

STAFF REPORT FOR PLANNING COMMISSION MEETING SEPTEMBER 28, 2011

FILE NO: SUP-10-115

AGENDA ITEM: H-2

STAFF AUTHOR: Jennifer Pruitt, Principal Planner

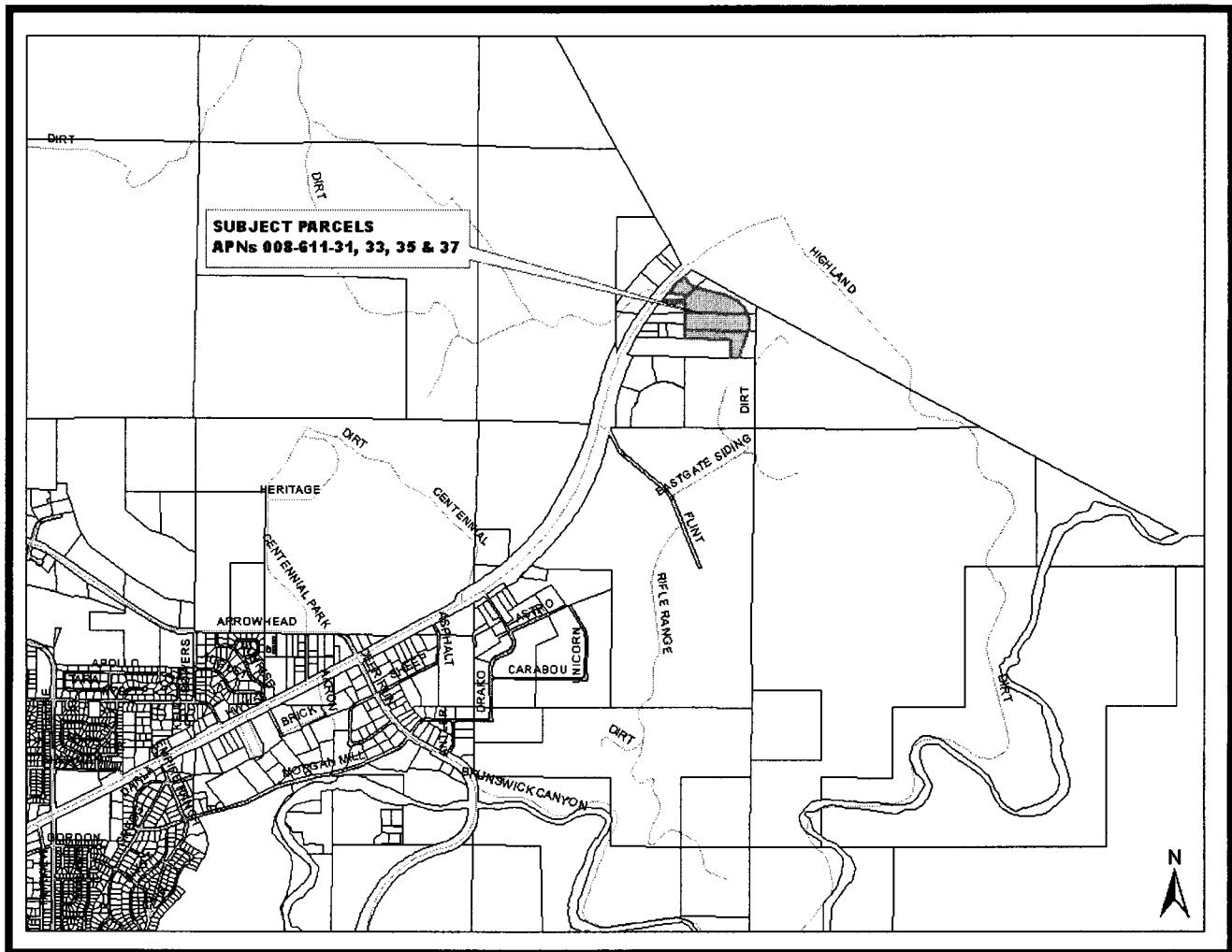
REQUEST: A Special Use Permit to allow four (900kw) wind turbines of 190 feet in overall height each, on property zoned General Industrial (GI), located on the south side of Highway 50 East near the Lyon County border, APNs 008-611-31, -33, -35, and -37.

APPLICANT / OWNER: Robert F. Matthews Far West/C.B. Maddox

LOCATION: No address assigned

APNs: 008-611-31,-33,-35 and -37

RECOMMENDED MOTION: "I move to approve SUP-10-115, a request for the installation of four 190-foot wind turbines on property zoned General Industrial, Assessor's Parcel Numbers 008-611-31,-33,-35 and -37 based on seven findings and subject to the recommended conditions contained in the staff report."



RECOMMENDED CONDITIONS OF APPROVAL:

The following shall be completed prior to commencement of the use:

1. The applicant must sign and return the Notice of Decision / conditions of approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, the item will be rescheduled for the next Planning Commission meeting for further consideration.
2. The applicant shall meet all the conditions of approval and commence the use (obtain and maintain a valid building permit) for which this permit is granted within twelve months of the date of final approval. A single, one-year extension of time may be granted if requested in writing to the Planning Division thirty days prior to the one-year expiration date. Should this permit not be initiated within one year and no extension granted, the permit shall become null and void.

Conditions required to be incorporated into the proposed development plan.

3. All development shall be substantially in accordance with the development plans approved with this application, except as otherwise modified by the conditions of approval herein.
4. All lighting related to the asphalt plant must be directed downward. The design of the light standards must include cutoffs and shields, if necessary, to prevent any spillover of light or glare on to adjacent properties.
5. All improvements shall conform to City standards and requirements.

The following shall be submitted or included as part of a building permit application:

6. This project requires an application for a Building Permit, issued through the Carson City Building Division. This will necessitate a complete review of the project to verify compliance with all adopted construction codes and municipal ordinances applicable to the scope of the project.
7. The plans submitted for review shall comply with the prescriptive requirements found in the Carson City Building Division handout titled: Commercial Submittal Requirements.
8. A Geotechnical Report for the proposed construction is required. The Geotechnical Report for the proposed location shall include a complete assessment of the potential consequences of any liquefaction and soil strength loss, including estimation of differential settlement, lateral movement or reduction in foundation soil-bearing capacity, and shall address mitigation measures.
9. The plan submittal for the wind turbines shall comply with the prescriptive requirements outlined within the Carson City Building Division handout titled PLAN SUBMITTAL REQUIREMENTS: Wind Electrical Systems.
10. The applicant shall submit a copy of the Notice of Decision / conditions of approval, signed by the applicant and owner.

11. At all times when operations of the asphalt plant are not ongoing, the site must be secured by a protection gate.
12. All federal, state and other local agency approvals shall be secured relative to the operation of this facility.
13. The applicant shall comply with, applicable requirements of NDEP for noise, erosion, air pollution and dust control.
14. Operating hours of the asphalt plant are to be from 7:00 a.m. to 6:00 p.m., Monday through Saturday. Operating on Sunday would be on emergency basis only; emergency basis means fire, flood or other major event where the City is in need of material for a crisis.
15. The only advertising sign allowed on the wind turbines shall be a manufacturer's label, not exceeding one square foot in size, located on the generator housing.
16. All wind turbines shall comply with applicable FAA regulations, including any necessary approvals for installations.
17. Any painting or coating of the wind turbines shall be kept in good repair for the life of the wind machine.
18. Any wind machine found to be unsafe by an official of the Carson City Building Division shall immediately cease operation upon notification by Carson City and shall be repaired by the owner to meet federal, state, and local safety standards or be removed within six months. Wind turbines that are not operated for a continuous period of 12 months shall be removed by the owner of the wind turbine.
19. SUP-10-115 shall be reviewed by the Planning commission in September 2013 for compliance with the required conditions of approval and an update by the applicant related to the project.
20. The wind turbines shall not exceed an overall height of 190 feet.
21. A landscape plan shall be filed with the City and approved by the Director prior to the approval of a site plan or issuance of a building permit. The plan shall be prepared by a landscape architect registered in the State of Nevada, or other person permitted to prepare landscape plans pursuant to Chapter 623A of the Nevada Revised Statutes (NRS).
22. Secondary containment will be required for any hazardous materials or hydrocarbon based liquid materials. A hazardous material permit (obtain through the Nevada State Fire Marshal Office) will be required for storage of any materials meeting their definition.
23. The construction of any structures that can be occupied by a human inhabitant will require fire hydrant(s), or an approved alternative water supply.
24. A single access off Highway 50 is sufficient, but the end of the driveway must have an approved turn-a-round maintained. In addition, access should be maintained around any interior features that will require fire department action. The use of Flint Drive as a haul route is prohibited.

25. Conditions of approval related to the previously approved asphalt production and aggregate crushing operations have been incorporated into these conditions of approval and replace the conditions from the January 26, 2011 approval.
26. Any expansion or changes in the project plan shall require additional Special Use Permit approval(s).

LEGAL REQUIREMENTS: CCMC 18.02.050 (Review) and 18.02.080 (Special Use Permits).

MASTER PLAN DESIGNATION: Mixed Use Commercial, Virginia & Truckee Railroad Gateway Specific Plan Area.

ZONING DISTRICT: General Industrial

KEY ISSUES: Is this an appropriate location for the proposed wind turbine use? Will the proposed wind turbines be compatible with adjacent land uses and properties?

SURROUNDING ZONING AND LAND USE INFORMATION

NORTH: General Industrial-Vacant V+T Railroad tracks, Lyon County/Carson City boundary
SOUTH: General Industrial-Industrial Uses
EAST: General Industrial-Vacant V+T RR tracks
WEST: General Industrial-Industrial Uses

SITE HISTORY

- October 10, 2011, the proposed project is scheduled for review by the Nevada Commission for the Reconstruction of the V&T Railway. The item was previously scheduled for review on September 19, 2011 and September 26, 2011, but was cancelled due to meeting cancellations.
- August 17, 2011 the Carson City Airport Authority discussed the possibility of impact to the Carson City Airport related to the proposed four wind turbines and determined there are no anticipated impacts to the Carson City Airport as submitted by the applicant.
- July 20, 2011 The Carson City Airport Authority discussed the Airport's position related to the proposed wind turbines; the item was continued to the August 17, 2011, meeting pending the receipt of a response from the FAA, addressed to the Authority.
- June 15, 2011 the Carson City Airport Authority reviewed and continued their opposition of the wind-turbine project for reasons previously expressed in the November 17, 2010.
- January 26, 2011, the Planning Commission approved the asphalt plant portion of SUP-10-115, and continued to Wind Turbine portion of the Special Use Permit request indefinitely, pending additional information from the applicant.

- December 29, 2010, Case Pullman, Airport Manager sent a letter to the Planning Division, noting that a final determination in regard to how the proposed wind turbine could possibly impact Carson City Airspace lies strictly upon the Federal Aviation Administration.
- November 17, 2010, the proposed project was presented to the Carson City Airport Authority. At that time, the Airport Authority voted to send the Airport Authority's disapproval to the Board of Supervisors and the Planning Commission noting safety concerns related to the proposed 360-foot turbine.
- November 02, 2010, City staff conducted a Major Project Review of the proposed Far West Hybrid AC Plant. At that time, comments were provided to the applicant related to the proposed project.
- September 19, 1994, the Community Development Department determined that a new Special Use Permit was not required as long as the new operator is subject to the conditions of approval of Special Use Permit U-83-37.
- August 25, 1994 a Special Use Permit U-94/95-123 was submitted to allow the extraction of materials and the installation and operation of a portable rock crusher for aggregate road base.
- February 07, 1985, the Board of Supervisors approved the review of U-83-37.
- January 23, 1985, the Board of Supervisors approved a review of the previously approved Special Use Permit U-83-37.
- January 22, 1985 the Regional Planning Commission reviewed the previously approved U-83-37 and indicated that there were no problems with the operation and continued approval.
- January 04, 1984, the Board of Supervisors reviewed and approved U-83-37.
- January 03, 1984 the Regional Planning Commission approved a Special Use Permit application, U-83-37 from Eagle Valley Construction to allow a portable rock crushing operation on site.

