets. The crafter must be there to represent themselves. No other person is allowed to operate the booth in place of the artist. This helps bring in more unique and better products.

Commissioner Thompson reinforced the concerns that Commissioner Sober brought up. Thompson also said that he received a phone call from a long-standing person in the community with concerns that included where the portable restrooms would be located and if people do not want to use portable restrooms, does this put additional burden on the surrounding businesses? Thompson said he would like a vision of what the deck is going to look like.

Brighton Denison, applicant: Let the commission know that there will not be food and drink sold at the event. Generally, the restrooms don't get used all that often; however on special event days there may be alcohol served by partnering with a local bar. There will be multiple units (restrooms) onsite available to the public. The plan is to cover them in wood to look like an outhouse to create a more historic look.

Chairman Hindle asked for clarification that the portable restrooms would not be on C Street or at the front of the venue, but would be near the back of the venue? Chairman Hindle also asked Senior Planner Canfield who else would be looking at the design during the permitting process.

Brighton Denison, applicant: This is still in the design phase. The historic district will be reviewing and looking at this to help determine the location, but most likely they will be on the south side of the deck.

Senior Planner Canfield: To get a permit for construction the applicant will need to provide engineered plans to the Building Department. They will review the plans for not only design, but also structure and conformance to building codes. The Comstock Historic District must approve the design plans as well prior to a permit for construction. Not sure if the review would include the design of the portable bathrooms because they are temporary. The plans would also be reviewed by the Planning Department. The special use permit conditions will be considered when Planning does their review.

Commissioner Baugh: Posed a question to Senior Planner Canfield. What if someone decides to buy the lot? Is the applicant out of luck and the deck goes to them (new owner)?

Senior Planner Canfield: The applicant Brighton Denison is purchasing the property. The lot has been for sale for quite a while. Staff has had many inquiries on the lot, but there are many challenges to development.

Commissioner Pellett: How often will there be vendors there and what will the deck look like when there are not vendors there? Will people be able to enjoy the deck, or will it be closed off to the public?

Brighton Denison, applicant: Regarding the deck being open to the public, this will depend on the insurance requirements on whether or not the gate will be able to be left open when there is not an event being held. This is something that is still being worked out with the insurance company. As for how many events will be held, we are planning at least a 30-day arts and crafts fair. Denison said his plan is that every couple of days certain artists could come and go so that every day people could come and have an entirely new display in front of them. This will help bring repeat customers back to the area who liked the fair and there will be something new to see. This also affords the opportunity to bring vendors from outside the state here to bring people in during the week when there is not a special event going on.

The applicant also would like to have a pumpkin patch and a produce market. The crafts fair would not be a long standing event during the winter months.

Other concerns voiced by the commission included:

-Look of the venue when an event is not occurring, will it be closed off by a "façade" at C Street.

-Potential noise issues with loud music.

-Public exit to D Street in addition to C Street.

-Questions about outside vendors coming for special events and if local vendors will be able to have a booth there as well.

Mr. Denison: There is planned to be a fence similar to the Roasting House fence surrounding the deck including at the front at C Street. It will be completely see through. The public will be able to enjoy the view east. Denison said that they are using the same plans for the deck as the Roasting House. The deck will also be engineered and constructed to hold a building should one be proposed at the site in the future.

There will not be power, water or sewer to this deck so any music will be live and acoustic therefore minimizing sound issues.

There is a set of stairs running from the Roasting House deck to D Street which will also provide an additional exit for the public to use in addition to the C Street entry and exit.

There will be three booths permanently placed on the deck free of charge for local vendors who make arts and crafts. They will be more than welcome to use tables, chairs, canopies, etc. that are provided. Denison said that he wants to partner with the community not compete.

Mr. Denison also told that commission that he has held a special event arts and crafts fair in Virginia City and referenced a website for the commission to view to get an idea of what it looked like.

Commissioner Umbach: Asked Mr. Denison about how many days a year does he expect to hold an event.

Mr. Denison: Plans on having events 90 to 120 days a year of solid booked events and potentially weather permitting, having a pumpkin patch and produce market and live acoustic music intermittently.

