

STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF OCTOBER 29, 2014

FILE NO.: SUP-14-083

AGENDA ITEM: F-5

STAFF AUTHOR: Susan Dorr Pansky, AICP
Planning Manager

REQUEST: To consider a request for a Special Use Permit from NNV Services III, LLC (property owner: Fast Foodies, LLC) to allow a Medical Marijuana Dispensary on property zoned General Commercial (GC), located at 211 W. Appion Way, APN 009-268-02.

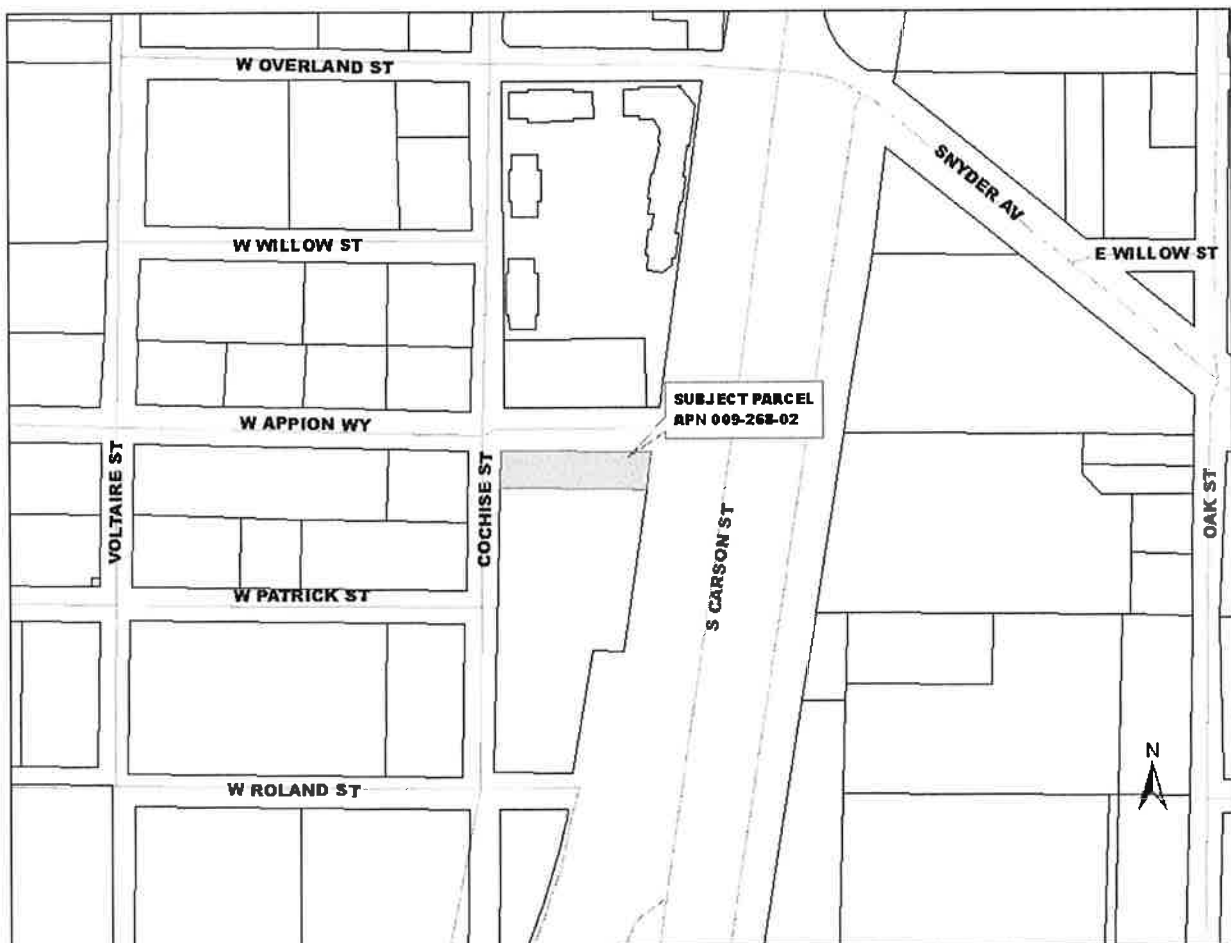
APPLICANT: NNV Services III, LLC

OWNER: Fast Foodies, LLC

LOCATION: 211 W. Appion Way

APN: 009-268-02

RECOMMENDED MOTION: "I move to approve SUP-14-083, a Special Use Permit request from NNV Services III, LLC (property owner: Fast Foodies, LLC) to allow a Medical Marijuana Dispensary on property zoned General Commercial, located at 211 W. Appion Way, APN 009-268-02, based on the findings and subject to the conditions of approval 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 for conditions for approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, then the item may be rescheduled for the next Planning Commission meeting for further consideration.
2. All development shall be substantially in accordance with the development plans approved with this application, except as otherwise modified by these conditions of approval.
3. All on- and off-site improvements shall conform to City standards and requirements.
4. All on- and off-site improvements shall conform to NRS and NAC 453A and the Adopted Regulations of the Division of Public and Behavioral Health of the Department of Health and Human Services, LCB File No. R004-14, as applicable at the time of development.
5. The use for which this permit is approved shall commence within 12 months of the date of final approval. A single, one year extension of time may be requested in writing to the Planning Division thirty days prior to the one year expiration date. Should this permit not be initiated (obtain a Building Permit) within one year and no extension granted, the permit shall become null and void.
6. The applicant must obtain a State provisional certificate to operate a Medical Marijuana Establishment, specifically a dispensary, at the subject location prior to commencement of operation. Failure to obtain a State provisional certificate within the timeframe established in these conditions of approval (12 months) will render this Special Use Permit null and void.
7. The applicant shall obtain and maintain a valid Carson City Business License for the operation of a Medical Marijuana dispensary.
8. The project requires 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.
9. The applicant shall submit proposed signage to the Planning Division for review and approval prior to installation. A Sign Permit may be required depending on the nature of the proposed signage. All signage shall conform to Division 1.20 and Division 4 of the Carson City Development Standards, as applicable.
10. The applicant shall provide a survey, completed and stamped by a surveyor registered in the State of Nevada, certifying that the location of the front door of the dispensary is at least 300 feet from the residentially-zoned property that is located on the same street frontage.
11. The applicant shall provide sidewalks along all street frontages consistent with Carson City Development Standards.

12. The applicant shall provide a landscaping plan in compliance in compliance with Carson City Development Standards, Division 3, Landscaping.
13. Parking lot and building lighting shall be required in conformance with Division 1 of the Carson City Development Standards.
14. The applicant shall paint the exterior of the building neutral, earthtone colors only. Bold colors shall only be used as accent colors per Division 1 of the Carson City Development Standards.
15. The applicant shall provide variations in the wall planes and roof lines around all four sides of the building to prevent a monotonous box-like appearance. This articulation is subject to approval by the Planning Division.

The following conditions shall be completed with any Building Permit application:

16. The applicant shall submit a copy of the Notice of Decision and conditions of approval, signed by the applicant and owner, with any Building Permit application.
17. The applicant shall submit complete tenant improvement plans for the proposed project to allow for review of building and accessibility code requirements.
18. The project must follow the 2012 International Fire Code and adopted Northern Nevada Amendments.

The following conditions shall be applicable throughout the life of the use:

19. The Special Use Permit for this Medical Marijuana dispensary is only valid at the location specified in this application for the operator who obtains the Nevada State certificate for this facility. The Special Use Permit approval shall expire and become null and void if the operator loses or otherwise forfeits his or her State certificate to operate this facility. Special Use Permits for Medical Marijuana Establishments are non-transferable between operators and locations within Carson City.
20. All dispensary operations shall conform to NRS and NAC 453A and the Adopted Regulations of the Division of Public and Behavioral Health of the Department of Health and Human Services, LCB File No. R004-14, as may be modified from time to time.
21. Medical marijuana or medical marijuana-infused products intended for disposal shall be rendered unusable and disposed of off-site at the Carson City Landfill as medical material for immediate burial. Temporary exterior on-site storage of product for disposal shall be prohibited. This method of disposal is subject to change and may be modified by Carson City at any time.
22. No consumption of medical marijuana or medical marijuana-infused products shall occur on the premises of this dispensary, including the parking lot and surrounding area.
23. Outdoor display and sales of medical marijuana merchandise is prohibited.
24. Medical marijuana products shall not be visible from outside the dispensary at any time.

