

Carson City Agenda Report

Date Submitted: September 18, 2015

Agenda Date Requested: October 1, 2015

Time Requested: 30 minutes

To: Mayor and Board of Supervisors

From: Community Development - Planning Division

Subject Title: For Possible Action: To consider an appeal of the Planning Commission's approval of a request from WSCC, Inc. (property owner: Sanbar) to amend a previously approved Special Use Permit for a Medical Marijuana Dispensary to increase the allowed wall signage from 15 square feet to 30 square feet on property zoned General Commercial (GC), located at 2765 Hwy 50 East, APN 008-312-12. (SUP-14-081(a)) (Susan Dorr Pansky, spansky@carson.org)

Staff Summary: On August 26, 2015 the Planning Commission reviewed and conditionally approved an increase in allowed wall signage for the Medical Marijuana Dispensary from 15 square feet to 30 square feet based on staff's recommendations. The applicant's original request was for an increase from 15 square feet of signage to 140 square feet of signage. Decisions of the Planning Commission may be appealed to the Board of Supervisors. An appeal of the Planning Commission's approval was filed by the applicant for consideration of the original signage increase to 140 square feet. The Board of Supervisors may uphold, modify or reverse the Planning Commission's decision.

Type of Action Requested:

☐ Resolution
☒ Formal Action/Motion

☐ Ordinance
☐ Other (Specify)

Does This Action Require A Business Impact Statement: () Yes (X) No

Planning Commission Action: Approved staff's recommended increase in signage associated with the Special Use Permit amendment on August 26, 2015 by a vote of 6 ayes, 0 nays and 1 absent.

Recommended Board Action: I move to deny the appeal and uphold the Planning Commission's approval of the request to amend the previously approved Special Use Permit (SUP-14-081(a)) for a Medical Marijuana Dispensary to allow for an increase in wall signage from 15 square feet to 30 square feet only, on property zoned General Commercial, located at 2765 Highway 50 East, APN 008-312-12 based on the findings and with the conditions of approval outlined in the staff report.

Explanation for Recommended Board Action: Please see the attached staff memo, letter from appellant and Planning Commission staff report for complete explanation.

Applicable Statute, Code, Policy, Rule or Regulation: CCMC 18.02.060 (Appeals), CCMC 18.02.080 (Special Use Permit), CC Development Standards 1.20 (Medical Marijuana Establishments), CC Development Standards 4.7.3 (Office Building Uses)

Fiscal Impact: N/A

Explanation of Impact: N/A

Funding Source: N/A



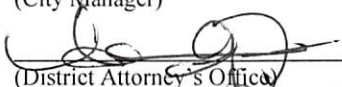
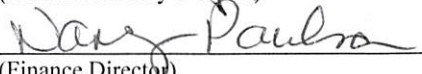
Alternatives:

- 1) Approve the appeal and modify the Planning Commission's approval to allow for 140 square feet of signage rather than 30 square feet of signage.
- 2) If additional information is submitted that the Board believes warrants further review and consideration, refer the matter back to the Planning Commission.

Supporting Material:

- 1) Staff Memo to Board of Supervisors
- 2) Appeal Letter from Mr. John Krmpotic, KLS Design
- 3) Planning Commission Case Record
- 4) August 26, 2015 Planning Commission Staff Report

Prepared By: Susan Dorr Pansky, Planning Manager

Reviewed By: 
 (Community Development Director)

 (City Manager)

 (District Attorney's Office)

 (Finance Director)

Date: 9-22-15

Date: 9/22/15

Date: 9/22/15

Date: 9/22/15

Board Action Taken:

Motion: _____

- 1) _____
- 2) _____

Aye/Nay

 (Vote Recorded By)



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

MEMORANDUM

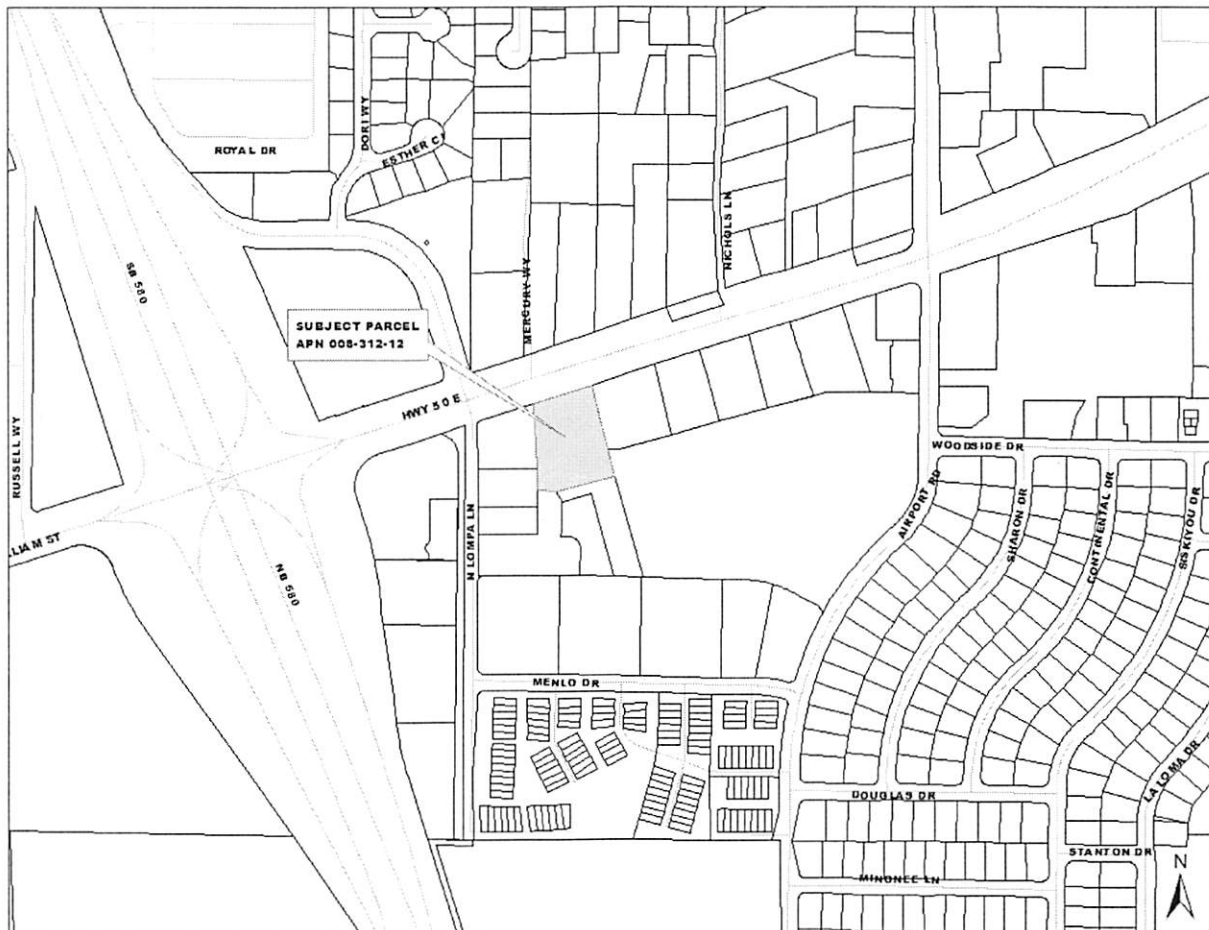
Board of Supervisors Meeting of October 1, 2015

TO: Board of Supervisors

FROM: Susan Dorr Pansky, AICP
Planning Manager

DATE: September 18, 2015

SUBJECT: MISC-15-088 – Appeal of the Planning Commission's approval of a request from WSCC, Inc. (property owner: Sanbar) to amend a previously approved Special Use Permit for a Medical Marijuana Dispensary to increase the allowed wall signage from 15 square feet to 30 square feet on property zoned General Commercial (GC), located at 2765 Hwy 50 East, APN 008-312-12. (SUP-14-081(a))



DISCUSSION

On August 26, 2015, the Planning Commission reviewed a request from WSCC, Inc. to modify their previously approved Special Use Permit for a Medical Marijuana Dispensary (SUP-14-081), to allow for an increase in wall signage from 15 square feet to 140 square feet. The Planning Commission did not approve the applicant's request for 140 square feet, but instead approved 30 square feet as recommended by staff.

As outlined in the staff report from the Planning Commission meeting, staff's recommendation for 30 square feet instead of 15 square feet was based on two key points:

1. The Development Standards for signage for a Medical Marijuana Establishment (MME) shall follow the sign regulations for Office Uses to maintain consistency with Senate Bill 374's requirements that MMEs have professional, orderly and dignified appearances consistent with the traditional style of pharmacies and offices. Office Uses allow 15 square feet of signage per street frontage.
2. Because the subject property is located at the corner of a shopping center, it has two building faces – one with frontage on U.S. Highway 50, and the other with frontage to the parking lot. While the signage allowance in Office Uses specifically states 15 square feet per street frontage, staff felt it was appropriate to allow the applicant 30 square feet so that they could effectively use both building faces for signage if they desired.

In his appeal letter received by the Planning Division on September 2, 2015, the appellant states that the Development Standards adopted for signage related to Medical Marijuana Establishments is punitive for the use in the applicant's proposed location based on the following argument:

The MME Dispensary must be located in a General Commercial zone, but it is treated as office with respect to allowed signage. It appears the rationale for capping signage at 15 square feet is the reference to keeping this use discreet, professional, dignified and orderly like an office building or pharmacy. There is no indication of office or pharmacy environment at this location or any practical way or purpose in creating such an environment there. This is a retail use in a shopping center amongst many other intense retail/highway commercial uses in the area. It includes tasteful discreet signage as proposed. The applicant is requesting that the sign code should treat their retail use similar to those around then. They are requesting advertising for a retail use but are willing to accept 1/3rd of the allowed retail signage.

The applicant asserts the section of code may have been written for a MME Dispensary located in an office or pharmaceutical environment where the proposed sign would be out of character by "standing out" and not compatible with their surroundings.

It is true that MME Dispensaries must be located in the General Commercial zoning district but are required to adhere to the signage requirements for Office Uses. The Office Use signage requirement was very deliberately selected by staff and subsequently adopted by the Board of Supervisors to ensure that the discreet nature of these facilities outlined in Senate Bill 374 is complied with. The fact that the Dispensary is located in the General Commercial zoning district is not relevant to the allowance of signage, as the Carson City sign code dictates the allowed signage by use, not by zoning district. As stated in the staff report, if this discussion were

related to a medical office located in the General Commercial zoning district, the signage allowance would be the same as what is allowed for the Dispensary.

The appellant states that the Dispensary is a retail use like the other uses in subject shopping center and surrounding vicinity, and should be treated the same way for purposes of signage. Staff does not agree with this statement for the following reasons:

1. When Senate Bill 374 was passed, and when the Board of Supervisors enacted zoning to allow MMEs in Carson City, it was very clearly stated by proponents of the medical marijuana use that it was similar to offices and pharmacies. This is why legislation at both the state and local level contains requirements that the MMEs have appearances “consistent with the traditional style of pharmacies and medical offices.”
2. Patrons of the proposed Dispensary are required to have a Medical Marijuana Registration Card to shop there. The Dispensary is not a service that any customer can use, making it unnecessary for signage comparable to a typical retail use.

Finally, the appellant states that perhaps the code may have been written for a MME Dispensary located in an office of pharmaceutical environment where the proposed sign would be out of character. This is not the case, as Dispensaries are only allowed in the General Commercial zoning district which allows nearly all commercial uses, versus zoning districts such as Residential Office, General Office or Neighborhood Business, where intense commercial uses would, in fact, be out of character.

Staff recommends that the Board of Supervisors uphold the Planning Commission’s approval of 30 square feet of signage.

