

CARSON CITY PLANNING COMMISSION

Minutes of the December 18, 2013 Meeting

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A regular meeting of the Carson City Planning Commission was scheduled for 1:00 p.m. on Wednesday, December 18, 2013 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson George Wendell
Vice Chairperson Paul Esswein
Commissioner Mark Kimbrough
Commissioner Walt Owens
Commissioner Mark Sattler
Commissioner Kent Steele

STAFF: Lee Plemel, Community Development Department Director
Susan Dorr Pansky, Planning Manager
Darren Schulz, Deputy Public Works Director / City Engineer
Joseph Ward, Senior Deputy District Attorney
Kathleen King, Deputy Clerk / Recording Secretary

NOTE: A recording of these proceedings, the commission'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, DETERMINATION OF A QUORUM, AND PLEDGE OF ALLEGIANCE (1:00:31) - Chairperson Wendell called the meeting to order at 1:00 p.m. Roll was called; a quorum was present. At Chairperson Wendell's request, Commissioner Steele led the pledge of allegiance.

B. PUBLIC COMMENTS (1:01:31) - Chairperson Wendell entertained public comment; however, none was forthcoming.

C. POSSIBLE ACTION ON APPROVAL OF MINUTES - November 19, 2013 (1:02:42) - Chairperson Wendell entertained a motion to approve the minutes. **Commissioner Sattler moved to accept the minutes, as presented. Vice Chairperson Esswein seconded the motion. Motion carried 6-0.**

D. MODIFICATION OF AGENDA (1:03:18) - Chairperson Wendell entertained modifications to the agenda; however, none were forthcoming.

E. DISCLOSURES (1:03:47) - Chairperson Wendell entertained disclosures of the commissioners. Vice Chairperson Esswein advised that he patronizes the LA Bakery on occasion, but did not believe that would influence his decision relative to item G-1. Chairperson Wendell entertained additional disclosures; however, none were forthcoming.

F. CONSENT AGENDA (1:04:40) - None.

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G. PUBLIC HEARING MATTERS:

G-1. SUP-13-148 POSSIBLE ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM ALIREZA ARBABHA WITH LA BAKERY (PROPERTY OWNER: PATRICIA G. OLSON TRUST AND LUCY R. GILBERT TESTAMENT TRUST) TO ALLOW OFF-STREET, OFF-SITE PARKING TO ACCOMMODATE BUSINESS EXPANSION, ON PROPERTY ZONED RETAIL COMMERCIAL ("RC"), LOCATED AT 220 WEST JOHN STREET AND 1202 NORTH CARSON STREET, APNs 001-173-05 AND 001-174-01 (1:06:06) - Chairperson Wendell introduced this item, and Ms. Dorr Pansky reviewed the agenda materials in conjunction with displayed slides. She advised of having received no comments, either in favor or in opposition to the subject application.

Chairperson Wendell entertained questions of the commissioners. In response to a question, Ms. Dorr Pansky advised that Café at Adele's does not have a lease on the proposed off-site parking area. Chairperson Wendell entertained additional questions of the commissioners; however, none were forthcoming.

Chairperson Wendell invited Alireza Arbabha to the podium. (1:12:00) Mr. Arbabha introduced himself for the record and acknowledged having reviewed the staff report and having heard Ms. Dorr Pansky's presentation. Mr. Arbabha further acknowledged agreement with the conditions of approval, as outlined in the staff report. He provided background information on the proposed off-site parking area. He responded to questions of clarification regarding the proposed business expansion; the former occupant; plans for a back patio; and signage. Chairperson Wendell entertained additional questions of the commissioners; however, none were forthcoming.

Chairperson Wendell entertained public comment and, when none was forthcoming, additional questions or comments of the commissioners. In response to a question, Ms. Dorr Pansky advised that staff did not speak directly to the tenants occupying the buildings at the proposed off-site parking area. She pointed out that the property owner is a party to the special use permit application and would be responsible for talking with their tenants. Chairperson Wendell entertained additional questions or comments and, when none were forthcoming, a motion. **Commissioner Sattler moved to approve SUP-13-148, a special use permit application to allow off-site parking to accommodate a proposed business expansion, on property zoned Retail Commercial, located at 220 West John Street and 1202 North Carson Street, APNs 001-173-05 and 001-174-01, based on the findings and subject to the conditions of approval outlined in the staff report. Vice Chairperson Esswein seconded the motion. Motion carried 6-0.** Mr. Arbabha thanked the commission.

G-2. MISC-13-147 POSSIBLE ACTION TO MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING THE IMPLEMENTATION OF A MORATORIUM BY WAY OF AN ORDINANCE, FOR A PERIOD OF UP TO 180 DAYS WITH THE ABILITY TO EXTEND IT BY RESOLUTION FOR UP TO AN ADDITIONAL 60 DAYS, ON THE ACCEPTANCE AND PROCESSING OF PLANNING OR OTHER APPLICATIONS FOR CONSTRUCTION OR OPERATION OF MEDICAL MARIJUANA ESTABLISHMENTS AS CONTEMPLATED BY SENATE BILL 374 OF THE 2013 LEGISLATIVE SESSION (1:21:19) -

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Chairperson Wendell introduced this item, and Mr. Plemel reviewed the agenda materials. Mr. Ward provided additional information. Mr. Plemel and Mr. Ward responded to questions of clarification regarding time frames imposed by SB 374, the implications of medical marijuana establishments on the provisions of the comprehensive master plan, and the provisions of SB 374.

Chairperson Wendell entertained additional questions or comments of the commissioners and, when none were forthcoming, public comments. When no public comments were forthcoming, he entertained additional questions or comments of the commissioners. Commissioner Owens discussed concerns regarding medical marijuana establishments being allowed in Carson City.

Chairperson Wendell entertained additional questions or comments and, when none were forthcoming, a motion. **Commissioner Kimbrough moved to recommend to the Board of Supervisors approval of an ordinance to declare a moratorium, for a period of up to 180 days with the ability to extend it by resolution for up to an additional 60 days, on the acceptance and processing of planning or other applications for construction or operation of medical marijuana establishments, as contemplated by Senate Bill 374 of the 2013 Legislative Session, based on the findings contained in the staff report. Commissioner Sattler seconded the motion. Motion carried 6-0.**

H. ADMINISTRATIVE MATTERS:

H-1. DIRECTOR'S REPORT TO THE PLANNING COMMISSION AND FUTURE AGENDA ITEMS (1:42:14) - Mr. Plemel reported on the appeal to the Board of Supervisors of SUP-09-055(A), and reviewed the tentative agenda for the January 2014 commission meeting.

H-2. COMMISSIONER REPORTS / COMMENTS (1:44:48) - Chairperson Wendell entertained commissioner comments and requests for future agenda items. In response to a question, Mr. Plemel discussed the concept of a shared parking district. Discussion followed.

I. PUBLIC COMMENTS (1:51:38) - Chairperson Wendell entertained public comment; however, none was forthcoming.

J. ACTION TO ADJOURN (1:52:25) - Commissioner Sattler moved to adjourn the meeting at 1:52 p.m., and wished everyone a happy holiday season. Commissioner Steele seconded the motion and wished everyone Merry Christmas. Chairperson Wendell called for a vote on the pending motion. Motion carried 6-0.

The Minutes of the December 18, 2013 Carson City Planning Commission meeting are so approved this _____ day of January, 2014.

GEORGE D. WENDELL, Chair