

CITY OF ELKO
PLANNING COMMISSION
REGULAR MEETING MINTUES
6:30 P.M., P.D.S.T., TUESDAY, JULY 6, 2010
ELKO CITY HALL, 1751 COLLEGE AVENUE, ELKO, NEVADA

CALL TO ORDER

The meeting was called to order by Chairman Jeff Thompson.

ROLL CALL

Present: Jeff Thompson, Rich Perry, Reece Keener, John Anderson, Brent Elmore, Doug Owen, Alene Sutherland

City Staff Present: Curtis Calder, City Manager
Ed Wynes, City Planner
Scott Wilkinson, Development Manager
Josh Carson, Deputy Fire Marshall
Ted Schnoor, Building Official

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: May 18, 2010 – Special Workshop Meeting

Motion: Approve the May 18, 2010, special workshop meeting minutes in their entirety

Action: Approve, **Moved by** Doug Owen, **Seconded by** Rich Perry.

****The motion passed with Commissioner Elmore abstaining.**

June 1, 2010 – Regular Meeting

Motion: Approve the June 1, 2010, regular meeting minutes in their entirety

Action: Approve, **Moved by** Doug Owen, **Seconded by** Brent Elmore.

****The motion passed unanimously.**

I. PUBLIC COMMENT PERIOD

This agenda item is to provide time for the general public to address the Planning Commission regarding items of concern not specifically listed on the agenda. Action cannot be taken at this time, but a matter can be set on the agenda for a future meeting, as appropriate.

There were no comments made at this time. However, a letter was presented to the Planning Commission from John Carpenter regarding the Master Plan update workshops. Discussion related to this letter took place under Reports.

II. NEW BUSINESS

A. PUBLIC HEARINGS

1. Review, consideration and possible approval of Variance No. 2-10, filed by Bailey Homes for a reduction of the required front yard setback from fifteen feet (15') down to twelve feet (12') and the required rear yard setback from twenty feet (20') down to fifteen feet (15') in connection with building a single-family residence. **ACTION ITEM**

The subject property is located generally on the corner of Jennings Way and Arroyo Seco Circle (1395 Arroyo Seco Circle).

Commission action necessary. **APPROVE, CONDITIONALLY APPROVE, DISAPPROVE.**

John Bailey, Bailey Homes, said 1395 Arroyo Seco is a somewhat substandard lot configuration. It doesn't meet the City requirements for depths. When it was subdivided, I don't know if they ended up taking a portion of it for the water pump house that's behind the lot, but it has made it difficult being a shallow lot and having the front and rear setbacks. The building envelope's really small and very difficult to fit a house on it, so we're asking to adjust those setbacks. The house isn't oversized for the lot by any means. It's only 1,487 square feet.

Mr. Wynes said Staff has looked at this property and the application. Mr. Bailey is right this property is substandard in that the property is only 6,432 square feet. For a corner lot you need 6,500 square feet in the R1 Zoning District. If you look at the property, you would assume something was taken out of that. It's not a water pump house it's some kind of a telephone building behind this property. The original Spanish Gardens Subdivision shows that this property was separate and was never added to or subtracted from that other piece of property beside it. I had the same question about how they got away with a substandard lot, especially in that kind of a configuration. After reviewing this, Staff does recommend approval subject to the two conditions listed in my memo.

Mr. Wilkinson said I believe you've heard all the details with regard to the lot configuration. The application is fairly complete. I think it has all the information you'd need to make your decision. The Development Department is recommending a conditional approval subject to the condition listed in my memo.

Motion: Conditionally approve Variance No. 2-10 with the following conditions:

1. This variance is granted for the reduction of the required front yard setback from 15 feet down to 12 feet and the rear yard setback from 20 feet down to 15 feet as shown on site plan labeled Exhibit "A".
2. A building permit must be obtained for the home. Said permit must be obtained within 12 months of the date of final approval of this application.
3. Condition No. 1 contained in the memo from Scott A. Wilkinson, Development Manager to Ed Wynes, City Planner dated June 22, 2010, stated as follows:
 - 1) The property owner is able to obtain the required approvals and permits for the structure from the City of Elko and begin construction within one year of the date of approval for the variance.

Commissioner Owen's findings are this conforms to the applicable sections of the Elko City Master Plan and City Code, Section 3-2-5B R1, Section 3-2-5G and Section 3-2-22. The

property is characterized by specific circumstance or feature. The property is odd shaped. This lot is only 67 feet deep from front to back. Taking out 35 feet for front and rear yard setbacks only leaves 32 feet in which to build a home. The unique feature does result in a practical difficulty or hardship. It would be hard or impossible to design a house to fit on the property without having to require a variance of either the front or rear yard. The circumstance is unique and does not generally apply to other properties in the area or vicinity. The other lots in the subdivision have adequate lot depth in which to build a home without requiring a variance. Granting of the variance will not adversely affect other properties or affect public interest, health, safety or welfare, sight distance, visibility, size, height, mass of structure. There will be adequate sight visibility around the corner due to the fact the property line sits well back of the sidewalk. Granting of the variance will not impair the purpose and intent of the Code. The specific code sections requested for waiver will not create a major problem or set precedence for future developers. Granting of the variance will not affect natural resources. This area is currently developed. There are no natural resources to affect in the area.

Action: Approve, **Moved by** Doug Owen, **Seconded by** Rich Perry.

****The motion passed unanimously.**

2. Review, consideration and possible approval of Conditional Use Permit No. 3-10, filed by Robert Kightlinger and Lori Anderson to permit a child care group home in an R (Single-Family and Multiple-Family Residential) Zoning District.

The subject property is located generally on the north side of the cul-de-sac of Adobe Way approximately 250 feet east of Fourth Street (1682 Adobe Way).