Public Comment:

Deny Dotson, VCTC Director: The VCTC's purpose is to drive traffic to Virginia City. The last couple of years the commission has been heavily investing in the arts and culture specifically to Piper's Opera House. This is in hope to broaden the perspective, and the demographic. Arts and crafts are a big part of that. We have some artists and crafters here in town and we encourage that. People love to travel and buy something that's unique. Dotson said that he has had the pleasure of working with Mr. Denison for a couple of years now and finally got to put together an event last summer during Covid. Mr. Denison is very conscientious, very detail oriented and one of the best event organizers that I (Dotson) have ever worked with.

This vacant parcel has been an eyesore for years and this would be an excellent addition to the town if done properly. Dotson said he thinks this will really add to the experience of Virginia City.

Sam Toll, Gold Hill resident: Stated his support for what is being proposed. He (Denison) is literally helping us fill a hole on C Street. Toll said his daughter makes jewelry and had a booth at last year's craft fair and did very well. Toll said he was impressed with the professionalism of the organization and the way the event was run. Believes that if Denison executes according to his game plan, this will add to what we offer here in Storey County, Virginia City.

Scott Jolcover, Storey County property owner: Stated that he is not for or against the project but thinks this is a novel idea. Asked if Fire and Engineering have looked at it for fire and weight load to determine what the occupancy could be, i.e., number of people and weight load on the deck. Also asked if the deck will be completely secured when an event is not happening and will the outhouses be secured.

Mandy Manyose, Roasting House owner: Clarified that she owns the Roasting House but not the Roasting House building or this plot of land. Stated that she supports this project. This project will benefit the Roasting House as well as the surrounding businesses.

Brighton Denison, applicant: Addressed the question regarding the restrooms being secure; they will be similar to what the Roasting House has on the south side of their building to house trash. It will be a wood enclosure that the outhouses can be wheeled in and out of in order to be cleaned and/or replaced as needed. They will be able to be latched at night and wind would not be an issue. The deck will be gated and locked at night regardless of what event is going on. The structure of the deck will be engineered to hold a commercial structure i.e., larger beams and much heavier duty than what you would find at a home. Weight limit will be determined during the engineering of the deck.

Senior Planner Canfield: The determination today is whether or not to issue a special use permit for the outdoor venue land use. The construction of the deck itself will go through the Building Department for construction requirements and compliance with the building code. The building plans once submitted will be compared to the special use permit conditions for compliance.

Pam Burfitt, business and property owner: Said she is five buildings down from this lot and said she looks forward to “us” getting some more business down at this end of town. Glad that Mr. Denison has answered lots of the concerns. Asked about where the vendors may be parking during the event.

Mr. Denison: Vendors will be utilizing the loading zone in front of this property for load and unload. Denison said he talked to John at the Silverland, he has ample parking at their lot which used to hold the camel races. He has generously offered to let the vendors park there.

Martin Azevedo, Fire Marshall/Community Development Director: All the construction plans will be reviewed by the Community Development Department which includes fire prevention.

Janice Oberding: Said she thinks this is a wonderful idea and is really excited about it, but has a question; would preference be given to locals and artists in northern Nevada?

Mr. Denison: Yes, we start sourcing local first. Said that he plans 90 to 120 days of an event and there will be artists constantly coming and going and in order to do that, we (Great American Craft Fair) would need to bring in some artists from Reno, Carson and some from out of state. Denison said that he has a lot of artists from California that have been with them for 40 years and do incredible work. Reiterated that he will keep three booths for Virginia City locals, who meet the requirements (handmade items), free of charge every day of the year that an event is going on.

After further discussion between staff, Deputy D.A. Loomis and the commission regarding the portable restrooms, deck plans and design, vendor parking, and local vs outside vendors, three additional recommended conditions of approval were added to the permit. The Planning Commission voted 6-0 (1 absent) to recommend approval of the project, with the addition of the following conditions of approval.

- O. This special use permit includes the provision that portable restroom facilities, in the character of the Comstock Historic District, be provided.
- P. The proposed deck shall be designed to allow for future building construction.
- Q. No vendor parking shall be allowed on C Street. Loading and unloading shall be permitted in designated areas.