ENVIRONMENTAL INFORMATION

- FLOOD ZONE: Zone X
- SLOPE/DRAINAGE: The site is primarily flat, with the exception of the 10-foot high berms at the sites perimeter.
- SEISMIC ZONE: Zone III, IV and V

SITE DEVELOPMENT INFORMATION

1. PARCEL AREA:	26.93 Acres
2. PREVIOUS LAND USE:	Aggregate pit (previously approved)
3. PROPOSED USES:	four (900kw) wind turbines

4. PROPOSED HEIGHT:	Wind Turbines- approximately 190 feet Aggregate silos- approximately 75 feet (Previously approved)
5. PROVIDED SETBACKS:	
Wind Turbines:	North: 150 feet minimum South: 150 feet minimum East: 150 feet minimum West: 150 feet minimum
REQUIRED SETBACKS	Front residential 30 feet minimum, 50 feet adj Side 0 feet, 50 feet adj residential SSide 0 feet, 50 feet adj residential Rear 0 feet, 50 feet adj residential
6. PARKING REQUIRED:	Three parking spaces
7. PARKING PROPOSED:	Three parking spaces

DISCUSSION:

A Special Use Permit is required pursuant to CCMC Section 18.04.195 Non-Residential Districts Intensity - Dimensional Standards and CCMC Section General Industrial 18.04.150(3), which states that:

- The maximum building height in the General Industrial zoning district is 45 feet. Additional height allowed by Special Use Permit. The proposed wind turbines are an overall height of 190 feet each.

The applicant, Far West, was previously approved to operate an asphalt and aggregate plant on site on January 26, 2011, as part of SUP-10-115. The Planning Commission action also included the continuation of the 360-foot wind turbine (1.5-2.5 MW) portion of the request on the subject parcels totaling 26.93 acres.

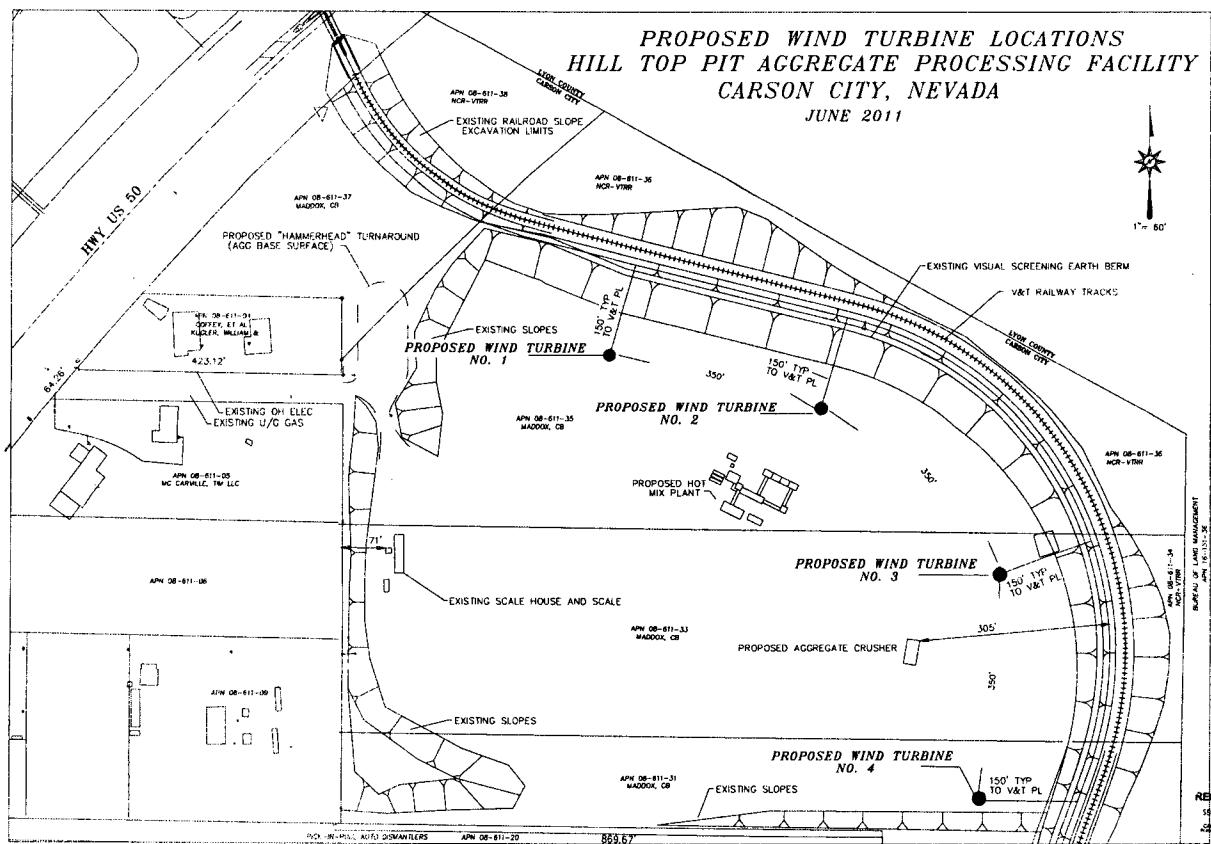
The locations of the turbines as proposed are turbines (number 1 & number 2) are proposed on APN 008-611-35, turbine (number 3) is proposed on APN 008-611-33 and turbine (number 4) is proposed on APN 008-61-31 all with a proposed minimum setback from property lines of 150 feet.

The applicant is requesting to install four, 190-foot (900kw) wind turbines on site. The subject site is previously known as the Tip Top Pit which was in existence for many years. The subject site is located in the area known in the Carson City Master Plan as the Eastern Portal-Virginia & Truckee Railroad Gateway Specific Plan Area. The project site is located on a flat portion of the 26.93-acre site, which is approximately 60 feet depressed in a mountainous area. The plan presented notes the previously approved asphalt plant and proposed four wind turbines at the base of the pit. Currently, the subject site has stockpiles of material, equipment, an existing scale house and scale related to the asphalt production and aggregate crushing operations.

Just as an item of clarification, staff has verified that the over all height of the proposed wind turbines will not exceed 190 feet. This information was confirmed by the applicant as a result of the multiple height references in the application of 225 feet.

Typically, wind turbines capture the wind's energy with two or three propeller-like blades, which are mounted on a rotor, to generate electricity. The turbines sit high atop towers, taking advantage of the stronger and less turbulent wind at 100 feet (30 meters) or more above ground. A blade acts much like an airplane wing. When the wind blows, a pocket of low-pressure air forms on the downwind side of the blade. The low-pressure air pocket then pulls the blade toward it, causing the rotor to turn. This is called lift. The force of the lift is actually much stronger than the wind's force against the front side of the blade, which is called drag. The combination of lift and drag causes the rotor to spin like a propeller, and the turning shaft spins a generator to make electricity.

To power both the asphalt production and aggregate crushing operations, the applicant is proposing to produce its own power with the use of the proposed four Directwind (900kw) wind turbines. In addition to the electricity from the turbines, the plant will also utilize all the heat from the turbine's heat exchanger and the generation set to circulate heat through the bins. Emergya Wind Technologies (EWT) 900-kW design uses a multi-pole ring generator that rotates slower than conventional designs, for long life. EWT builds wind turbines based on a direct-drive (gearbox free) design. The company says its turbine offers improved performance and reliability over conventional wind turbines, which offers adjustments related to rpm's if needed. This design replaces a complex high-speed geared drive train common in most conventional wind turbines. To further reduce the number of rotating components, a large single main bearing (three row, cylindrical-roller unit) carries the rotor assembly and generator rotor, to reduce the number of rotating components.



The applicant notes that approximately 1.8 megawatts of power is needed to power the asphalt and aggregate facilities. It is anticipated that the excess power will be sold back into the power grid. The applicant has provided documentation of Carson City's interest in the evaluating the possibility of Carson City purchasing power. The wind turbines will be the first of their kind to be installed in Carson City. The applicant has provided clarifications that there are no similar wind turbines (make and model) installed in the state of Nevada currently. If the turbine portion of the proposed project is approved, the applicant will work with NV Energy to develop a power design for the project. The applicant has met with representatives of NV Energy and has determined that the existing power poles on site are a benefit that will make interconnection an easier process. The power-lines associated with the project will be placed underground to satisfy the requirements of the Carson City Development Standards, Division 1 Land Use and Site Design 1.2.8.

Per the information provided by the applicant, Far West will purchase an extended maintenance package from the turbine manufacturer, EWT. The package will include multiple items that will cover monthly maintenance related to the evaluation of turbines including inspections of fluids and wiring, which are important to the turbines ability to produce power. The delivery of the parts related to the turbines will be handled by EWT. Turbines of this size are typically required to have special trucks and trailers to facilitate the delivery. The applicant has noted that the process for installation will be to obtain the proper permits for the footer installation and then once the materials are delivered to the site, all four turbines will be assembled concurrently in order to start the commissioning and tie in process.

A private use wind energy conversion system pursuant to CCMC 18.05.080 consists of a wind turbine, tower, and associated control or conversion electronics for providing electrical power to a lawful principle use. A system having a rated capacity of 10 kilowatts (kW) or less for residential use or 100 kW or less for non-residential uses. The proposed wind turbines potential output is many times greater than the private, non-residential criteria noted above.

City staff has identified important factors that must be addressed related to the proposed project:

1. Justification for the proposed project at this location. Why is a height of 190 feet identified as the need in this instance?

The applicant notes that the proposed project is located on a site that is zoned General Industrial, which allows a power plant use out right without a Special Use Permit approval. The existing zoning district makes it a more appropriate location than other zoning districts in the Carson City Municipal Code.

The applicant notes the subject site has high-pressure natural gas, which is not found anywhere else within the GI zoning district. The applicant has noted the subject site is located within close proximity to existing industrial uses.

The subject site is approximately 26.93 acres which per the applicant is an optimal size for the proposed turbines along with the asphalt plant for a production facility.

The Carson City Airport Authority has determined that the proposed project will not interfere with the Carson City Airport. The subject site is 300 feet above the

valley which allows the shorter turbines to be used without Carson City Airport interference due to height. Carson City winds average approximately nine miles per hour (mph); the subject site averages approximately 14 mph, making it an optimal location for wind energy generation.

2. Noise generation. What is the proposed noise generation at the adjacent property lines related to the 900 kw Directwind wind turbine? What are the mitigation measures for this type of unit?

The applicant has provided a Sound Power Level Report prepared by Emergya Wind Technologies (EWT) dated August 12, 2010. The report includes the apparent sound levels at different wind speeds, measured at a 10 meter height (32.80 foot level). The report also includes the predicted sound levels in 100-foot increments from the base of the turbine from 100 feet to 2000 feet. The predicted sound levels range from 51.9 bBA at 100 feet to 28.3 bBA at 2000 feet.

Pursuant to CCMC 18.05.080 Private Use Wind Energy Conversion Systems noise limits related to the turbines are as follows:

- No wind machine or combination of wind machines on a single parcel shall create noise that exceeds a maximum of 25 decibels (dBA) at any property line where the property on which the wind machine is located or the abutting property is one acre or less or a maximum of 50 decibels (dBA) at any other property line.

It is not anticipated that sound produced by the turbines will add to the noise produced by the aggregate facilities. Sound that is generated by turbines of this nature dissipates rapidly and will be comparable to the sound levels identified in the CCMC as an acceptable range for residential wind turbines.

The areas surrounding the proposed project have existing ambient noise conditions that should be considered. These sources include, but are not limited to, windy conditions in the vicinity of asphalt pit locations, background traffic conditions, equipment, and activities associated with the proposed asphalt operations. Potential receptors are Lyon County residential properties within approximately 500-600 feet and industrial uses in the general vicinity.