Commission action necessary. **APPROVE, CONDITIONALLY APPROVE, DISAPPROVE.**

Lori (Anderson) Kightlinger said what I've put together for you is a packet with some references that were brought to my attention by the City Officials that sent me some information last week. I'm going to try to address those issues that have come up and answer any question that anybody may have. The reason that I'm here today is because upon moving here about two years ago I discovered that there is an issue with lack of childcare in this area. I have been in this field for about 20 years. I know it well. Almost every state that I've worked in has provided the ability for people to operate group childcare homes. This enables us to keep a smaller group of kids so that you're not having massive amounts of kids in a small building. What we have here in Elko right now is three childcare facilities. One is Head Start, which provides care to low income families. One is Noah's Ark and the other one I don't even know the name of, it just opened. Noah's Ark offers 58 spots. The major complaints I'm seeing from that is there are long wait lists, cramped spaces, and overall high costs in care. We were trying to open a group home so that we could eliminate that problem. Some of the issues that have come up were issues that were pointed out in letters that are in your packets. One of the letters was from Mr. Wilkinson and one of his concerns was that he wanted a site plan showing off-street parking. The property is located at the end of a cul-de-sac. It provides a safe and low traffic area, ideal for children to arrive and depart. As you can see in the map provided, there are spaces for four vehicles on the driveway and one on the street. Our personal vehicles are garaged for the ease of parents' access. What we've opted to do is stagger the parents' arrivals and departures so that there's not a problem with people getting in or out or bothering the neighbors that are in close proximity. One of the other problems that he had was the employee to child ratio. I'd like to point out that we don't plan on doing

anything other than a family endeavor. My husband, Robert, and my daughter, Kate, are both accessible during business hours so that we can keep this under 11 children. That keeps us from having to have any employees. We are asking to have more than 5 but no more than 11 children. One of the other things he addressed was the letter from the owner of the property. We've eliminated the need for that but have provided the lease option to purchase, that we just signed with our home owner stating that we have intentions to purchase the property within 24 months, provided that we can get clearance from the childcare because if we are unable to do that then we're going to have to move more towards the Spring Creek area where there aren't those limitations. I have included the first page of that lease option so that you can understand that she does understand what kind of business we operate and her consent. In the Staff report concerns there were several issues that were touched upon and one of those was the trash and dumpsters. We've never had a problem with that. Elko Sanitation has provided adequate space for all the trash needs. We're not proposing to care for more than 12 children which would classify us as a commercial childcare center. It was pointed out that we're looking to operate on a large scale, commercial size center. This is not accurate. It's not what I'm trying to do at all. I'm trying to stay small and basically just provide childcare options because there's just not enough. Regarding the childcare business not belonging in a mature developed residential neighborhood that was outlined in the letter, I couldn't disagree more. I think that's probably the perfect place for a childcare center to be operated in. There are tons of kids in our neighborhood, tons of working moms and no place to leave them. We have Noah's Ark that is less than two blocks away from my residence and there have been no complaints about the noise level or anything else that a full size center has. In regards to the noise and traffic, it does make sense to me that there is a concern for that, but as I said there's really no reason for that because they haven't had any problems at the full size center level. I don't anticipate that, but just in case I have gone to my neighbors that are in close proximity of our house and have obtained letters stating that they understand what we're doing and they completely support us in the endeavor. I have those on hand. Mr. Schnoor has some concerns that I wanted to go over really quick. I completely understand his concerns. He stated in his letter that he will approve the conditional use permit if some items were completed. I'm going to address each point quickly in my reasons so that you can understand why I feel that this sets anybody in my position up for failure. The applicant must submit required application, plans and documents for the conversion of a residential structure into a commercial structure. This is both unrealistic and unwarranted for a group home daycare. Foster homes and families with more than five children would create the same unsafe or commercial environment, yet these are allowed in homes. In the cases of foster children being more than five, there is an exchange of monetary value so the way I see it that would kind of almost put us in the same criteria. Remodeling with a home sprinkler system, handicap accessibility and landscaping, those are incredible expenses that I don't think very many homeowners are able to do to operate a business out of their home. We're trying to stay small. We're trying to not go commercial and that is just something that is not feasible for us. Regarding the child day care occupancy classification, I have reviewed and understand the classifications and groups in regards to child day care. I am a little bit confused as to how the groups are separated because it seems like up until now there's no provision for small in-home daycares. Everybody that I've talked to in the area pretty much says that it's always been this way. There never have been in-home daycares with more than five children, five to eleven children is just unattainable. I don't understand that because it seems to me in an area like this where there is such a need for all these mining families you should provide for a place for them to put their children. The wait list at Noah's Ark is 12-18 months long. I don't see how that's a progressive thing for Elko. In the adopted City Code it's clearly outlined that the State Fire Marshall must sign off for a childcare facility. In your packets you'll see that back in 2009 we were signed off by the Fire Marshall. He knows of everything that has been happening. He was

on a phone conference with Mr. Schnoor, Mr. Wynes, Mr. Hecht and me during our initial phases of trying to get this to go through. It does say in there that he has the ability to revoke the approval or certificate of occupancy for one that he's signed. He chose not to do this. I'm wondering if maybe the reason that is, is because he classified this as an R4 and I wonder if maybe he didn't do that simply because he saw the oversight. He wanted to be able to provide for childcares to be able to operate in-home and he saw that that was the best suited code for that type of situation. In conclusion, I'd like to state that all along we have tried to follow the protocols outlined by the City and the State. We've been working on this since October 2009 and we've been on standby with the State for our State License because we're waiting for clearance from the City. We're trying to do things the right way and it appears that we are kind of in some unchartered waters here, that nobody's ever done this before. Nobody even really knows what they're doing when it comes to writing this Code or rewriting the Code, and I keep asking the same question over and over and that is if we adopted this Code and it doesn't provide for group in-home childcare, what do we do to change that Code? What do we do to fix it so that we can provide quality, adequate childcare?

Mr. Wynes said on the dais you all have a letter objecting to this application submitted by a property owner within 300 feet of this application. There is a childcare facility that the R1 Code allows: a childcare family home, not more than six children. That is an allowed use as an accessory use. What we're looking at is for something that is greater than five or six. Anything over five requires a whole different set of criteria; we must incorporate the Building Codes. It's looked at different from our perspective; the two that are permitted by conditional use have more than six children. As you read through my staff report I am making assumptions that at some time some of this is going to happen. There is no guarantee that any of this could happen but it very well may, and we want to be able to make sure this does not happen, that we do not have more than two or three people show up at the same time so that we have parking in front of other people's houses when that shouldn't be happening. It should be all on their property. Noise, those kids are going to be noisy. They're going to be stuck in the house for a while then they're going to get outside and be playing and running off steam, and they're going to be noisy. Somebody next door who may work night shifts is going to be trying to sleep, and that noise may not impact them the first day but at some point it may impact them. That's something we would like to be able to keep down to a bear minimum or avoid all together. In my staff report I make a comment, and I think this is the part where we differ, if this particular application was for a situation somewhat like Noah's Ark was, they wanted to build a facility, they were not trying to renovate a home, so they came in and got a conditional use permit but they were building something from scratch so they could incorporate into that building, regardless of the number of children they had or have in there, all of the requirements that the Code says you must have in place. One of the prime reasons that I am recommending denial of this application is basically for the fact that as stated the Master Plan has the area designated as High Density Residential. The use the applicants are proposing to operate is a commercial venture. The development of a daycare center for 8 to 12 children does not belong on a dead end street in a mature, developed residential area. It does belong in a residential area, just not in this particular location. With the number of children proposed, there are going to be times when the noise from children could negatively affect surrounding property. With the number of children proposed coming and going, there will be times when parents will be parking in front of adjacent properties and affect the free flow of traffic. A business permitted under conditional use should not be one that requires additional employees. This may not be as critical but that's not to say that at some point in time she may not want to increase the number if she was to get this and she complied with all the requirements that the Building Inspector will require, so that's why I'm saying we do not want to

see employees come to the home as a part of a conditional use or any occupation that is taking place in a residential area in town.