Motion: In accordance with the recommendation by staff, the findings of fact under Section 3.A of this report, and other findings deemed appropriate by the Planning Commission, and in compliance with the conditions of approval, I Summer Pellett, recommend approval which includes additional conditions determined by the planning commission and staff, conditions O., P., and Q., of Special Use Permit 2021-15 to operate an outdoor establishment. The outdoor venue will include a variety of scheduled uses and events including a farmer’s market, craft fair, live music and dancing, wedding venue and other outdoor events. A deck is proposed to be constructed on the property similar to the neighboring property which will provide the setting for all the outdoor events and be accessed from C Street. The property is located at 47 N. C Street, Virginia City, Nevada, Assessor’s Parcel Number (APN) 001-086-05., **Action:** Approve, **Moved by** Commissioner Pellett, **Seconded by** Commissioner Baugh,

Senior Planner Canfield read the findings into the record:

- (1) This approval is for Special Use Permit 2021-15 to operate an outdoor establishment. The outdoor venue will include a variety of scheduled uses and events including a farmer’s market, craft fair, live music and dancing, wedding venue and other outdoor events. A deck is proposed to be constructed on the property similar to the neighboring property which will provide the setting for all the outdoor events and be accessed from C Street. The property is located at 47 N. C Street, Virginia City, Nevada, Assessor’s Parcel Number (APN) 001-086-05.

- (2) The proposed project complies with the general purpose, goals, objectives, and standards of the county master plan, this title, and any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice by the county.
- (3) The proposal location, size, height, operations, and other significant features will be compatible with and will not cause substantial negative impact on adjacent land uses or will perform a function or provide a service that is essential to the surrounding land uses, community, and neighborhood.
- (4) The proposed project will result in no substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions and policies of the county master plan, this title, and any other plans, program, map or ordinance adopted or under consideration pursuant to an official notice, by the county, or other governmental agency having jurisdiction to guide growth and development.
- (5) The proposed use in the proposed area will be adequately served by and will impose no undue burden on any of the improvements, facilities, utilities, or services provided by the county or other governmental agency having jurisdiction in the county.
- (6) The Special Use Permit conforms to the 2016 Storey County Master Plan for the Virginia City planning area in which the subject property is located. A discussion supporting this finding is provided in Section 2.C of this staff report and the contents thereof are cited in an approval of this Special Use Permit.
- (7) The conditions under the Special Use Permit do not conflict with the minimum requirements in Storey County Code Sections 17.03.150, Special Use Permit and Section 17.30, CR – Commercial Residential Zone.

Vote: Motion carried by unanimous vote (**summary:** Yes=6).

* To hear the entire discussion regarding this item please contact planning@storeycounty.org for access to the recording of the meeting.

No additional public comment.

7. **Discussion/For Possible Action:** SUP 2021-18 by applicants Kevin and Ambre Chevalier. The applicants request a Special Use Permit to operate an automotive services business in an existing garage structure at 790 South A Street, in the Divide neighborhood of Virginia City, APN 001-041-12.

Senior Planner Canfield summarized the project: The applicant is proposing to operate an auto service facility for car maintenance and repair, along with auto restoration in an existing garage structure.

The applicant received a Special Use Permit in 2016 (SUP 2016-008) that allowed for a Home Enterprise that is associated with vehicle restoration. That business will continue and the applicant would like to provide additional vehicle maintenance and repair. The property is zoned CR Commercial Residential and commercial uses, along with residential uses are permissible for the parcel. When the garage was constructed for the home enterprise use, it was built to commercial building code regulations so it is not anticipated any building modifications are required to operate the commercial business.

If approved, the home enterprise SUP would no longer be applicable and the auto service and repair SUP would replace the previous SUP. The applicant is proposing to expand the automotive restoration services he currently provides to maintenance and repair in response to requests he has received from the community. The only other auto repair service in Virginia City recently closed.