The proposed project will generate noise during and after construction. Construction noise will include noise generated during the transportation of materials/equipment and the installation of project components. Temporary noise impacts may occur during the construction phase of the project at the closest properties. However, construction-related noises would not be significantly louder than routine daily events such as the multitude of vehicles on U.S. Hwy 50 East or operating industrial machinery on site.

As noted previously, the subject site has been historically used as a pit. It is anticipated that there will be noise associated with the aggregate facilities and the proposed turbines, which will be partially mitigated by the existing visual and sound screening of approximately 60 feet on site.

3. Visual impact of the proposed wind turbines.

There is no question the proposed wind turbines of 190 feet in overall height will be visible from distances in Carson City. There are some site factors that help mitigate the visual impact:

- *The subject site is located in an existing pit which is depressed approximately 60 feet.*
- *The site is located in a mountainous area and is in a "saddle" with taller topographic features to the north and south.*
- *The applicant is proposing to install visual buffering in the form of a tree-lined landscaping area to assist in the mitigation efforts.*
- *The Planning Division provided the Lyon County Planning Department with a copy of the latest informational packet. We are concerned about the potential impacts to the Lyon County residents within 500-600 feet of the turbine project. To-date Lyon County has not submitted any comments as of yet related to the proposed modified project.*

4. Safety factors related to the proposed wind turbine noted by the Carson City Airport Authority.

As noted on page four of this report, the applicant has been before the Carson City Airport Authority on multiple agendas to review and determine if the proposed wind turbine project will have a negative impact of the Carson City Airport, including future plans of the Airport. As a result of the Airport Authority meeting on August 17, 2011, the Airport Authority provided written correspondence to the Planning Commission dated August 19, 2011. The letter notes that the Airport Authority has been able to determine that the height of the blade (199 feet) as proposed lies 241 feet below the controlling obstacle used by the FAA to design the Standard Instrument Approach Procedures for Carson City. The letter also noted the Airport Authority has dropped their opposition of the proposed project.

The applicant has submitted a letter from the FAA dated August 22, 2011, noting if the proposed "structures" were reduced in height so as not to exceed 129 feet above ground level (5089 feet above mean sea level), it would not exceed obstruction standards and a favorable determination could subsequently be issued. Per the information, provide by the applicant, the proposed turbines are at an elevation of 4960 feet above sea level.*

** It should be noted that staff believes the FAA measures wind turbine height at the height of the nacelle or hub, not the total height of the structure plus turbine blades as per Carson City Municipal Code. Therefore, the proposed turbine would meet the FAA maximum height requirement.*

Project Advantages:

- Construction Phase: The construction phase of the project will have economic benefits to the local economy. The construction of the four wind turbines will create employment opportunities.

- Property tax revenues: There will be an increase in property tax revenues for the City.
- Increased investment into renewable energy: Carson City will be contributing to the continuing growth of the renewable energy efforts, specifically related to the growing solar and wind power industries.
- No emissions of greenhouse gases: Every kilowatt hour of clean, emission-free wind energy produced is a kilowatt hour that does not require the burning of fossil fuel.
- The applicant has noted that these types of projects have the potential to increase property values.
- Wind energy is renewable and can be reliable and efficient.

Product (900kW direct Drive wind turbine) Advantages:

- No need to replace gearboxes.
- Lower maintenance costs. Having fewer moving parts also means having fewer parts prone to failure.
- Reduced noise levels. A direct-drive mechanism has fewer parts, which could vibrate, and the overall noise emission of the system is usually lower.

Project Disadvantages:

- The view-scape of the area will be changed for the wind turbines project's life-cycle. Potential impacts to the property owners in the vicinity.
- It has been claimed by adjacent property owners at the prior Planning Commission meeting at which the project was reviewed that property values will be adversely affected within the area.
- Inoperable turbines can have an unsightly appearance.
- In many instances, these types of projects add a new source of noise to the environment.

PUBLIC COMMENTS: Public notices were mailed on September 09, 2011, notices were sent to 30 adjacent property owners within 300 feet of the subject site pursuant to the provisions of NRS and CCMC. The applicant has provided letters of support related to the proposed project, see attached. Any comments that are received after this report is complete will be submitted prior to or at the Planning Commission meeting, depending on their submittal date to the Planning Division.

OTHER CITY DEPARTMENT OR OUTSIDE AGENCY COMMENTS: The following comments were received from various city departments. Recommendations have been incorporated into the recommended conditions of approval, where applicable.

Building Division comments:

These comments do not constitute a complete plan review, but are merely observations based on the information and plan sheets provided. The comments do not reflect all submittal requirements necessary for this project, but are those requirements that have generated concerns with similar projects in the past.

GENERAL COMMENTS

NOTE: These comments do not constitute a complete plan review, but are merely observations based on the information provided.

GENERAL PLAN SUBMITTAL COMMENTS:

1. This project requires an application for a Building Permit, issued through the Carson City Building Division. This will necessitate a complete review of the project to verify compliance with all adopted construction codes and municipal ordinances applicable to the scope of the project.
2. The plans submitted for review shall comply with the prescriptive requirements found in the Carson City Building Division handout titled: *Commercial Submittal Requirements*. This handout may also be found online at: www.carson.org/building
3. Effective January 1, 2008, all new commercial submittals shall show compliance with the following codes, and adopted amendments:
 - 2007 Northern Nevada Amendments*
 - 2006 International Building Code
 - 2006 International Energy Conservation Code
 - 2006 International Existing Building Code
 - 2006 International Fire Code
 - 2006 Uniform Mechanical Code
 - 2006 Uniform Plumbing Code
 - 2005 National Electrical Code
 - 2003 ICC/ANSI A117.1 (For accessible design)
4. *- Carson City has adopted the 2007 Northern Nevada Amendments, which are available online at both the Carson City Building Division website and the Northern Nevada Chapter of the International Code Council (NNICC) at www.nnicc.org. With the adoption of the amendments, the snow and wind loads have increased within Carson City.
5. Provide a **Geotechnical Report** for the proposed construction. The Geotechnical Report for the proposed location shall include a complete assessment of the

potential consequences of any liquefaction and soil strength loss, including estimation of differential settlement, lateral movement or reduction in foundation soil-bearing capacity, and shall address mitigation measures. ('06 IBC 1802.2 & 1802.2.7 #2)

COMMENTS APPLICABLE TO THE WIND TURBINES:

6. The plan submittal for the wind turbines shall comply with the prescriptive requirements outlined within the Carson City Building Division handout titled ***PLAN SUBMITTAL REQUIREMENTS: Wind Electrical Systems.***

Engineering Division comments:

- The Engineering Division has no preference or objection to the special use request.

Health Department comments:

- Carson City Health and Human Services has no comments regarding the project as described in the packet received. The applicant must meet all applicable codes and ordinances as they apply to this request.

Fire Department comments:

1. Secondary containment will be required for any hazardous materials or hydrocarbon based liquid materials. A haz mat permit (obtain through the Nevada State Fire Marshal Office) will be required for storage of any materials meeting their definition. Here is the link to the State Fire Marshal's Haz Mat Reporting Office: <http://fire.state.nv.us/Hazmat%20Office.shtml>
2. The construction of any structures that can be occupied by a human inhabitant will require fire hydrant(s), or an approved alternative water supply.
3. A single access off Highway 50 is sufficient, but the end of the driveway must have an approved turn-a-round maintained. In addition, access should be maintained around any interior features that will require fire department action.

FINDINGS: Staff recommends approval of the Special Use Permit based on the findings below, pursuant to CCMC 18.02.080 (Special Use Permits), subject to the recommended conditions of approval, and further substantiated by the applicant's written justification. The Planning Division staff has also provided finding for denial if the Planning Commission elects to deny the project.

As herein described, the proposed project is consistent with the following applicable goals and policies (in *italics*) of the Master Plan in accordance with the seven findings (in **bold**) required for approval of a Special Use Permit:

1. The use will be consistent with the objectives of the Master Plan elements.

Chapter 3: A Balanced Land Use Pattern

Establishing a balance of land uses within the community promotes vitality and long-term economic stability. A balanced community is able to provide employment opportunities for its residents as well as a diverse choice of housing, recreational opportunities, and retail services. Carson City strives to maintain its strong employment base and extensive network of public lands while increasing housing options and the availability of retail services to serve residents of the City and surrounding growth areas.

1.1f—Energy Conservation

Encourage the incorporation of site planning and other design techniques that promote solar and wind efficiency in the construction of new homes and non-residential development (e.g., maximizes solar exposure to capture energy and speed snowmelt during winter months). Encourage the use of new and emerging technologies that lead to increased energy conservation for both residential and non-residential uses.

Per the applicant, Far West Hybrid Asphalt and Aggregate Plant will produce products that are familiar to Carson City, the manner in which these products are created will be considerably different and will utilize clean, renewable energy for a significant portion of the operations, which is consistent with Goal 1.1f of the Carson City Master Plan.

To power both the asphalt production and aggregate crushing operations, Far West proposes to produce its own power through the use of the four 900kw Wind Turbines and Caterpillar Natural Gas Generation Set. The power needed for the plant operations is approximately 1.8 megawatts and the remaining megawatts of power will be unused and able to be sold back into the power grid. This will provide benefit for users to purchase power from an additional source at a more cost effective rate.

The applicant has also incorporated the use of a Natural Gas Generation Set as a back up for the wind turbine. The gas generation set will allow for the emissions of the overall plant to be drastically reduced in relation to the use of diesel fuel, which is typically used in a traditional operation of a plant.

(V&T-SPA) Land Use Policies

V&T SPA—1.1 Development Quality

Protect the scenic quality of the V&T experience with consideration given for the views from the train route as well as the terminal location by developing and adopting specific design standards for commercial development and public-use development within the V&T-SPA to protect the scenic quality of the V&T route.

It is the applicant's opinion that the proposed V&T experience will not be impacted, by the very nature of the experience which is horizontal in nature and not so much vertical. The applicant notes the landowner has worked with the V&T Railway and placed visual screening berms for the purposes of shielding the less desirable areas from the passengers. The applicant notes the trains traveling from Carson City to Virginia City; the passenger's views are predominantly directed toward the properties lying to the south of the existing Pic-N-Pull, currently unscreened vacant land.

The applicant has noted that as railroads go, and the V&T is no exception, the tracks often goes through several aggregate pit and industrial areas because these uses were

not only served by the railroads, but also helped build the railroads themselves. As in the case of the V&T, the railroad passes at least four different pit areas as it makes its way from Virginia City to Carson City, including the subject site. As the applicant noted the three other areas have not been bermed for visual effect.

The location of the wind turbines and the previously approved asphalt plant are proposed in an existing pit area. The pit area lies approximately 60 feet below the visual screening berm constructed by the NCRVVTR.

It is expected that partial views of the proposed turbines are expected. In the case of the existing temporary Eastgate Siding Ticket Sales/Passenger Loading Facility, the view is expected to be of the top portion of the turbines

V&T SPA—1.2 Zoning

Rezone the private lands in Carson City along Highway 50 East from General Industrial to a commercial designation consistent with the Master Plan Land Use Map.