Mr. Wilkinson said I need to apologize to the Planning Commission and the applicant but I started taking a little bit closer look at the R1 Zoning and there are only two conditional uses that are allowed in R1: churches, church facility complexes and places of religious worship, and public buildings providing cultural, educational, administrative and fire and police services. As the Planner stated, a childcare family home is allowed in an R1 as an accessory use. If you look at the definitions in our Code, that would be five or fewer children. A childcare group home is 7 to 12 children. That's actually allowed as a Conditional Use in the R2 Zoning. Right now if the applicant wishes to have more than five children at that home it's not even allowed as a conditional use in the R1 Zone. It would be allowed in an R2 Zone. If the applicant has five or fewer children, a lot of the issues that were identified in the Building Department's memo, the parking requirements, all of those issues go away. That's why it's identified as an accessory use in that R1. Based on that, I believe if the Planning Commission were to look at trying to issue a conditional use for a group home, I think we'd probably need a legal opinion on whether you could do that. If the Planning Commission or the City were to pursue that, I think we'd need more information that was addressed in my memo. I believe the site plan we have in front of us wouldn't be adequate with regard to the parking because we really can't have stacked parking. You have to have parking available and we just don't have all of that information available right now. I think before we go further we should look at our Code, and I can copy the definitions and pass them out if we need to do that, and see if we can even issue a conditional use.

Commissioner Perry said according to what Mr. Wynes wrote, this property is zoned R (Single-Family and Multiple-Family Residential District). It's not R1, R2 or R3.

Mr. Wilkinson said I thought he said R1 up there.

Commissioner Perry said if it is R, one of the conditional uses is childcare center or childcare group home. There are two Ordinances that are referenced there and I was going to ask if we could take a look at those and see what those Ordinances say.

Mr. Wilkinson said no I thought he'd stated it was R1 and then I started looking at the Code but if it's R I think we're ok to move forward with that.

Commissioner Perry said this is R isn't it?

Mr. Wynes said yes.

Mr. Wilkinson said we should be fine to consider it then.

Commissioner Sutherland said referencing page 5 of your staff report, you talked about the State requiring 2 caregivers for 12 or more children. How does that correlate to five children that we're talking about? Is there a requirement for that?

Mr. Wynes said that would leave them where they're at right now without having to hire an outside person. The only thing I'm going to say is right now you have two options, you can either take my staff report recommendation which is a flat recommended denial or you can take what Development wants to do and table this action until they can review what has been provided to them and then reconsider it. If you are to approve it, you should be looking at

including all of the conditions that are imposed upon this application by the Building Department, in addition to those Mr. Wilkinson has asked for that are not yet addressed and may not be addressed at this time.

Mr. Wilkinson said the State Fire Marshall classified this as an R4 occupancy. How does that fit with your memo? I think your memo references an R3.

Mr. Schnoor said as stated in the letters, the State Fire Marshall does classify this particular occupancy as an R4. Through my research and in my letters that I have within the packet, I cannot find any other agency that's going to agree with that R4 classification. Then we're back down to, as per my Code that if it's five or less occupants in the building then it's an R3, which is a single family dwelling that has no restrictions on it. Once my Code reaches six or more than we either go into what's classified as an I occupancy or could also go into an E occupancy. Both of those occupancies are classified in the Building Code as commercial endeavors. That is the reason why I had those conditions on the structure. It needs to meet the commercial structural elements that are within the Code.

Commissioner Perry said I read your letter, but could you describe specifically what it would take on this building to make it R4?

Mr. Schnoor said I wouldn't classify it as an R4, I'd classify it as an I or E. R4 is 24 hour medical care or full time assistance. When you go through the description of an R4 occupancy childcare is not mentioned. As I stated in that letter, I got three different opinions that said an R4 is not (childcare). We don't know where that came from. When we deal with a commercial building, that's exactly what we're dealing with, we have accessibility issues, handicap bathrooms, certain distances from property lines where the outside of the building has to be protected. What I mean by that is I look at the type of occupancy and the type of construction and if it's within, I'm just throwing numbers out, 20 feet of a property line that it has to have a 1 hour protection with no openings. All of the electrical has to be in conduit. It all has to be commercial grade electrical. There is a good possibility a sprinkler system would have to be installed. We are looking at this as a commercial building. The problem with these types of structures are that you're taking an existing structure and trying to change its use and intent. Sometimes it's very difficult. It's difficult for me to say it was a house now we're going to make it this because there's the need, and then someone else wants to come in and do another business in a house and we say no you have to follow all these rules and regulations. I can't be selective in the enforcement of my Code. I have to make sure that if we want to make a commercial building out of an existing residential structure then minimum requirements have to be met.

Ms. Kightlinger said I would venture to say what this pretty much all comes down to is what constitutes commercial because we're talking about going from 5 children to 11 children and installing sprinkler systems, handicap parking and the craziness that comes with that is outlandish to me.

Mr. Wilkinson said aside from our recommendation that it be tabled until we have more information from the applicant and they attempted to provide us some information tonight and aside from the building issues, if they could meet the parking requirements that are required in the City Code, I think you'd be looking at paving over a substantial portion of that entire front yard area, if not all of it. I'm not certain that you'd still have enough area to park for what's required. The site plan that we have, we wouldn't be able to make a decision or recommendation to the Planning Commission tonight. We'd still need that to go forward if the Planning

Commission's considering that conditional use. A quick review of the lease agreement, it looks like there is language in that lease agreement that would allow the applicant to do a lot of the things we're talking about to the property or the structure. I'm not sure the owner understands the full extent of all that but if they've signed a lease with that type of language that allows that, that would be their issue rather than ours. We would still need some of the information on the employee to child ratios. I think I just heard from the State secondhand that it might be one employee for every six children, so I think there'd be two employees so you'd have employees. The other requirements in the Code for childcare drop off: ADA parking and some of those things, if the Planning Commission is going to consider the conditional use permit. If it is tabled maybe we could have a meeting and try to go through our Codes so you'd have a detailed understanding of what's required for a site plan submittal for us to consider.

