

MINUTES
Regular Meeting
Carson City Planning Commission
Wednesday, October 28, 2015 • 5:00 PM
Community Center Sierra Room, 851 East William Street, Carson City, Nevada

Commission Members

Chair – Paul Esswein
Commissioner – Victor Castro
Commissioner – Elyse Monroy
Commissioner – Daniel Salerno

Vice Chair – Mark Sattler
Commissioner – Monica Green
Commissioner – Walt Owens

Staff

Lee Plemel, Community Development Director
Jason Woodbury, District Attorney
Susan Dorr Pansky, Planning Manager
Danny Rotter, Engineering Manager
Tamar Warren, Deputy Clerk/ Recording Secretary

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

An audio recording of this meeting is available on www.Carson.org/minutes.

A. ROLL CALL, DETERMINATION OF QUORUM, AND PLEDGE OF ALLEGIANCE (5:00:47) – Chairperson Esswein called the meeting to order at 5:00 p.m. Roll was called and quorum was present.

Attendee Name	Status	Arrived
Chairperson Paul Esswein	Present	
Vice Chairperson Mark Sattler	Present	5:02 p.m.
Commissioner Victor Castro	Present	5:03 p.m.
Commissioner Monica Green	Present	
Commissioner Elyse Monroy	Absent	
Commissioner Walt Owens	Present	
Commissioner Daniel Salerno	Present	

B. PUBLIC COMMENTS (5:01:26) – None.

C. POSSIBLE ACTION ON APPROVAL OF MINUTES – SEPTEMBER 30, 2015.

(5:04:10) – MOTION: I move to approve the minutes of the September 30, 2015 meeting.

RESULT:	APPROVED (6-0-0)
MOVER:	Owens
SECONDER:	Sattler
AYES:	Esswein, Sattler, Castro, Green, Owens, Salerno
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Monroy

(5:02:00) – Mr. Plemel noted that the Planning Division had received a request for the continuance of item F-4, and requested that the item be heard first to grant the continuance. Mr. Plemel also acknowledged the presence of District Attorney Jason Woodbury, adding that assigned Deputy District Attorney, Joe Ward, had resigned to pursue another position.

E. DISCLOSURES

(5:04:38) – None.

F. PUBLIC HEARING MATTERS

F-1 SUP-15-094 FOR POSSIBLE ACTION: TO CONDUCT A FIVE-YEAR REVIEW OF A PREVIOUSLY APPROVED SPECIAL USE PERMIT, SUP-05-187, GRANTED TO JEFF HERMAN (PROPERTY OWNER: CONALIZ, LLC) FOR METAL STORAGE CONTAINERS ON PROPERTY ZONED RETAIL COMMERCIAL (RC), LOCATED AT 3333 N. CARSON STREET, APN 002-392-05.

(5:06:07) – Chairperson Esswein introduced the item.

(5:6:46) – Ms. Pansky resented the Staff Report, which is incorporated into the record, and recommended approval.

(5:07:52) – Applicant Jeff Herman acknowledged receiving a copy of the Staff Report and stated that he agreed with the conditions of approval.

There were no commissioner or public comments.

(5:08:56) – MOTION: I move to approve SUP-15-094, a Special Use Permit request from Jeff Herman (property owner: Conaliz, LLC), for a five-year review of a previously approved Special Use Permit for three metal storage containers in the Retail Commercial (RC) zoning district, located at 3333 N. Carson Street, APN 002-392-05, based on the findings and subject to conditions of approval contained in the Staff Report.

RESULT:	APPROVED (6-0-0)
MOVER:	Sattler
SECONDER:	Green
AYES:	Esswein, Sattler, Castro, Green, Owens, Salerno
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Monroy

F-2 SUP-15-096 FOR POSSIBLE ACTION: TO CONDUCT A FIVE-YEAR REVIEW OF A PREVIOUSLY APPROVED SPECIAL USE PERMIT, SUP-10-049, GRANTED TO TALEBI FAMILY TRUST (PROPERTY OWNER: TALEBI FAMILY TRUST 8/13/2003)) TO ALLOW THE CONTINUED USE OF AN EXISTING OFF-PREMISES BILLBOARD ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT 3400 HWY 50 EAST, APN 008-302-04.