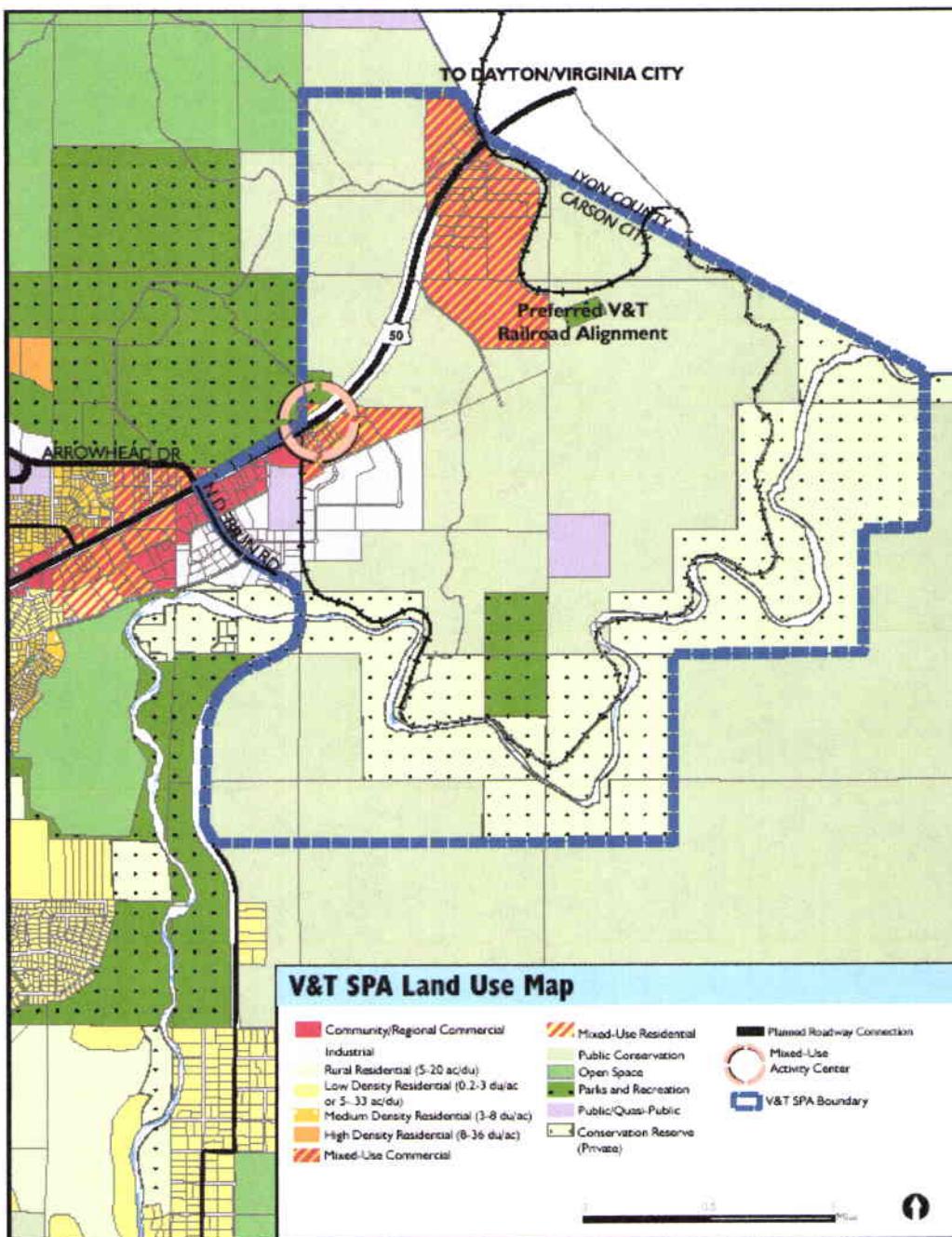
The subject site is located in the General Industrial zoning district. The area has yet to be re-zoned as pointed out by the applicant and until the demand presents itself, the properties may be better utilized with their existing zoning designation. It is now 2011 and the properties have not been rezoned, which is a strong indicator of the demand for commercial uses in the V&T SPA area and the development climate in general. As noted in the CCMC, GI uses can include basic processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in storage of or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions. The wind turbines would likely have a minimal impact on the ability to develop commercial uses on the property and in the vicinity in the future.

(V&T-SPA) Coordination Policies

V&T SPA—4.1 Coordination

Encourage continued collaboration with Lyon County and Storey County to minimize land use conflicts along the V&T corridor.

The applicant notes this item is not applicable. However, it has always been the Planning Division's policy to contact any adjacent county when there is a project in close proximity to the county line for collaboration, to minimize land use conflicts. In this case Planning comments were solicited by Carson City from Lyon County in December 2010 and September 2011. In January 2011, Lyon County Planning Director, Rob Loveberg provided written concerns, related to the noise impacts on the nearby Lyon County residences and visual impacts resulting from the change in the skyline and view-shed as seen from areas in Moundhouse. The Planning Division staff is still waiting for comments related to the most recent submittal dated September 09, 2011.



Chapter 5: Economic Vitality

Carson City derives its overall health and economic success from its ability to maintain a strong and diverse base of jobs, to provide a supply of varied housing choices for its employees, to provide a range of services and recreational opportunities for residents and visitors, and to generate tourism through the promotion of its unique characteristics and historic amenities. Furthermore, the City recognizes the revitalization of the Downtown as an important component of the community's long-term health and vitality. The Master Plan promotes the continued enhancement of the Downtown and surrounding residential neighborhoods as the focus of the community.

5.1a—Retention/Expansion of Established Employers

Retain and promote the expansion of major employers already established within the community, such as the State of Nevada; Carson-Tahoe Hospital's Regional Medical Center and associated facilities; the Western Nevada Community College; the extensive manufacturing community; finance, real estate and insurance industries (FIR); banking, and other knowledge-based industries. Continue to coordinate the City's ongoing planning efforts and Land Use Map with major employers where applicable to ensure compatibility with their facility master plans and expansion efforts.

The addition of the wind turbines and previously approved asphalt production facility, both on-site operations and for sale and partnership with other users meets the goal of retention and promotion of the manufacturing community. Per the applicant, this plant will be the only plant in Carson City working solely for private sales of material, which will result in significant tax revenue for the City, as well as a new local source for consumers to purchase asphalt, aggregate and wind-generated power.

5.1b—Business Support and Recruitment

Use available tools and programs, such as the Northern Nevada Development Authority's Business Retention Program and UNR's Small Business Development Center and its Graduate School of Business, to support existing businesses and to recruit new, well-established companies to the community. Foster public/private partnerships to help cultivate new opportunities for current and future employers in the community and promote expansion and recruitment of industries that offer career opportunities for both secondary and post-secondary school graduates.

The previously approved plant with the proposed turbines will offer career opportunities for both secondary and post-secondary school graduates. The project will create an estimated 10-20 jobs directly related to the operations of the plant. Indirect job estimates are unknown by the applicant, however it is anticipated that additional jobs will either be created or retained in industries that will support the operation, including material hauling, construction, ect.

5.1c—Diverse Employment Opportunities

Promote diverse job options and entrepreneurial opportunities for persons interested in full-time or part-time employment or desiring to own their own business.

The proposed turbines are unique and have the potential to promote the possibilities related to renewable energy and the potential entrepreneurial opportunity within Carson City.

5.1g—Vertical Diversity

Promote vertical diversity, which includes the identification and encouragement of industries consistent with the natural environment, existing industries and targeted clusters. Vertical diversity can be obtained through reducing supply chain costs, shared research and development objectives and other co-location efficiencies.

Vertical diversity is achieved with the proposed project for the reason that all parts of the plant will be co-located on one site. This will reduce the power-supply chain costs for the business, in addition to the possibility of a reduction in supply power supply chain costs for Carson City.

- 2. The proposed use will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and will cause no noise, vibrations, fumes, odors, dust, glare or physical activity.**

The proposed asphalt production and aggregate crushing operations and associated wind turbines are located within the general vicinity of the V&T Railway Eastgate Station, Pick-N-Pull wrecking and parts facility and other small industrial uses.

The proposed project is located within an existing pit site. It is anticipated by the applicant that the addition of the previously approved asphalt production and aggregate crushing operations and four 900kw 190-foot wind turbines that will provide power to operate the facility. Sound impacts of the proposed uses are expected. Per the applicant, those sound levels are expected to be below acceptable levels for the proposed uses in a commercial area.

Dust mitigation will be provided by the use on non-potable water from Carson City. Domestic water will not be used for this project.

The subject site has been previously used as an extraction facility with rock crushing operation since the 1980's.

- 3. The project will have little or no detrimental effect on vehicular or pedestrian traffic.**

Staff determined that a traffic study was not required as a result of the anticipated number of generated trips related to the proposed project, including the asphalt plant. As noted, the proposed anticipated trips will not be greater than the aggregate facility that has been previously on site. A Nevada Department of Transportation encroachment permit currently exists for this site. The wind turbines will generate very minimal vehicular traffic (for maintenance) and no pedestrian traffic.

Per the information provided by the Engineering Division there are no anticipated impacts to the vehicular or pedestrian traffic and the request is not in conflict with any Engineering Master Plans for streets or storm drainage.

- 4. The project will not overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public improvements.**

Per the information provided by the applicant, the proposed use will not require the extension or expansion of any public services, facilities or services.

The applicant, addressing drainage on-site and runoff, has provided a drainage letter.

The proposed project is not anticipated to overburden existing public services.

5. The project meets the definition and specific standards set forth elsewhere in this Title 18 for such particular use and meets the purpose statement of that district.

- **18.04.150 General Industrial (GI).** *The GI District is established to preserve an industrial district for uses engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in storage of or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions. Specific uses listed in this section are prohibited in the Limited Industrial and Air Industrial Park districts unless specifically listed as a use in those sections.*

6. The project will not be detrimental to the public health, safety, convenience and welfare.

All wind turbines shall comply with applicable FAA regulations, including any necessary approvals for installations. As noted on page four of this report, the applicant has been before the Carson City Airport Authority on multiple agendas to review and determine if the proposed project has an impact of the Carson City Airport. Because of the latest Airport Authority meeting on August 17, 2011, the Airport Authority provided written correspondence to the Planning Commission dated August 19, 2011. The letter notes that the Airport Authority has been able to determine that the height of the blade as proposed the project lies 241 feet below the controlling obstacle used by the FAA to design the Standard Instrument Approach Procedures for Carson City. The letter also noted the Airport Authority has dropped their opposition of the proposed project.

It is anticipated that the proposed wind turbines associated with the previously approved asphalt plant and aggregate crushing facility will not be detrimental to the public health, safety, convenience and welfare.

The height and output of the wind turbines are not anticipated to be detrimental to the public health, safety, convenience and welfare of the area. Per the applicant uses in the General Industrial zoning district tend to be more intensive.

7. The project will not result in material damage or prejudice to other property in the vicinity.

Additional conditions of approval have been provided to ensure that the proposed project will not result in material damage to other properties within the vicinity. Noticing was sent out to 30 adjacent property owners within 7,750 feet of the subject site. The proposed project is located within an existing pit area, which has been operational for many years. The turbines will be visible; the applicant has proposed to provide visual screening by the means of trees and landscaping, which will be utilized in conjunction with the existing berthing screening on site.

ALTERNATIVE MOTION FOR DENIAL: “I move to deny SUP-10-115, a request for the installation of four 190-foot wind turbines on property zoned General Industrial, Assessor’s Parcel Numbers 008-611-31,-33,-35 and -37 based on the inability to make the findings as noted in the staff report under findings for denial.”

ALTERNATIVE FINDINGS FOR DENIAL: If the Planning Commission wishes to deny the application based on the evidence presented, the following findings are recommended for denial pursuant to the Carson City Municipal Code (CCMC) Sections 18.02.080 (Special Use Permits):

1. The use will be consistent with the objectives of the Master Plan elements.

V&T SPA—1.1 Development Quality

Protect the scenic quality of the V&T experience with consideration given for the views from the train route as well as the terminal location by developing and adopting specific design standards for commercial development and public-use development within the V&T-SPA to protect the scenic quality of the V&T route.

While specific design standards for the area have not yet been adopted, the scenic views from this area of Carson City are important to protect the investment made into the V&T Railroad and to protect the scenic quality at this major gateway into Carson City. The proposed wind turbines significantly exceed the permitted structure height and the height of anticipated future development in the vicinity.

V&T SPA—1.2 Zoning

Rezone the private lands in Carson City along Highway 50 East from General Industrial to a commercial designation consistent with the Master Plan Land Use Map.