If you have any questions, please contact Susan Dorr Pansky at 283-7076 or spansky@carson.org. Thank you.

Attachments:

- 1) Appeal Letter from Mr. John Krmpotic, KLS Planning and Design
- 2) Planning Commission Case Record
- 3) August 26, 2015 Planning Commission Staff Report



1135.06

Revised September 2, 2015

Lee Plemel, AICP
Community Development Director
Carson City Planning Division
108 E Proctor Street
Carson City, NV 89701

Re: Appeal of Planning Commission Decision – Case SUP-14-081 (a)

Dear Mr. Plemel,

Following is the appeal of the Carson City Planning Commission decision of August 26, 2015 to deny the request for additional signage at this location.

Aspect of the decision that is being appealed:

Findings for a Special Use Permit (18.02.080) include 7 findings. Staff included the following Alternative Finding for Denial:

- 1. The proposed amended Special Use Permit will be detrimental to the use, peaceful enjoyment, economic value or development of the general neighborhood because the requested amount of signage is excessive for the use it is intended to advertise.*

The applicant is appealing finding #1 above per the following applicant statement that the code is punitive (unintentionally) for this use at this location:

The MME Dispensary must be located in a General Commercial zone, but it is treated as office with respect to allowed signage. It appears the rationale for capping signage at 15 square feet is the reference to keeping this use discreet, professional, dignified, and orderly like an office building or pharmacy. There is no indication of office or pharmacy environment at this location or any practical way or purpose in creating such an environment here. This is a retail use in a shopping center amongst many other intense retail/ highway commercial uses in the area. It includes tasteful discreet signage as proposed. The applicant is requesting that the sign code should treat their retail use similar to those around them. They are requesting advertising for a retail use but willing to accept 1/3rd of the allowed retail signage.

The applicant asserts the section of code may have been written for a MME Dispensary located in an office or pharmaceutical environment where the proposed sign would be out of character by "standing out" and not compatible with their surroundings.

Based on the appeal statement, the applicant suggested amendment to Finding #1 is revised

below to read:

1. *The proposed amended Special Use Permit will be **not** detrimental to the use, peaceful enjoyment, economic value or development of the general neighborhood because the requested amount of signage is **appropriate** ~~excessive~~ for the use it is intended to advertise.*

Applicant information:

WSSC Inc. dba Sierra Wellness Connection
c/o Deane Albright
1025 Ridgeview Drive, #300
Reno, NV 89519
deane@albrightcpas.com
Applicant Contact: John F. Krmpotic, AICP

Please let me know if you need any additional information. Thank you and we look forward to Board of Supervisors meeting of September 17, 2015.

Sincerely,



John F. Krmpotic, AICP
President

Cc: Deane Albright, WSSC, Inc

CARSON CITY PLANNING COMMISSION

CASE RECORD

MEETING DATE: August 26, 2015

AGENDA ITEM NO.: F-4

APPLICANT(s) NAME: WSCC, Inc.

FILE NO. SUP-14-081(a)

PROPERTY OWNER(s): Sanbar

ASSESSOR PARCEL NO(s): 008-312-12

ADDRESS: 2765 Hwy 50 East

APPLICANT'S REQUEST: For Possible Action: To consider a request for a Special Use Permit to increase the allowed wall signage from 15 square feet to 140 square feet, on property zoned General Commercial (GC)

COMMISSIONERS PRESENT: ☐ CASTRO ☒ ESSWEIN ☒ SATTLER

☒ GREEN

☒ SALERNO

☒ OWEN

☒ MONROY

STAFF REPORT PRESENTED BY: Susan Dorr Pansky

☒ REPORT ATTACHED

STAFF RECOMMENDATION: ☒ CONDITIONAL APPROVAL for 30 sf only

APPLICANT REPRESENTED BY: John Krmpotic, KLS Planning & Design Group

 X APPLICANT/AGENT WAS and PRESENT AND SPOKE

APPLICANT/AGENT INDICATED THAT HE/SHE HAS READ THE STAFF REPORT, AGREES AND UNDERSTANDS THE FINDINGS, RECOMMENDATIONS, AND CONDITIONS, AND AGREES TO CONFORM TO THE REQUIREMENTS THEREOF.

 PERSONS SPOKE IN FAVOR OF THE PROPOSAL

 X PERSONS SPOKE IN OPPOSITION OF THE PROPOSAL

DISCUSSION, NOTES, COMMENTS FOR THE RECORD:

- Sattler – signage is supposed to be low key
- Owens – size of sign become advertisement
- Salerno – size of 15 sf is large enough for the two sides
- Esswein – you have to restrict people coming in so I would think you want to limit the advertisement to restrict passers by
- John Krmpotic, applicant does not agree with staff recommendation of reduced sign area. Proposed sign would be consistent with other commercial signs in GC zoning district.
- Jim Benson (Benson Feed Store) – access Hwy 50 E. Opposed to bigger sign. People are going to have a card to come to the facility.
- Monroy – the dispensaries has been presented as medical offices so signage at 30 sf is appropriate

APPEAL PROCESS MENTIONED AS PART OF THE RECORD

MOTION WAS MADE TO APPROVE WITH THE FINDINGS AND CONDITIONS AS ENUMERATED ON THE STAFF REPORT for 30 square feet only

MOVED: Green SECOND: Owens PASSED: 6 /AYE 0 /NO 0 /ABSTAIN 1 /ABSENT

STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF AUGUST 26, 2015

FILE NO.: SUP-14-081(a)

AGENDA ITEM: F-4

STAFF AUTHOR: Susan Dorr Pansky, AICP
Planning Manager

REQUEST: To consider a request to modify a previously approved Special Use Permit for a Medical Marijuana Dispensary from WSCC, Inc. (property owner: Sanbar) to increase the allowed wall signage from 15 square feet to 140 square feet on property zoned General Commercial (GC), located at 2765 Highway 50 East, Suite A, APN 008-312-12.

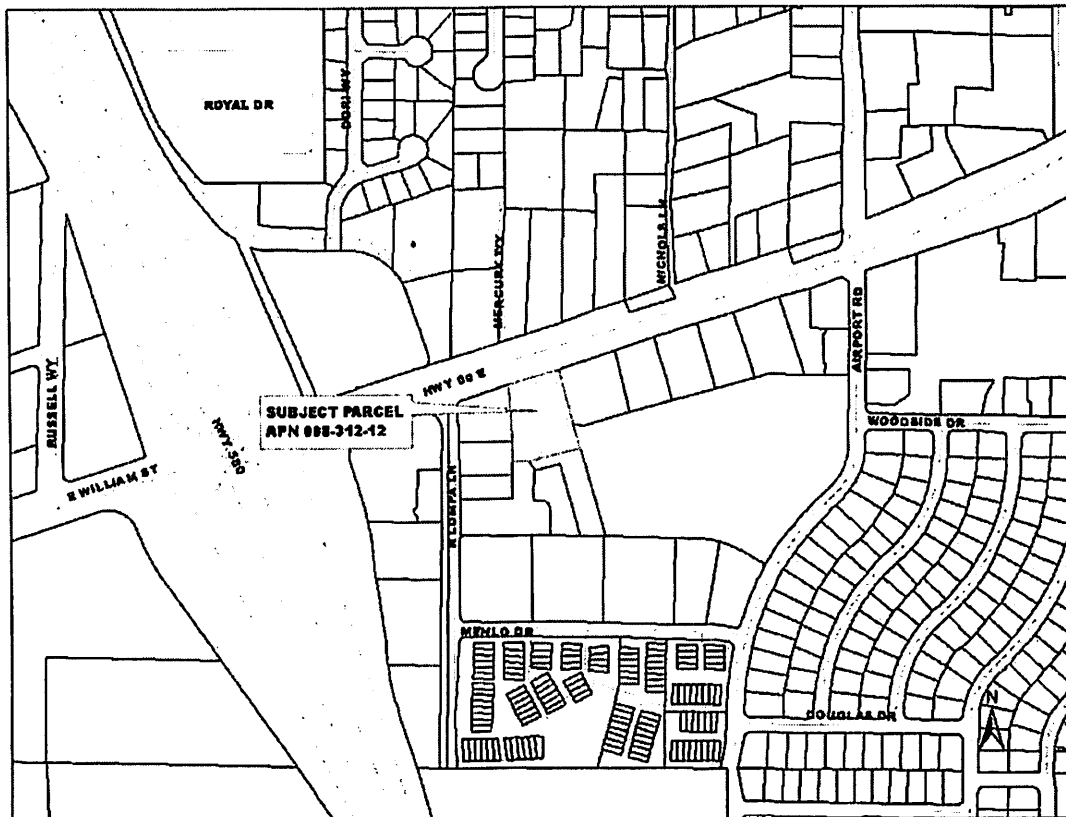
APPLICANT: WSCC, Inc.

OWNER: Sanbar

LOCATION: 2765 Highway 50 East, Suite A

APN: 008-312-12

RECOMMENDED MOTION: "I move to approve a request to modify a previously approved Special Use Permit for a Medical Marijuana Dispensary from WSCC, Inc. (property owner: Sanbar) to increase the allowed wall signage from 15 square feet to 30 square feet on property zoned General Commercial, located at 2765 Highway 50 East, Suite A, APN 008-312-12 based on the findings and subject to the conditions or approval contained in the staff report."



RECOMMENDED CONDITIONS OF APPROVAL:

The following conditions include previously approved conditions of approval for SUP-14-081, as approved by the Planning Commission on October 29, 2014, as well as new and/or revised conditions associated with the revised amendment request. **Bold, underlined text is added, [stricken] text is deleted.**

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 will ~~[may]~~ be required ~~[depending on the nature of]~~ for the proposed signage. All signage shall conform to Division 1.20 and Division 4 of the Carson City Development Standards, as applicable. **An increase in signage square footage from 15 square feet to 30 square feet is approved as a part of this Special Use Permit.**

10. The proposed metal security grilles over the windows and doors shall be reviewed and approved by the Planning Division prior to installation. The grilles shall be made to blend with the exterior building in both color and aesthetic.
11. The applicant shall install parking lot lighting in the landscape area to the north of the building and install exterior building lighting at the dispensary tenant space. This lighting shall be in compliance with Division 1 of the Carson City Development Standards.
12. The applicant shall re-stripe all existing parking spaces in the shopping center lot.

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

13. 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.
14. The applicant shall submit complete tenant improvement plans for the proposed project to allow for review of building and accessibility code requirements.
15. 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:

16. 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.
17. 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.
18. 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.
19. 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.
20. Outdoor display and sales of medical marijuana merchandise is prohibited.
21. Medical marijuana products shall not be visible from outside the dispensary at any time.
22. 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: Mixed-Use Commercial (MUC)

PRESENT ZONING: General Commercial (GC)

KEY ISSUES: Is the proposed increase in signage appropriate for the medical marijuana dispensary use and will it be considered keeping with the standards of the Carson City Municipal Code?

SURROUNDING ZONING AND LAND USE INFORMATION:

- EAST: General Commercial/Commercial and Multi-Family Residential Uses
- WEST: General Commercial/Commercial Uses
- NORTH: General Commercial/Commercial Uses
- SOUTH: General Commercial/Multi-Family Residential and Vacant Parcels

ENVIRONMENTAL INFORMATION:

- FLOOD ZONE: X Shaded Zone (areas of minimal flooding)
- EARTHQUAKE FAULT: Zone I
- SLOPE/DRAINAGE: Site has been previously developed and is primarily flat

SITE DEVELOPMENT INFORMATION:

- LOT SIZE: 1.21 acres
- EXISTING STRUCTURE SIZE: 12,322 square feet, 2,450 square feet for tenant space
- EXISTING PARKING: 48 spaces
- SETBACKS: N/A – Existing Building
- VARIANCES REQUESTED: None

PREVIOUS REVIEWS:

- SUP-14-081 – Planning Commission approval for a medical marijuana dispensary

DISCUSSION:

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.