Mr. Carson said just so you have some clarification as far as the I-4 designation versus the residential designation from the State Fire Marshall, the Code clearly states that we have adopted that if there's a conflict between regulations, laws, standards, or code, the more restrictive always applies. Unfortunately, that kicks in the requirements of our current building and fire codes which separates you from an R3 due to the number of children. When you exceed that number of five children, that's what classifies you as a commercial occupancy. Whether or not it's in agreement with you, it's like Mr. Schnoor mentioned, we have to enforce the Code fairly to all individuals and all occupancies whether we're in 100% agreement or not. Even though the State Fire Marshall has a regulation that states that you're allowed to have that many children based on an R4, the more restrictive of an R3, which keeps you as residential, does not apply to that.

Sarah Brewer said I am one of the moms, she watches my daughter. Talking about the noise, there is a soccer field behind her house kitty corner. Then there are the Willow Apartments behind her house. There are kids all up and down that street. There are teenagers living right next door, so I think the noise wouldn't be an issue. Parking, I've been with her since she started her daycare and all the times that I've been there, there's never been stacked up parking. She has a long lot which cars can park there next to each other. You can fit four cars there a least. How many parking spots would she need?

Mr. Wilkinson said right now we think they'd probably need three in addition to ADA which would be a total of an equivalent of five spaces. The other thing, the applicant could always request a variance for parking from the Planning Commission for that type of thing if they can demonstrate to the Planning Commission that it's not needed in this case. I don't believe we would get away from an ADA parking requirement. I'm confident you would have to have that and then you might be able to ask for a variance from the standards. We can go through those and you can take a look at your property and request that of the Planning Commission and try to make a case for that.

Ms. Brewer said she also said she wanted to stay a small care facility. She didn't want to take anymore than 11. Not all kids arrive and depart at the same time. I've never had a problem with the parking at all. About the sprinkler system, I work in a building, there are 14 of us that work in this building, it's a two-story building, basement and ground level, there's no sprinkler system in there. In a commercial building, not all commercial buildings have sprinkler systems.

Mr. Carson said you are correct, not all commercial buildings have sprinkler systems. Sprinkler systems are typically based on the occupancy itself and occupant load where depending on which occupancy the Building Official classifies you as would determine whether or not you would need the suppression system or a fire alarm system, so depending on the number of children that

you end up with, the ages and so forth would determine how the Building Official classifies you and would be determined at that point whether or not you'd use suppression system or not.

Ms. Brewer said I do hair. I'm a cosmetologist, so there are more than 14 people in the building that I work in all the time.

Mr. Carson said typically a cosmetology type center is an occupancy that does not require a suppression system. They're typically of adult nature and the occupant load is not very high. Fourteen is not usually a driving number that leads to a suppression system. It's usually a bit higher. The difficulty with the occupancies that you're dealing with is either an institutional based occupancy, which the Code looks at as more restrictive, as well as an educational facility. Not all of them require a suppression system but depending on your outcome it may.

Ms. Brewer said the kids that she has are not all there at the same time. There are some kids that are only there a couple days a week and then there are a couple kids that are only there a few days a month. On the childcare in this town, I've been on the waiting list for Noah's Ark for over a year now, and then what I've heard from my clients is to not take children there because the way they treat them and they're always sick. Since my daughter has been here she has not been sick, she's learning, she's three and she's very smart. As a parent I wouldn't want that taken away. My daughter has definitely been advanced. My sister-in-law was taking care of my daughter and they live over on Desert Plains. My daughter was two and she got out of the front door and was in the middle of the road and had traffic stopped. Nobody had a clue. She was out the door. Nobody was watching her. I've heard the same about that with the Boys and Girls Club, the kids have been found out on the highway. Her yard is fenced. She's got a huge backyard. I think it's a great place for a daycare.

Chairman Thompson said I don't know if the applicant would like us table this and work with City Staff some more and see if you can't meet some of these requirements because we are bound to go by the Zoning Ordinances, City Codes and other regulations applying to planning. If the applicant's ok with that we can table this to next month or however long it takes for you to work that out. It sounds like that may be the best route right now.

Commissioner Perry said I'm reading some of the requirements of conditional use permits and this particular zoning district which is R. Let me just read a few things and maybe we can make some sense of this. In reviewing conditional use permit applications, the Planning Commission shall ensure that adequate light and air, ingress and egress, and compatibility with other uses in the neighborhood are maintained. It goes on to say childcare centers and childcare group homes are under a couple of different Ordinances, but what hits me there is that other uses in the neighborhood are maintained. When we go to essentially the findings part of a conditional use permit, we as the Planning Commission have to look at and pass all of these things because really that's what we're here for, we oversee and look at the application and see if it's consistent with the Ordinances and the Zoning and so forth. Those things which relate to commercial buildings and so forth are really not in our realm, although they're part of what's reported in here from City Staff. I'll read down through them because when one of these comes up I always feel we have to be consistent and all of these have to be met. 1) The proposed use does or does not conform with the purpose or intent of the Zoning Ordinance. It does. 2) The proposed use does or does not conform with the City Master Plan. It does. 3) The nature of the proposed use and locational factors do or do not result in any negative influence or affect on adjoining properties. We do have one owner that says yes it does and that's significant in that context, and the fact that if the building has to be modified with respect to its parking and becomes more of a commercial

building than a residential building then that does or could have a negative influence on adjoining properties. 4) The location of buildings, parking and related facilities do or do not result in any negative influence or affect on adjoining properties. Again, that was more or less that issue of what parking was going to be required and if you're going to have to pave over some of your lawn to achieve that and so forth. 5) The quantity and distribution of traffic does or does not result in any negative influence or affect on adjoining properties or on the general patterns of traffic flow and circulation within the area or vicinity. There could be different opinions on that one. There's not a lot of traffic in the cul-de-sac. There are nine houses I think, I looked at it. It's a nice cul-de-sac. 6) Other factors or conditions influencing location in the particular zoning district do or do not result in any negative influence or affect on adjoining properties. It is a well established residential neighborhood with single-family homes and it's never had daycare in it before as one of those buildings. What I'm hearing from the Building Inspector and some of the City Staff is that this building is going to have to go through a fairly heavy modification to achieve what's necessary for a license and so forth, maybe more than what you want it to go through. It might be easier to find some place else to do this in that context, and I know you probably don't want to hear that but it wasn't built as a daycare center to start with. What I also heard is that you can run daycare there up to five people without doing anything and it sounds like you're doing that right now. It's that Ordinance that defines the next step in the continuum of numbers which I found confusing and had to go through and read from what you're doing now to childcare group home to childcare center. Those are the increasing numbers in the childcare business. That to me is one of things we have to look at and say yes to all of these before we can do this, otherwise we're going to have people living there who say their damaged by this.