The Carson City Master Plan anticipates a transition away from industrial uses towards more commercial/retail-oriented uses in this area. The proposed wind turbines would be incompatible with future commercial uses in the vicinity.

2. The project will be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and will cause no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity.

The proposed wind turbines would be detrimental to the future development of surrounding properties for mixed-use commercial uses as identified in the Master Plan. The proposed wind turbines would limit the types of uses that would otherwise be appropriate as part of the future development of surrounding properties.

7. The project will result in material damage or prejudice to other property in the vicinity.

The proposed wind turbines would be detrimental to the future development of surrounding properties for mixed-use commercial uses as identified in the Master Plan. The proposed wind turbines would limit the types of uses that would otherwise be appropriate as part of the future development of surrounding properties.

Respectfully submitted,

PUBLIC WORKS, PLANNING DIVISION

Jennifer Pruitt

Jennifer Pruitt, AICP, LEED AP
Principal Planner

Attachments:

Application (SUP-115)
Building Division comments
Engineering Division comments
Health Department
Fire Department



CARSON CITY FIRE DEPARTMENT

"Service with Pride. Commitment. Compassion"

MEMORANDUM

TO: Community Development

FROM: Duane Lemons, Fire Inspector

DATE: January 14, 2011

SUBJECT: AGENDA ITEMS FOR JANUARY 26, 2011 PLANNING COMMISSION MEETING.

We reviewed the agenda items for the Planning Commission Meeting and have the following comments:

- SUP-10-114 Joseph Goni, James Medeiros The applicant must meet all codes and ordinances as they relate to this request.
- SUP-10-115 CB Maddox The applicant must meet all codes and ordinances as they relate to this request. Of additional note, applicant will need to refer to response to MPR 10-098, Sec 8, page 5 for further instructions.
- SUP-10-117 Carson City School District, Mark Korinek The applicant must meet all codes and ordinances as they relate to this request.
- SUP-08-046 Boys & Girls Club of Western Nevada We have no concern with the applicant's request.

DL/lb

**Engineering Division
Planning Commission Report
File Number SUP 10-115 - revision**

SUBJECT TITLE:

Action to consider an application for a Special Use Permit for Robert F. Matthews for property on Hwy. 50 E near the Lyon county line for placement of an asphalt concrete plant and four (4) wind turbines, apn 08-611-31, 33, 35 and 37, zoned GI.

RECOMMENDATION:

The Engineering Division has no preference or objection to the special use request.

DISCUSSION:

The Engineering Division has reviewed the conditions of approval within our areas of purview relative to adopted standards and practices and to the provisions of CCMC 18.02.080, Conditional Uses. A copy of the existing NDOT encroachment permit must be submitted when a construction permit is applied for. Water standing in the retention basin must also be addressed. Final approval from the FAA must be obtained.

CCMC 18.02.080 (2a) - Adequate Plans

The information submitted by the applicant is adequate for this analysis.

CCMC 18.02.080 (5a) - Master Plan

The request is not in conflict with any Engineering Master Plans for streets or storm drainage.

CCMC 18.02.080 (5c) - Traffic/Pedestrians

The proposal will have little effect on traffic or pedestrian facilities.

CCMC 18.02.080 (5d) - Public Services

Existing facilities are not impacted.

File # (Ex: MPR #07-111)	SUP-10-115
Brief Description	Asphalt Plant W/Wind Turbine
Project Address or APN	HWY 50 East
Bldg Div Plans Examiner	Kevin Gattis
Review Date	September 28, 2011
Total Spent on Review	

BUILDING DIVISION COMMENTS:

NOTE: These comments do not constitute a complete plan review, but are merely observations based on the information provided.

GENERAL PLAN SUBMITTAL COMMENTS:

1. This project requires an application for a Building Permit, issued through the Carson City Building Division. This will necessitate a complete review of the project to verify compliance with all adopted construction codes and municipal ordinances applicable to the scope of the project.
2. The plans submitted for review shall comply with the prescriptive requirements found in the Carson City Building Division handout titled: *Commercial Submittal Requirements*. This handout may also be found online at: www.carson.org/building
3. Effective January 1, 2008, all new commercial submittals shall show compliance with the following codes, and adopted amendments:
 - 2007 Northern Nevada Amendments*
 - 2006 International Building Code
 - 2006 International Energy Conservation Code
 - 2006 International Existing Building Code
 - 2006 International Fire Code
 - 2006 Uniform Mechanical Code
 - 2006 Uniform Plumbing Code
 - 2005 National Electrical Code
 - 2003 ICC/ANSI A117.1 (For accessible design)

*- Carson City has adopted the 2007 Northern Nevada Amendments, which are available online at both the Carson City Building Division website and the Northern Nevada Chapter of the International Code Council (NNICC) at www.nnicc.org. With the adoption of the amendments, the snow and wind loads have increased within Carson City.

4. Provide a **Geotechnical Report** for the proposed construction. The Geotechnical Report for the proposed location shall include a complete assessment of the potential consequences of any liquefaction and soil strength loss, including estimation of

differential settlement, lateral movement or reduction in foundation soil-bearing capacity, and shall address mitigation measures. ('06 IBC 1802.2 & 1802.2.7 #2)

COMMENTS APPLICABLE TO THE WIND TURBINES:

5. The plan submittal for the wind turbines shall comply with the prescriptive requirements outlined within the Carson City Building Division handout titled *PLAN SUBMITTAL REQUIREMENTS: Wind Electrical Systems*.



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August 19, 2011

RECEIVED

Carson City Planning Commission
108 East Proctor Street
Carson City, Nevada 89701

AUG 22 2011

**CARSON CITY
PLANNING DIVISION**

RE: PROPOSED WIND TURBINE PROJECT

Gentlemen:

During the past few months, Mr. Robert Matthews of Far West Aggregate and Asphalt has asked us to consider his proposed development of four wind turbines at a site located 2116 feet northeast of the Parker Carson Airport and 2.59 nautical miles east of the Carson City Airport. This site is a gravel pit, immediately adjacent to the northeast boundary of Pick-N-Pull Auto Dismantlers, 7777 Hwy 50 East.

There have been several proposed configurations, however, the four turbine design with a maximum blade arc height of 199 feet above ground level is the latest and final proposal. Accordingly, Mr. Matthews has submitted a request to the Federal Aviation Administration (FAA) under 14 CFR Part 77 for a determination as to whether these turbines would constitute a hazard to navigation. The following Aeronautical Study Numbers (ASN's) have been assigned by the FAA for each turbine: 2011-WTW-6009-OE, 2011-WTW-8741-OE, 2011-WTW-8742-OE, and 2011-WTW-8743-OE. These studies can be tracked at <http://oeaaa.faa.gov>.

Until this point in time, the Carson City Airport Authority (CCAA) has opposed this project due to Standard Instrument Approach Procedures (SIAP's) that are currently under development by the FAA for Runway 27. After a great deal of communication with the FAA, we have been able to determine that the height of the blade arc (199 ft.) as proposed in the aforementioned ASN's, lies 241 feet below the controlling obstacle used by the FAA to design the SIAP's for Carson City. Therefore, the CCAA, acting at its regular meeting on August 17, 2011, has voted to drop our opposition to this project. There are however, other factors involved, such as the distance from the Parker Carson Airport, over which we have no purview. Obviously, the FAA's position will not be official until the ASN's have been completed.

Please do not hesitate to call if I can be of further assistance.

Sincerely,

Hallow W. Norvell, Chairman
Carson City Airport Authority
2600 East College Parkway, #6
Carson City, Nevada 89706
(775) 240-1622

Cc: Robert Mathews, Larry Werner

CARSON CITY AIRPORT AUTHORITY
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Million federal expenditures, unlike the previous year. She thanked Mr. Pullman and Member Carter for their assistance. Ms. Kohn-Cole stated that the excess of revenue over expenses was approximately \$154,000, and the net assets of the organization totaled \$283,000. Vice Chairperson Kelly asked if there were any recommendations for the future, and was told no, since Member Carter had taken all the necessary precautionary measures. Vice Chairperson Kelly called for public comments, and since there were none, a motion. **Member Saylo moved to accept the audit for FY 2009/2010 as presented.** **Member McClelland seconded the motion. The motion passed 4-0.**

G-2. DISCUSSION AND POSSIBLE ACTION TO RECOMMEND LEGISLATIVE CHANGES DURING THE UPCOMING LEGISLATIVE SESSION; PROPOSED CHANGE TO NRS 844 TO ADDRESS VACANCY ON THE AIRPORT AUTHORITY; RELATED CHANGES AND ACTION (6:08:22) – Vice Chairperson Kelly introduced the item. Mr. Tackes explained that the Board of Supervisors had been having a difficult time finding someone to fill the seventh spot on the Airport Authority. He stated that the vacancy would represent a manufacturer in the industrial airpark. Mr. Tackes added that he, along with Chairperson Norvell, had met with Mr. Werner, the City Manager, and Assemblyman and former Supervisor Livermore. Mr. Tackes said that Mr. Livermore had offered to give the Authority one of his allotted Bill Draft Requests, in order to find a solution to the problem at hand. The solution, according to Mr. Tackes, would allow the Board of Supervisors, when unable to find someone who meets the manufacturing criteria, to appoint someone who meets the other qualifications, such as Citizen at Large, Pilot at Large, or City Official. Mr. Tackes then read the proposed law change, incorporated in the record, to fix the immediate problem. He also explained that once the Authority members approve the amendment, the next step would be to take it to the Board of Supervisors, whose concurrence was needed since they would be doing the appointments. The final step would be to submit the Bill Draft Request at the next legislative session. **Chairperson Norvell moved to authorize Staff to proceed with a recommendation to the Board of Supervisors, to approve the proposed legislative changes to NRS 844, to address vacancy on the Airport Authority, and to pursue the amendment during the upcoming legislative session.** **Member Saylo seconded the motion. The motion passed 4-0.**

G-3. DISCUSSION AND POSSIBLE ACTION REGARDING REQUEST BY ON COURSE AVIONICS, INC. TO INSTALL BUSINESS SIGN AND MAKE STRUCTURAL ALTERATIONS TO HANGAR 33 (6:14:29) – Vice Chairperson Kelly introduced the item. Mr. Tackes explained that Mr. John Kaiser, with On Course Avionics, has requested that the Authority approve a few minor modifications to the hangar, a new exterior door, and a 4x8-foot sign. Mr. Tackes stated that Title 19 of the Carson City Municipal Code required that permission must be sought from the Airport Authority, prior to obtaining a building permit. He did not see any legal issues with the request, and recommended approval of the building modifications and the signage. **Member Saylo moved to approve the request by On Course Avionics to install a business sign and make structural alterations to Hangar 33, and approach the Carson City Building Department to obtain the necessary permits. The motion was seconded by Member McClelland. The motion passed 4-0.**

G-4. DISCUSSION AND POSSIBLE ACTION REGARDING PROPOSED CONSTRUCTION OF WIND TURBINE TO BE LOCATED IN THE MOUNDHOUSE AREA

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(6:19:58) – Vice Chairperson Kelly introduced the item. Mr. Pullman explained that Mr. Robert Matthews would like to build a 245-foot wind turbine, in the Moundhouse area, and needed the Authority's approval prior to it being approved by the City. He also presented supporting documentation, which is incorporated into the record. Mr. Pullman stated that the proposal was reviewed by him, along with Mr. Fitzgerald, and they concluded that the turbine would interfere with the modified straight-in-approach being pursued by the airport, in addition to exceeding the FAA Part 77 Determination criteria. Mr. Tackes clarified that the Part 77 Airspace was designed to protect both aircraft and ground structures from collisions. Therefore, he recommended rejecting the proposed wind turbine at its current location, and recommended the same to the Board of Supervisors. Vice Chairperson Kelly agreed that having renewable energy was a good idea, however, he reminded the members that the Highway 50 corridor was a feeder route to the airport, especially in less than good weather conditions, when pilots followed the highway to the airport. Member Saylo also did not think it would be safe, especially since Moundhouse was already over 300 feet above the elevation of the airport, and adding another 245 feet would be a substantial obstruction, especially in inclement weather. Member McClelland received clarification that 245 feet would be the maximum height of the turbine, and suggested an alternative site. Chairperson Norvell suggested requiring Mr. Matthews to submit an FAA Form 7460, so they can weigh in on the issue.

