

DRAFT MINUTES
Regular Meeting
Carson City Planning Commission
Wednesday, September 28 and 29, 2016 • 5:00 PM
Community Center Sierra Room, 851 East William Street, Carson City, Nevada

Commission Members

Chair – Paul Esswein
Commissioner – Charles Borders, Jr.
Commissioner – Elyse Monroy
Commissioner – Daniel Salerno

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

Staff

Lee Plemel, Community Development Director
Hope Sullivan, Planning Manager
Danny Rotter, Engineering Manager
Dan Yu, Deputy District Attorney
Tamar Warren, Deputy Clerk

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

(5:02:04) – Chairperson Esswein called the meeting to order at 5:02 p.m. Roll was called and a quorum was present. Vice Chairperson Sattler led the Pledge of Allegiance.

Attendee Name	Status	Arrived
Chairperson Paul Esswein	Present	
Vice Chairperson Mark Sattler	Present	
Commissioner Charles Borders, Jr.	Present	
Commissioner Monica Green	Present	
Commissioner Elyse Monroy	Present	
Commissioner Walt Owens	Present	
Commissioner Daniel Salerno	Present	

B. PUBLIC COMMENTS

(5:03:02) – None.

C. POSSIBLE ACTION ON APPROVAL OF MINUTES – August 31, 2016.

(5:03:33) – MOTION: I move to approve the [August 31, 2016 meeting] minutes as written.

RESULT:	APPROVED (5-0-2)
MOVER:	Sattler
SECONDER:	Salerno
AYES:	Esswein, Sattler, Borders, Owens, Salerno
NAYS:	None
ABSTENTIONS:	Green, Monroy
ABSENT:	None

D. MODIFICATION OF AGENDA

(5:04:11) – Chairperson Esswein explained that item G will be addressed after item F-3 and prior to this evening's recess, and return and address items F-4 and F-5 on Thursday, September 29, 2016, at 5 p.m. in the Bob Boldrick Theatre.

E. DISCLOSURES

(5:04:43) – There were no disclosures by the commissioners.

F. PUBLIC HEARING MATTERS

F-1 SUP-16-088 – FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FROM CARSON CITY PARKS & RECREATION (PROPERTY OWNER CARSON CITY) FOR A SPECIAL USE PERMIT TO ALLOW A DISC GOLF COURSE ON PROPERTY ZONED PUBLIC REGIONAL (PR), LOCATED AT 3600 FLINT DR., APN 010-691-04.

(5:05:15) – Chairperson Esswein introduced the item. Ms. Sullivan presented the agenda materials and accompanying photographs, all of which are incorporated into the record, and recommended conditional approval per the Staff Report. Vice Chair Sattler received confirmation that a model airplane flight location is nearby.

(5:09:32) – Vern Krahn, Carson City Senior Park Planner, introduced members of the Eagle Valley Disc Golf Association: Gregg Swift, Dell Martin, and Paul Hanson. He also presented two videos, one introducing the sport of disc golfing and the other, a more technical video, describing the sport and the required equipment in further detail. Mr. Swift gave additional background on the courses and the sport, calling it “the fastest growing sport in the country”. Mr. Martin distributed different discs and explained their use. He also noted that they would like to attract youth to the sport. Mr. Krahn gave background and described the use of the land and the topography for two 18-hole courses and a nine-hole family-oriented course. He also assured the Commission that they would have split rail fences, available parking, and will be open from dawn to dusk. Discussion ensued regarding grants and the course itself. Mr. Krahn explained that the course was designed to coexist with the ATV trails.

(5:26:27) – Vice Chairperson Sattler was informed that the course is open for individuals and families at no charge; however, tournaments may require a fee to cover Staff time. Commissioner Salerno received clarification that the City would not provide the discs and that the players would have to supply their own. Commissioner Salerno inquired about landscaping and Mr. Krahn explained that the area would be “left as natural as possible”. In response to a question by Chairperson Esswein, Mr. Swift stated that the course preparation was “basically simple” and Mr. Krahn added that the natural vegetation was not tall. Discussion ensued regarding fences and Mr. Krahn clarified that they had not planned for that; however, they would monitor the parking situation. Ms. Sullivan clarified the conditions for approval which included 50 parking spaces, and noted that any additional parking for tournaments would require making alternative arrangements.