Chairman Thompson said that's true. There are a lot of requirements that you will have to meet. That would be up to you I guess. I don't know if you want us to table this item and work with City Staff and the Building Department because you are going to have to meet a lot of those requirements if you grow in size.

Ms. Kightlinger said is it going to do me any good?

Chairman Thompson said if you met those requirements I would think so. That would be up to the Building Department, the Zoning requirements and everything else, and it sounds like you would have to meet those.

Commissioner Perry said I'm still not convinced that you're not going to have neighbors that say they're not damaged after going through all of this that you have for the last few months.

Ms. Kightlinger said I understand that you had a complaint.

Commissioner Perry said yes a letter. When the meetings are posted all the neighbors within 300 feet are notified and they can either show up or they can send something. Did you get to read it?

Ms. Kightlinger said no, I didn't.

The letter was handed to Ms. Kightlinger to review.

Chairman Thompson said one of his concerns was the home resale values, which if you have to add the off-street parking he could make a case that it does affect his property value.

Ms. Kightlinger said I find that odd because I don't believe that this particular house is one of the nine on the cul-de-sac. I actually have the letters from the neighbors that have signed.

Mr. Wynes said he was not one of those that signed.

Ms. Kightlinger said no because he's not on that cul-de-sac.

Mr. Wynes said he's on this street.

Ms. Kightlinger said where's he at in location to our house because 1714, we're 1682. He has to be on the very end at the corner.

Mr. Wynes said probably down there.

Ms. Brewer said isn't there a house on the corner that watches kids?

Ms. Kightlinger said there are several. As a matter of fact, one of the firefighter's wives operates an underground daycare that has ten to twelve children on Willow Street, and unfortunately it's pretty atrocious conditions which is what prompted me to file for the conditional use permit to try to get my State license when I got here, it's because I was seeing that over and over. By stopping us from doing the childcare group home, it's not going to solve the problem. The problem that Elko has is that there is probably an illegal ran daycare on every corner in Elko. It's not providing safe daycare for children. There is no early childhood learning going on there. It's people operating that shouldn't be and there's no way to monitor it. If we were to provide a provision for us to be able to do this we could monitor these childcare facilities. Who wants to move to a small town where there's no daycare. Joe Schmoe who moves in from another city is not going to be able to come up with the capital to build a large scale facility. We just can't do it. What we can do is make provisions so that small care providers can be monitored, and we can do this regularly and have the State come in and regulate us. We can't get State regulation until we get City regulation. Unfortunately it doesn't look like that's going to happen and that's why more and more people are moving out to Spring Creek because they do have group home facilities out there. I can operate out there. It stinks though because we love Elko. We'd rather have all of our tax dollars go here but this is what continues to happen. I would like everybody to consider that.

Chairman Thompson said unfortunately a lot of us agree with you about the daycare center and the problems with not having enough, but the Planning Commission is bound by all of our regulations, NRS, zoning and building requirements, and that's basically what we have to rule on as far as how we move for or against any items. We have to take those regulations into consideration.

Mr. Wilkinson said the Planning Commission can actually grant variances from City Code but the Planning Commission could not grant variances with respect to the Building Code. If that appeal were to move forward on the Building Code issues, that would have to go to the City Council for that type of decision and then also understand, and correct me if I'm wrong, but if the Planning Commission denies a conditional use permit an appeal to the City Council's still available.

Chairman Thompson said that's correct.

Mr. Wilkinson said with regard to the parking, lighting and all those issues, the Planning Commission would have authority to grant variances on that if they so desired but it wouldn't get around the Building Code issues that you're faced with.

Commissioner Perry said you brought up some good points. Why would this be allowed in Spring Creek and not Elko? What is the difference, is it the City Ordinances that define the 5 and 6 to 11?

Chairman Thompson said I think that's part of NRS, isn't it?

Mr. Wynes said Elko County does not have a business license. The only person that needs to inspect that facility is the State Fire Marshall, so if the State Fire Marshall is saying that qualifies under them, their free to go ahead. If they had a business license then other people would become involved in reviewing this and have a problem with it in Spring Creek. The separation is basically the fact there is no business license in Elko County versus there is one in the City.

Commissioner Perry said but with respect to the requirement of the building for this particular application of 6 to 11 kids, would it be the same whether it was in the County or the City?

Mr. Wynes said you've already heard two different opinions of the status of that structure. The State Fire Marshall who is responsible for those areas outside of the city limits is looking at a house as one thing and the City Fire Department and Building Inspector in their review of it are looking at it as a different situation, totally separate, so yes there could be two different interpretations.

Mr. Carson said the adopted Building and Fire Codes are identical in the County and the City. The interpretation may be different but as Mr. Wynes mentioned there is no business license process which warrants inspection by the jurisdiction. In my honest opinion, I highly doubt even the State Fire Marshall is inspecting or licensing any of these County type occupancies because they're not known because there is no business license process.

Ms. Kightlinger said actually we do have to have the State Fire Marshall certificate before you can get your state license.

Mr. Carson said that's the County's opinion to go with that process other than a business license process which would instigate the Building and Fire Codes. Their adopted NRS Statute classifies an R4 as being 6 to 14 children, I believe is the number, and that is an adoption the State made. In the City, our adopted codes are more restrictive than their amended adoption, which would apply locally.

Commissioner Perry said is it Ms. Anderson or Kightlinger?

Ms. Kightlinger said I'm getting married.

Commissioner Perry said so it's still Anderson, ok. When it says 6 to 11, does that mean how many kids are actually being supervised at that point in time or how many total are customers on one day a week or two days a week or something?

Ms. Kightlinger said as Ms. Brewer pointed out we have staggering schedules for all of our clients. Usually I have between four to five children right now. If we were to license for up to 11,

realistically we'd be looking anywhere between 7 to 11 kids at one time. As far as drop offs and pick ups for those children, the schedules of the parents are so varied, and I choose that when I take my clients. Right now I choose that I take Fridays off. I make sure that I only have clients between Monday and Thursday. I stager their schedules so that the parking is not an issue, so that when people are coming in and out of my driveway it's not disrupting my neighbors. Those are the things that are a personal responsibility of any person who has that kind of facility in their home.

Ms. Brewer said on the sprinkler system issue in the house that is just outrageous and expensive, so what if there were fire extinguishers so many feet apart?

Ms. Kightlinger said they have Code they have to go by. I understand that.