25. Hours of operation shall be 7:00am to 8:00pm, seven days a week.

LEGAL REQUIREMENTS: CCMC 18.02.080 (Special Use Permits), CCMC 18.04.150 General Industrial (GI), CCMC DS 1.20 Development Standards for Medical Marijuana Establishments.

MASTER PLAN DESIGNATION: Community/Regional Commercial

PRESENT ZONING: General Commercial (GC)

KEY ISSUES: Will the proposed Medical Marijuana Dispensary be compatible with the surrounding neighborhood and be in keeping with the standards of the Carson City Municipal Code?

SURROUNDING ZONING AND LAND USE INFORMATION:

- EAST: General Commercial/Multi-Family Residential Uses
- WEST: Retail Commercial/Vacant Land
- NORTH: General Commercial/Retail Commercial Uses
- SOUTH: General Commercial/Single Family Residential Use

ENVIRONMENTAL INFORMATION:

- FLOOD ZONE: Zone D
- EARTHQUAKE FAULT: Zone III
- SLOPE/DRAINAGE: Site has a gentle slope from west to east

SITE DEVELOPMENT INFORMATION:

- LOT SIZE: .41 acres
- PROPOSED STRUCTURE SIZE: 2,026 square feet
- REQUIRED PARKING: Seven spaces
- PROPOSED PARKING: 16 spaces
- SETBACKS:

Required:

Front	Side	Street Side	Rear
0 feet*	0 feet	0 feet*	0 feet*

*10 foot landscape buffer required on arterial streets, on all other street a six foot landscape buffer is required.

Proposed:

Front	Side	Street Side	Rear
76'2" feet	25'6" feet	10 feet	128'2" feet

- VARIANCES REQUESTED: None

PREVIOUS REVIEWS:

- None

HISTORY:

Senate Bill (SB) 374, commonly referred to as the “Medical Marijuana Act,” was adopted by the Nevada Legislature and signed into law in 2013, authorizing Medical Marijuana Establishments in Nevada. In July 2014, the Carson City Board of Supervisors adopted zoning regulations to allow Medical Marijuana Establishments in the General Commercial and General Industrial zoning districts in certain locations in Carson City with the approval of a Special Use Permit and subject to specific development standards.

In addition to the Special Use Permit requirements set forth by Carson City, any Medical Marijuana Establishment applicants are also required to apply to the State of Nevada for a certificate to operate a Medical Marijuana Establishment in Nevada. All applications for Medical Marijuana Establishments for 2014 have been submitted to the State and are currently under review with an anticipated provisional certificate issuance date on or about November 3, 2014. A provisional certificate is a preliminary certificate issued by the State that is contingent on applicants receiving all local zoning and business license approvals. Once those approvals have been verified, the State will issue an official certificate to successful Medical Marijuana Establishment operators.

The applicant for this Special Use Permit to operate a Medical Marijuana Establishment, in this case a dispensary, has not yet received their provisional certificate from the State. As a result, a condition of approval has been recommended as a part of this staff report that the applicant must obtain their provisional certificate to operate a Medical Marijuana Establishment in Carson City in order for this Special Use Permit to be valid. The failure to obtain a provisional certificate would result in the Special Use Permit becoming null and void.

DISCUSSION:

The applicant is proposing to operate a medical marijuana dispensary in a new 2,026 square foot building on South Carson Street at West Appion Way. The proposed dispensary will sell medical marijuana, medical marijuana-infused products and medical marijuana paraphernalia and is anticipated to serve 30-70 patrons per day with a peak demand of 150 patrons per day. The proposed dispensary space will consist of an entryway, waiting room, retail space, security office, library, restrooms, counseling room, offices and a vault. The applicant intends to construct a new, sustainably constructed facility with professional landscaping. Both the interior and exterior of the building will be made to have an appearance which is professional, orderly and dignified, in the traditional style of pharmacies and medical offices.

The applicant proposes a security plan that includes surveillance by a third party security company, state-of-the-art security system, video cameras at the building exterior and the presence of a security guard during business hours. The applicant has indicated that the proposed dispensary will operate from 8:00am to 8:00pm seven days per week, which is consistent with the hours of operation set by the Carson City Development Standards.

A Special Use Permit is required for the proposed project for the following reason:

- Pursuant to Carson City Municipal Code, Section 18.04.135, General Commercial Conditional Uses, a Medical Marijuana Establishment requires the approval of a Special Use Permit subject to Carson City Development Standards, Section 1.20, Medical Marijuana Establishments.

As stated above, Medical Marijuana Establishments are subject to specific criteria outlined in the Carson City Development Standards, Section 1.20 – Medical Marijuana Establishments. These development standards and how the proposed dispensary meets them are addressed below:

1.20 Medical Marijuana Establishments.

The following standards are intended to establish minimum standards and Special Use Permit review criteria for Medical Marijuana Establishments, including Cultivation Facilities, Dispensaries, Production Facilities, and Testing Laboratories, as defined in Title 18 and NRS, in addition to other standards for commercial and industrial development.

1. The following standards apply to all Medical Marijuana Establishments.

- a. All Medical Marijuana Establishments (MMEs) require approval of a Special Use Permit. Special Use Permits for MMEs are only valid at a given location for the operator who obtains the Nevada State certificate for that facility. The Special Use Permit approval shall expire and become null and void if the MME operator loses or otherwise forfeits his or her State certificate to operate that facility. Special Use Permits are non-transferable between operators and locations within Carson City.

Staff has recommended a condition of approval outlining these requirements.

- b. No consumption of Medical Marijuana products shall occur on the premises of any MME.

Consumption on the premises of the dispensary is not proposed. Staff has recommended a condition of approval to address this requirement.

- c. All business activities related to MMEs, including cultivation, shall be conducted indoors, within a permanent building. The use of office trailers or other temporary structures is prohibited. All MMEs shall have an appearance, both as to the interior and exterior, which is professional, orderly, dignified, and consistent with the traditional style of pharmacies and medical offices.

The business activities for the dispensary are proposed to be conducted inside the new permanent building. As indicated with the application, a new, sustainably constructed facility, with professional landscaping will be built. Both the interior and exterior of the building will be made to have an appearance which is professional, orderly and dignified, in the traditional style of pharmacies and medical offices, with paint colors, signage, façade, flooring, patient waiting areas, product displays, and service counters all being coordinated to provide a professional aesthetic.

- d. Outside display or sales of MME merchandise shall be prohibited.

Outside display and sales is not proposed with the dispensary. Staff has recommended a condition of approval to address this requirement.

- e. Accessory outside storage for MMEs shall comply with Title 18.16 Development Standards, Division 1.12 Outside Storage.

Outside storage is not proposed with this dispensary.

- f. Access to the MME shall be restricted in compliance with State regulations.

A condition of approval has been recommended that the dispensary maintain compliance with all State regulations.

- g. No MME-related products shall be visible from outside the building.

Based on the proposed location of the retail space within the dispensary, MME-related products should not be visible from outside the building. Staff has recommended a condition of approval to address this requirement.

- h. Sign Requirements. All MME signage shall be discreet, professional, and consistent with the traditional style of signage for pharmacies and medical offices. All MMEs shall follow the sign regulations for Office Uses in the Development Standards, Division 4, except that freestanding sign height for Cultivation Facilities, Production Facilities, and Testing Laboratories shall be limited to 10 feet consistent with sign height requirements for industrial uses.