On October 29, 2014, the Planning Commission approved the applicant's Special Use Permit for a medical marijuana dispensary with the specific conditions of approval listed in this staff report. At that time, the applicant did not have information on their signage ready to present with the application. As a result, staff recommended a condition of approval that signage would need to be provided to the Planning Division for review and approval and that a separate Sign Permit

may be necessary depending on the nature of the signage proposed by the applicant. The applicant now has information on the signage desired, and is requesting two signs that are seven feet by 10 feet for a total of 70 square feet per sign, and a total of 140 square feet for the facility.

The proposed signage exceeds the maximum allowable signage established with the Medical Marijuana Establishment development standards. Therefore, a Special Use Permit is required. In this case, because a Special Use Permit already exists for the dispensary, a request to modify the existing Special Use Permit is appropriate.

In keeping with SB 374's requirements that Medical Marijuana Establishments maintain professional, orderly, and dignified appearances consistent with the traditional style of pharmacies and medical offices, the Board of Supervisors adopted signage requirements as follows:

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 shall be limited to 10 feet consistent with sign height requirements for industrial uses.

Signage for Office Uses, as outlined in the Development Standards, Section 4.7.3, is limited to one square foot for each lineal foot of building frontage not to exceed a maximum of 15 feet per street frontage. This is significantly less than the applicant's proposal for 140 square feet of signage. Below, staff will outline the applicant's rationale for the requested increase and provide discussion regarding the basis for the request.

- a) ***Dominance of General Commercial zoning and sign standards.*** *Many of the surrounding uses in this large geographic area are permitted with the shopping center sign standards which are roughly 4.5 times more than allowed for a MME dispensary. This puts Sierra Wellness at a distinct disadvantage for exposure to vehicle traffic based on signage. They are requesting only about 1/3 of the sign coverage allowed for a shopping center use in this zoning district. This site, building, and area are retail/commercial in nature, but the sign allowance is treated as an office park.*

While staff recognizes that the dispensary is located in a General Commercial zoning district, it is important to understand that the location of a use in the General Commercial zoning district doesn't necessarily dictate the amount of signage it is allowed. Medical Marijuana Establishments have been represented at the State and local level as a medical service, making signage that is consistent with medical offices appropriate. A medical office located in the General Commercial zoning district would be allowed the same amount of signage as the dispensary. Staff deliberately selected the office signage allowance for Medical Marijuana Establishments because the community is sensitive to the introduction of the medical marijuana use in general, which prompted staff to put standards in place to ensure that the establishments be relatively inconspicuous.

- b) ***Dignified appearance of the building and signs.*** *Per the Carson City development standards for Medical Marijuana Establishments, the facility will have an appearance which is professional, orderly, dignified, and consistent with the traditional style of pharmacies and medical offices. This building is not a standalone pharmacy or medical office and there is no ability to retrofit the exterior to make it appear as such. So, the emphasis on traditional style of a building for this use will be accomplished for the interior*

but is not germane to the exterior of this site. This proposed signage still respects the MME standard as there is no indication of medical marijuana in the name of the business or the appearance of the sign.

In the original approval for this dispensary, staff and the Planning Commission found that the exterior of the building, with the improvements proposed by the applicant, met the intent of a professional, orderly, dignified building consistent with the traditional style of pharmacies and medical offices. A retrofit of the building is not necessary to accomplish this. Staff does not believe that the proposed signage increase meets the intent to be consistent with medical offices and pharmacies.

- c) ***High Speeds on Highway 50 in the vicinity of the site (45 m.p.h. speed zone). Large signs are more readable given the higher speeds on the highway. Speeds on a high volume/high speed major highway are not in alignment with these overly restrictive and arbitrary sign standards.***

Staff recognizes that visible signage is necessary for potential customers to locate the dispensary. However, staff does not believe that the dispensary will be subject to a large amount of drive-by traffic arbitrarily stopping because they see the signage. The dispensary will likely be a specific destination for most customers, as only those with medical marijuana registration cards may visit the facility.

- d) ***Arbitrary nature of sign allowance based on office when the use and site is in face retail/shopping center. Since the use is allowed in this zoning district, it is reasonable to adopt zoning standards in alignment with that use, including signage. A multi-tenant commercial building need presence that is somewhat enhanced with wall signage on a major transportation corridor.***

Staff does not consider the signage allowance for Medical Marijuana Establishments to be arbitrary. It is consistent with medical office uses, which would have the same requirements if they were located in the General Commercial zoning district. Staff believes that an additional 15 square feet of signage is warranted because the dispensary is located at the end of a shopping center and could be interpreted to have two street frontages. This is in addition to available space on the existing freestanding sign that staff assumes the applicant will also use. A total of 30 square feet is more than adequate for the proposed dispensary.

Staff finds that the proposed increase of signage does not meet the intent of the applicable development standards for Medical Marijuana Establishments. Medical Marijuana Establishments were represented at the State and local level to function like medical offices and pharmacies, with the intent of being relatively inconspicuous. While staff recognizes the need for the dispensary to have signage that will alert customers to their presence, staff does not believe excessively large signage is necessary. Staff recommends that the Planning Commission approve SUP-14-081(a) for an additional 15 square feet of signage only, for a total of 30 square feet, as it is a more appropriate increase for the dispensary use. The 30 square feet may be used completely on one side of the facility, or be split between the two sides of the building.

PUBLIC COMMENTS: Public notices were mailed to 45 adjacent property owners within 300 feet of the subject site on August 11, 2015. As of the writing of this report, no comments have been received in favor or opposition to the proposed project. Any comments that are received after this report is completed will be submitted to the Planning Commission prior to or at the

meeting on August 26, 2015, 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:

1. Signs require Building Permits.
2. All projects and improvements must be performed in accordance with Nevada Revised Statutes (NRS) 623 and 624 and Carson City Municipal Code (CCMC) 15.05.020.
3. All repairs, replacements and alterations must have proper Building Permits and comply with International Building Codes, Uniform Plumbing Code, Uniform Mechanical Code or International Mechanical Code, Fuel Gas Code, Electrical Code, Adopted International Energy Conservation Code and Northern Nevada Amendments.
4. All contractors are required to carry State and local license.

Fire Department:

No comments.

Engineering Division:

No comments.

Health and Human Services:

No comments.

Environmental Control Authority:

No comments.

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.**

The Master Plan is neutral as it relates to this particular signage issue. There is no specific goal or policy that staff can tie this request to that makes it consistent with the master plan elements, nor can staff identify a specific goal or policy that makes the request inconsistent with the master plan elements.

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 increase in signage recommended by staff will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood. While the proposed increase is not consistent with the maximum allowed size for commercial uses typically allowed in the area, it is comparable in size to the existing signage for the center.

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

The proposed increase in signage will have no 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.**

An increase in signage has no impact on public services and facilities.

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.**

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 the increase in signage for the dispensary recommended by staff.

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

The proposed signage increase recommended by staff will not be detrimental to the public health, safety, convenience or welfare. It is consistent with an office use that has two street frontages, and meets the intent of the development standards for Medical Marijuana Establishments, but is still under the allowed square footage for commercial uses.

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

The increase in signage proposed by staff is over the allowed square footage for office uses, as identified in the Medical Marijuana Establishments, but less than the allowed square footage for commercial uses. It is not anticipated to result in material damage or prejudice to other property in the vicinity.

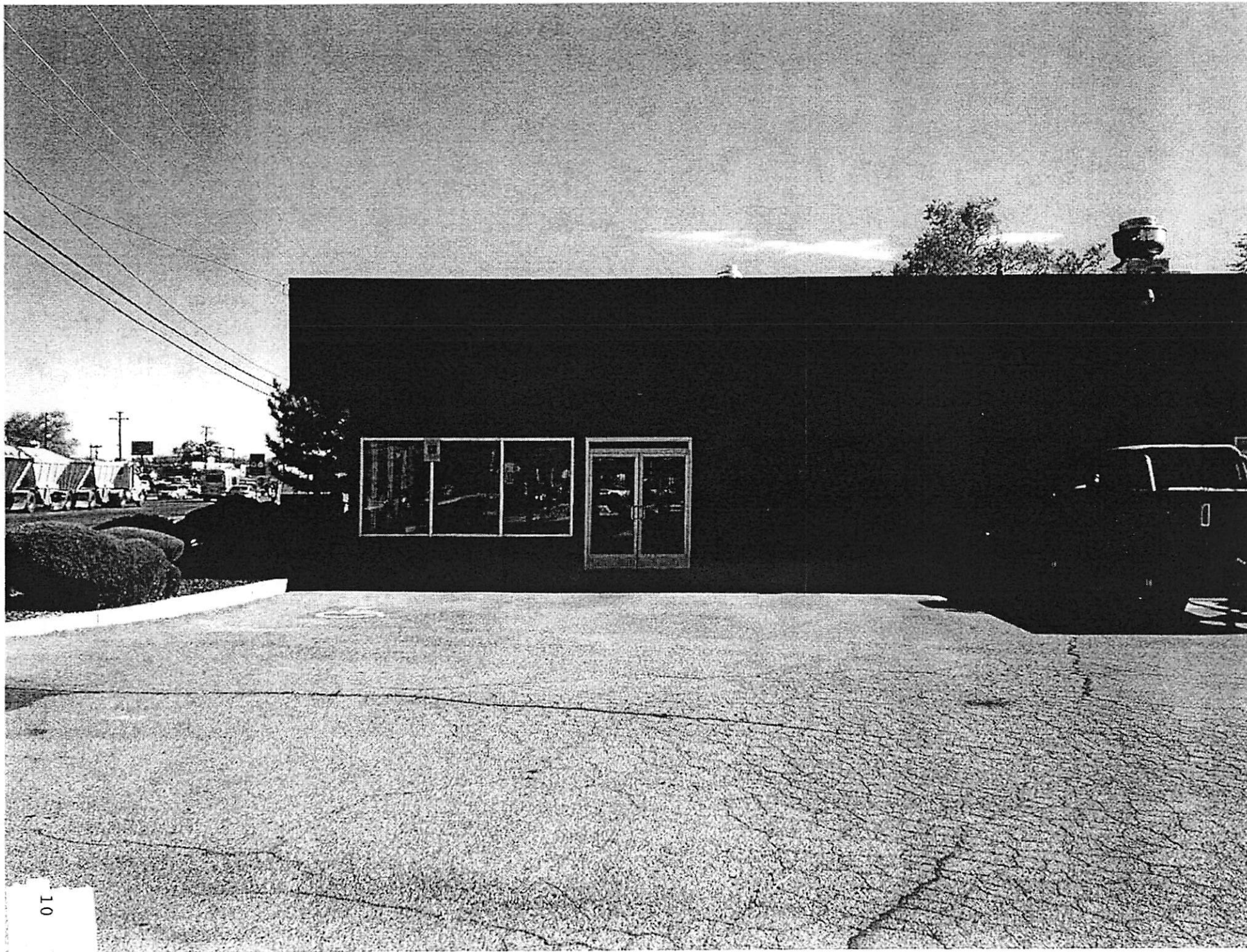
ALTERNATIVE MOTION FOR DENIAL: "I move to deny a request to modify a previously approved Special Use Permit for a Medical Marijuana Dispensary from WSCC, Inc. (property owner: Sanbar) to increase the allowed wall signage from 15 square feet to 140 square feet on property zoned General Commercial, located at 2765 Highway 50 East, Suite A, APN 008-312-12 based on the findings and subject to the conditions of approval contained in the staff report."