Mr. Carson said the difference again falls on whether or not you're classified as a residential type occupancy or a commercial type occupancy. If you have five or fewer children you would be classified as residential or R3 which doesn't govern fire suppression or a fire alarm. If you exceed that, depending on the ages and the hours of care, would determine whether or not you're an I classification or the E classification. The E classification is less restrictive. It's based on occupant load which is the amount of children you would have and it would govern whether or not that would kick in a fire alarm. Most likely a sprinkler system wouldn't be required in that aspect. If, depending on the age and time of care, you were classified as an I-4 which are both daycare classifications for the number of six or above, would determine if you needed the sprinklers. Keep in mind they're in place for the safety of the occupants. The people who are receiving care are sometimes not ambulatory meaning they cannot get out of the home on their own. The suppression system is required just for that reason so that an adult can attend to them and they have excess amount of time in an emergency situation. As far as occupant load, if you had 11 kids and you are only watching 5 at any given time that would be sufficient.

Ms. Kightlinger said that would require me to do 24 hour care.

Mr. Carson said what do you mean by 24 hour care?

Ms. Kightlinger said to do that I would have to take 5 for the daytime and 6 in the evening to fall into that 11. Do you see what I'm saying? I don't think that's worth it. When I see them advertised in the paper I've always thought that's crazy.

Mr. Carson said try to understand these requirements aren't to deter you from having an in-home occupancy or business of any kind, their intended for the safety of the occupants.

Ms. Kightlinger said I understand.

Mr. Carson said depending on how the building is classified, we can take a closer look at those items.

Ms. Kightlinger said I guess that's what I'm asking for; I'm asking that that be considered in how I'm classified.

Mr. Carson said you would have to be very detailed: the ages, the hours of operation. That might help him determine how he's going to classify you and also if it is a commercial type occupancy he'd determine which one you'll have to fall under.

Ms. Kightlinger said just for the record, the children that are in my care are preschoolers. We're talking about children that are for the most part three to five years old. I'm operating it as more of a preschool than anything because I'm gearing it more towards the educational aspect, so we're not talking about infants in cribs. Everybody can walk.

Commissioner Perry said you had a piece of paper here that said you had a bunch of signatures from neighbors and I don't see that in our packet.

Ms. Kightlinger said I actually stated that if anybody needed that this is my original, and I didn't have time to make copies as I headed out the door. The neighbor that disputed this lives at 1714 Adobe, I believe that is the corner up on the right hand side. The three letters that I have are the homes that are situated the closest to us that we knew would be the biggest impact. I have a copy of all of those you're more than welcome to look at.

The three surrounding neighbor approval letters were passed around to the Planning Commissioners.

Mr. Wynes said we have copies of those letters but they were in the previous file and they were not brought forward to this current file. We didn't feel it was our place to include those as part of this file without her knowledge or indication she wanted those included.

Commissioner Sutherland said it looks to me like one of these is on Fourth Street which would be around the corner.

Ms. Kightlinger said it's the other side opposite of the complaint.

Commissioner Elmore said it doesn't mean to say somebody couldn't move in and complain. Just because these neighbors aren't, there could be somebody that does move in, in the future and they could have serious issues with it.

Mr. Wynes said correct. We're talking simply about at this present time under these circumstances. If these houses change over the next six to eight months, they may be totally opposed to this operation and they will be complaining to us and they would be seeking some type of restitution for it.

Ms. Kightlinger said I am operating under the City Code right now with five or less children. What I'm hearing is that if we were to do this and somebody complains then the City's going to have to deal with that, correct? My reason for saying that is because with under five children, if somebody complained right now to the City, basically what's the City going to do about it because I'm in compliance, I have under five children. There's nothing that can be done.

Mr. Wynes said in this type of situation where you're talking about being a permitted use, we would simply indicate to the people who are complaining that is an allowed use in the neighborhood and if you have a basic problem with them, the only way it can be resolved is between you and the people that you feel are creating the problem.

Ms. Kightlinger said what changes that?

Mr. Wynes said the fact that this is a conditional use. It is something granted by the City and it is subject to review. If this is issued and people don't like it they can come in and say we oppose that application. The first question: where were you during the public hearing? They say we didn't realize it was going to be as big of a mess as it is. That's a negative so we look at it and say you have to live with this, but if we see that there are problems beyond the perceived ones that the people in the neighborhood see, we can bring it back to the Planning Commission for review. It's not something that happens everyday. I've been in this business 25 years or better and I've never seen it happen. That's not to say it's not going to happen some day. There have to be some real problems between the applicant with whatever they're doing and the surrounding property owners that could bring it before the Planning Commission. We could probably keep it out of the Planning Commission unless it got really bad.

Mr. Wilkinson said if you look at the section with conditional use permits, if an applicant's satisfying all the conditions of that permit, that permit runs with the land. It's actually transferable and runs with the land until you change a use. If there was somebody moving in, of course there's buyer beware when people move into a property, but if they were to move in and have a complaint and the applicant is conforming with all the conditions of the permit, I don't believe the City could change that permit or revoke that permit. I don't think they could legally do that.

Commissioner Owen said Sid Owen on 1660 Adobe Way moved out about six weeks ago. He's my son.

Mr. Wynes said his name might not have been changed off the record so we may have sent it to him anyway.

Commissioner Perry said so the new owners might not have been notified.

Mr. Wilkinson said in addition to that this letter states eight children or less, where we're talking about 7 to 11 now.

Chairman Thompson said never less you're going to have to meet all the Building and Fire Department requirements for a commercial use basically, it sounds like. You could meet those, however much money, that might cost quite a bit.

Commissioner Perry said not to say it has to go all the way out to Spring Creek. There are a lot of places in Elko where there is mixed commercial and residential and it's consistent with other uses in the neighborhood. Court Street's an example of that. Fifth Street's an example of that north in those residential areas and places like that, where I know since I've been on the Planning Commission we've approved quite a few conditional use permits for small businesses and so forth, so it's not that it can't be done. I think the question here is in this cul-de-sac and what's in there, there isn't any and it is at least in my mind going to have an impact on the adjoining properties, but there are other places that from a business perspective in Elko might be better for this.

Ms. Kightlinger said wouldn't I still be running into the same Building Code problems?

Commissioner Perry said yes and this group can't help you with that. We're not about Building Codes. We're about looking at consistency with the general Plan and zoning, and those things that I read, and the conditional use permit. Building Code is different.

Chairman Thompson said whatever our motion may be, if it's not what you like then you still have the right of appeal to the City Council too.

Motion: Deny Conditional Use Permit No. 3-10.