Vice Chairperson Kelly solicited public comments. Ms. Ginna Reyes, asked if other airports were being consulted, and who was the final sign-off body on the project. Mr. Pullman believed that the turbine could cause a problem to the Dayton Airpark and Parker Air Ranch as well. He also believed that the final approval rested with the FAA. Mr. Tackes elaborated that Mr. Matthews would need FAA approval via Form 7460, in addition to the approval of local authorities in Carson City, such as the Board of Supervisors and the Planning Commission.

Vice Chairperson Kelly entertained a motion. **Member Saylo moved to send the Authority's disapproval to the Board of Supervisors, and the Planning Commission, regarding the proposed construction of the wind turbine to be located in the Moundhouse area, especially considering the safety and operational issues to the Airport. The motion was seconded by Member McClelland. The motion passes 4-0.** Mr. Tackes suggested that in the communication sent to The Planning Commission, Mr. Pullman include a detailed explanation of what Part 77 is, and how it is a safety standard, and the wind turbine is a safety hazard.

G-5. DISCUSSION AND POSSIBLE ACTION REGARDING THE PURCHASE OF A SWEEPER TO FACILITATE SNOW REMOVAL OPERATIONS AND YEAR-ROUND AIRPORT FOD REMOVAL (6:35:53) – Vice Chairperson Kelly introduced the item. Mr. Pullman explained why the need for a sweeper was intertwined with the upcoming snow season and snow removal. He stated that in the past, when the runway was not grooved, they were able to run the snowplow without any issues. Now, with the grooved runway, he added, the steel blade will not run over that surface. After researching the issue, Mr. Pullman concluded that polyurethane blades were now required. He said he was able to find a company, located in Reno, that provided the equipment to Reno International Airport. A blade was ordered, however, after taking a tour of the Reno International Airport with the new maintenance employee, Gary Province, he discovered that the pavement is not touched with the polyurethane blade, but is set at least a quarter of an inch above the pavement surface.

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Commissioner Sattler reiterated that a 111-foot wind turbine would "still not ... meet the height and if we hold true to the two bank lots, we're not going to make the noise standard." He expressed uncertainty as to how to proceed. Mr. Plemel concurred with the information presented that the wind turbine will be 50 decibels or less at the property line but not meet the 25 decibel standard. Commissioner Sattler noted that "we're still missing two of the three or four parameters of the municipal code on our third unit." Commissioner Wendell recalled the amount of commission, staff, and public meeting time spent establishing the current ordinance. In consideration of "the amount of effort and the time and expense that went into developing the ordinance," he expressed no desire "to deviate from the ordinance." Vice Chairperson Mullet commended Mr. Goni for his good intentions toward the environment, but expressed the opinion "this is a real stretch."

In response to a question, Mr. Plemel advised that the two existing wind turbines were installed according to the provisions of the ordinance. There were no variances. Mr. Plemel acknowledged having received an official complaint relative to noise associated with one of the wind turbines. He further acknowledged that the wind turbine was compliant with all code requirements at the time of installation. He further acknowledged that the special use permit process is provided "for cases where they exceed the code requirements." He referred the commissioners to the findings as part of their decision. Commissioner Shirk commended Mr. Goni's direction, expressed uncertainty that the proposed project meets the ordinance criteria, and suggested refining it "just a little bit." Mr. Goni acknowledged the understanding that he could install a 60-foot wind turbine on his property according to the existing ordinance regulations without a special use permit. He expressed a willingness to abide by the commissioners' decision.

Vice Chairperson Mullet entertained additional commissioner questions or comments and, when none were forthcoming, a motion. **Commissioner Wendell moved to deny SUP-10-114, a special use permit request from Rainbow Conservation Corps (property owner: Joseph Goni) for the installation of a 160-foot wind turbine, on property zoned single-family 6,000, located at 7300 Schulz Drive, APN 010-671-02, based on the inability to make the required findings for approval as identified in the staff report. Commissioner Sattler seconded the motion.** Commissioner Shirk inquired as to the possibility of considering the Solar Store representatives' suggestion of a 111-foot wind turbine. Vice Chairperson Mullet advised that the motion states the proposed wind turbine is not compliant. He suggested that the applicant could return with a different proposal or install a wind turbine according to the existing ordinance regulations. He suggested another option to continue the item to a future meeting with a modified height. Mr. Plemel advised of the requirement to ask the maker of the motion to amend his motion. Commissioner Wendell advised of no desire to amend his motion. Vice Chairperson Mullet called for a vote on the pending motion; **motion carried 3-1.** Mr. Plemel reviewed the appeal process. Vice Chairperson Mullet recessed the meeting at 7:34 p.m. and reconvened at 7:45 p.m.

H-4. SUP-10-115 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM ROBERT F. MATTHEWS (PROPERTY OWNER: C.B. MADDOX) FOR AN ASPHALT PLANT AND AGGREGATE CRUSHING FACILITY WITH A 1.5 MEGAWATT WIND TURBINE AT A HEIGHT OF 225 FEET PLUS BLADE HEIGHT, ON PROPERTY ZONED GENERAL INDUSTRIAL (GI), LOCATED ON THE SOUTH SIDE OF HIGHWAY 50 EAST NEAR THE LYON COUNTY BORDER, APNs 008-611-31, -33, -35, AND -37 (7:45:45) - Vice Chairperson Mullet introduced this item. Ms. Pruitt noted that Planning Division staff has been in contact with the applicant and his representatives on a weekly basis. She advised that, on January 19, 2011, the applicant submitted a request for continuance of the wind turbine portion of the subject special use permit. She further advised

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that Planning Division staff supports said continuance. She reviewed the agenda materials in conjunction with displayed slides, emphasizing that the conditions of approval were specific only to the asphalt plant and aggregate crushing facility operations.

(7:56:24) Susan Dorr, of Manhard Consulting representing Robert F. Matthews and Far West Aggregate and Asphalt, provided an overview of her presentation. In response to a question, Vice Chairperson Mullet provided direction relative to the presentation. Ms. Dorr presented the application in conjunction with displayed slides. In response to a question, she advised that the facility components are portable. "It's not a permanent operation." In response to a further question, she estimated the depth of the pit at 60 from the top of the screening berm. She acknowledged that the tops of the silos would be approximately 15 feet above the surface. She and Mr. Matthews responded to questions of clarification relative to access to and from Highway 50, traffic levels, the pit depth, and the silo height.

In response to a question, Ms. Pruitt advised that the subject project was submitted to the major project review process, and that the three parking places were calculated based on the same. She further advised that Planning Division staff conferred with Building Division staff relative to parking, and that everyone was comfortable with the three parking spaces. She noted that more parking could be accommodated on the large site. In response to a question, Ms. Dorr explained that some of the facility staff will be truck drivers and some will be operators. She expressed a willingness to provide for more parking, if necessary. In response to a question, she advised of having conferred with Ken Dorr, the V&T Railway Reconstruction Commission engineer. She and Mr. Dorr have attempted to contact the V&T Railway Reconstruction Commission Chair and "have received no word back at this point." She expressed the belief that the V&T Railway Reconstruction Commission was likely notified of this item as one of the adjacent property owners. Ms. Pruitt acknowledged the accuracy of the statement.

Vice Chairperson Mullet entertained additional questions or comments of the commissioners and, when none were forthcoming, requested Ms. Dorr to proceed with that portion of the presentation relative to the proposed wind turbine. A video presentation was displayed in the meeting room, and Ms. Dorr reviewed that portion of the agenda materials relative to the proposed wind turbine in conjunction with displayed slides.

In response to a question, Ms. Dorr expressed the belief that the proposed wind turbine would have no significant impact on the Dayton Air Park "because ... it's actually further away than the Carson Airport." Mr. Matthews advised that FAA representatives will provide a determination relative to site acceptability as well as a maximum height. "That will include the Carson Airport, the closed Carson-Parker Airport, and Dayton Valley ...; all air facilities in the area." In response to a comment, Ms. Dorr advised of the intent to provide conceptual photographs from the Moundhouse side during the next presentation. Discussion followed and Mr. Matthews acknowledged that the top of the blade measures 345 feet. In response to a question, he advised "the ultimate goal was to plant trees down the berm ... and then when they come through on the V&T, all they'll see is a nice tree berm." Commissioner Shirk expressed concern over the proposed white color for the facilities. In response to a question, Mr. Matthews provided background information on the various county representatives who have expressed an interest in purchasing excess power at a discount. He responded to additional questions of clarification relative to a proposed third-party power purchase agreement. He estimated that half of Carson City's power could be provided through purchase of the excess power from the wind turbine operation. In response to a question, he reiterated that FAA representatives will determine a maximum height for the proposed wind turbine. He advised that one

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of the only high pressure gas mains in the State is “right across the way. So we already have a facilities update and the design is already done to put gas into the plant. So we’ll actually start off on gas. There’ll never be any diesel burned on site.” Mr. Matthews anticipates the facility will be the “cleanest” in the area.

Vice Chairperson Mullet entertained public comment. (8:46:12) Airport Authority Counsel Steve Tackes suggested a possible misunderstanding in that the Carson City Airport Authority voted against the project. He advised that Airport Manager Casey Pullman’s letter indicates that the FAA will make a determination which could conclude the project. He advised that Airport Authority representatives have been conferring with FAA representatives, and have received “very different messages than what was just represented ...” He noted that the Carson City Airport “sits on the valley floor. The proposed wind mill site is up on a hill at least 300 feet above the valley floor ...” In reference to the video presentation, Mr. Tackes emphasized the height of the structure. He advised of Airport Authority concerns over aircraft hitting the wind turbine. He further advised that Part 77 of the FAA Regulations defines safe airspace around airports. He described the safe airspace area “as a shallow cone that extends from the surface of the airport that extends up and away from the airport. It does increase as you get further from the airport, but when you’re going uphill in the same direction, ... those two somewhat offset each other.” Mr. Tackes advised that FAA representatives are considering the proposed wind turbine from the standpoint of visual flight rules. “To the extent that you can see really well ... and you can just fly based on your ability to see, the extension of the safe air space is not as far out as if it’s cloudy and you’re flying solely on instruments.” Mr. Tackes advised that the Carson City Airport has an instrument approach, and that Airport Authority representatives have been working, for the last four years, on a straight-in instrument approach. He further advised that 95.5 percent of the time, prevailing winds are from the west based on the airport wind study. He explained that airplanes would “ordinarily land ... flying into the wind, into the west. ... And so, this is the primary corridor for landing airplanes at the airport. And, therefore, that’s where we’ve applied for the straight-in approach.” In reference to FAA Regulations, Part 77, Mr. Tackes explained that the proposed wind turbine “pierces that ... airspace. As a result, it is very likely that the Federal Aviation Administration will be concerned about the height of this wind mill.” Mr. Tackes expressed support for the concept and for renewable energy, but advised of the concern over “strict and simple safety.” He expressed additional concern over any attempt to blend the wind turbine color with the surrounding terrain.

Mr. Tackes expressed concern that Airport Manager Casey Pullman’s letter is being “read ... too narrowly.” He advised that the Airport Authority members, all of whom are pilots, considered the proposed wind turbine from the standpoints of the FAA and general use. “Most of the traffic that approaches our airport from the east flies over that Highway 50 corridor ... for good reason. The road is generally the lowest point as they pass and so (a) you can see movement so you know you’re in the right place; and (b) you’re less likely to hit anything if you’re over that low point. To put something really high right in that location is kind of counterproductive to that safety concern. To the extent we can fly around these things ... and fly above them, certainly we do. The concern here, though, is that this structure actually pierces that safety area.” Mr. Tackes advised that Airport Authority engineers have also carefully considered the proposed wind turbine and have expressed extreme concern over safety. He further advised that he will request the Airport Authority engineers to contact the applicant and his representatives to consider a solution.