The applicant is not proposing signage with this application as it has not yet been developed for the dispensary. Staff has recommended a condition of approval that will require that signage be reviewed and approved by the Planning Division prior to installation.

- i. Parking Requirements. Parking shall be provided for MMEs as follows:

- (1) Dispensaries. One space per 300 square feet of gross floor area.

Seven spaces are required for the proposed dispensary based on 2,026 square feet of gross floor area. The applicant proposes 16 parking spaces to serve the new facility. This is more than double the required amount of parking and will be more than adequate for the proposed dispensary.

- j. No more than two Dispensaries shall be permitted in Carson City.

Should the proposed dispensary obtain a provisional certificate from the State, it would become one of the two dispensaries permitted in Carson City.

- k. A MME shall not be located within 1,000 feet of a public or private school that provides formal education traditionally associated with preschool or kindergarten through grade 12 or within 300 feet of a facility that provides day care to children, a public park, a playground, a public swimming pool, a center or facility, the primary purpose of which is to provide recreational opportunities or services to children or adolescents, that existed on the date on which the application for the proposed MME was submitted to the State Health Division, measured on a straight line from the nearest school or community facility property line to the front door or primary entrance of the MME.

Staff has verified that the proposed dispensary meets the minimum distance requirements outlined in this standard. This is further substantiated with the zoning letter provided by staff to the applicant on August 5, 2014 for submission with their

State application. The zoning letter is attached for reference.

2. The following standards apply to all Medical Marijuana Dispensaries.

- a. A single point of secure public entry shall be provided and identified.

A single point of secure public entry has been identified on the included floor plan. This entry is the only exterior door on the west side of the dispensary. This entrance will have a secure, controlled entryway, also known as a sally port.

- b. Hours of operation shall be limited to 7:00 a.m. to 8:00 p.m., seven days per week.

The applicant proposes hours of operation from 8:00am to 8:00pm seven days per week, which is consistent with this standard.

- c. Drive-through service is prohibited.

Drive-through service is not proposed for this dispensary.

- d. A Dispensary shall not be located on property or within a shopping center with frontage on the same street on which a residentially-zoned property is located unless the Dispensary is located more than 300 feet from the residential property, measured on a straight line from the nearest residential property line abutting the street right-of-way to the front door of the Dispensary.

The proposed dispensary is located on property with frontage on the same street as residentially-zoned property. The applicant provided a map with the application intended to show that the front door of the proposed dispensary is more than 300 feet away from the residential property as required by the standard, but staff does not feel that this map adequately depicts the distance because it does not show the position of the building on the site. Staff believes that the building likely meets the requirement, however, has recommended a condition of approval that the applicant provide a survey verifying that the front door is outside 300 feet. If it is determined that the front door is not outside the 300 feet, staff believes that the building could be shifted or reconfigured to meet the requirement.

3. Special Use Permit review standards. The following shall be considered in the review of any Dispensary located within the General Industrial zoning district in addition to the required Special Use Permit findings:

- a. That the proposed Dispensary is located where sufficient, convenient and safe access is provided to the public.

The proposed dispensary will be located in a new building on South Carson Street at West Appion Way. The site has sufficient, convenient and safe access for the public through the existing roadway and sidewalk networks. Staff notes that sidewalk improvements along all street frontages for the site will be required and has recommended a condition of approval to that effect. This site is also in the vicinity of a Jump Around Carson bus route.

- b. That the proposed location has adequate lighting and street improvements for a use

providing public access.

The proposed location has adequate street improvements and lighting for public access. Onsite improvements will consist of new pavement and sidewalk to serve the public needs and the applicant will be required to provide parking lot lighting consistent with Division 1 of the Carson City Development Standards.

Staff finds that the proposed dispensary meets the applicable development standards required. With the recommended conditions of approval, the applicant has made the findings to grant approval. The Planning Division staff is in support of this Special Use Permit application. Therefore, staff recommends, that the Planning Commission approve SUP-14-083 based on the required findings as noted on the following pages.

PUBLIC COMMENTS: Public notices were mailed to 31 adjacent property owners within 300 feet of the subject site on October 10, 2014. As of the writing of this report, one letter in opposition of the project has been received from Mr. George Wilkinson. Mr. Wilkinson's comments are as follows:

"My concerns are: Security of the property day and night. Will this become an increased target of robbery or burglary? Will there be marijuana use on or near area of dispensary? Will the property and surrounding area be kept free of loitering? What type of people will be customers? Will this affect the draw of new business to the area? Residentially zoned areas should be areas where families and their neighbors can live in safety. I feel that this dispensary will negatively affect property values in the area."

Mr. Wilkinson's letter is also attached to this report. Any additional comments that are received after this report is completed will be submitted to the Planning Commission prior to or at the meeting on October 29 2014, depending on the date of submission of the comments to the Planning Division.

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

Building Division:

The project requires application for a Building Permit, issued through the Carson City Building Division. Submit complete tenant improvement plans for the proposed project to allow for review of building and accessibility code requirements.

Fire Department:

The project must follow the 2012 International Fire Code and adopted Northern Nevada Amendments.

Engineering Division:

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

Health and Human Services:

An application for this type of use needs to be submitted and approved by the State of Nevada, Division of Public and Behavioral Health, Medical Marijuana Program. Plans must be submitted to the Carson City Building Division and State of Nevada, Division of Public and Behavioral Health, Medical Marijuana Program, and approved, prior to doing tenant improvements in this facility.

Environmental Control Authority:

Environmental Control has no comments concerning this request. All comments will be provided during the Building Permit phase.

FINDINGS: Staff's recommendation is based upon the findings as required by CCMC Section 18.02.080 (Special Use Permits) enumerated below and substantiated in the public record for the project.

1. Will be consistent with the master plan elements.

Chapter 5: Economic Vitality, Goal 5.2 – Promote Expansion of Retail Service Base

The addition of a medical marijuana dispensary provides for expansion of the retail medical offerings in Carson City beyond what has existed in the past. By providing safe, convenient and legal means to obtain medical marijuana, Carson City is providing a retail medical service that will serve the needs of patients in Carson City that may benefit from to use of medical marijuana.

2. Will not 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 dispensary will be located in a new building on South Carson Street at West Appion Way. The nature of the business is in line with a retail or pharmacy use and is not expected to cause objectionable noise, vibrations, fumes, odors, dust, glare or physical activity.

3. Will have little or no detrimental effect on vehicular or pedestrian traffic.

The proposed dispensary is anticipated to generate both vehicular and pedestrian traffic to the site, but no more than what would be expected of a retail commercial operation common in the General Commercial zoning district. Therefore, it is not expected to have a detrimental impact on vehicular or pedestrian traffic.

4. 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.

The proposed dispensary will be located in a new building that will require new service for

water, sanitary sewer, storm drainage and other improvements. However, the addition of this small building will not create a burden for these existing public facilities and services. There is no anticipated impact on schools and the impacts on police and fire protection are unknown at this time as this is a new use in Nevada. The applicant has proposed extensive security measures that are intended to supplement police services so that impacts to such services would be minimal.

- 5. Meets the definition and specific standards set forth elsewhere in this title for such particular use and meets the purpose statement of that district.**

Medical Marijuana Establishments are a conditional use in accordance with Title 18.04.135 General Commercial Conditional Uses and require a Special Use Permit. With the approval of this Special Use Permit and recommended conditions of approval, the project will meet the definition and specific standards required to support this use in the General Commercial zoning district.

- 6. Will not be detrimental to the public health, safety, convenience and welfare.**

The proposed dispensary will be located in an inconspicuous, secure space with daytime business hours and limited access by only those with medical marijuana registration cards. It is not anticipated to be detrimental to the public health, safety, convenience and welfare.