Because the previous use was considered a home enterprise, outdoor storage was prohibited to be consistent with the home enterprise requirements of Chapter 17.12 of the Storey County zoning code. With this revised special use permit for a commercial use, outdoor storage can be permitted with the special use permit. Because of the commercial/residential nature of the zoning district, staff suggests that outdoor storage is permissible for this commercial use if the storage is located within a fenced area that screens the storage from public view. Operable and registered vehicles waiting for service are not considered an outdoor storage item.

The surrounding area is a mixture of land uses including the mining pit to the north, the justice court, Divide fitness and Divide apartments to the east and northeast, vacant commercial-residential zoned land to the south and the Storey County water treatment plant, water tanks and Bureau of Land Management land to the west. The property has a fence along the south property line which delineates where vehicle access and parking are allowed on the parcel. The applicant currently lives in the onsite residence.

Staff received an email this afternoon from two adjacent property owners providing a history of some of the activities that have occurred between the property owners. One of the concerns brought up was regarding access to the property and the number of excess cars that potentially could be on the property. Canfield said that access at this point is from Howard Street. There used to be an access easement that came from A Street, but that is a private issue between the property owners. Regarding the number of cars, this will be a commercial business located in the Commercial Residential (CR) zone area of Storey County. The county does not typically limit the number of cars that are associated with a commercial business. There is a condition in the special use permit which applies to outdoor storage of items related to the business. It must be screened from public view. A solid fence would need to be built to screen outdoor storage. Limiting the number of cars is not something staff has recommended in the past. That will be up to the commission if they want to propose something to address that. The applicant is here tonight and so are the two adjacent property owners who stated their concerns.

Ambre and Kevin Chevalier: Ambre said they appreciate the acceptance of the application for amending the special use permit. When we decided to make our investment in the state of Nevada as a woman and minority business owned business, I decided to invest in Storey County. When I looked at this town there were two properties that were commercially zoned in this town, this property was one of them. It was always our intent to come here and to build an automobile business. We are registered with the State of Nevada as a garage and automobile repair business. We would like to extend that business as we have worked with Bob (VC Gas Station) throughout the years on a very friendly basis. We would like to pick up and continue that basis for the community. It is a need; it is something we are being called about daily. It is something we are seeing being posted on Facebook. The community is reaching out to us. We do not have any immediate neighbors. The land surrounding us includes a mining pit, a commercial service building, and another commercial building and vacant land. Chevalier stated that they have a legally recorded easement between us and the neighbor next to us. We are here to provide a service to the community, and we will answer any questions.

Chairman Hindle opened this up to the commission for questions of the applicant. He also clarified with the applicant that customer traffic would be coming up Ophir Grade to Howard to enter and exit the property.

Commissioner Thompson: Asked the applicant how many of the neighbors can see your property from their property and have you made attempts to communicate and reassure them regarding their concerns (cars, storage, screening). There is a concern with property valuation in terms of when you look across the street and there are a lot of cars parked, maybe wrecked, that need repair.

Ambre Chevalier, applicant: Answered that they want to be respectful of everyone in this town. There is a fence to the south that has been constructed by one of the neighbors to block view at his request. There is no neighbor to the north, it is a mining pit. The rear of the Divide building is to the east. There is BLM land to the west.

Commissioner Pellett: Concerned with the screening of outdoor storage. Asked the applicant where outdoor storage would be kept and will it be screened. Also asked about where the parking of vehicles will be if there are multiple vehicles that you are working on at one time.

Ambre Chevalier: For outdoor storage we are looking at putting it behind the garage facility and we are working with the historic district. We have proposed some fence construction to them, and they have come to us with suggestions of a white picket fence. We are looking at building a solid fence six feet in height to secure the storage behind the garage. Vehicle parking will mostly be on the east side of the building which is between our property and the Divide Fitness building.

Senior Planner Canfield: Clarified that the parcel overlay from the county's GIS system is not survey accurate.

Commissioner Sober: Commented that she drives by this location everyday both to and from work and cannot see any of the storage they have in their yard currently. It is not visible from the street (C/Main Street). If you were to drive up above their property on the BLM land, it would be visible.