ALTERNATIVE FINDINGS FOR DENIAL: If the Planning Commission votes to deny the application based upon the inability to meet all of the findings as required by Carson City Municipal Code (CCMC) Sections 18.02.080 (Special Use Permits), staff recommends the following finding for denial.

1. *The proposed amended Special Use Permit will be detrimental to the use, peaceful enjoyment, economic value or development of the general neighborhood because the requested amount of signage is excessive for the use it is intended to advertise.*

Attachments:

Site Photos
Staff Comments
Application (SUP-14-081(a))

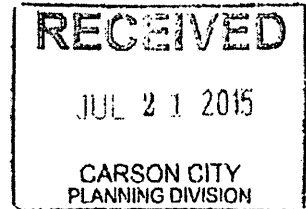






July 21, 2015

SUP-14-081:
(A)



1. Signs would require building permits.
2. All projects and improvements must be performed in accordance with Nevada State Revised Statute (NRS) 623 & 624 and Carson City Municipal Code (CCMC) 15.05.020.
3. All Repairs, Replacement, and Alterations must have proper building permits and comply with International Building Codes, Uniform Plumbing Code, Uniform Mechanical Code or International Mechanical code, Fuel Gas Code, Electrical Code, Adopted International Energy Conservation Code, and Northern Nevada Amendments.
4. All Contractors are required to carry State and local license.

Shawn Keating

Chief Building Official
Carson City Community Development
108 E. Proctor Street
Carson City, NV 89701

Main 775-887-2310
FAX 775-887-2202

July 23, 2015

Fire has no comment for SUP-14-081(A)

Dave Ruben

Fire Marshal

Carson City Fire Department

777 S. Stewart Street

Carson City, NV 89701

Direct 775-283-7153

Main 775-887-2210

FAX 775-887-2209

RECEIVED

JUL 23 2015

**CARSON CITY
PLANNING DIVISION**

**Engineering Division
Planning Commission Report
File Number SUP 14-081A**

TO: Planning Commission

FROM Rory Hogen, E.I.

DATE: August 3, 2015

MEETING DATE: August 26, 2015

SUBJECT TITLE:

Action to consider an application for a Special Use Permit from WSCC, Inc to establish a Medical Marijuana Dispensary Site at 2765 US Hwy 50 E, apn 08-312-02.

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.

Susan Dorr Pansky

From: Dustin Boothe
Sent: Friday, August 07, 2015 3:12 PM
To: Susan Dorr Pansky
Subject: PC 8-26-15 comments

Susan:

SUP-15-063

Health and Human Services
No concerns

SUP-15-065

Health and Human Services
Plans will need to be submitted for review prior to construction of the classroom addition and playground relocation.

SUP 14-081

Health and Human Services
No concerns

SUP-15-066

Health and Human Services
No concerns

VAR-15-067

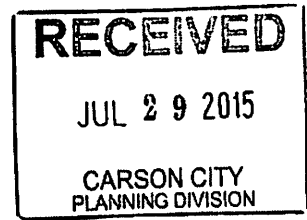
Health and Human Services
No concerns

TPUD-15-069

Health and Human Services
No concerns

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

dboothe@carson.org



July 29, 2015

Major Project Review Committee

Re: # SUP – 14 - 081

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 -081 @ 2765 Hwy 50 East request:

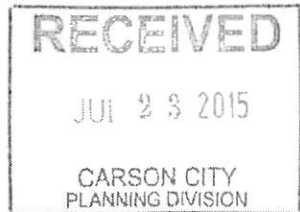
1. ECA has no requirements for this project.

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



Sierra Wellness Connection

1. SUP - 14 - 081(2)

Application to Carson City for:

Modification of a Special Use Permit

Prepared by:

**KLS Planning & Design Group
9480 Double Diamond Parkway, Suite 299
Reno, Nevada 89521**



Prepared for:

**WSSC Inc. dba Sierra Wellness Connection
c/o Deane Albright
1025 Ridgeview Drive, #300
Reno, NV 89519
deane@albrightcpas.com**

July 16, 2015

Table of Contents

Project Request.....1
Property Location1
Sign Request Rationale3
Other Operational & Zoning Items3
 Business Operation.....3
 Employees/Hours of Operation.....3
 Parking4
 Access4
 Residential Adjacency.....4
Environmental Impacts4

List of Figures

Figure 1 - Vicinity Map1
Figure 2 - Existing Site Plan2
Figure 3 - Master Plan5
Figure 4 - Zoning Map6
Figure 5 - Floor Plan7

Appendix

- Proposed Sign Package
Carson City SUP application
- Special Use Permit Application/Owner Affidavit
 - Letter of support from Property owner
 - Site Plan Checklist
 - SUP application questionnaire
 - Acknowledgement of Applicant
 - Site Plan

Project Request - This application is for a Modification of an approved SUP-14-081 to:

- a) Allow an increase in the signage for a single tenant in a building located at 2765 U.S. Highway 50E in the Carson City, Nevada. SUP-14-081 was approved on 10/29/14 subject to several conditions. Condition #9 requires that signage shall conform to Division 1.20 and Division 4 of the Development Standard that regulate signs.
- b) Allow wall signs on two sides of the building (north & west elevations) that total 140 square feet of sign area (70 square feet per sign per elevation).

Property Location

The site is located on Highway 50 East on one parcel of 1.21 acres which is APN 008-312-12.

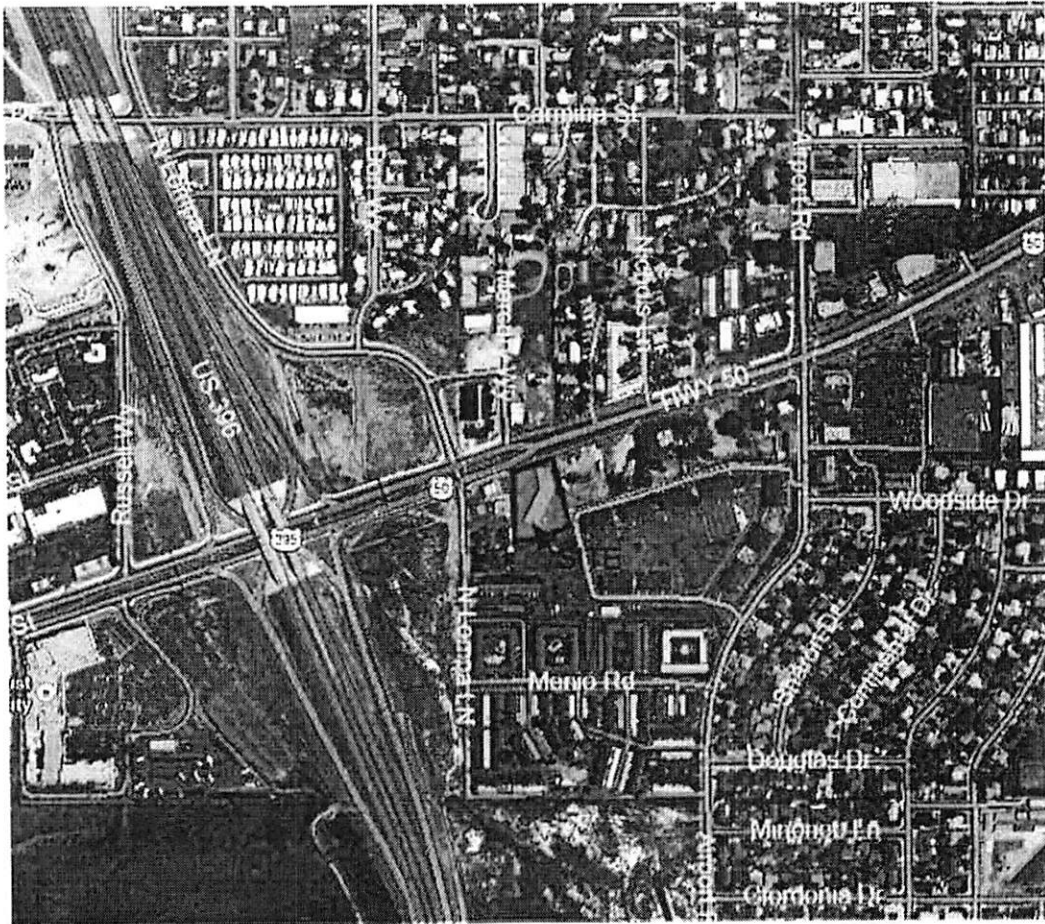


Figure 1 – Vicinity Map

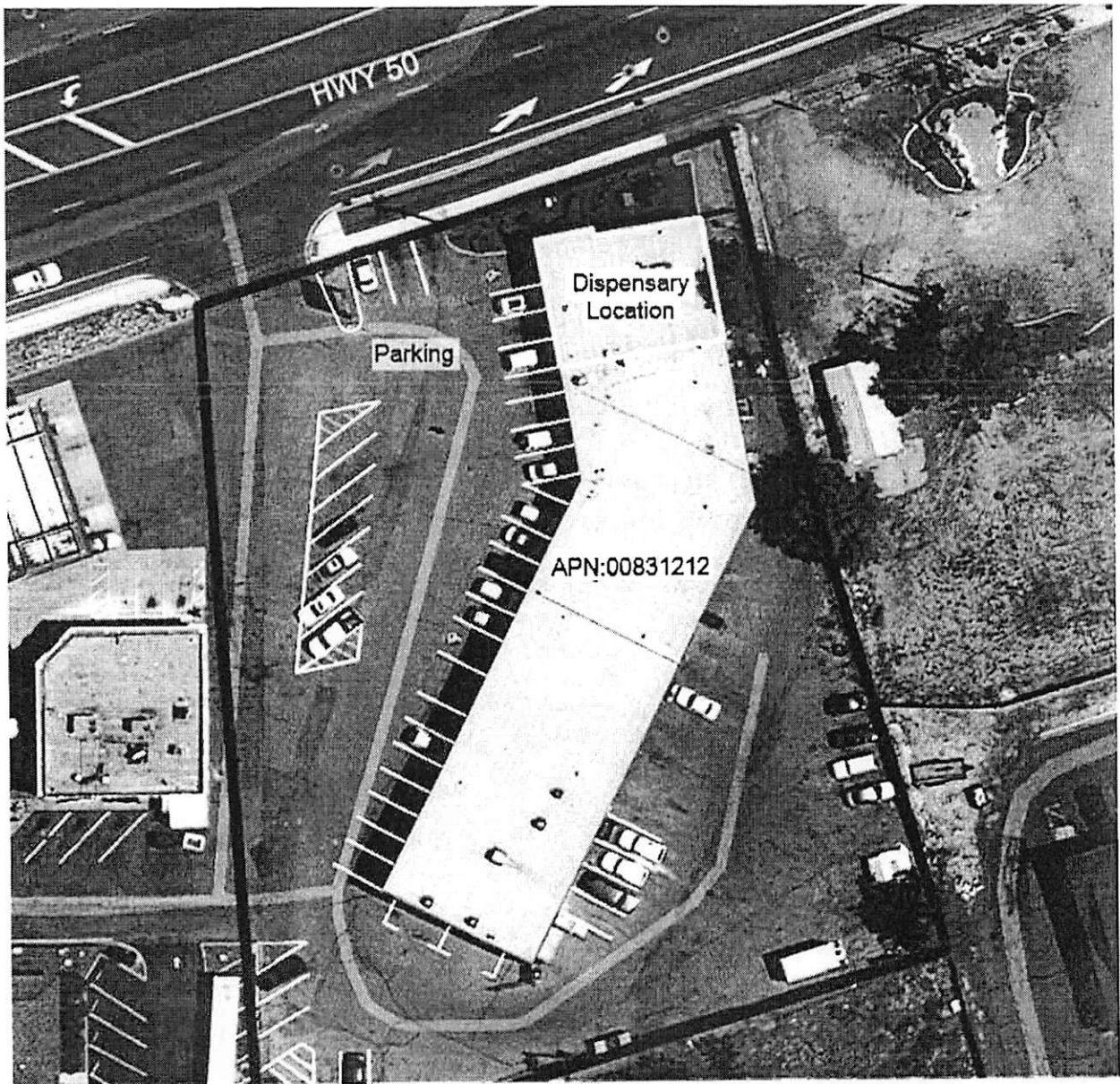


Figure 2 - Existing Site Plan

Sign Request Rationale:

Sierra Wellness is basing their request of the following items:

- a) **Dominance of General Commercial zoning and sign standards.** Many of the surrounding uses in this large geographic area are permitted the shopping center sign standards which are roughly 4.5 times more than allowed for a MME Dispensary. This puts Sierra Wellness at a distinct disadvantage for exposure to vehicle traffic based on signage. They are requesting only about 1/3rd of the sign coverage allowed for a shopping center use in this zoning district. This site, building, and area are retail/commercial in nature, but the sign allowance is treated as an office park.
- b) **Dignified appearance of the building & signs.** Per the Carson City development standards for Medical Marijuana Establishments, the facility will have an appearance which is professional, orderly, dignified, and consistent with the traditional style of pharmacies and medical offices. This building is not a standalone pharmacy or medical office and there is no ability to retrofit the exterior to make it appear as such. So, the emphasis on traditional style of a building for this use will be accomplished for the interior but is not germane to the exterior of this site. This proposed signage still respects the MME standard as there is no indication of medical marijuana in the name of the business or the appearance of the sign.
- c) **High Speeds on Highway 50** in the vicinity of the site (45 m.p.h. speed zone). Large signs are more readable given the higher speeds on the highway. Speeds on a high volume/high speed major highway are not in alignment with these overly restrictive and arbitrary sign standards.
- d) **Arbitrary nature of sign allowance** based on office when the use and site is in fact retail/shopping center. Since the use is allowed in this zoning district, it is reasonable to adopt zoning standards in alignment with that use, including signage. A multi-tenant commercial building needs presence that is somewhat enhanced with wall signage on a major transportation corridor

Other Operational & Zoning Items

The following were zoning items evaluated for zoning compliance:

Business Operation – Sierra Wellness Connection will operate as a tenant in a multi-tenant building, of 12,300 square feet. WSCC will occupy the 1st tenant space at the north end of the building which is 2,450 square feet. Basic elements of the dispensary operation include retail area, lobby, security, training, vault, storage, and restrooms. It is expected to be a low intensity operation in terms of parking, traffic volume, and activity.

Employees/Hours of Operation - There will a total of 4 to 5 full time employees working at the location. The applicant understands that the hours of operation will be established pursuant to a performance contract to be executed with the city of Carson City.

Parking – Parking code for medical marijuana is parked at the commercial rate of 1 space per 300 square feet (9 spaces required) per Title 18, Division 2 section of city code which includes retail. The remainder of the building is programmed at the Shopping Center parking rate (including repair shops, 2nd hand stores, etc.) of 1 space per 250 square feet for 9,872 square feet. So, parking required is about 50 spaces. All of the spaces are shared in the parking lot for this multi-tenant building and will meet code parking standards. Shared parking is managed in lease agreements and with a shared parking easement. This includes all parking demand assuming full occupancy of the building. There are roughly 48 parking spaces on site that serve this building.

Access – There is good vehicle access to the building with primary access from Highway 50 and another indirect access from Lompa Lane to the west. Also, the arrangement of parking is very convenient for medical customers with parking near the entry and front of the building, including two accessible spaces.

Residential Adjacency- A MME use is not allowed adjacent to residentially zoned property. Per the city zoning map in Figure 4, there is General Commercial (GC) zoning surrounding the site in all directions. This is the only zoning designation within the broad vicinity of the property. There is no residential property adjacent to the site.

Environmental Impacts

The environmental impacts expected from this operation are typical of commercial and retail uses. There will be customers parking, walking, and shopping in this area known for conventional retail and/or commercial use. More customers using the center may better serve the viability of the center. The ease of access to the center along with good parking will be a service for customers as well. Medical Marijuana remnants, infused products, bi-products, and other waste material will be rendered unusable before disposal, and will not be placed within the facility's exterior refuse containers. These materials will be disposed of in a safe, sanitary and secure manner approved by regulating agencies including Community Development division, Carson Sheriff Department, and the Carson City Health District.