- 7. Will not result in material damage or prejudice to other property in the vicinity.**

The dispensary is proposed in a new commercial building within a large General Commercial zoning district and is proposed to provide similar retail commercial services to members of the public, but that would be limited by the possession of a medical marijuana registration card. It is not anticipated to result in material damage or prejudice to other property in the vicinity.

Attachments:

Site Photos
Building Division Comments
Fire Department Comments
Engineering Division Comments
Health and Human Services Comments
Environmental Control Division Comments
Letter from George Wilkinson
Zoning Letter
Application (SUP-14-083)







October 10, 2014

RE: SUP-14-080, SUP-14-081, SUP-14-082 and SUP-14-083

Susan,

All four projects appear feasible. My only comment, which is applicable to all four, is:

1. Submit complete tenant improvement plans for the proposed project, to allow for review of building and accessibility code requirements.

It's pretty simple, but I think that will suffice.

Thanks,

Ray Proffitt, CBO
Chief Building Official
Building Division
Carson City, NV
775-887-2310 – Main
775-283-7502 - Direct

Susan Dorr Pansky

From: Dave Ruben
Sent: Friday, September 26, 2014 1:14 PM
To: Susan Dorr Pansky
Subject: SUP 14-083

SUP 14-083 comments:

1. Project must follow the 2012 International Fire Code and adopted Northern Nevada Amendments.

Dave Ruben

Captain – Fire Prevention
Carson City Fire Department
777 S. Stewart Street
Carson City, NV 89701

Direct 775-283-7153
Main 775-887-2210
FAX 775-887-2209

**Engineering Division
Planning Commission Report
File Number SUP 14-083**

TO: Planning Commission

FROM Rory Hogen, E.I.

DATE: October 7, 2014

MEETING DATE: October 29, 2014

SUBJECT TITLE:

Action to consider an application for a Special Use Permit from NNV Services III, LLC to establish a Medical Marijuana Dispensary Site at 211 W Appion Way, apn 09-268-02.

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. All construction and improvements must meet the requirements of Carson City and State of Nevada Codes and Development Standards.

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 not affect traffic or pedestrian facilities.

CCMC 18.02.080 (5d) - Public Services

Existing facilities appear to be adequate for this project.

September 25, 2014

SUP-14-083

Carson City Health and Human Services

Application for this type of use needs to be submitted and approved by the State of Nevada, Division of Public and Behavioral Health, Medical Marijuana Program.

Plans must be submitted to the Carson City Building Department and State of Nevada, Division of Public and Behavioral Health, Medical Marijuana Program, and approved, prior to building this facility.

Dustin Boothe, MPH, REHS
Carson City Health and Human Services
900 E. Long St.
Carson City, NV 89706
(775) 887-2190 ext. 7220

March 24, 2014

Major Project Review Committee

Re: # SUP – 14-083

Dear Kathe,

After initial plan review the Carson City Environmental Control Authority (ECA), a Division of Carson City Public Works Department (CCPW), has the following requirements per the Carson City Municipal Code (CCMC) and the Uniform Plumbing Code (UPC) for the SUP – 14-083 at 211 W. Appion Way (Medical Marijuana Dispensary) request:

1. ECA has no comments concerning this request.
- Note all comments will be sent during the building permit phase.

Please notify Mark Irwin if you have any questions regarding these comments, I can be reached at 775-283-7380.

Sincerely;

Mark Irwin
Environmental Control Officer 3

c: Kelly Hale, Environmental Control Supervisor

Attn: Carson City Planning Commision

Re: File No. SUP-14-083

From: George Wilkinson/owner of 370 W. Appion Wy.

Carson City, NV 89703



My concerns Are:

Security of the property day and night

Will this are become an increased target of robbery or burglary

Will there be marijuana use on or near area of dispensary

Will the property and surrounding area be kept free of loitering

What type of people will be customers

Will this affect the draw of new businesses in this area

Residentially Zoned areas should be areas where families and their neighbors can live in safety

I feel that this dispensary will negatively affect property values in area

George Wilkinson



Carson City Planning Division

108 E. Proctor Street
Carson City, Nevada 89701
(775) 887-2180 – Hearing Impaired: 711
planning@carson.org
www.carson.org/planning

August 5, 2014

Mr. Shane Johnson
NNV Services III, LLC
P.O. Box 8880
Incline Village, NV 89450

ZONING CERTIFICATE

**RE: Medical Marijuana Establishment – Dispensary
211 W. Appion Way
APN 009-268-02**

Dear Mr. Johnson:

In response to your request concerning the proposed placement of a Medical Marijuana Dispensary on property located at 211 W. Appion Way in Carson City, please be advised of the following:

1. Pursuant to Carson City Municipal Code, Sections 18.04.135 and 18.04.150, a Medical Marijuana Dispensary may be located in those areas zoned General Commercial (GC) within Sections 29 through 32 of Township 15 N., Range 20 E., south of Moses Street (South Carson Street vicinity) and within Sections 1, 2, 9, 10, 11 and 12 of Township 15 N., Range 20 E., and Section 36 of Township 16 N., Range 20 E., east of the I-580 freeway (Highway 50 East vicinity), and in those areas zoned General Industrial (GI) within Sections 1, 2, 11 and 12 of Township 15 N., Range 20 E., and Section 36 of Township 16 N., Range 20 E (Highway 50 East vicinity). All Medical Marijuana Dispensaries are subject to the approval of a Special Use Permit.

The subject property is located in a General Commercial (GC) zoning district (South Carson Street vicinity) approved for Medical Marijuana Dispensaries. Approval of a Special Use Permit is required.

2. Pursuant to Carson City Development Standards, Division 1.20, a Medical Marijuana Establishment shall not be located within 1,000 feet of a public or private school that provides formal education traditionally associated with preschool or kindergarten through grade 12 or within 300 feet of a facility that provides day care to children, a public park, a playground, a public swimming pool, a center or facility, the primary purpose of which is to provide recreational opportunities or services to children or adolescents, that existed on the date on which the application for the proposed Medical Marijuana Establishment was submitted to the State Health Division, measured on a straight line from the nearest school or community facility property line to the front door or primary entrance of the Medical Marijuana Establishment.

The Planning Division has verified by physical inspection that, as of the date of this letter, the subject property meets the minimum setback requirements set forth in the Carson City Development Standards.

3. Pursuant to NRS 453A.322, the location of a Medical Marijuana Establishment may not be within 1,000 feet of a public or private school that provides formal education traditionally associated with preschool or kindergarten through grade 12 and that existed on the date on which the application for the proposed medical marijuana establishment was submitted to the Division, or within 300 feet of a community facility that existed on the date on which the application for the proposed medical marijuana establishment was submitted to the Division.

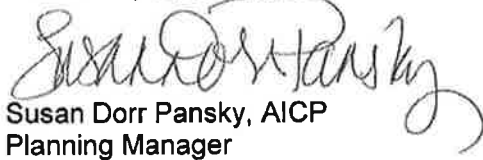
The Planning Division has verified by physical inspection that, as of the date of this letter, the subject property meets the minimum setback requirements set forth in NRS 453.322.

The Carson City Planning Division finds that the proposed Dispensary location meets all general state and local zoning and setback requirements, and the site will be considered acceptable for a Dispensary upon approval of a Special Use Permit by the Planning Commission.

A Business License will also be required prior to the commencement of operation for any Medical Marijuana Establishment in Carson City. The Business Licensing process will include review of any proposed Medical Marijuana Establishment building(s) for compliance with applicable code requirements including, but not limited to, building, engineering, fire, health, and environmental control.