Mr. Tackes additionally noted economic considerations in that over \$30 million has been invested in the Carson City Airport over the past five years. He described the Carson City Airport as one of the “economic engines for Carson City,” and expressed concern over “work[ing] at odds with that.” He responded to questions of clarification regarding the runway improvements “which takes it a little more toward the golf course and a little bit away from the houses.” He advised that the traffic pattern altitude was also increased “out of sensitivity to the people that live there.” He stated that “a thousand feet above a windmill is fine.

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... The problem is if you're coming down on an instrument approach, you can't see ... and you're descending ... into an area that already has some mountains and now has something steep sticking up. That's where the real issue is." Mr. Tackes suggested "there's lots of places you can put windmills in Carson City that don't bother the airport." He expressed the opinion that the Carson-Parker air strip is still usable.

In response to a question, Mr. Tackes referred to the minutes of the Airport Authority meeting which were included in the agenda materials. He noted that the Airport Authority's vote "was pretty clear that they disapproved it for a number of reasons. One is the piercing of that air space." He related Airport Authority Vice Chair John Kelly's comments, as reflected in the minutes. He described Mr. Kelly as a "skilled pilot in a number of different aviation platforms, but he primarily flies helicopters and they frequently fly in bad weather fairly close to the ground so they can see where they are." Mr. Tackes explained that "aircraft that legitimately fly in bad weather, close the ground, like helicopters, this presents a real threat to them." In response to a further question, Mr. Tackes expressed the hope that by putting the applicant's representatives and Airport Authority engineers in contact, they'll develop a solution and then the Airport Authority can re-agendize the item. He reiterated that the Airport Authority had denied the project "on more than one basis."

Vice Chairperson Mullet noted the previous testimony and suggested that lighting may be an additional consideration for the applicants to address in their next presentation. (8:58:09) Mr. Matthews advised that there are "20,000 of these in service all over the world and ... it's not the first time we've encountered an airplane." He advised of the possibility of built-in strobes on the blade tips and the top of the turbine. He expressed a willingness to address all of the Airport Authority issues during the next presentation.

Vice Chairperson Mullet entertained additional public comment. (8:58:47) Pastor Ken Haskins advised that First Christian Church "owns the property right across Highway 50 which is approximately 40 acres. It's not industrial; it's commercial property." He advised of never having been contacted by the applicant or his representative. He expressed support for the asphalt plant and aggregate crushing facility, and concern over the visual impacts of the proposed wind turbine at the City's eastern portal. He discussed various suggestions for development of the City's eastern portal to attract visitors.

(9:01:27) Tim McCartle advised that he owns a tire store "right at the bottom of that hill." He expressed concerns relative to traffic issues and access to his store, and expressed opposition to the asphalt plant and aggregate crushing facility.

Vice Chairperson Mullet entertained additional public and commissioner comments. When none were forthcoming, he reminded the commissioners that the action would be relative only to the asphalt plant and aggregate crushing facility. In response to a comment, Mr. Plemel advised that access to the property is under Nevada Department of Transportation control. He expressed the opinion that the site for the proposed operation is good in consideration of access to and from a state highway, rather than driving through a residential neighborhood. Vice Chairperson Mullet entertained a motion. **Commissioner Wendell moved to approve the asphalt plant and aggregate crushing facility portion of SUP-10-115, a special use permit application from Robert F. Matthews, and to continue, at the request of the applicant, the 2.5 megawatt wind turbine portion of SUP-10-115 indefinitely, on property zoned general industrial, APNs 008-611-31, -33, -35, and -37, based on seven findings and subject to the conditions of approval related to the asphalt plant and aggregate crushing facility contained in the staff report. Commissioner Sattler seconded the motion. Motion carried 4-0.**



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Nigro also recommended the Parker Airport as an alternative choice. Supervisor Shelly Aldean thanked the Authority for their continued commitment to make the airport not only user-friendly and an economic engine, but also not a "liability or a detriment for people who enjoy a relatively rural lifestyle". She explained that last Thursday at 11:30 p.m., she had watched the helicopters several times, from her driveway, as they banked to her right and returned to the airport. She hoped that the new flight pattern instructions were explicit and that they would be adhered to. Chairperson Norvell relayed his conversation with Mayor Crowell, who had advised him "in the strongest possible terms that we deal with this effectively, and up front". A similar request had been made by the City Manager as well, according to Chairperson Norvell, who also invited all concerned individuals to stop by at the Airport Manager's office or by the El Aero office to receive further information on the new procedures, and for their concerns to be alleviated. He also reiterated the Authority's commitment to the safety and the safeguarding of the public's trust.

E. PUBLIC COMMENT (6:17:20) – Michael Greedy addressed the Authority regarding the "asphalt plant". Chairperson Norvell explained that the wind turbine project was on the agenda for later discussion. Mr. Greedy wished to speak now regarding the issue. He referred to a "Notice of Presumed Hazard" document dated March 1, 2011, and explained that the issue "appears to be moot unless the applicant has re-applied to the FAA for determination". Chairperson Norvell stated that he had seen an aeronautical study dated June 17, 2011, indicating that the one issue that stood outside the Authority's control was the Parker-Carson Airport. In response to a question, Chairperson Norvell explained that a special use permit would be granted by the Planning Commission. Mr. Greedy cautioned against an "inverse condemnation lawsuit" and Chairperson Norvell deferred to Airport Council for comment. Mr. Tackes referred to the June FAA document, stating that the only hazard was proximity to the Carson-Parker Airport. He also explained that comments could be filed on or before July 24 2011 by anyone with a concern. He added that the Authority had voiced its concerns which would be addressed during the discussion of agenda item G1.

F. CONSENT AGENDA (6:22:06) – None.

G. PUBLIC HEARING ITEMS:

1. DISCUSSION AND POSSIBLE ACTION REGARDING AIRPORT AUTHORITY POSITION ON PROPOSED CONSTRUCTION OF WIND TURBINE(S) TO BE LOCATED ON THE SOUTH SIDE OF HIGHWAY 50 EAST NEAR THE LYON COUNTY/CARSON CITY BORDER (IN THE MOUND HOUSE AREA), APNs 008-611-31, -33, -35, AND -37; SPECIAL USE PERMIT APPLICATION SUP-10-115. (6:28:59) – Chairperson Norvell introduced the item. Mr. Tackes gave background on the gravel operation in which Robert Matthews was involved. He also stated that as part of a special use permit, Mr. Matthews had applied to operate the gravel operation and to install a wind turbine at the location. Mr. Tackes indicated that the original proposal had included a wind turbine with a 225-foot tower and an additional 135-foot blade, making the net turbine 360 feet tall. He added that the Authority believed this wind turbine would be a new and tall obstruction in the area, with the potential of creating a dangerous safety issue. Mr. Tackes also reported on the Planning Commission hearing where he had opposed the wind turbine, and where the Planning Commission had approved the gravel operation but not the wind turbine. He spoke of dialogue between the Airport Engineers and Mr. Matthews' team. Mr. Tackes then gave an update on the most recent proposal brought by Mr. Matthews at the previous meeting, which was to construct four, smaller 200-foot wind turbines, in lieu of a large one, which the Authority believed was "still a problem", and remained in opposition to that. Mr. Tackes described the terrain and believed that the wind turbines, as proposed, would "stick up another 100 feet above" the hills on the east and northeast side. However, he explained that the hills on the south were approximately 200 feet tall and the wind turbines would not "represent much of an additional obstruction". In response to Chairperson Norvell's question, Mr. Fitzgerald noted that the most northern hill would have at least a 150-foot exposure in the proposed location of turbine number one. He added that turbines number three and four, however, would be very similar to the height of the water tower shown. Chairperson Norvell reiterated that the FAA needed to be involved in the decision-making. He also stated the Authority's concerns such as the electromagnetic interference generated by the turbines, the location of the Parker-Carson Airport, the interference to the Automated Weather Observing System (AWOS), and the interference with the instrument approach and departure procedures. He added that a straight-in approach had not yet been surveyed for the airport and was uncertain how the wind turbine project would affect it, and did not want to put the airport at a significant

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economic disadvantage. Chairperson Norvell spoke of several uncertainties regarding the future of the airport and wanted them addressed directly to the Authority by the FAA. He also wanted to address the height of the turbines with the Planning Commission. Additionally, he wanted to address the arrival of aircraft from the east, under visual flight rules "during the conditions of low-ceilings and visibility, and/or low illumination". Mr. Tackes explained that he had flown over the area and had concluded that "this is not a good place to have an obstruction". He also reported on his research on turbine lighting, explaining that there were no lights on the blades, which would prevent pilots from seeing them. In response to Member McClellan's question, Mr. Tackes explained that the lights were red and flashing. Chairperson Norvell reminded the Authority that Mr. Matthews was unable to attend due to illness, therefore, comments and concerns would be addressed by the Authority and submitted in writing to him. Mr. Tackes advised hearing from representatives of Mr. Matthews prior to hearing from the Authority members.

(6:49:21) – Aaron Covington explained that he was not representing Mr. Matthews, however, he was asked by him to be present. Mr. Covington presented his credentials, a PhD in Physics and the Director of the Nevada Terrawatt Facility at University of Nevada, Reno. Mr. Covington explained that he had reviewed the engineering drawings of the turbines and had concluded that they would not be a large source of electromagnetic interference. He also believed that Mr. Matthews "was meeting a lot of the requirements of the FAA". He added that moving blades would affect radar systems by becoming reflectors, which would be a concern for defense radars. He also stated that he had walked the area with Mr. Matthews, and had been unable to see the Carson City airport from the area. Mr. Covington added that the highest point he had observed was the man-made tower in Lyon County. He agreed that safety was a concern for aviation, however, he did not see that the proposed turbines would be higher than the tower. He also believed that Mr. Matthews had addressed many of the Authority's concerns, and that he should utilize the wind in Carson City to generate asphalt at a lesser cost than his competitors. Mr. Covington called the issues "solvable" and suggested that the Authority work with Mr. Matthews to resolve the issues.

(6:59:05) – Chairperson Norvell requested comments from Authority members. Member Carter stated he appreciated hearing the business model, of which he was unaware. He expressed his concern regarding the airport's future and the future approvals from the FAA. Member DiLoreto-Long clarified that no member on the Authority was trying to stop a business from growing, however, she stressed that their priority was to ensure that airport departures and approaches were kept in mind when making a decision. She also thanked Airport Council and the Authority members for their due diligence in this matter, and believed progress was being made. Vice Chairperson Kelly agreed that the wind turbine project was "good for business", and flying in the area would not be a problem for helicopters, as long as the VFR map marked the hazards. He added that as an Authority member, he did not want to rush into conclusions, even though he was for the project. Member McClelland stated that he had "mixed feelings" about the project as a contractor and an Authority member. He also inquired about the noise levels generated by the wind turbines. Member Saylo indicated that he could not support the project until a definite answer was received from the FAA regarding the approaches. Member Thomason stated that the Ely airport was able to obtain an obstacle departure procedure for their runways, which was "quite a while in the making". His concern, therefore, went beyond the instrument approach, to a departure procedure with obstruction clearances that had to be met. Chairperson Norvell explained that the Authority did not see a problem with the four-turbine configuration, if they were able to verify that there will be no effect, under instrument flight rules, for the let down procedure or for the departure procedure. He added that they could gain that confirmation quickly, by receiving a letter from the FAA, addressed to the Authority, in order to give their support to the Planning Commission.