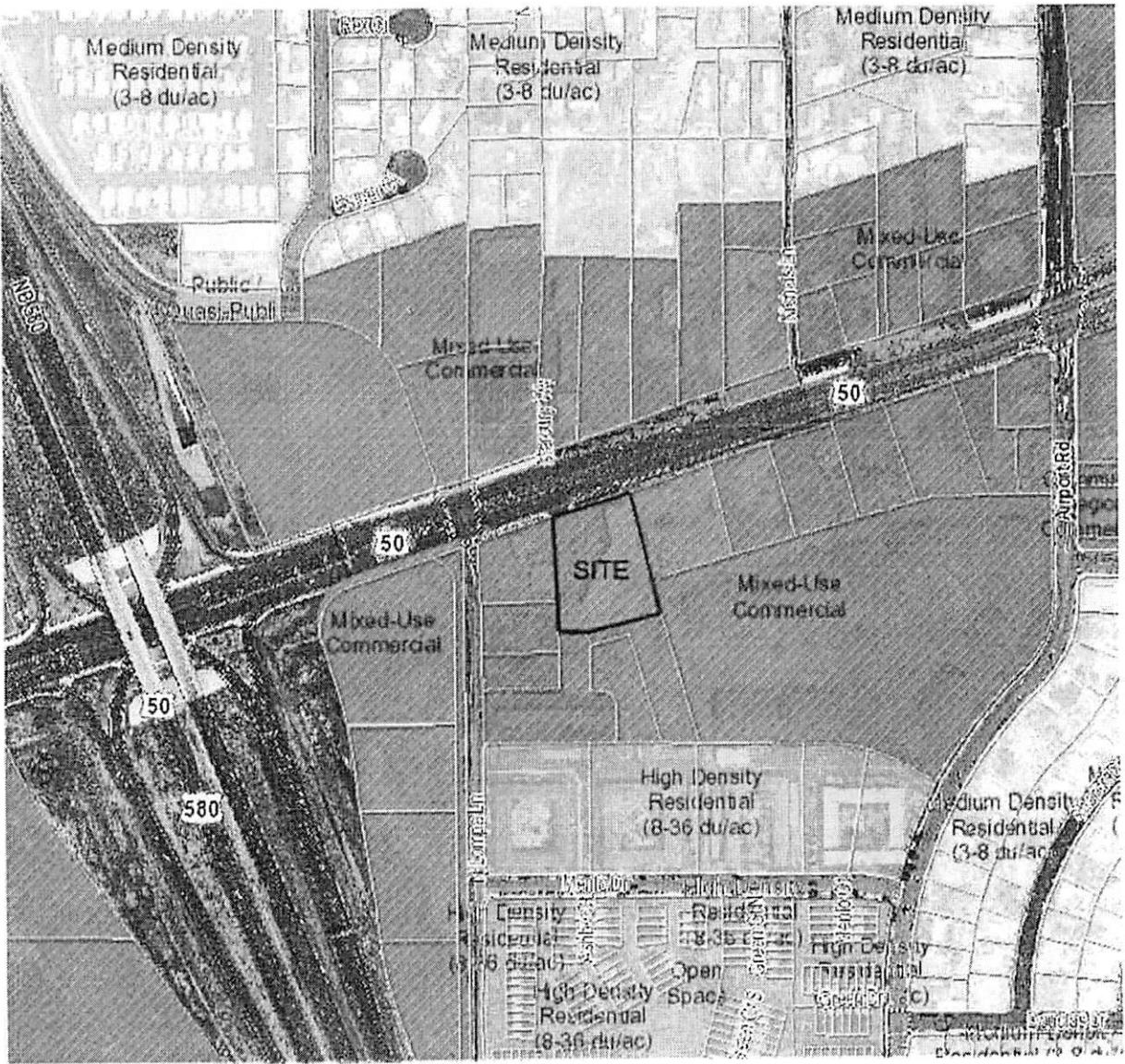


Figure 3 - Master Plan

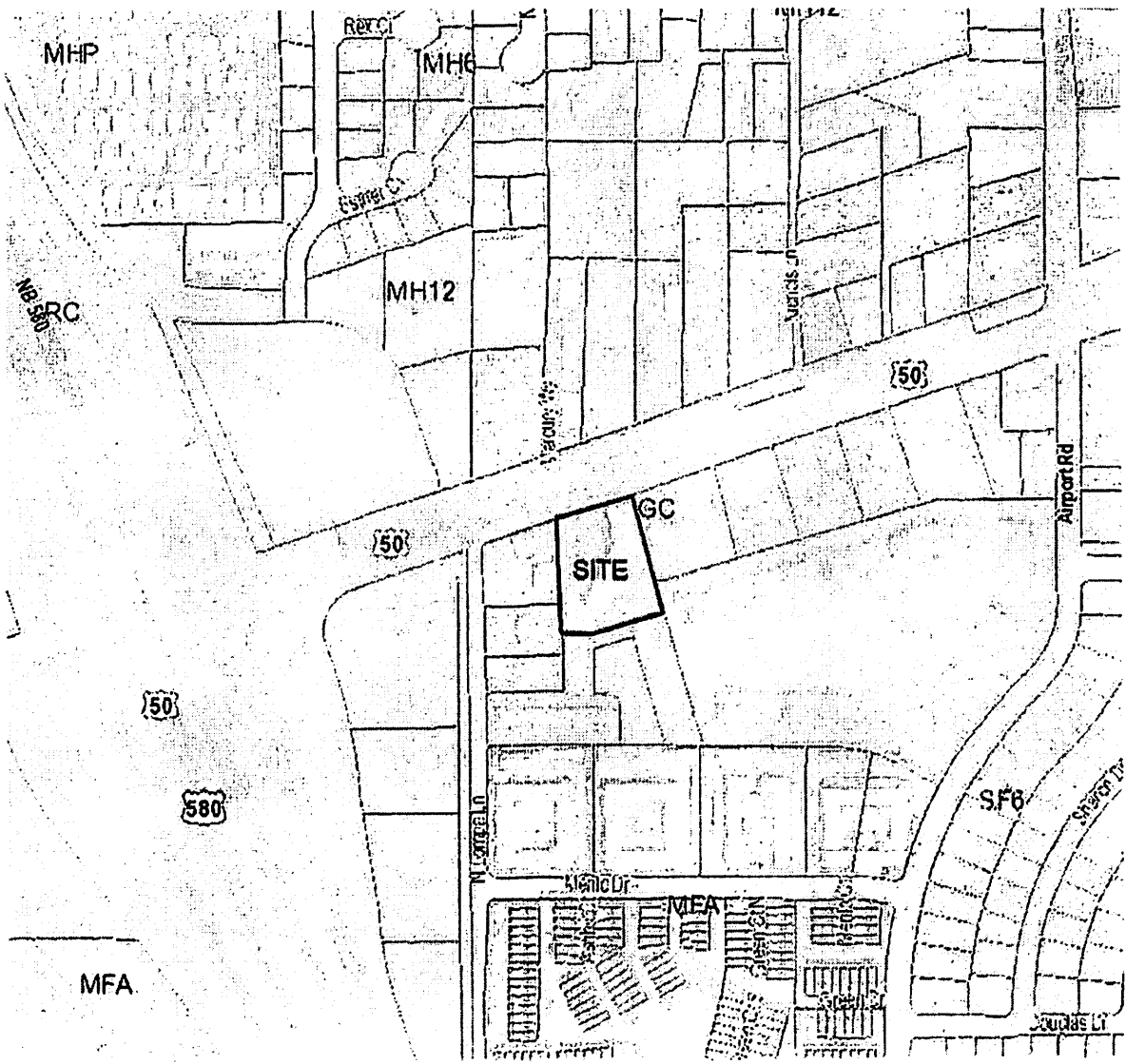


Figure 4 - Zoning Map

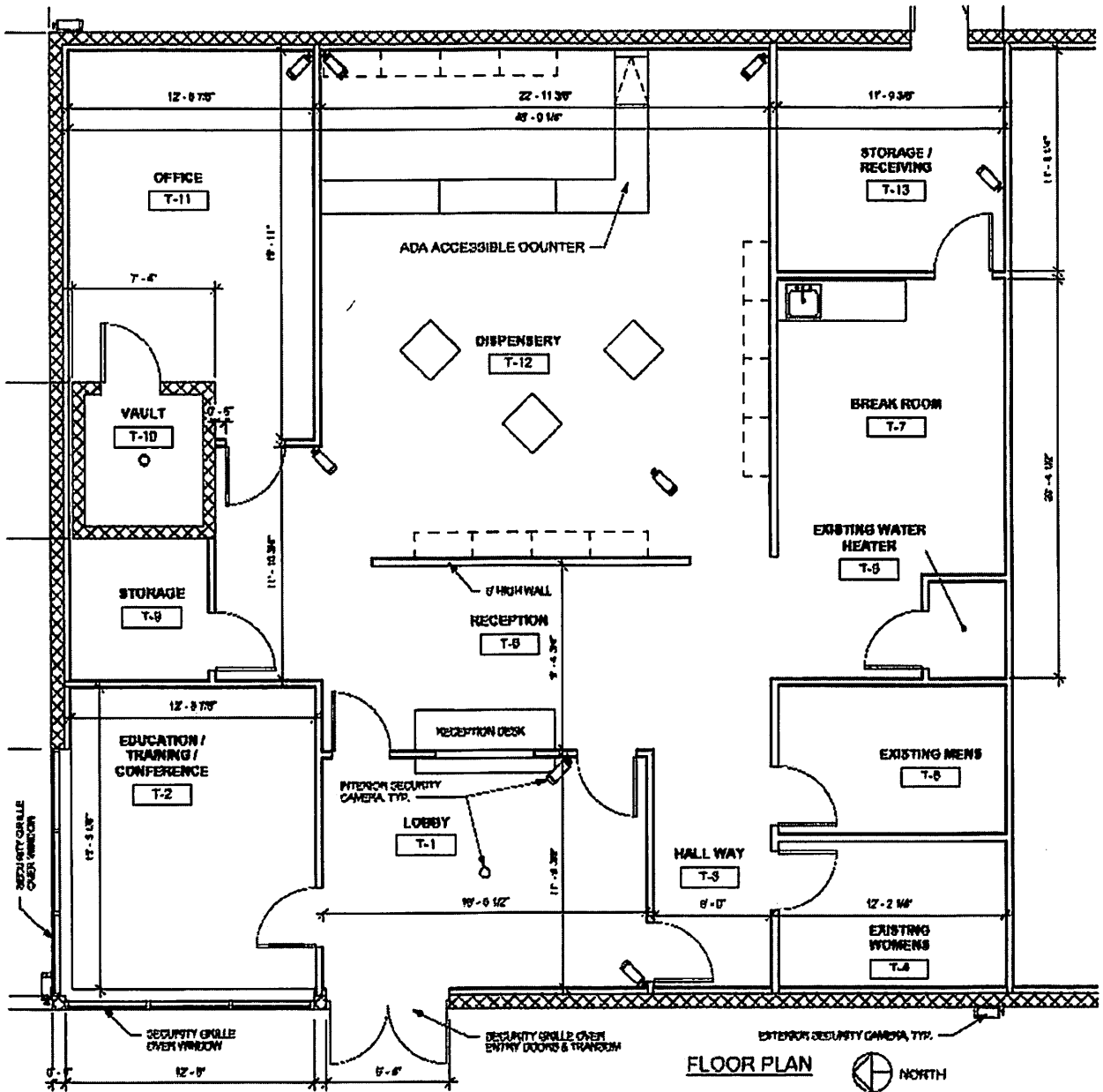


Figure 5 - Floor Plan

Appendix

Proposed Sign Package

Carson City SUP application package

- **Special Use Permit Application/Owner Affidavit**
- **Letter of support from Property owner**
- **Site Plan Checklist**
- **SUP application questionnaire**
- **Acknowledgement of Applicant**
- **Site Plan**



SIERRA WELLNESS CONNECTION PROPOSED SIGN PACKAGE

SignCrafters
Quality You Can Count On!
NV License 73317

955 S. McCarran Blvd. #103
Sparks, NV 89431
www.signcraftersquality.com

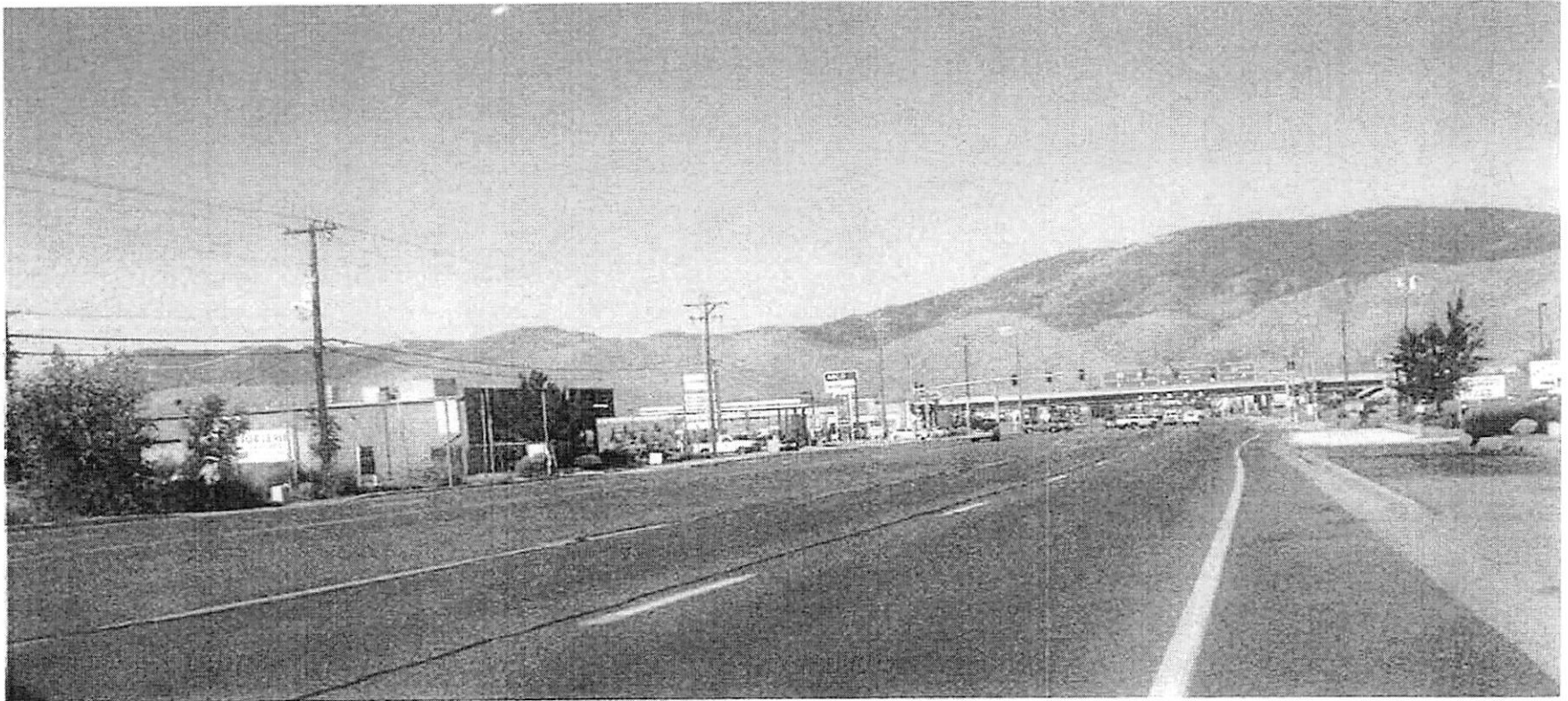
Proposed Sign North Elevation (Sign Compliant with Shopping Center Use)



SignCrafters
Quality You Can Count On!
NV License 73317

955 S. McCarran Blvd. #103
Sparks, NV 89431
www.signcraftersquality.com

North Elevation (Sign Compliant with MME Use)



SignCrafters
Quality You Can Count On!
NV License 73317

955 S. McCarran Blvd. #103
Sparks, NV 89431
www.signcraftersquality.com

Proposed Sign North Elevation Zoomed In



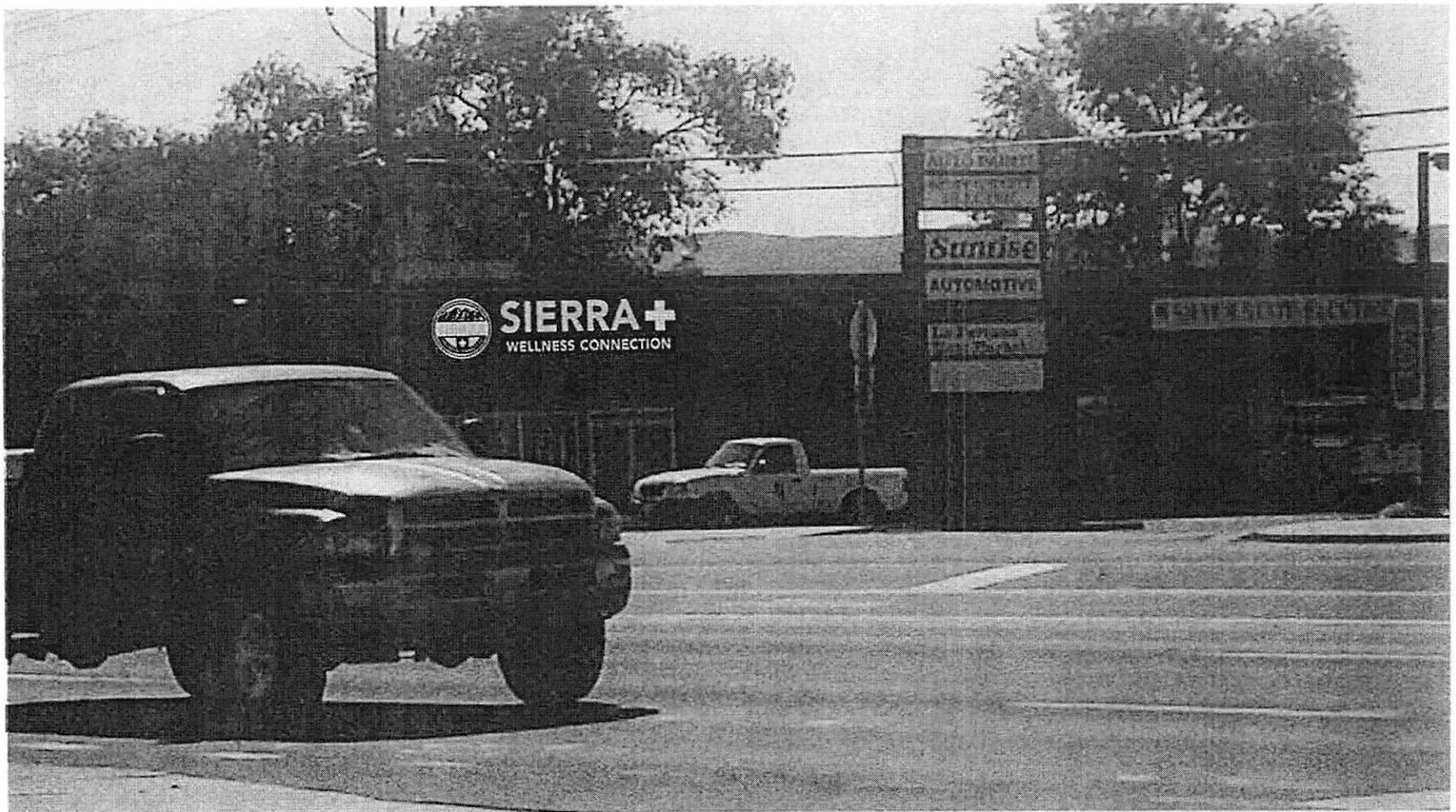
SignCrafters
Quality You Can Count On!
NV License 73317