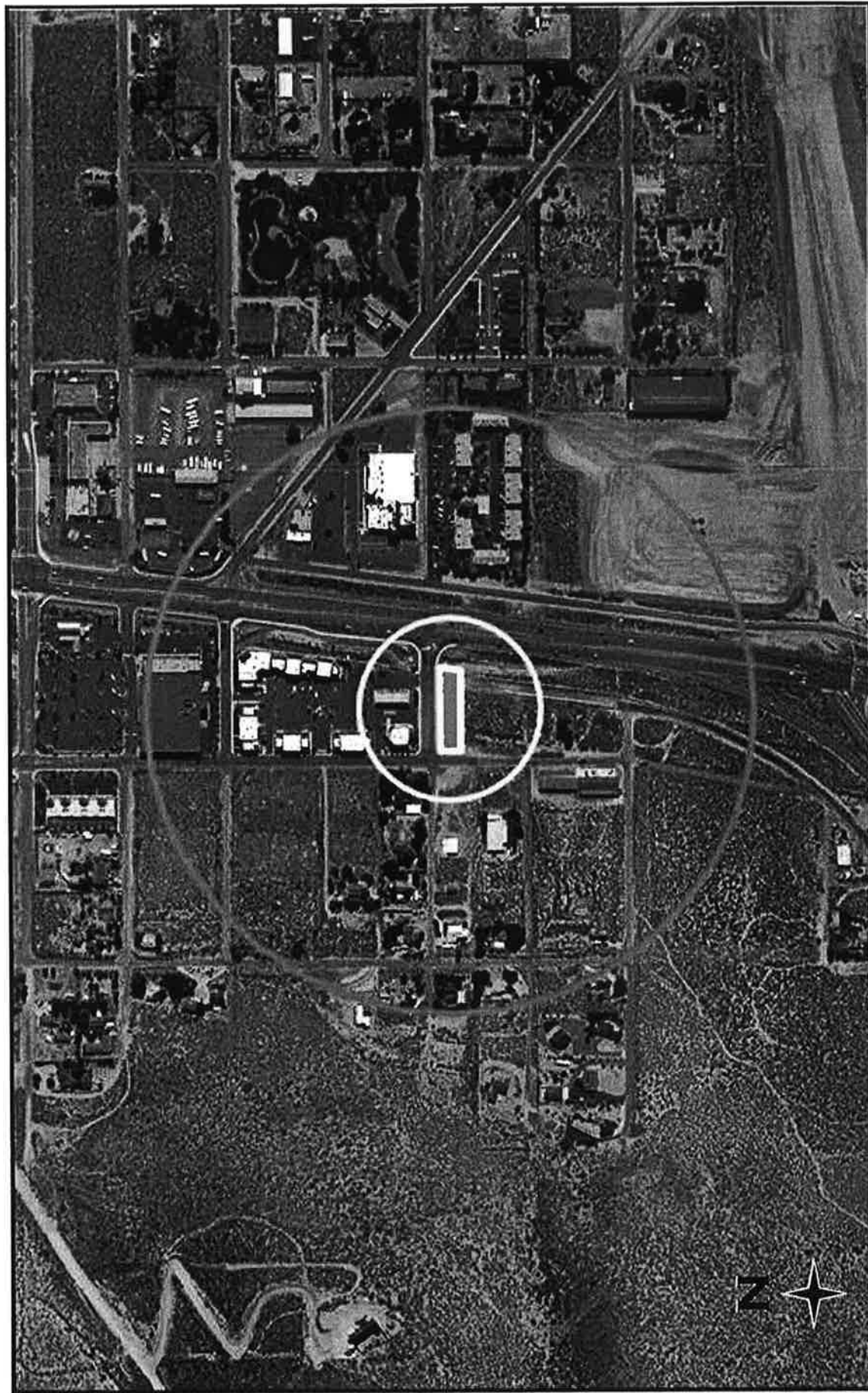
If you have any questions, please feel free to contact me at (775) 283-7076 or via email at spansky@carson.org. Thank you.

Sincerely,
Community Development Department, Planning Division



Susan Dorr Pansky, AICP
Planning Manager

Attachment - Setback Map



211 W. Appion Way, APN 009-268-02

Red Circle = 1,000 foot Setback from Schools

Yellow Circle = 300 foot Setback from Community Facilities

Carson City Planning Division
108 E. Proctor Street • Carson City NV 89701
Phone: (775) 887-2180 • E-mail: planning@carson.org

FOR OFFICE USE ONLY:

CCMC 18.02

SPECIAL USE PERMIT

FEE: \$2,450.00 MAJOR
\$2,200.00 MINOR (Residential zoning districts)

+ noticing fee and CD containing application digital data (all to be submitted once the application is deemed complete by staff)

SUBMITTAL PACKET

- ☐ 8 Completed Application Packets (1 Original + 7 Copies) Including:
 - ☐ Application Form
 - ☐ Written Project Description
 - ☐ Site Plan
 - ☐ Building Elevation Drawings and Floor Plans
 - ☐ Proposal Questionnaire With Both Questions and Answers Given
 - ☐ Applicant's Acknowledgment Statement
 - ☐ Documentation of Taxes Paid-to-Date (1 copy)
 - ☐ Project Impact Reports (Engineering) (4 copies)

Application Reviewed and Received By:

Submittal Deadline: See attached PC application submittal schedule.

Note: Submittals must be of sufficient clarity and detail such that all departments are able to determine if they can support the request. Additional information may be required.

FILE # SUP - 14 - 1 SUP - 14 - 083

NNV Services III, LLC; Shane Johnson, Manager 858-354-7853

APPLICANT PHONE #
930 Tahoe Blvd., Ste 802-433, Incline Village, NV 89451

MAILING ADDRESS, CITY, STATE, ZIP
shane@paintbrushadvisors.com

EMAIL ADDRESS
Fast Foodies, LLC; Ken Yzurdiaga, Manager 775-881-8915

PROPERTY OWNER PHONE #
P.O. Box 4657, Carson City, NV 89702

MAILING ADDRESS, CITY, STATE, ZIP

EMAIL ADDRESS
Dorea Shoemaker, NNV Services III 775-830-0880

APPLICANT AGENT/REPRESENTATIVE PHONE #
930 Tahoe Blvd., Ste 802-433, Incline Village, NV 89451

MAILING ADDRESS, CITY, STATE, ZIP
dorea@hwwellness.com

EMAIL ADDRESS

Project's Assessor Parcel Number(s):

009-268-02

Street Address ZIP Code

211 W. Appion Way, Carson City, NV 89703

Project's Master Plan Designation

Project's Current Zoning

General Commercial

Nearest Major Cross Street(s)

S. Carson Street

Briefly describe your proposed project: (Use additional sheets or attachments if necessary). In addition to the brief description of your project and proposed use, provide additional page(s) to show a more detailed summary of your project and proposal. In accordance with Carson City Municipal Code (CCMC) Section: _____, or Development Standards, Division _____, Section _____, a request to allow as a conditional use is as follows:

A Medical Marijuana Dispensary

PROPERTY OWNER'S AFFIDAVIT

I, Ken Yzurdiaga, Manager, being duly deposed, do hereby affirm that I am the record owner of the subject property, and that I have knowledge of, and I agree to, the filing of this application.

Signature _____ P.O. Box 4657, Carson City, NV 89702 _____ Date 9/9/14

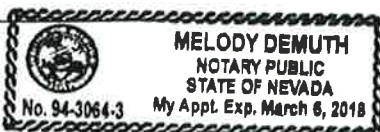
Use additional page(s) if necessary for other names.

STATE OF NEVADA)
COUNTY)

On Sept 19, 2014, Ken Yzurdiaga, Manager, personally appeared before me, a notary public, personally known (or proved) to me to be the person whose name is subscribed to the foregoing document and who acknowledged to me that he/she executed the foregoing document.

Melody Demuth
Notary Public

NOTE: If your project is located within the historic district, airport area, or downtown area, it may need to be scheduled before the Historic Resources Commission, the Airport Authority, and/or the Redevelopment Authority Citizens Committee prior to being scheduled for review by the Planning Commission. Planning personnel can help you make the above determination.