(7:14:49) – Chairperson Norvell solicited public comments. Mr. Nigro agreed with Member Thomason on the departure procedure concerns. He also received clarification from Chairperson Norvell on his concerns for approaches, stating that an LPV approach would be unlikely due to the terrain. Mr. Tackes requested clarification on what comments should be sent to the FAA, prior to the Monday deadline. Chairperson Norvell suggested deferring the voting on the item until the next meeting when the FAA comments would be received. He then summarized his concerns for Council to relay to the FAA as follows: "If the flight procedures folks show no problem with the RNAV GPS approach for category D aircraft, and no problems for the departure procedures, we feel that the other problems are sufficiently negligible that we would not withhold our support". The members of the Authority agreed with the synopsis presented by Chairperson

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Norvell, who reminded the members that this item would appear on the August agenda for a vote, upon receipt of a response from the FAA, addressed to the Authority.

2. DISCUSSION AND POSSIBLE ACTION TO TERMINATE THE LEASE HELD BY THE MUSEUM OF MILITARY HISTORY FOR VIOLATION OF THE PROVISIONS OF THE LEASE AGREEMENT DATED 19 OCTOBER 2007. (7:24:51) – Chairperson Norvell introduced the item. Mr. Tackes explained that this item was a carry-over from the previous meeting. He gave background on the lease given to the Nevada Museum of Military History in 2007 at the cost of \$1 per month, with the provisions of the lease indicating that the tenant would build a museum in three phases. This item was placed on the June meeting agenda, according to Mr. Tackes, however, it was agreed that the item needed to be reagendized, because the notification had not been sent via certified mail. Mr. Tackes explained that Mr. Rowe had re-sent the termination letter via certified mail and had received confirmation of signature, however, there was no representation at the meeting from the Museum of Military History. Mr. Tackes, therefore, recommended terminating the lease. Chairperson Norvell asked if a representative from the Museum was present at the meeting. Seeing none, he requested comments from the Authority members. Member Thomason received clarification from Mr. Tackes that the letter was sent via certified mail. Chairperson Norvell solicited public comments, and when none were forthcoming, a motion. **Member McClelland moved to terminate the lease held by the Museum of Military History for violation of the provisions of the lease agreement dated October 19, 2007, and to authorize the Chair to sign the record of termination. The motion was seconded by Member Carter. Motion carried 7-0.**

3. DISCUSSION AND ACTION TO APPROVE THE ASSIGNMENT OF LEASE ON HANGAR PARCEL #35-B LOCATED AT 2963 ARROWHEAD DRIVE, CARSON CITY, NEVADA 89706, FROM WAYNE BROOKS TO TRI-MOTOR, A NEVADA LIMITED LIABILITY COMPANY, JOHN SEIBOLD, MANAGER. (6:21:21) – Chairperson Norvell introduced the item. Mr. Tackes explained that Mr. Brooks was “moving on” and had sold and assigned the hangar to Mr. Seibold. He added that there were no changes to the lease and that the new tenant was accepting all the responsibilities included in the lease. Mr. Tackes advised that he had a new copy of the assignment to be signed by Authority members prior to going to the Board of Supervisors. Mr. Seibold introduced himself and complimented the Authority and the tenants of the Airport. Russ Davidson, Remax Realty, introduced himself and explained that they were “ready to close after the Board of Supervisors’ Meeting”. **Member McClelland moved to approve the assignment of lease on Hangar Parcel #35-B located at 2963 Arrowhead Drive, Carson City, Nevada 89706, John B. Seibold, Manager. The motion was seconded by Vice Chairperson Kelly. Motion Carried 7-0.**

H. AIRPORT ENGINEER’S REPORT (7:29:02) – Chairperson Norvell introduced the item. Mr. Fitzgerald distributed the Airport Engineer’s Report, incorporated into the record, and announced that the FAA grant for Taxiway D West had been received in the amount of \$1, 270,429. He added that the grant would be approved by the Board of Supervisors tomorrow and the notice of award would be issued to Granite Construction. Mr. Fitzgerald also stated that an environmental assessment was underway. In response to a question from Member Thomason, Mr. Fitzgerald clarified that the construction was to take 70 calendar days, and the areas where the existing pavement and the new pavement would join, would be closed, and Taxiway B would not be accessible during construction.

I. AIRPORT MANAGER’S REPORT (7:33:10) – None.

J. LEGAL COUNSEL’S REPORT (7:33:29) – Chairperson Norvell introduced the item. Mr. Tackes announced that he would present the FAA grant offer to the Board of Supervisors. He also mentioned that Ames construction was suing the State of Nevada and the Department of Transportation, and that he had supplied the Department with an affidavit regarding the Authority’s dealings with Ames Construction.

K. TREASURER’S REPORT (7:38:39) – Chairperson Norvell introduced the item. Member Carter distributed the final budget report for FY 2010/2011, which is incorporated into the record. He stated that they did not reach the desired

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A regular meeting of the Carson City Airport Authority was scheduled for 6:00 p.m. on Wednesday, June 15, 2011, in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson Harlow Norvell
Member Alex Carter
Member Dave McClelland
Member Ray Saylo

STAFF: Steve Tackes, Airport Counsel
Jim Clague, Airport Engineer
Tim Rowe, Airport Manager
Tamar Warren, Recording Secretary

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

- A. CALL TO ORDER AND DETERMINATION OF QUORUM** (6:02:22) – Chairperson Norvell called the meeting to order at 6:02 p.m. Roll was called; a quorum was present. Vice Chairperson Kelly and Member DiLoreto-Long were absent. Member McClelland joined via telephone.
- B. PLEDGE OF ALLEGIANCE:** (6:03:30) – Chairperson Norvell led the Pledge of Allegiance.
- C. ACTION ON APPROVAL OF PAST MINUTES** (6:03:57) – Member Saylo moved to approve the minutes of the May 19, 2011 meeting. Member Carter seconded the motion. Motion carried 4-0.
- D. MODIFICATION OF AGENDA** (6:04:48) – None.
- E. PUBLIC COMMENT** (6:05:20) – None
- F. CONSENT AGENDA** (6:05:50) – None.
- G. PUBLIC HEARING ITEMS:**

1. DISCUSSION AND POSSIBLE ACTION REGARDING AIRPORT AUTHORITY POSITION ON PROPOSED CONSTRUCTION OF WIND TURBINE(S) TO BE LOCATED ON THE SOUTH SIDE OF HIGHWAY 50 EAST NEAR THE LYON COUNTY/CARSON CITY BORDER (IN THE MOUND HOUSE AREA), APNs 008-611-31, -33, -35, AND -37; SPECIAL USE PERMIT APPLICATION SUP-10-115. (6:06:40) – Chairperson Norvell introduced the item. Applicant Robert Matthews introduced a representative from Manhard Consulting, and John Collier, Esq., from Hoffman, Test, Guinan and Collier. He also stated that due to an objection by the Authority to the height of the turbine, they would lower it by 186 feet, constructing four smaller turbines instead of a large one. Mr. Matthews reviewed a packet, incorporated into the record, outlining the concept. He explained that they had obliged to the FAA's turbine height concerns, and Chairperson Norvell noted the additional FAA concern for "adverse electromagnetic interference". Mr. Collier, counsel to Mr. Matthews, referred to a conversation he had with the FAA and stated that the paragraph cited by Chairperson Norvell was part of a boilerplate included in every letter. He stated that the "FAA would not find a hazard due to the A2". He also stated that the FAA found "a significant issue with the 77.19A", which would be a non-issue if the public lands at Carson Parker Airport were taken control of by the BLM. He stated that the FAA could close the Carson Parker Airport. Mr. Tackes believed that there was some confusion with the FAA recommendation that the FAA considered obstructions outside of the traffic pattern, and cited the example of an antenna at Spooner Summit. Chairperson Norvell stated that the Authority "would not be prepared to make a determination until we see a new letter from the FAA as to what their position is". He added that they would be prepared

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to make a comment based on the FAA's decision and other factors that they would consider important, regarding the special use permit application. Member McClelland requested clarification on the electromagnetic interference, and Mr. Matthews said the FAA document did not indicate it to be a hazard. Discussion ensued regarding instrument approach procedures, and Chairperson Norvell expressed concern that the wind turbines could interfere with straight-in approaches planned for the future. Mr. Matthews expressed disappointment that a full board was not present, and stated that he would like to send a recording of this meeting to Donna O'Neil at the FAA for comments. In response to Mr. Collier's question of what was needed from Mr. Matthews to make a decision, Chairperson Norvell stated that a letter from the Seattle Flight Procedures Office of the FAA was needed "attesting to the fact that this wind turbine development would in no way affect the viability of any future instrument straight in approach to Runway 27 at Carson City". Chairperson Norvell stated that he was not against Mr. Matthews' project; however, he added that the Authority's focus was to safeguard their ability to "move this airport forward". Mr. Tackes pointed out that Mr. Matthews had still not addressed the concerns raised by the Authority at their November 17, 2010 meeting. Ginna Reyes, President of El Aero Services, requested considering the "economic engine of this airport" and "all kinds of factors" that make flight patterns vary. Chairperson Norvell stated that he would "need to see the 460" before voting. Member Carter stated that he considered it commendable to work on a project that would reduce dependency on foreign oil. However, he wanted to see assurance from the FAA to eliminate any uncertainty. Member Saylo stated that they are in the process of increasing FBO presence to enhance the airport, and he could not support a project that may cause harm to the airport. **Member Carter moved to "continue our opposition" to the wind turbine project for the reasons previously expressed in the November 17, 2011 meeting.** Member McClelland seconded the motion. Motion carried 4-0.

2. DISCUSSION AND POSSIBLE ACTION REGARDING THE AWARD OF THE CONSTRUCTION CONTRACT AND THE ENGINEERING SERVICES AGREEMENT FOR THE CONSTRUCTION OF TAXIWAY D WEST. (6:57:12) – Chairperson Norvell introduced the item. Mr. Clague distributed a report, incorporated into the record, explaining that at the May 6, 2011 Airport Authority meeting the construction contract had been awarded to Granite Construction for \$1,296,296, contingent upon approval from the FAA. He added that because the construction of the project had been reduced, the management fee would also be reduced. Mr. Clague requested revising the award to Granite construction to \$1,044,293.64, still contingent upon FAA approval. **Member Saylo moved to award the contract for the Taxiway D West to Granite Construction Company in the amount of \$1,044,293.64 contingent upon FAA approval to construct Taxiway D West with Deductive Alternative Number 2, and eliminate the miscellaneous drainage improvements. Additionally, the contract period shall be reduced by five calendar days, for a total of 70 calendar days, to complete the construction of the project, and authorize the Chairman and Staff to sign the appropriate documents.** The motion was seconded by Member Carter. Motion carried 4-0.

Mr. Clague also explained that the construction management fees would also be reduced because of the reduced duration of the project. Member Saylo received clarification that the construction management fee was not included in the previous motion. **Member Carter moved to revise Task Number 10 to the Atkins contract to provide construction management services for taxiway D West to be based on time and expenses not-to-exceed \$135,000 and contingent upon FAA funding.** The motion was seconded by member Saylo. Motion carried 4-0.

3. DISCUSSION AND POSSIBLE ACTION REGARDING THE AWARD OF THE CONSTRUCTION CONTRACT AND THE ENGINEERING SERVICES AGREEMENT FOR THE CONSTRUCTION OF TAXIWAY D WEST; APPROVAL TO ACCEPT FAA AIP GRANT OFFER ON PROJECT IN THE APPROXIMATE AMOUNT OF \$1,270,429.00. (7:08:55) – Chairperson Norvell introduced the item. Mr. Clague explained that because the project cost had been reduced, the FAA grant amount would be reduced as well. **Member Saylo moved to accept the FAA grant offer in the approximate amount of \$1,270,429 and authorize the Chairman and Staff to sign the appropriate documents.** The motion was seconded by Member McClelland. Motion carried 4-0.

4. DISCUSSION AND ACTION TO TERMINATE THE LEASE HELD BY THE MUSEUM OF MILITARY HISTORY FOR VIOLATION OF THE PROVISIONS OF THE LEASE AGREEMENT DATED 19