PUBLIC COMMENT

(5:37:40) – Mike Plansky introduced himself and Will McKissick as long time disc golfers from the Lake Tahoe area and updated the Commission on their efforts to conduct surveys and generate further interest. Diane Dunham introduced herself as a long time Carson City resident, and inquired about parking lot maintenance and

security and Mr. Krahn explained that per the joint use agreement with the Eagle Valley Disc Golf Association, the City would be working closely with them to jointly maintain the site.

(5:41:59) – MOTION: I move to approve SUP-16-088, a request from Carson City Parks & Recreation (property owner Carson City) for a Special Use Permit to allow a Disc Golf Course on property zoned Public Regional, located at 3600 Flint Dr., APN 010-691-04, based on the findings and subject to the conditions of approval contained in the Staff Report.

RESULT:	APPROVED (7-0-0)
MOVER:	Sattler
SECONDER:	Salerno
AYES:	Esswein, Sattler, Borders, Green, Monroy, Owens Salerno
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

F-2 SUP-16-089 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FROM KEN ROSE (PROPERTY OWNER BATTLE BORN PROPERTIES LLC) FOR A SPECIAL USE PERMIT TO ALLOW AN INDOOR GO CART FACILITY IN RETAIL COMMERCIAL ZONING DISTRICT (RC), LOCATED AT 3777 N. CARSON ST., APN 002-391-34.

(5:43:15) – Chairperson Esswein introduced the item. Ms. Sullivan presented the Staff Report and the agenda materials with accompanying photographs, all of which are incorporated into the record. Commissioner Salerno was concerned about the lithium batteries used in the go-carts and Ms. Sullivan noted that such batteries were widely utilized, and that the Fire Department had “specifically called out the issue”. She also stated that she had received a similar inquiry from a member of the public.

(5:47:51) – Applicant representative and architect Ken Rose spoke on behalf of his client and stated that his client agreed with the Staff Report and the Conditions of Approval. He also clarified that the building was equipped with sprinklers; however, it would need to be “revisited” because of the change in occupancy and the sprinkler count would increase. As for the lithium batteries, Mr. Rose explained that the batteries were industrial strength and would not “burn like cell phones”, and that they were designed very differently to withstand the speed, adding that their main concern was safety. Commissioner Owens was informed that there had been no fires in the Reno facility and that they had to go through many inspections. Commissioner Green suggested having comparable pricing.

PUBLIC COMMENT

(5:55:99) – Steve Waclow introduced himself and inquired about having a course in a small market such as Carson City and Chairperson Esswein Clarified that the role of the Commission “is to look at the use and not its economic viability as a business”. Mr. Waclow was also concerned about sounds such as go-carts hitting the barriers and the public address systems. Mr. Rose assured the Commission that the building will be made of concrete to keep the noise in and to assure that acoustics are part of the driving experience. He added that LED boards will be used to communicate with drivers, and to announce speeds and results. Mr. Rose also noted that those not following the rules will be ejected, and explained that the indoor chain link fence would act as a barrier between employees on the course and the public. Chairperson Esswein was informed that Carson City did not

have a noise ordinance; however, the Sheriff's Office would deal with nuisance issues. Discussion ensued regarding the residential units and a parking lot behind the subject property, as described in the Staff Report in the agenda materials.

(6:07:06) – MOTION: I move to approve SUP-16-089, a request from agent Ken Rose, architect (property owner Battle Born Properties LLC), for a Special Use Permit to allow an Indoor Go-Cart facility on property zoned Retail Commercial, located at 3777 N. Carson St., APN 002-391-34, based on the findings and subject to the conditions of approval in the Staff Report.

RESULT:	APPROVED (7-0-0)
MOVER:	Salerno
SECONDER:	Owens
AYES:	Esswein, Sattler, Borders, Green, Monroy, Owens, Salerno
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

F-3 SUP-16-090 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FOR A SPECIAL USE PERMIT FROM SILVER BULLET OF NEVADA, LLC (PROPERTY OWNER: C & A INVESTMENTS, LLC) TO ALLOW THE OPERATION OF AN UNLIMITED GAMING CASINO, BAR, AND ADDITIONAL SIGNAGE ON PROPERTY ZONED RETAIL COMMERCIAL (RC), LOCATED AT 3246 N. CARSON ST., APN: 007-462-06.