**Carson City SUP for Medical Marijuana Dispensary located
at 211 W. Appion Way**

Project Description

NNV Services III, LLC's location at 211 W. Appion Way, is located in the General Commercial area on the South side of town. We picked this location because it meets zoning requirements, and for the many benefits it will provide to patients, neighbors and other businesses in the vicinity. We initially plan to operate from 8am – 8pm.

This location is ideally located for patients due to its adjacency to the S. Carson St. / 395 corridor. This dispensary location is projected to serve 30-70 patients per day with an increase over time, with peak demand estimated at 150 patients per day. This location is easy to reach for those patients who drive, and is also accessible via public transportation that transits S. Carson Street. For patients in need, this establishment will provide a safe location with easy access, featuring high quality organic standard medicine.

The proposed facility location is currently a vacant lot. The future building, if approved, will be a new, sustainably constructed facility, with professional landscaping. Both the interior and exterior will be made to have an appearance which is professional, orderly, and dignified, in the traditional style of pharmacies and medical offices, with paint colors, signage, façade, flooring, patient waiting areas, product displays, and service counter all being coordinated to provide a professional aesthetic.

This establishment will be helping the local economy by hiring 4-6 local full-time employees who will have money to spend at other local businesses.

NNV Services III, LLC will have top of the line security in place from Martin-Ross and Associates, which should enhance public safety in the vicinity of the dispensary. The dispensary will be equipped with a state of the art security system, and a security guard will be present during business hours (security guard presence and protocol will be re-evaluated periodically). Video cameras will be installed across the building exterior, and monitored remotely during non-operating hours.

VICINITY MAP - N.T.S.



SITE PLAN

ZONING COMPLIANCE EXHIBIT
FOR PROPOSED
MEDICAL MARIJUANA ESTABLISHMENT
AT APN 009-268-02
CARSON CITY, NV
SEPTEMBER, 2014



WOOD ROGERS

Data Sources
 Child Care Licensing, State of Nevada Child Care Facilities, 8/1/2014
<http://health.nv.gov/licensing/ChildCareFacilities/Lic.pdf>
 Carson City Zoning Ordinance, Revised 7/1/2014
 Sources: Carson City GIS Department, Retrieved 7/1/2014

ID	Assessor Parcel No.	Occupant	Address	Use	Separation Distance
1	009-267-05	Private Residence	4849 COCHISE ST CARSON CITY, NV, 89703	Retail	Within 300'
2	009-267-04	Private Residence	370 W APPION WY CARSON CITY, NV, 89703	Commercial	Within 1000'
3	009-261-01	Private Residence	449 W APPION WY CARSON CITY, NV, 89703	Single Family	Within 1000'
4	009-261-01	Private Residence	449 W APPION WY CARSON CITY, NV, 89703	Single Family	Within 1000'
5	009-267-06	Vacant Parcel	W WILLOW ST / COCHISE ST CARSON CITY, NV, 89703	Retail	Within 300'
6	009-261-01	Vacant Parcel	449 W APPION WY CARSON CITY, NV, 89703	Commercial	Within 1000'
7	009-261-07	Vacant Area	382 W PATRICK CARSON CITY, NV, 89703	Retail	Within 300'
8	009-261-07	Private Residence	382 W PATRICK CARSON CITY, NV, 89703	Commercial	Within 1000'
9	009-263-06	Cabinet Shop / Thrift Store	4880 COCHISE ST CARSON CITY, NV, 89703	Retail	Within 300'
10	009-262-02	Private Residence	4849 COCHISE ST CARSON CITY, NV, 89703	Commercial	Within 1000'
11	009-268-02	Subject Parcel - Vacant	W WILLOW ST / COCHISE ST CARSON CITY, NV, 89703	Commercial	Within 1000'
12	009-268-02	Subject Parcel - Vacant	211 W APPION WY CARSON CITY, NV, 89703	Retail	Within 300'
13	009-268-02	Subject Parcel - Vacant	211 W APPION WY CARSON CITY, NV, 89703	Commercial	Within 1000'
14	009-268-02	Subject Parcel - Vacant	211 W APPION WY CARSON CITY, NV, 89703	Retail	Within 300'
15	009-266-05	Vacant Suite	4530 S CARSON ST STE 1 CARSON CITY, NV, 89703	Commercial	Outside 300'
16	009-266-09	Vacant Suite	4620 S CARSON ST STE 1 CARSON CITY, NV, 89703	Retail	Within 300'
17	009-266-07	Vacant Suite	4560 S CARSON ST STE 1 CARSON CITY, NV, 89703	Commercial	Outside 300'

5300 Main Street
Reno, Nevada 89502
775-656-5376 fax
NV Lic. No. 0015417
CA Lic. No. 553339

united

construction

SPECIAL USE PERMIT SITE PLAN

for

NMV SERVICES III, LLC

211 W. APPLION WAY
CARSON CITY, NEVADA 89703

ELEVATIONS

DRUGGIST NAME
DANIEL A. JOHNSON M.D.
NMV SERVICES III, LLC (MD-45)
1000 N. VALLÉE ST. SUITE 100
CARSON CITY, NV 89701

PERSON PREPARED PLAN
DANIEL A. JOHNSON M.D.
1000 N. VALLÉE ST. SUITE 100
CARSON CITY, NV 89701

RECORD OWNER OF PROPERTY
TRACY TRODGE LLC
1000 N. VALLÉE ST. SUITE 100
CARSON CITY, NV 89701

DATE
14-11-12

LOCATION

DATE
9/18/14

SHEET NO
14-11-02

DRAWN BY
KRS

CHECKED BY
KRS

SCALE
AS NOTED

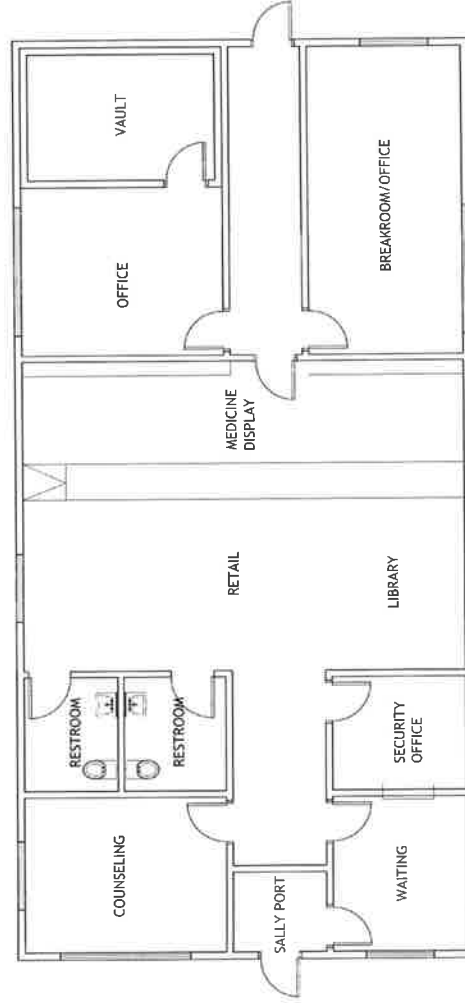
SHEET NO
A3.1

EAST ELEVATION

WEST ELEVATION

NORTH ELEVATION

SOUTH ELEVATION



DATE	9/18/14	PROJECT NO	14-11-102
DRAWN BY	KRB	CHECKED BY	KRB
SCALE		AS NOTED	
SHEET NO		A2.1	

FLOOR PLAN

A2.1

unitedconstruction

6300 Mt. Street	775-858-6090 ph	NV Lic. No. 0012417
Reno, Nevada 89502	775-858-6375 fax	CA Lic. No. 553339

SPECIAL USE PERMIT SITE PLAN
for
NNV SERVICES III, LLC

SPECIAL USE PERMIT SITE PLAN
for
NNV SERVICES III, LLC

SPECIAL USE PERMIT SITE PLAN
for
NNV SERVICES III, LLC

211 W. APPION WAY
CARSON CITY, NEVADA 89703

211 W. APPION WAY
CARSON CITY, NEVADA 89703

**Carson City SUP for Medical Marijuana Dispensary located
at 211 West Appion Way**

Applicant: NNV Services III, LLC

Question 1: The proposed development will be in alignment with the goals of the Master Plan Elements as this proposed retail space is located in the Carson City General Commercial zoning area.