Commissioner Perry's findings are the nature of the proposed use and location does result in a negative influence and affect on adjoining properties. The location of the parking and related facilities that will be brought about by this being looked at as a commercial facility are going to negatively influence the adjoining properties. There have been more than one of these requests come through and we had to talk about paving the front yard and that's not something you want to have happen in a residential neighborhood.

Action: Disapprove, **Moved by** Rich Perry, **Seconded by** Doug Owen.

****The motion passed unanimously.**

Commissioner Perry mentioned Ms. Kightlinger could propose to the City that they change the Ordinance.

Ms. Kightlinger said I did propose that.

III. REPORTS

A. Summary of City Council Actions.

Mr. Wynes said at the last City Council meeting nothing came through related to Planning.

B. Summary of Redevelopment Agency Actions.

Mr. Wynes said the RDA has not held a meeting recently. At the last Advisory Council meeting there was some discussion under Public Comment about getting the State to take some control over West Idaho Street from Fifth Street back to the Mountain City Highway intersection. They asked that the item be placed on the next agenda for some kind of a recommendation to the RDA.

C. Professional articles, publications, etc.

1. Zoning Bulletin
2. Zoning Practice

D. Preliminary agendas for Planning Commission meetings.

E. Elko County Agendas and Minutes.

F. Planning Commission evaluation. General discussion pertaining to motions, findings, and other items related to meeting procedures.

G. Staff.

Mr. Wynes said there is a letter from John Carpenter the local Assemblyman related to his interpretation of how the workshops have been conducted. There is a letter being prepared by Mr. Andreozzi in response to this addressing all the points he brings up. Staff feels we have been following the letter of the law and in order to keep this a little more structured we are recommending the remaining meetings will be held in the Chambers so we have better control over the speakers, for everybody to hear, and for people to be able to understand what's going on. We need the Chairman to be able to control more than one person talking at a time and that's going to be the critical issue.

Chairman Thompson said that hasn't been a problem at the last few meetings.

Mr. Wynes said the minutes have not been a problem to date.

Chairman Thompson said so the microphones are working.

Mr. Wynes said yes it's just that there are too many people talking at one time. That's probably the biggest problem we have. At the last meeting we had a quick discussion about the NRS book for Planning. After the meeting Mr. Andreozzi and I decided that if any of you want a copy of it we will be able to purchase several copies for any of you who need it. I went through online and looked at what the changes were but it's going to take months to be able to find all of those points. I don't remember anything that stands out in my mind from the last legislature that dealt with Planning, so I don't think there are major changes in there.

Chairman Thompson said I didn't introduce our new representative from the Fire Department. Do you want to introduce yourself?

Mr. Carson introduced himself and said I'm filling in for Mr. Hecht this evening.

Mr. Wilkinson said I would like to apologize. I thought I heard the Planner say R1 and I was looking at the Code thinking I missed the whole issue.

Commissioner Perry said on the draft that was presented at the last workshop, I've spent some time with this and am going to sit down with Mr. Wynes and go over some thoughts and maybe call them. Let me quote a few things that are in here because I'm troubled by some of them. Not to some point where I think we are getting a bad document or anything but some of the details and so forth that I would want to relate to CRSA that they need to do their homework a little better. The one in the beginning, and I notice even Mr. Carpenter caught it, was the Public Utilities and Facilities. This is in the Land Use portion of it. I read the other sections and they're all pretty good. 5.84% of the land being public utilities and facilities, we know that's not right. I don't know how they rectify that or get their numbers but there are a few things in there that they are going to have to check and we may have to help them.

Chairman Thompson said I think we addressed that at the meeting with them and told them that number was not correct.

Commissioner Perry said residential land uses currently make up about 11.61% of the City's total land use area. Just looking at the map it looks like it's a lot higher than that to me. There are a few things in here, and I'm not trying to bash it but I think it needs some word smithing and I think we all should read it and go through it here. There is a strong demand for a multi-generational community center within the city. The facility would provide the opportunities for

many types of organized and informal recreation and would replace the existing city swimming pool. That's not going to go over real well with the constituents and it's not right. They have a few other things in here where they talk about the Central Neighborhood and the definition of it. It's a good definition. They've done a good job at putting those together. However, one of the things they listed in the Central Neighborhood is Elko Co. General Hospital.

Mr. Wynes said those are taken verbatim out of the existing Master Plan. If you look at that chart that has all those breakouts, look down at the bottom. Who provided that? That came from the Elko County Assessor. That is the way those lands are assessed, not necessarily the way they are utilized under zoning.

Commissioner Perry said but we are paying them for an accurate document.

Mr. Wynes said that's right and that's one of the points I want to make sure she understands, that we want to see what is actually there, not what the Assessor says is there because that could be totally wrong. I don't know how many times people come in to my office and say the Assessors say it's this. I'm sorry it is not that it is this. We are two different entities. We do not work under the same set of rules and a lot of times we won't match up.

Commissioner Perry said is there a mechanism by which they can go in and not use old assessment data or something? What about taking an accurate GIS photo and a Zoning Map of the city and sitting there with a GIS guy actually adding up the acreage of houses and commercial?

Mr. Wynes said no because those houses may not be classed as residential or the property that is commercial may not be classed as commercial. There are two different designations: zoning and assessed land use and they don't always mesh.

Mr. Wilkinson said right now they've developed a document that's been based on public comment, good or bad. We're to a point now where Staff and the Planning Commission needs to become involved and start offering our comments in a constructive way. That's a decision we're going to have to make. I think using a Zoning Map is the best we're going to get to classify area in that table. It's all we have. They're going to need for Staff to say you'll use the Zoning Map to do this and then they will. In addition to that we talked about another table being in there where we talked about vacant property. I've been pulling together some information with regard to that, our water rights issue and stuff like that. The analysis that was done before was very generic. Assumptions were made that 100% of the vacant area would be developed. Typically you're going to lose about 20% of your acreage just to infrastructure. Very little of it they took into any account of topography and things like that. The acreage we have available out there for development, you might see 70% of it developed on the high end I think. We're going to need to feed them some assumptions and have them develop a table for that issue that we talked about. A lot of the projects in there that they have are public comment and regurgitated in that document. We need to go through and really look at the feasibility. A good example will be to refurbish the Amtrak stations. The City of Elko will never do that. It's not our facility. We have needs in other places let alone even entertaining that, so those are the types of things that can't be listed as projects in there. They get listed in an appendix in the back saying this was a public comment and here's why it didn't elevate to a project. I think we're to that point where they need a lot of feedback from Staff and the Planning Commission to really get the document moving forward and to our liking.

Chairman Thompson said when is our next meeting?