Public Comment:

Bum Hess, adjacent property owner and owner of Hess Construction: Said that he built the Chevalier's house. When this first started (Chevalier's business) this was supposed to just be an automobile restoration business. He gave them a 10' foot easement for access until they could get a driveway in the back of their house which is on the north side which they put in about two years ago. Said that his main concern is that once a SUP is issued for a garage use there will be storage outside. Hess said he plans to put in some very exclusive high-end apartments on the adjacent property and doesn't want to be looking at a junkyard. Said he feels that there could be some issues down the road. Concerned with outside storage and is concerned with traffic. Said that the Chevaliers have never talked to the neighbors or business owners around them about concerns they might have. Said he does not want to look at a bunch of cars and they (applicants) are aware that he has issues with that. Hess stated that he would like some solid fencing to screen at least the south side of the house/garage. Said the fence that he put up (south side) is just a barrier/boundary line fence because there have been issues. There is now an easement for access, not structures, at the southwest border of the property. Suggested putting language in the SUP that has "teeth in it" to control this if it becomes an eyesore.

Scott Jolcover, adjacent property owner to the north and President of Virginia City Ventures: Knows that the community needs shops and places to maintain their vehicles. "My biggest concern is when you issue an SUP and then you go start building on top of that SUP, the zoning is right, but the use and location is not." Concerned that if maintenance of vehicles will be allowed here, such as changing of fluids such as oil, antifreeze, "rear end changes", that some of these fluids might end up in the sewer and water. Also wants to make sure that nothing will end up in the soil where potentials minerals may be located.

Ambre Chevalier, applicant: When we made our investment in this property it was because the property was zoned residential commercial. Reiterated that they got a license from the State of Nevada to allow them to work on automobiles. We invested in Virginia City in a residential commercial property specifically to be able to work on vehicles. We are looking to expand the business, but not expanding beyond what the community needs. Said that they have been pressured with these complaints from Mr. Hess since buying the property. A legal document was "put on us" as we purchased this property limiting what we could do with our business. We had to go to court and have that document removed and that is what we are operating under for our easement today. We will absolutely comply with any requirements as we have since beginning the business. We are not here to argue with our neighbors but are here to be good neighbors to the community. We do not plan on storing a large number of vehicles since there is limited space. We would like to be able to service vehicles and do high end restoration. The community needs this service and will serve it responsibly.

Kevin Chevalier, applicant: This will be a service and maintenance building (business). All the fluids go into storage and are sent to hazardous waste places (disposal). Nothing is spilled and the floor is epoxied. Fluids get wiped up and do not go into the ground. The fence will be built to enclose anything that is stored outside. The automobiles, according to the permit, do not have to be behind a fence and will only be here for whatever the maintenance needed is and should be only a few days.

Commissioner Pellett: Asked Senior Planner Canfield if this is a typical special use permit that runs with the land. Senior Planner Canfield: Confirmed that this special use permit runs with the land.

Commissioner Pellett: Believe this request is a need for the community but is concerned with not having a limit or some type of condition to address the number of and storage of vehicles even if they are registered and operable. Wants to make sure there are not impacts to the adjacent property owners and what they want to do with their properties. Asked the applicant about how many vehicles could potentially be on the property. Kevin Chevalier answered that there shouldn't be more than five or six, not counting their personal vehicles. Pellett suggested maybe adding a condition that could say not to exceed six vehicles be stored outside of the garage or something of that nature.

Commissioner Umbach: Six vehicles sounds reasonable but what about motorcycles? They take up a third of the space. Motorcycles should count as half a vehicle in a case like that.

Commissioner Thompson: Asked if he is right in assuming that this permit is for the repair of cars, and could that include cars that are wrecked and need repair. Feels that screening is important and affects property values.

Senior Planner Canfield: Confirmed that yes wrecked cars would be allowed to be worked on but if they are inoperable, they would need to be screened from view.

Commissioner Sober: Asked for clarification that storage specifically involves non operable cars and having four or five operable cars on the property would not be considered outside storage. Senior Planner Canfield confirmed Sober's statement. Also said that as a single woman in Virginia City and not having a mechanic that she can get to safely and easily, having the Chevalier's close to help is critical and she is sure there are others in the community who feel the same way.