Balanced Land Use Pattern

NNV Services III, LLC will be providing employment opportunities and retail services.

The proposed development:

- Meets the provisions of the Growth Management Ordinance (1.1d, Municipal Code 18.12).
- Proposed signage is not yet available, but will be cleared through City Planning prior to being built out.
- Both the interior and exterior will be made to have an appearance which is professional, orderly, and dignified, in the traditional style of pharmacies and medical offices, with paint colors, signage, façade, flooring, patient waiting areas, product displays, and service counter all being coordinated to provide a professional aesthetic.
- The main entry to the building will feature a sally port, with patients being visually screened by camera before being admitted to a secure waiting area and patient check-in / registration. Only after being appropriately checked in will a patient be admitted into the interior of the facility.
- United Construction plans to leverage sustainable building materials and construction techniques, and to promote water and energy conservation. As one example, United Construction intends to incorporate LED lighting and solar panels, where appropriate, into the final build.
- This proposed project is not located in a priority infill development area.
- Providing pathway connections and easements is not applicable for this project.
- There are no existing site features to protect such as mature trees or other character-defining features.
- This proposed project is not adjacent to county boundaries or public lands.
- This proposed project is not in a mixed-used area, but General Commercial. This proposed project will provide retail employment opportunities.
- This proposed project complies with state and local adopted standards, as these standards relate to Medical Marijuana Establishments, by not being located within 1,000 feet of a public or private school. Nor is the proposed project within 300 feet of a facility that provides day care to children, a public park, a playground, a public swimming pool, a center or facility, the primary purpose of which is to provide recreational opportunities or

Carson City SUP for Medical Marijuana Dispensary located at 211 West Appion Way

services to children or adolescents. These measurements were calibrated immediately prior to the date that the application for the proposed MME was submitted to the State Health Division, measured on a straight line from the nearest school or community facility property line to the front door of primary entrance of our proposed Medical Marijuana Establishment.

- This project location does not have any environmentally sensitive areas that require setbacks.
- The level of utility services provided by this project is consistent with the land use for this proposed development, which is zoned as General Commercial.
- This proposed project is not located within a Specific Plan Area (SPA).

Equitable Distribution of Recreational Opportunities

The proposed development will not be providing park facilities nor take away from the community's open space network.

Economic Vitality

- "Encourage a citywide housing mix consistent with the labor force and non-labor force populations" is not applicable.
- This business will bring a legal and necessary dispensary to Carson City, which will enable Carson City patients to stay and shop locally.
- This proposed project would build an attractive building, on an unused lot, which is in alignment with the surrounding commercial structures. Current sustainability standards will be used as well as drought resistant plants, with a preference for native species in the landscaping to further conserve water.
- This proposed location is not part of the downtown corridor or a heritage tourist based activity.

Livable Neighborhoods and Activity Centers

- This project will use durable long lasting building materials such as those employed by United Construction for some of their LEED certified projects.
- To promote variety and visual interest our company will create an attractive property through landscaping and a current building design and layout.
- The proposed area is not in the downtown area, however our company will still be enhancing the property with professional landscaping, a clearly identified entrance and bike racks.
- Appropriate height and setbacks will be incorporated for this new construction.
- This location is not in a mixed-use activity center area nor in downtown.

Carson City SUP for Medical Marijuana Dispensary located at 211 West Appion Way

A Connected City

- Even though this is a new building, its use completely falls in line with the existing local businesses and in the General Commercial area. The local transit patterns along major corridors will be unchanged.
- This project will maintain and enhance roadway connections and networks consistent with the transportation master plan, 11.2c.
- Providing appropriate pathways through the development and to surrounding lands is not applicable to this project.

Question 2: The proposed development will be beneficial to the immediate vicinity and to the general neighborhood because we will be constructing a current, sustainable building with drought resistant landscaping, with a preference for native species, on a lot that is currently vacant. This project will improve property values and promote business in the immediate vicinity.

- A. First and foremost we adhere to the strict requirements of NRS and NAC, as these requirements relate to Medical Marijuana Establishments. Below lists general types of land uses and zoning designations adjoining our property.
- a. North: General Commercial (across the street is a Chevron Gas Station)
 - b. West: Retail Commercial
 - c. South: General Commercial
 - d. East: General Commercial (next to S. Carson Street)

Further, while the property itself is located within 300 feet of residentially zoned property on the same street frontage, the proposed front door is located more than 300 feet from the residential property. Please refer to the site plan for details, as well as the accompanying site survey.

- B. This proposed project is similar to existing development in the neighborhood, and it will increase property values and not cause problems, such as noise, dust, odors, vibration, fumes, glare or physical activity, etc. with neighboring property owners. The entire business will operate and be contained within the building structure. Medical Marijuana Dispensaries are new to the State of Nevada and therefore Carson City has not been asked to approve a similar SUP. This proposed new construction project will be in alignment in appearance with our neighbors. Specifically, the Carson Tahoe Quail retail development to the North has a very professional appearance. While we intend to use different materials and colors, we intend to maintain a comparable aesthetic.
- C. This project will benefit the community, surrounding properties and neighborhoods by constructing a small and attractive building on a vacant lot. In addition, this project will meet or exceed existing building and safety codes. We will be adding a commercial business where there is currently a vacant lot, with local, full time employees, helping to boost the Carson City economy. Our

**Carson City SUP for Medical Marijuana Dispensary located
at 211 West Appion Way**

company will have top of the line security in place, which should create a safer environment in the vicinity of the dispensary. This project will add to the local commercially zoned area, benefiting all local businesses with more traffic and greater visibility.

- D. Vehicular traffic from the State of Nevada Department of Transportation Annual Average Daily Traffic Count Station at 0250001 (Carson St, .2 mi North of US 50) in 2013 was 48,500 vehicles per day. This project will have minimal roadway impact. We project that this dispensary location will serve 30-70 patients per day, and perhaps up to 150 patients on peak days.

Northbound traffic on South Carson Street / 395 will have to make a left hand turn (there is an existing turn lane) onto West Appion Way.

The emergency vehicle response time will be gathered by the Carson City Planning Department.

- E. In the short-range and long-range, this project will provide many benefits to the people of Carson City if our project is approved.

Short-Range Benefits

- Community residents with a Medical Marijuana card will have safe, reliable access to medicine, rather than driving to Reno, Washoe or Spark's Dispensaries.
- This dispensary location will hire 4-6 full time employees.
- Beautifying the area by constructing a new building with professional landscaping on an empty lot.
- Adding extensive security to the property has proven in other areas to deter loiterers and crime.
- 75% of the excise tax will be deposited into to the State Distributive School Account in the State General Fund.
- Carson City will collect a substantial business license fee.
- This proposed location is easily accessible to private and public transportation.

Long-term Benefits

- Include all the Short-Term Benefits
- Boost Carson City's economy
- By providing legal medicine, improving the quality of life of Carson City Patients.

Question 3: Sufficient consideration has been exercised in adapting the project to existing improvements in the vicinity.

- A. This proposed project will not affect the school district nor add to the student population nor add a service to the student population. This dispensary will

**Carson City SUP for Medical Marijuana Dispensary located
at 211 West Appion Way**


minimally affect the Sheriff's office, as we have a contract with Martin-Ross and Associates to oversee security. This dispensary will be equipped with a state of the art security system and a security guard during business hours (security guard presence and protocol will be re-evaluated periodically). In addition, security cameras will be affixed to the building's exterior and will be monitored during non-operating hours.