955 S. McCarran Blvd. #103
Sparks, NV 89431
www.signcraftersquality.com

North Elevation Zoomed In (Sign Compliant with MME Use)



Proposed Sign West Elevation (Sign Compliant with Shopping Center Use)



SignCrafters
Quality You Can Count On!
NV License 73317

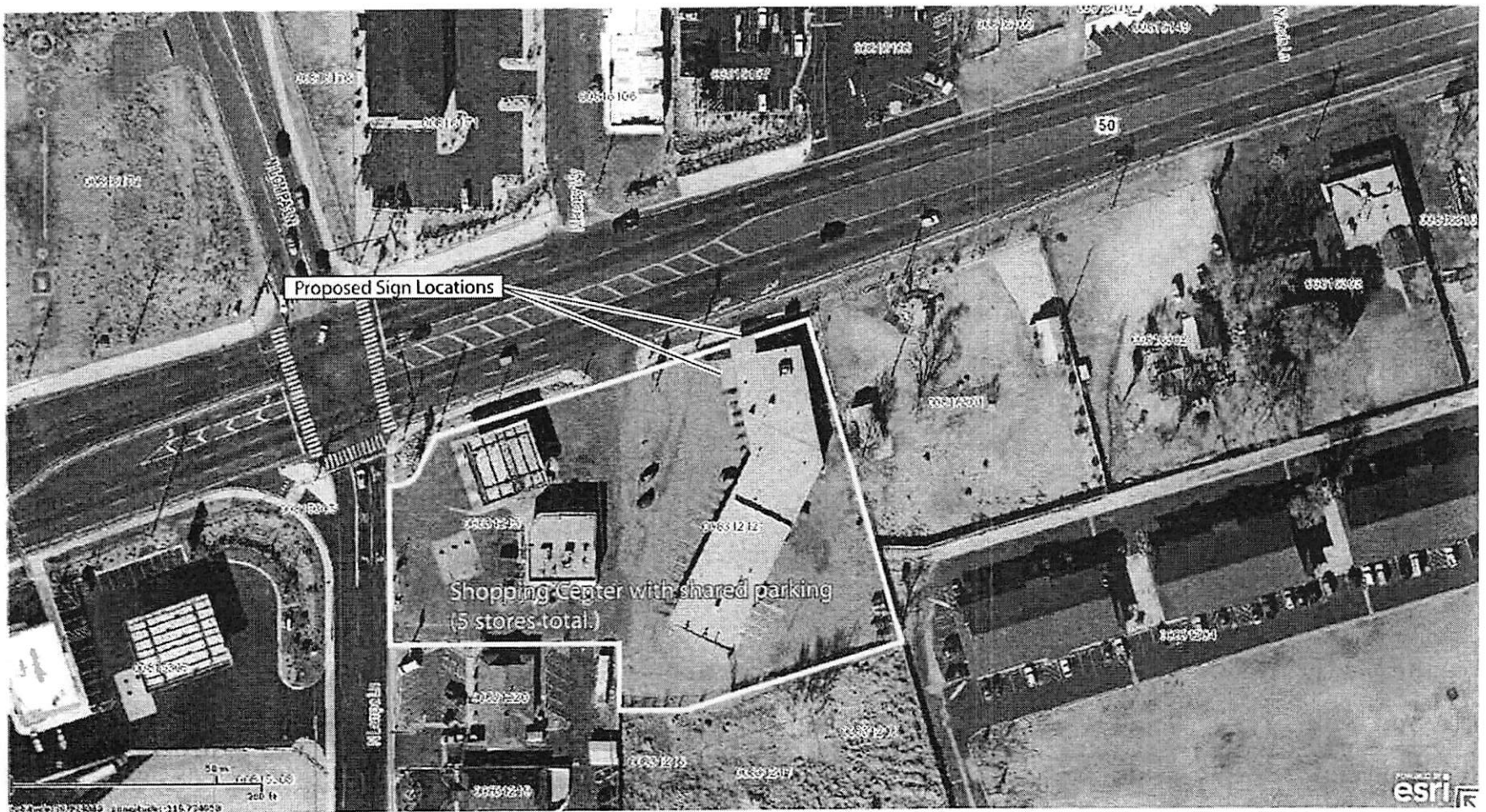
955 S. McCarran Blvd. #103
Sparks, NV 89431
www.signcraftersquality.com

West Elevation (Sign Compliant with MME Use)



SignCrafters
Quality You Can Count On!
NV License 73317

955 S. McCarran Blvd. #103
Sparks, NV 89431
www.signcraftersquality.com



SignCrafters
Quality You Can Count On!
NV License 73317

955 S. McCarran Blvd. #103
Sparks, NV 89431
www.signcraftersquality.com

RECEIVED

JUL 23 2015

CARSON CITY
PLANNING DIVISION

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

FILE # SUP - 14 - SUP - 14 - 081

SPECIAL USE PERMIT

WSSC, Inc. (775) 826-5432

APPLICANT PHONE #

1025 Ridgeview Drive #300 Reno, NV 89519

MAILING ADDRESS, CITY, STATE, ZIP

doane@albrightcpas.com

EMAIL ADDRESS

Sanbar G.P.

N/A

PROPERTY OWNER

PHONE #

4120 Kings Canyon Rd Carson City, NV 89703

MAILING ADDRESS, CITY, STATE, ZIP

anabella1@sbcglobal.net

EMAIL ADDRESS

Deane Albright (775) 826-5432

APPLICANT AGENT/REPRESENTATIVE PHONE #

1025 Ridgeview Drive #300 Reno, NV 89519

MAILING ADDRESS, CITY, STATE, ZIP

deane@albrightcpas.com

EMAIL ADDRESS

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

* noticing fee and 20 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.

Project's Assessor's Parcel Number(s):

008-312-12

Street Address ZIP Code

2765 US Hwy 50E 89701

Proposed Master Plan Description

Mixed-Use Commercial

Project's Current Zoning

General Commercial

Nearest Major Cross Street(s)

Airport Road

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 _____, a request to allow for a conditional use is as follows:

PROPERTY OWNER'S AFFIDAVIT

I, Deane Albright, being duly sworn, do hereby affirm that I am the legal owner of the subject property and that I have knowledge of, and I agree to, the filing of this application.

Signature

Address

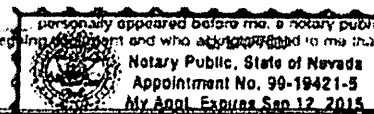
Date

Use additional page(s) if necessary for other entries

STATE OF NEVADA
COUNTY OF CLATSOP

On July 15, 2015, I, Deane Albright, 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.

Notary Public



NOTE: If your project is located within the historic district, airport area, or downtown area, you must first obtain approval from the Resource 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.

**John P. Henricksen
SANBAR General Partnership
4120 Kings Canyon Road
Carson City, Nevada 89703**

July 16, 2015

Lee Plemel, AICP, Director
Community Development Department
108 E. Proctor Street
Carson City, NV 89701
775-283-7075

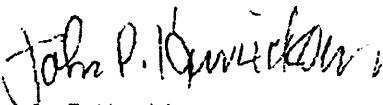
Re: Larger sign for Sierra Wellness Connection (WSCC, Inc.)

Dear Mr. Plemel:

Sierra Wellness Connection is one of my tenants at 2765 Highway 50 East in Carson City. They are asking for a larger sign on two sides of the building. I am in full support of their request. We want to draw more activity to the center. If they are considered retail (which they are) they would be allowed both signs and larger signs. It doesn't seem fair that they aren't allowed just because they are a Dispensary. They are spending over \$200,000 in tenant improvements. I have seen the plans and the Dispensary will be a very attractive tenant for the location.

It would really help them and the success of our building by having a sign on the side of the building facing Highway 50. Can you imagine no sign for the traffic going west on Highway 50? Please support their request for the signs on both sides and larger signs.

Thank you,



John P. Henricksen
Sanbar G.P.
4120 Kings Canyon Road
Carson City, NV 89703

SITE PLAN CHECKLIST

The site plan shall be drawn on quality paper (minimum size of 8.5 inches by 11 inches) at an appropriate scale or dimension to depict the parcel. Any site plan larger than 8.5 inches by 11 inches must be folded. The site plan shall include the following information:

1. Show a north point arrow and plot plan scale. A bar scale is preferred because when the drawings are reduced, it will still show an accurate scale. A bar scale could appear like this for a project that has a scale of one inch equals 20 feet on the original plot plan: **Completed**
2. Vicinity map must be shown on the plot plan. This is a map, not to scale, that you would provide a visitor unfamiliar with the area as directions to get to your property. It will show adjacent streets. **Completed**
3. Title block in lower right-hand corner including:
 - (a) Applicant's name, mailing address, and daytime phone number (including area code).
 - (b) The name, mailing address, and daytime phone number of the person preparing the plot plan, if different from applicant.
 - (c) The name, mailing address, and daytime phone number of the record owner of the subject property, if different from applicant.
 - (d) Assessor Parcel Number(s) (APN) and address (location, if no address) of the subject property.
 - (e) Project title and permit request. (Example: Variance, Special Use Permit).**Completed**
4. Property lines of the subject property with dimensions indicated. **Not Applicable/Completed**
5. All existing and proposed structures shall be shown, including:
 - (a) Distances from property lines indicated by dimensions.
 - (b) Distances between buildings shall be indicated on the plot plan.
 - (c) Clearly label existing and proposed structures and uses, and show dimensions.
 - (d) Square footage of all existing and proposed structures.
 - (e) If a commercial or multi-family project, show all elevations and submit roof plans showing all proposed roof equipment and means of screening from view along with plans for trash receptacle screening and loading/unloading area location and design.
 - (f) Elevations of any proposed structures/additions.**Completed**
6. Project access:
 - (a) Show the location of proposed street access and all existing accesses of neighboring properties including across the street.
 - (b) Show adjoining street names.
 - (c) Show all curb cuts with dimension.**Completed**

Show the Assessor Parcel Number(s) of adjoining parcels. **Completed**
7. Show all existing and proposed parking, landscape islands and traffic aisles, with dimensions. **Completed**
8. Show location of existing and proposed utilities and drainage facilities, and indicate whether overhead or underground. Show the location of any septic lines/fields. **Not applicable/completed**
9. If specific landscape areas are required or provided, show with dimensions. **Not applicable/completed**
10. Show location of all proposed amenities, such as gazebos, retaining walls, retention areas, etc. **Not applicable/completed**
11. **PROJECT IMPACT REPORTS** - Provide four copies of documentation regarding project impacts related to traffic, drainage, water, and sewer, including supportive calculations and/or reports required per the Carson City Development Standards Divisions 12,14 and 15. **Not applicable.**

SPECIAL USE PERMIT APPLICATION QUESTIONNAIRE

PLEASE TYPE OR PRINT IN BLACK INK ON SEPARATE SHEETS. ATTACH TO YOUR APPLICATION.