Mr. Wilkinson said the 20th, so all your comments fed to City Staff and directly to our consultant would help achieve that.

Commissioner Perry said that's what I really wanted to understand is, what is the process from now, because if we don't do that it's going to be tough for us to approve this thing. It is at that stage.

Mr. Wynes said it's going to be draft until it gets through the Council so it's going to be revisable. The way State law is written is you make a recommendation to the Council. The Council cannot amend the Plan in any way, shape or form other than technical things like: change that from "the" to an "a" and that number should be .10 instead of .01. Those kinds of minor points can be revised until it comes back to you for revision. I fought a battle for almost a year between Planning Commission and County Commission over whether they were going to adopt a Plan for a small area. Planning Commission would make a recommendation, we'd go to County Commission and they would say no we want to go the other way, throw it back. Neither one of them wanted to budge an inch.

Commissioner Perry said from the standpoint of the process that we're going through here, keeping in mind this is the first time I've gone through it, does it look like we're going the right direction? The process is where we should be and so forth like that?

Mr. Wynes said I think overall what I see is a Plan that is developing that could very well be worth all the time and expenses we're going to put into it. It's going to be different, there's not going to be as much verbiage. There are going to be short bursts of verbiage. There are going to be illustrations and everything else in it and the format's going to be a little different, but I think what we're going to get is some fresh ideas. They're going to be based somewhat upon some of the old things that are in the Plan where they should be. Things that we want to keep from the old Plan, but they're going to be bringing in some new ideas because first off they're from outside the area. They're going to be looking at this community in a new light. I think Mr. Wilkinson has the right point too. Some of those things that they're going to ask us to think about are going to be totally outside our realm of responsibility or power to even accomplish. If the community wants to take an action and see that they get done that's fine it's not going to be our dollar.

Chairman Thompson said I think we're headed in the right direction it's just a matter of like what Commissioner Perry wants to do is sit down with them and like Mr. Wilkinson said sit down and take things out or put things in.

Mr. Wynes said I'm going to talk to Ms. Hanson tomorrow and I think I'm going to tell her that we want to be able to sit down with her and her team before the meeting on the 20th and go over what they have, to show them where we have problems and where we want some changes made collectively. If any of you have some ideas, what I'd like to see you do is make a copy of something that you want changed and then tells us what you want so that we can be able to look at it and find it in the text rather than say on page four I want this changed because we may miss it by a line or two unless you can give me the verse.

Mr. Wilkinson said I would recommend all the comments from the Planning Commission go through our Planner and then to the consultant and then that way Staff can be taking a look at those comments too, making sure we don't have any discrepancies between Staff and the

Planning Commission and then we can try to resolve them before they get to the consultant. Right now we need to start feeding information to the consultant before the 20th, so that when we have a draft to look at on the 20th it's a little bit further along than what it is now.

Chairman Thompson said Mr. Wynes can look at them and see if there are any redundancies like Commissioner Perry has had some things and I've had a couple.

Commissioner Perry said the reason I bring any of it up is going down the path we want to make sure we have a good document that we all agree on that goes to the City Council and the community has been involved and is supportive of that and there aren't things in it that become really contentious.

Mr. Wynes said I think what we have to make sure too is the wording is appropriate. It kind of looks like some places they've taken pieces out of something else, or they've written something and then stopped and then started again, and there are some words in there in the wrong places.

Commissioner Perry said that was my impression, this was a boiler plate.

Mr. Wynes said that's what a draft is. It's the first attempt at this and two people may have been working on that, writing it, and two people have a totally different approach of how they want to present things so there is a little difference in that probably someplace.

Chairman Thompson said it's like Mr. Wilkinson said there are a lot of topography problems that skew the numbers of those kinds of uses.

Mr. Wilkinson said one of the things I see as a potential issue going forward, we've had a lot of comment that is leading to a lot of potential projects. The longer those stay in there, if they're not feasible, the greater likelihood that the public's going to be looking at it and think we're going to see this happening in the Master Plan. We need to really, as a group of people, start scrubbing all those comments and all those projects and start getting them placed in that document where they need to be.

Commission Elmore said it's just like the Rec Center. If the Rec Center is in there, in many peoples' minds that will have a higher emphasis than the overall Master Plan and that's what the focus will be on.

Chairman Thompson said that's what the public seems to focus on is the projects not the Master Plan.

Mr. Wynes said that's a problem you have in every project because there is always some reason for this to happen and that's what takes forefront. That's what drives this whole thing. The rest of the Plan, people are not going to look at it or they'll look at it and say my idea's not in here, or why didn't you take the Rec Center. If you don't put it in there, they're going to complain and the Council's not going to look at it because there's going to be so much flack, and if you put it in then somebody will complain that it's being put in the wrong place, so you can't win.

Mr. Wilkinson said one thing I see with this format, it brings projects to the forefront, they're visible. They're going to have a photo and a description and all that. The current Master Plan just has a narrative, lists all the projects. Unless you take the time to read it it's not pretty to look at. This one's going to be pretty to look at and so when those projects start appearing in there, it's a

great format, but this one is really going to bring projects to the forefront and implementation, where the other one doesn't quite do that with the way it's formatted. You have to pursue that. This one is going to bring those projects and expectations forward, I believe.

Commissioner Perry said I agree with you. There are a lot of developing expectations and probably scrubbing them is a wise thing to do. I've come to appreciate the old Master Plan a lot in development of the new Master Plan because there were a lot of things there as I've looked at stuff in the new one. The new maps are good. I have nothing but positive comments to make on those. They've done some nice maps on Transportation and Trails. They ultimately drive those things of connectivity and so forth because that's what, in my mind, Master Plans are intended to do. As you incrementally build this city you use these guidelines to do it because 20 years from now it'll be better than if you never had a Plan.

Chairman Thompson said you realize all the work that went into the first Master Plan.

Commissioner Perry said yes. The first one, 20 years later when you reflect back on it a lot of those things happened. I think there's a good message and good lesson there. Some of those things in the old Master Plan we want to have continuity in the new Master Plan. Where are we going to be in 20 years?

Mr. Wilkinson said it's still relevant.

Commissioner Perry said it is. A lot of it still is.

Mr. Wynes said I'm talking more about descriptions too. They envisioned how the town would be described in parts and I have a problem with some of that, but that's technical.

NOTE: The Chairman or Vice Chairman reserves the right to change the order of the agenda and if the agenda is not completed, to recess the meeting and continue on another specified date and time.

IV. ADJOURNMENT

There being no further business, the meeting was adjourned.

Jeff Thompson, Chairperson

Reece Keener, Secretary