- B. This project will result in the covering of land area with paving and other compacted surfaces. Drainage will be accommodated for by construction engineers and approved by the Carson City Public Works. Please refer to attached report from Hunter Creek Engineering for more details on drainage for this area.
- C. Thomas Grundy reports, "211 W. Appion Way is at the end of a 8" PVC main feed coming from Clearview Dr. The site is not on a well. The main does not need replacement. The system in the area has sufficient capacity to supply the day to day demands of a small retail establishment with two restrooms without degrading supply and quality to others in the area. The system has adequate pressures in that area. We do not have any fire flow information for the hydrant at Appion and Cochise. On July 24, 2014 we tested the hydrant at Cochise and Overland. The results from that test are attached.
- D. The sewage disposal trunk line that the proposed Medical Marijuana Dispensary at 211 West Appion Way is to be connected to as shown on the provided site plan has adequate capacity for the small retail establishment with two restrooms.
- E. Road improvements will include driveways for entering and exiting the property, along with sidewalks bordering the property.
- F. Sources; Rory Hogen, Carson City Engineer, Susan Dorr Pansky, City Planner, Michael Burgoyne, P.E., Hunter Creek Engineering, Matt Ronhaar and Kenneth Bartlett from United Construction, Tom Grundy, P.E., Senior Project Manager Carson City Public Works Department, and Darren Anderson, E.I., Project Manager, Carson City Public Works.
- G. NNV Services III, LLC's design team will follow Carson City lighting building codes to ensure the lighting is noninvasive for neighbors.
- H. Refer to Site Plans
- I. Refer to Site Plans

ACKNOWLEDGMENT OF APPLICANT

I certify that the forgoing statements are true and correct to the best of my knowledge and belief. I agree to fully comply with all conditions as established by the Planning Commission. I am aware that this permit becomes null and void if the use is not initiated within one-year of the date of the Planning Commission's approval; and I understand that this permit may be revoked for violation of any of the conditions of approval. I further understand that approval of this application does not exempt me from all City code requirements.

Applicant



Shane A. Johnson, Manager

Date

9/18/14

September 16, 2014

Mr. Shane A. Johnson, MD
HW Wellness

RE: 211 WEST APPION WAY
Carson City, Nevada
APN 009-268-02
SPECIAL USE PERMIT

HCE Job No. 1416

PROJECT IMPACT REPORT

STORM DRAINAGE

The project site is located on the southwest corner of West Appion Way and US 395, South Carson Street in Carson City Nevada. The existing site, approximately 0.42 acres, is undeveloped and is vegetated with sparse sagebrush.

The proposed project improvements include AC paved parking area, perimeter landscaping and a new 2,026 sf commercial building.

The site is located within the Voltaire Canyon Drainage Basin and is subject to substantial sheet flows from the tributary area. FEMA has designated the site area as within Zone D, or "areas in which flood hazards are undetermined, but possible", Flood Insurance Rate Map, FIRM map 3200010207E, revised January 16, 2009.

A detailed Technical Drainage Study was prepared by Lumos and Associates in November of 2006, JN6745.00, for the Carson Tahoe Quail Park. The original project included the 4.34 acre parcel at the northwest corner of Appion Way and US 395 and this parcel at the southwest corner of Appion and 395.

As part of the Carson Freeway Project, NDOT has constructed drainage improvements that include capacity for the full development of the subject project site. Existing drainage improvements constructed included a drainage channel between the site and 395, a 12x4 ft. box culvert through Appion Way, a 10 x6 ft. box culvert through US395 and the Voltaire Canyon Detention Basin.

Per Carson City Development Standards, Chapter 14, 14.1.2 " Downstream properties shall not be unreasonably burdened with increased flow rates, negative impacts, or unreasonable changes in the manner of flow from upstream properties." and 14.1.8 Storm Runoff Detention, " Onsite detention storage shall be sized to detain sufficient runoff to limit flows from a 5 year storm to predevelopment conditions."

The proposed drainage system will consist of swales, valley gutters, curb and gutter, catch basins and detention storage. Improvements shall be sized to convey the 100 year- 24 hour storm runoff to the existing storm drain channel to the east of the site. Onsite detention will be sized to

temporarily detain the runoff volume difference between the pre-developed and post-developed 5 year- 1 hour storm event volume.

Erosion control measures will be provided in accordance with Carson City Development Standards and the Nevada Division of Environmental Protection " Handbook of Best Management Practices".

The proposed project will not increase the 5yr recurrence storm event runoff nor will it adversely impact the downstream improvements or properties.

TRAFFIC

Currently vehicular access from southbound US 395 is provided to Appion Way through a right turn only lane. Northbound US 395 is provided to Appion through a dedicated left turn lane. Eastbound Appion Way traffic is restricted to a right turn only onto 395.

The existing site includes two commercial style driveways. The north driveway is located on Appion Way, approximately 100 ft. west of US395. The west driveway is located approximately 50 ft. south of the intersection of Appion and Cochise.

The proposed project is to include ONE WAY access from the north drive and egress through the west driveway. The Owner anticipates an average daily traffic of approximately 150 trips per day. The site will be signed ONE WAY per City standards.

Due to the low volume of traffic on both Appion and Cochise, we do not anticipate stacking or access problems on Appion or Cochise.

Currently, a short section of sidewalk is located along the southwest radius of the Appion and 395 intersection. As part of this project, sidewalk is to be provided along Appion to Cochise and south along Cochise to the property boundary. An accessible ramp will be provided at the Appion and Cochise intersection.

WATER

An existing 8 inch PVC water main is located in Cochise Street immediately adjacent to the west side of the project site. An existing fire hydrant is located at the southeast corner of Cochise and Appion. Based on existing utility information provided by Carson City it appears the existing mainline extends the length of the subject parcel along Cochise and terminates with a flush valve assembly. Existing utility information also indicates there is an existing water service to the subject site.

The proposed commercial building is to include two lavatories, two water closets and one hose bib. Carson City typically provides comparable water use from existing records to the engineer for determination of daily and annual water demands. We have discussed this project with Mr. Tom Grundy of Carson City. Mr. Grundy has determined that the existing water mainline has sufficient capacity and pressure for this project and is in the process of providing comparable water demand information to HCE.

In the interim, we have estimated the peak and daily demands based on a total proposed fixture unit count. Our preliminary estimates indicate the project will require a peak domestic water demand of approximately 10 gpm and based on an estimated 25 gal/ day/ fixture unit, a daily demand of approximately 238 gal/day.

The proposed site is to include approximately 5900 sf of landscaping. Landscaping is to be provided per Carson City Development standards. Irrigation demands have been estimated per the Hunter Handbook of Irrigation. Based on a evapotranspiration rate of 0.34 inches/ day, an irrigation system efficiency of 0.80 and delivery schedule of 2 hrs/ day, we have estimated a peak irrigation demand of 11 gpm and a daily demand of approximately 1260 gal/ day.

Based on the very preliminary design estimates and mainline pressures, we would anticipate the project would require one 3/4 inch domestic and one 3/4 inch irrigation water services to be connected to the existing water service stubbed to the property.

SANITARY SEWER

An existing 8 inch PVC sewer mainline is located along Appion and a mainline follows a north-south alignment through the north side driveway, formerly Junction Drive. It appears a lateral connection to the Junction Drive alignment is feasible.

At this time we do not have information on the current tributary area to the sewer or information on the slope of pipe. However, if the existing sewer was constructed at a minimum slope of 0.4%, we would expect a one half full capacity of approximately 310 gpm. Based on our estimates of peak water demand of approximately 10 gpm, the potential increase in sewer flow would represent about 3% increase in sewer flow.

Again, we have discussed this project with Mr. Tom Grundy. Mr. Grundy is in the process of determining the capacity of the existing sewer system. Mr. Grundy initially indicated that the existing system probably had capacity for this project and will model the new project to confirm.

Respectfully,

Michael Burgoyne, P.E.