State law requires that the Planning Commission, and possibly the Board of Supervisors, consider and support the questions below with facts in the record. These are called "FINDINGS". Since staff's recommendation is based on the adequacy of your findings, you need to complete and attach the Proposal Questionnaire with as much detail as possible to ensure that there is adequate information supporting your proposal.

The questionnaire lists the findings in the exact language found in the Carson City Municipal Code (CCMC), then follows this with a series of questions seeking information to support the findings.

(On an attached sheet, list each question, read the explanation, then write your answer in your own words.)

Answer the questions as completely as possible so that you provide the Commission and possibly the Board with details that they will need to consider your project. If the question does not apply to your situation, explain why. **BEFORE A SPECIAL USE PERMIT CAN BE GRANTED, FINDINGS FROM A PREPONDERANCE OF EVIDENCE MUST INDICATE THAT THE FACTS SUPPORTING THE PROPOSED REQUEST ARE INCORPORATED INTO YOUR APPLICATION.**

GENERAL REVIEW OF PERMITS

Source: CCMC 18.02.080. (1) The Planning Commission, and possibly the Board of Supervisors, in reviewing and judging the merit of a proposal for a special use permit shall direct its considerations to, and find that in addition to other standards in this title, the following conditions and standards are met:

Question 1. How will the proposed development further and be in keeping with, and not contrary to, the goals of the Master Plan Elements?

The applicant believes the proposed signage request per the SUP modification does in fact respect the goals of the Master Plan. In completing the MP policy checklist, there are several goals and policies being supported with this request. Please see the attached MP Policy checklist that shows those applicable policies.

Explanation A. Turn to the Master Plan Policy Checklist. The Master Plan Policy Checklist for Special Use Permits and Major Project Reviews address five items that appear in the Carson City Master Plan. Each theme looks at how a proposed development can help achieve the goals of the Carson City Master Plan. Address each theme; a check indicates that the proposed development meets the applicable Master Plan Policy. In your own words provide written support of the policy statement. You may want to acquire a free CD or purchase a paper copy of the Master Plan from the Planning Division, or review the copy in the Planning Office or in the reference section of the Ormsby Public Library on Roop Street, or use our website at www.carson.org

Question 2. Will the effect of the proposed development be detrimental to the immediate vicinity? To the general neighborhood?

There appears to be no detrimental affect or impact to anyone in the immediate area or to anyone in the general neighborhood. The site is located in an intense commercial area with highway frontage and access and not in a neighborhood. This fully developed commercial corridor with commercial zoning. The request for signing is more in alignment with the allowed signing in the area. Abutting to the west is the AM/PM market, to the east is vacant, and the south are some undeveloped parcels. To the north, across the highway are a mix of commercial uses and businesses.

Explanation A. Describe the general types of land uses and zoning designations adjoining your property (for example: North: two houses, Single-Family 12,000 zoning; East: restaurant, Retail Commercial zoning; West: undeveloped lot, Retail Commercial zoning; South: apartment complex, Retail Commercial zoning).

Please see the zoning map and site plan in the report. GC zoning and commercial uses surround the site in all directions. Abutting to the south are some undeveloped parcels.

- B. Explain why your project is similar to existing development in the neighborhood, and why it will not hurt property values or cause problems, such as noise, dust, odors, vibration, fumes, glare, or physical activity, etc. with neighboring property owners. Will the project involve any uses that are not contained within a building? If yes, please describe. If not, state that all uses will be within a building. Explain how construction-generated dust (if any) will be controlled. Have other properties in your area obtained approval of a similar request? How will your project differ in appearance from your neighbors? Your response should consider the proposed physical appearance of your proposal, as well as comparing your use to others in the area.

There are no adverse impacts with respect to property values noise, dust, odors, vibration, fumes, glare, or any physical activity that can be expected with this use. All of the use and activity will be inside the building. There are no other approvals for such a use granted at this time. The building appearance will be very similar to neighbors with the only item that modifies appearance is the project signing.

- C. Provide a statement explaining how your project will not be detrimental to the use, peaceful enjoyment or development of surrounding properties and the general neighborhood. **See statement in 2B above.**
- D. Consider the pedestrian and vehicular traffic that currently exists on the road serving your project. What impact will your development have when it is successfully operating? Will vehicles be making left turns? Will additional walkways and traffic lights be needed? Will you be causing traffic to substantially increase in the area? What will be the emergency vehicle response time? State how you have arrived at your conclusions. What City department have you contacted in researching your proposal? Explain the effect of your project with the existing traffic in the area.

There is sidewalk along Highway 50 fronting the site. It does not appear to be a high pedestrian use location given the intensity of uses, lack of abutting residential, and being located on a high speed highway. Access is limited to right-in/right-out turns only. Left turns from the highway go to the traffic light at Lompa and u-turn to make their way to the site. There will not be a large increase in traffic with this use.

- E. Explain any short-range and long-range benefit to the people of Carson City that will occur if your project is approved.

The business will provide a service to the people of Carson City that have a need for the benefits of medical marijuana. This will be one of very few locations allowed in Carson City. The fiscal benefits will be significant in terms of taxes and license fees. Medical benefits of medical marijuana must be addressed by qualified scientists and researchers that have some evidence of the health benefit.

Question 3. Has sufficient consideration been exercised by the applicant in adapting the project to existing improvements in the vicinity?

Yes, sufficient consideration has been exercised in adapting the use to the improvements in the area. Please refer to the analysis and statements that follow.

Explanation A. How will your project affect the school district? Will your project add to the student population or will it provide a service to the student population? How will your project affect the Sheriff's Office?

The project will have no effect on the school district. It will not add to student population and it does not provide a service to the school population. It may have a minimal effect on the sheriff's office in terms of creating some demand for pro-rata calls for service.

- B. If your project will result in the covering of land area with paving or a compacted surface, how will drainage be accommodated? Talk to Engineering for the required information.

The site conditions will not change with the proposed use. This is reuse of an existing building that will involve tenant improvements only and the new wall signs.

- C. Are the water supplies serving your project adequate to meet your needs without degrading supply and quality to others in the area? Is there adequate water pressure? Are the lines in need of replacement? Is your project served by a well? Talk to Public Works for the required information.

Yes there is adequate water supply and water pressure to meet the user needs. There is no need to replace any water lines, and the water is provided by the municipal means and not a well.

- D. Is there adequate capacity in the sewage disposal trunk line that you will connect to in order to serve your project, or is your site on a septic system? Please contact Public Works for the required information.

Yes there is adequate sewer capacity to meet the user needs. There is no need to replace any sewer lines and the sewer is provided by municipal means and not a septic tank.

- E. What kind of road improvements are proposed or needed to accommodate your project? Have you spoken to Public Works or Regional Transportation regarding road improvements?

There are no road improvements needed or proposed to serve the project. All of the demands were analyzed and established with development of the commercial center.

- F. Indicate the source of the information that you are providing to support your conclusions and statements made in this packet (private engineer, Public Works, Regional Transportation, title report, or other sources).

The conclusions and statements in this report are the result of knowledge of the site and building, review of a preliminary title report, analysis of the site with respect to Title 18 of the Carson City code, and the approved SUP for the MME Dispensary use.

- G. If outdoor lighting is to be a part of the project, please indicate how it will be shielded from adjoining property and the type of lighting (wattage/height/placement) provided.

There is no outdoor lighting proposed at this time. The applicant expects to enhance the outdoor lighting with the project and tenant improvements. Lighting will be addressed with a lighting plan as part of the building permit application.

- H. Describe the proposed landscaping, including screening and arterial landscape areas (if required by the zoning code). Include a site plan with existing and proposed landscaping shown on the plan which complies with City ordinance requirements.

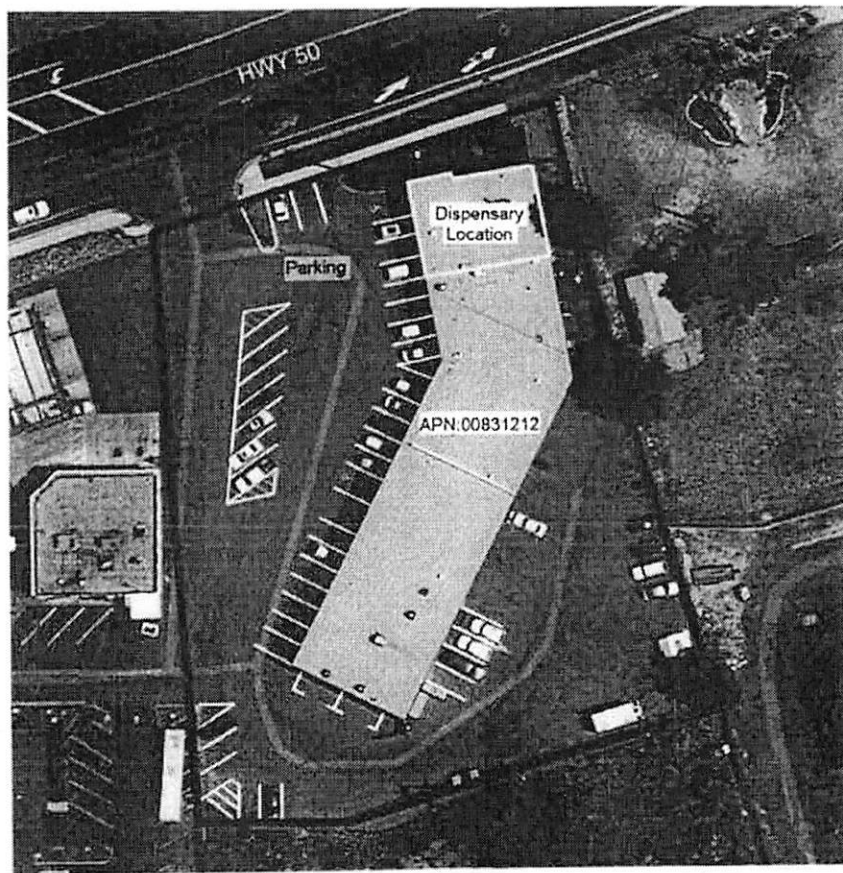
Yes, the existing landscaping does comply with city code. Section 18.3.2 states that no additional landscaping is required for a site that expands by less than 5%. The landscaping on site is shown on the site plan and the site photos in the application.

- I. Provide a parking plan for your project. If you are requesting approval for off-site parking within 300 feet, provide site plans showing (1) parking on your site, (2) parking on the off-site parking lot, and (3) how much of the off-site parking area is required for any business other than your own. Design and dimensions of parking stalls, landscape islands, and traffic aisles must be provided.

The parking is shown on Figure 2, the site plan in the application. All of the parking is on-site and appears to meet the code at a rate of 1 space per 300 sq ft of commercial uses. There are a few tenants that are low intensity and not typical commercial users (Sunrise Auto, Silver State Electric) that likely have less parking demand than code requires.

If there is any other information that would provide a clearer picture of your proposal that you would like to add for presentation to the Planning Commission, please be sure to include this information.

SPECIAL USE PERMIT - SITE PLAN FOR SIERRA WELLNESS



OWNER: Sandbar G.P.
4120 Kings Canyon Rd
Carson City NV 89703
Phone: N/A

APPLICANT: Sierra Wellness, Inc
Deane Albright
1025 Ridgeview Dr
Reno, NV 89519
(775) 826-5432

REQUEST: A SUP modification to allow for increased wall
sign area in the General Commercial (GC) zone

LOCATION: 2765 US Hwy 50E, Carson City, NV

ZONING: General Commercial (GC)

MASTER PLAN LAND USE DESIGNATION: Mixed Use-
Commercial

APN: 008-312-12

Site Plan Prepared By: KLS Planning & Design