Senior Planner Canfield: Commented that from a staff point of view, regarding the number of cars, inoperable and operable, as soon as we pick a number, something is going to happen, and that number may not work anymore. It would be hard to distinguish personal vehicles of the property owner and visitors they might have from business related vehicles. Picking a number could create a very big compliance issue. It appears that the issue is not the number of cars, but what is visible to adjacent property owners. Believes this should be addressed through a screening process rather than limiting the number of cars.

Chairman Hindle: Asked the applicants if they are envisioning a solid fence on the north, south and east side of the property perimeter. Kevin Chevalier confirmed that.

Additional discussion between the applicants, the commission, staff and the public regarding screening and locations for screening, outdoor storage, fire access to the property, vehicle traffic, number of cars, transfer of rights for SUPs, utilizing an appointment system for repairs, potential impacts to neighboring properties, operational and non operational vehicles fire and building code compliance, and other concerns continued.

Senior Planner Canfield: Emphasized that this is commercial residential zoning and mixed use property. The only commercial zoning we have in Virginia City is commercial residential. There is some industrial (zoning) that is located down by the fairgrounds but everything that we have that is "commercial" is located in commercial residential zones. Right next door there are apartments, and a building that houses a justice court and a commercial business. AT & T has a building there for equipment. It is great that the adjacent property owner plans to put in upscale residential apartments next door, but maybe what we need to do is work on a screening plan for this business.

Deputy D.A. Keith Loomis: Let the commission know that the open storage provision requires screening from view of public places and abutting private properties, so it will go beyond just public view and will include abutting private properties.

Commissioner Thompson and Commissioner Pellett: Suggested continuing this to the next meeting to give staff and the applicants time to find a solution to screening outdoor storage that is feasible for them and satisfactory to the adjacent landowners.

Commissioner Sober: Said to correct her if she's wrong but thinks that there has been a compromise made between the two property owners. The Chevalier's are willing to put up a screen/fence in a manner that is protective of the other property owners and their property values and to also limit storage to the north and east side of the garage.

Bum Hess: Would like clarification on what the screening/fencing will look like and where it will be located. Not trying to be difficult but wants to protect his property.

Chairman Hindle: Suggests continuing this item to allow staff to work with the applicant and the adjacent property owner on specifically conditioning the screening/fencing to mitigate impact and satisfy both parties.

Motion: Move to postpone the consideration of this item to the next planning commission meeting in order to give staff the opportunity to meet with the applicant and to meet with adjacent landowners in order to more carefully define the fencing and the protection of the view from the adjacent land in a way that is economically reasonable on the applicant but protects the view from the adjacent property, **Action:** Approve, **Moved by** Commissioner Thompson, **Seconded by** Commissioner Umbach, **Vote:** Motion carried by unanimous vote (**summary:** Yes=6).

Public Comment:

Bum Hess: Offered to provide 250' of 8" well casing free to the applicants if they would like to use it for the fence.

* To hear the entire discussion regarding this item please contact planning@storeycounty.org for access to the recording of the meeting.

8. **Discussion/For Possible Action:** Road Abandonment 2021-17 by applicant Jeremy Loncar. The applicant requests to abandon the undeveloped, approximate 30-foot wide public right-of-way associated with Sutton Street between Howard Street and Stewart Street in Virginia City. The area of the abandoned right-of-way will be consolidated with the adjacent properties. The right-of-way abandonment borders APNs 001-023-01, 001-016-10 and 001-016-11, which are all owned by the applicant.

Senior Planner Canfield: This is an application to abandon an undeveloped portion of Sutton Street located between Howard and Stewart Streets. The right-of-way (ROW) itself is 30' wide and is located on the side of a hill. There appears to be a garage that was encroaching into the ROW that was also built in this area. Looking at air photos, it has been there since at least 1994. If the abandonment is approved that area will be consolidated into one of the adjacent parcels. The applicant owns the land on both sides of this proposed abandonment area. This segment does not landlock any other parcels as there are many other "paper" roads that are behind this portion. AT & T, NV Energy and Comstock Cable were notified of this request and there are no utilities located here with the exception of a fire hydrant on Howard Street. If approved and the road abandonment survey shows that the hydrant is located in Sutton Street instead of Howard, a utility easement will be recorded. Staff followed all NRS noticing requirements and staff did not receive any comments. Staff is recommending approval.