(5:09:55) – Chairperson Esswein introduced the item.

(5:10:35) – Ms. Pansky presented the agenda materials and related photographs, which are incorporated into the record. She also highlighted several conditions of approval, also incorporated into the record, to ensure the sign was in working order and that the license and fees were current.

(5:13:42) – Steve Reynolds of Sign Pro introduced himself as the applicant representative and noted that a back panel would not be installed until advertising was sold on the back side of the sign. Mr. Reynolds explained that he was not aware whether a business license had been acquired as no advertising had been displayed on the billboard to date. He also noted that he was waiting for notarized documentation from the owner to complete the licensing application. Commissioner Castro was informed that the billboard had not been used for the past three years and Mr. Reynolds explained the NDOT requirements for billboards that displayed “advertise here” types of messages in order not to consider them abandoned. Discussion ensued regarding NDOT requirements for “an active billboard”. Vice Chairperson Sattler suggested making the panel two-sided and Mr. Reynolds explained that it would add \$4,000 to \$5,000 to the billboard cost. Commissioner Salerno was informed that the panel colors would match. Commissioner Castro suggested that the next five-year review take the billboard use into consideration. Discussion ensued on whether the recommendation was within the purview of the Commission. Mr. Woodbury confirmed that it would be possible for the Commission to require certain conditions upon which the billboard can be used. Commissioner Salerno did not believe that a blank billboard or a sign advertising its rental created blithe; however, Commissioner Castro disagreed. Chairperson Esswein read into the record the conditions of approval listed in the Staff Report and incorporated into the record. Commissioner Castro reiterated his proposed condition of approval noted earlier in the discussion.

There were no public comments.

(5:35:37) – MOTION: I move to approve SUP-15-096, a Special Use Permit request from Sign Pro (property owner: Talebi Family Trust 8/13/2003 & et al) to allow the continued use of an off-premises billboard, on property zoned General Commercial, located at 3400 Highway 50 East, APN 008-302-14 based on the findings and subject to the conditions of approval contained in the Staff Report.

RESULT:	APPROVED (5-1-0)
MOVER:	Castro
SECONDER:	Salerno
AYES:	Esswein, Sattler, Castro, Green, Salerno
NAYS:	Owens
ABSTENTIONS:	None
ABSENT:	Monroy

F-3 SUP-15-078 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FROM SANDRA CHAMBERLIN (PROPERTY OWNER: NORMAN CHAMBERLIN) FOR A SPECIAL USE PERMIT TO ALLOW A GUEST BUILDING EXCEEDING 1,000 SQUARE FEET, DETACHED ACCESSORY STRUCTURES OF MORE THAN 75% OF THE SIZE OF THE MAIN RESIDENCE AND MORE THAN 5% OF THE PARCEL SIZE ON PROPERTY ZONED SINGLE FAMILY 1 ACRE (SF1A), LOCATED AT 3930 CONTE DRIVE, APN 010-185-08.

(5:36:50) – Chairperson Esswein introduced the item.

(5:37:26) – Ms. Pansky presented the Staff Report and accompanying photographs, all of which are incorporated into the record. Vice Chairperson Sattler received confirmation that the added structure could not be used as a rental even after the property is sold.

(5:40:45) – Sandra Chamberlin, applicant, introduced herself and stated that she had read the Staff Report and that she agreed with the conditions of approval. She also noted that the project would allow them to live in a single-story home and be able to spend time with family. Ms. Pansky assured Commissioner Salerno that the rental restrictions associated with the Special Use Permit would always remain, even after change of ownership.

There were no public comments.

(5:44:57) – MOTION: I move to approve SUP-15-078, a Special Use Permit request to allow a guest building exceeding 1,000 square feet, detached accessory structures of more than 75% of the size of the main structure and more than 5% of the parcel size on property zoned Single Family 1 Acre (SF1A), located at 3930 Conte Drive, APN 010-185-08, based on findings and conditions of approval contained in the Staff Report.