Jeremy Loncar, applicant: This is straightforward, since Jun 6th of 1865 when the plot was recorded, someone found some minerals in the ground and "open pitted it". The road actually leads to a large pit that leads to a large wall going up a mountain. Said he hopes to consolidate this among the three lots we own which the road divides. This should not affect anyone else in the process. Also stated that the hydrant will need an easement.

Chairman Hindle asked for Board comments. There were none except a clarification on an aerial picture depicted in the staff report.

No Public Comment.

Motion: In accordance with the recommendation by staff, the Findings under section 3.A of the Staff Report, and in compliance with all Conditions of Approval, I Jim Umbach, hereby recommend approval of an abandonment to the undeveloped, approximate 30-foot wide public right-of-way associated with Sutton Street between Howard Street

and Stewart Street in Virginia City. The area of the abandoned right-of-way will be consolidated with the adjacent properties. The right-of-way abandonment borders APNs 001-023-01, 001-016-10 and 001-016-11, which are all owned by the applicant., **Action:** Approve, **Moved by** Commissioner Umbach, **Seconded by** Commissioner Thompson,

Commissioner Umbach read the findings into the record:

- (1) This approval is to abandon the undeveloped, approximate 30-foot wide public right-of-way associated with Sutton Street between Howard Street and Stewart Street in Virginia City. The area of the abandoned right-of-way will be consolidated with the adjacent properties. The right-of-way abandonment borders APNs 001-023-01, 001-016-10 and 001-016-11, which are all owned by the applicant.
- (2) The Abandonment complies with NRS 278.480 relating to Abandonment of a street or easement.
- (3) The Abandonment complies with all Federal, State, and County regulations pertaining to vacation or abandonment of streets or easements, including NRS 278.240.
- (4) The Abandonment will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding vicinity.
- (5) The Abandonment will not cause the public to be materially injured by the proposed abandonment.
- (6) The conditions of approval for the requested Abandonment do not conflict with the minimum requirements in Storey County Code Chapters 17.12.090, General Provision – Access and Right-of-Ways, or any other Federal, State, or County regulations.

Vote: Motion carried by unanimous vote (**summary:** Yes=6).

9. **Discussion/For Possible Action:** Determination of next planning commission meeting.

No Public Comment

Motion: Next planning commission meeting to be held on May 6, 2021 at 6:00 P.M. at the Storey County Courthouse, Virginia City, Nevada, Via Zoom, **Action:** Approve, **Moved by** Commissioner Thompson, **Seconded by** Commissioner Baugh and Sober, **Vote:** Motion carried by unanimous vote (**summary:** Yes=6).

10. **Discussion/For Possible Action:** Approval of claims – None

11. **Correspondence (No Action)** – None other than what was already received and distributed.

12. **Public Comment (No Action)** – None

13. **Staff (No Action)** – County Manager Austin Osborne: Submitted the county reopening plan to the Governor’s task force which will take effect May 1st from June 1st then essentially “in a nutshell” we will be at 100% capacity’s with six-foot social distancing between May 1 and June 1. After June 1, that will go away. The state will still have the mask mandate. Storey County will still work on other mitigation such as providing hand sanitizer stations in downtown Virginia City and working with businesses to help them comply with distancing requirements. There by another form of CARES money coming in a different form. We (county) will work with them to try and get them access to that money as much as possible. Our local task force that is led by our emergency management director and our tourism director and includes local business owners and residential community, are working on how to safely manage large

events and work with businesses to help with reopening. Osborne Gave a brief update on a couple of bills in the legislature.

14. **Board Comments (No Action)** – Commissioner Sober asked if there was a way to make the zoom link available to the public by just “clicking” a link.
15. **Adjournment (No Action)** - The meeting was adjourned at 9:22 p.m.

Respectfully Submitted, By Lyndi Renaud