RESULT:	APPROVED (6-0-0)
MOVER:	Sattler
SECONDER:	Castro
AYES:	Esswein, Sattler, Castro Green, Owens, Salerno
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Monroy

F-4 SUP-15-095 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FROM VERIZON WIRELESS (PROPERTY OWNER: CARSON GAMING) TO ALLOW A NEW WIRELESS TELECOMMUNICATION TOWER WITH AN 80-FOOT TALL MONOPOLE, ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT 3910 S. CARSON STREET, APN 009-153-05.

(5:05:02) – Chairperson Esswein introduced the item and entertained a motion for a continuance, per the discussion during item D.

There were no public comments.

(5:05:05) – MOTION: “So Moved”

RESULT:	Approved (6-0-0)
MOVER:	Salerno
SECONDER:	Sattler
AYES:	Esswein, Sattler, Castro, Green, Owens, Salerno
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Monroy

(5:51:54) – Chairperson Esswein called the meeting back to order. A quorum was still present.

F-5 SUP-15-105 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FROM ADAMS 308 N. CURRY LLC (PROPERTY OWNER: HOP & MAE ADAMS FOUNDATION) FOR A SPECIAL USE PERMIT TO ALLOW OFF-SITE PARKING WITHIN 300 FEET IN SUPPORT OF AN APPROVED PROJECT UNDER SUP-15-066 AT 308 N. CURRY STREET IN THE DOWNTOWN MIXED USE (DTMU) AND RESIDENTIAL OFFICE (RO) ZONING DISTRICTS, LOCATED AT 234 N. CURRY STREET, APN 003-212-01.

(5:52:00) – Chairperson Esswein introduced the agenda items.

(5:52:39) – Ms. Pansky presented the Staff Report and the accompanying photographs which are incorporated into the record, and recommended approval. Vice Chairperson Sattler was informed that the lot would be open to the public, and that street parking was also available.

(5:57:04) – Rob Darney, architect, introduced himself as the applicant representative. He also stated that he had read the Staff Report and was in agreement with the conditions of approval. Chairperson Esswein was informed that the Special Use Permit previously obtained for the church would still stand, and the Special Use Permit request today was for the new owners, the Hop & Mae Adams Foundation. Commissioner Salerno was assured that future developments on the parcel would not be allowed because of the existing Special Use Permit. Mr. Darney explained that as part of the negotiations with the City, they will include a pedestal outlet with a meter to support street functions, and two parking spaces with charging stations. Vice Chairperson Sattler was informed that the project may begin sometime in December, 2015.

There were no public comments.

(6:03:30) – MOTION: I move to approve SUP-15-105 a Special Use Permit to allow off-site parking within 300 feet in support of an approved project under SUP-15-066 at 308 N. Curry Street in the Downtown Mixed Use (DTMU) and Residential Office (RO) zoning districts, located at 234 N. Curry Street, APN 003-212-01, based on the findings and the conditions of approval contained in the Staff Report.

RESULT:	APPROVED (6-0-0)
MOVER:	Green
SECONDER:	Sattler
AYES:	Esswein, Sattler, Castro, Green, Owens, Salerno
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Monroy

F-6 SUP-15-093 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FROM CARSON CITY AGENCY SOLUTIONS (PROPERTY OWNER: CAPITAL VENDING COMPANY, INC.) FOR A SPECIAL USE PERMIT TO ALLOW A MEDICAL MARIJUANA PRODUCTION FACILITY IN THE GENERAL INDUSTRIAL (GI) ZONING DISTRICT, LOCATED AT 4949 HWY 50 EAST, SUITE A-4, APN 008-371-05.

(6:04:22) – Chairperson Esswein introduced the item.

(6:04:55) – Ms. Pansky presented the Staff Report with an accompanying PowerPoint presentation, which is incorporated into the record.

(6:08:14) – Lucinda Mahoney, applicant, introduced herself and indicated that she had read the Staff report and agreed with the outlined conditions of approval. Ms. Mahoney stated that their goal was to help the patients and be a quiet operation with a robust security system, without interfering with the mobile home park nearby. She also clarified for Vice Chairperson Sattler that they would be distributing for resale throughout the State, except in Clark County. Commissioner Owens inquired about the businesses that shared a common wall and was informed that a “block wall” would separate the businesses, and that security measures were in place to lock the products.

PUBLIC COMMENTS

(6:11:17) – John Erb introduced himself and noted that medical marijuana was a controlled substance; therefore, it should be sold through pharmacies. He also suggested that Carson City refuse the sale of medical marijuana as it was considered a gateway drug, and he was concerned that other family members such as children might have access to it. Mr. Erb expressed concern over the deterioration of neighborhoods as well.

(6:18:19) – Commissioner Castro was informed that two dispensaries, eight cultivation, and four production facilities were approved by the State. Ms. Pansky noted that the Commission had heard all those requests with the exception of one cultivation business that withdrew their request in April and had not returned. She also clarified that four cultivation businesses have been approved in Carson City. Mr. Plemel reminded the public that Carson City had adopted an ordinance allowing medical marijuana, and that the role of the Planning Commission was to consider the Special Use Permits and their specific requirements. Mr. Salerno stated that the federal government had not approved the use of medical marijuana, adding that he had taken an oath prior to serving on this commission that he would abide by the laws of Carson City, Nevada, and the federal government; therefore he would be voting “no” on the upcoming vote on this item.

(6:23:22) – MOTION: I move to approve SUP-15-093, a Special Use Permit request from Carson City Agency Solutions (property owner: Capital Vending Company, Inc.) to allow a Medical Marijuana Production Facility on property zoned General Industrial (GI) zoning district, located at 4949 Hwy 50 East, APN 008-371-05, based on the findings and subject to the conditions of approval contained in the Staff Report.

RESULT:	APPROVED (5-1-0)
MOVER:	Sattler
SECONDER:	Green
AYES:	Esswein, Sattler, Castro, Green Owens
NAYS:	Salerno
ABSTENTIONS:	None
ABSENT:	Monroy

G. STAFF REPORTS (NON-ACTION ITEMS)

G-1 DIRECTOR'S REPORT TO THE COMMISSION.

(6:24:54) – Mr. Plemel explained the appeal process to the Board of Supervisors, for any of the items approved tonight, noting that it must be done within 10 days by contacting the Planning Division. He also reported that both the Canyon Vista subdivision final map and the Jackson Village planned unit development had been approved by the Board of Supervisors. Mr. Plemel noted that the approval of the apartments on Garth Richards Blvd. was appealed and would be heard in the December 17, 2015 Board of Supervisors Meeting. Mr. Plemel also reminded the Commission that the next two meeting will take place on November 18, 2015, at 1 p.m. and on December 16, 2015, at 1 p.m.

FUTURE AGENDA ITEMS

(6:27:46) – Mr. Plemel explained that because of the approval of the Bethlehem Lutheran School playground appeal and because the Board of Supervisors upheld the Commission's decision, the cul-de-sac abandonment would be heard in the next meeting. He also noted that he would send information ahead of time regarding the Master Plan Annual Report, and some recent amendments after the City's Open Space land use zoning changes. Additionally, a report by Carson River Water Subconservancy on low impact development would be heard as well.

COMMISSIONER REPORTS/COMMENTS

(6:30:02) – None.

H. PUBLIC COMMENT

(6:30:13) – None.

I. FOR POSSIBLE ACTION: FOR ADJOURNMENT

0 – MOTION: Vice Chairperson Sattler moved to adjourn. The motion was seconded by Commissioner Castro. The meeting was adjourned at 6:30 p.m.

The Minutes of the October 28, 2015 Carson City Planning Commission meeting are so approved this 16th day of December 16, 2015.

PAUL ESSWEIN, Chair