(6:08:42) – Chairperson Esswein introduced the item. Ms. Sullivan presented the Staff Report and accompanying photographs, and responded to clarifying questions by the commissioners. She also clarified that the square footage of the property was larger than first indicated in the application. Ms. Sullivan explained that this Commission would only grant Special Use Permits for a Casino and a bar; however, they were not authorized to issue gaming or liquor licenses. Ms. Sullivan addressed the concerns she had received from a nearby resident regarding outdoor music and noted that the applicant may consider ambient music in the doorways, similar to stores in a shopping center. As for the issue raised regarding HVAC noise, Staff believed that any occupant of the property would generate the same amount of noise. Ms. Sullivan also noted that after speaking with the Carson City Sheriff's Office, she had learned that they were accustomed to the same procedures and owner in South Carson. She also compared and contrasted the goals of the Master Plan to the plans for the subject property, incorporated in the Staff Report, and recommended approval of the item.

(6:28:02) – Sev Carlson introduced himself as the applicant representative and a Partner at Kaempfer Crowell Law Firm. Mr. Carlson confirmed that the applicant agreed with all the conditions of approval, including the proposed amendment for Condition 13. He also clarified that the Gaming Control Board instructed applicants to have all local approvals prior to obtaining the State level approvals. He also agreed with Ms. Sullivan's presentation that the Commission's decision was for land use only. Mr. Carlson noted that the concrete cinderblock wall and existing landscaping should provide an additional buffer for the noise on the south side of the property, adding that the messages on the digital sign "would not move any faster and will mirror what we do in the south location". Regarding to obtaining a liquor license, Mr. Carlson noted that a full bar will be featured, and reviewed the sign packet, incorporated into the record.

Chairperson Esswein entertained public comments.

PUBLIC COMMENT

(6:35:10) – Garrett Gordon introduced himself as an attorney for Lewis Roca Rothgerber Christie, LLP, representing five Carson City gaming operators: Casino Fandango, Carson Nugget, Gold Dust West, Max Casino, and SlotWorld. Mr. Gordon presented an opposition letter to SUP 15-077, incorporated into the record. Chairperson Esswein clarified that this Commission was not responsible for issuing a gaming license.

(6:47:40) – Donna DePauw introduced herself as a 30-year resident of West Nye Lane and noted that other facilities by the same developer “are well run and well maintained”. She also expressed concern about the outdoor lighting, outdoor music, the noise from the HVAC condensers, the vandalism, and the security.

(6:56:32) – Mr. Carlson clarified that the “old Kmart building” and the proposed venue, which has never been occupied, are under different ownership and that they will implement the same security plan as Bodine’s Casino on the south side of Carson City. He also noted that the applicant will comply with the request of the Gaming Control Board and the Carson City Sheriff’s Office regarding interior and exterior lighting and security requirements. Ms. Sullivan clarified that any modification to the current plan would require further public hearings. She also stated that West Nye was a dead-end street.

(7:02:22) – Patrick Anderson, a Mountain Street resident, introduced himself and noted that he would welcome any development in the area because that shopping center was in great need of revitalization. Dean DiLullo, owner of the Carson Nugget Casino, gave background on his former successes in the casino industry and indicated that he had made his decision to purchase the Nugget Casino in downtown Carson City based on the City’s Master Plan. Mr. DiLullo believed that the proposed casino would not add anything new to the City. He indicated that north side of town needed a hotel with the required 100 rooms and not a shopping center casino. He cited the example of the Horseshoe casino, and believed that if casinos begin leaving the downtown area, other businesses will follow. Mr. DiLullo urged the Commission to “consider sticking with your Master Plan” and to follow a sustainable growth plan.

(7:08:46) – Commissioner Owens disclosed that he knew Court Cardinal, one of the owners of Casino Fandango. Chairperson Esswein stated “we have some disagreement over the applicability of certain items on the Master Plan expressed by the applicant, Staff, and the public, which deserves some consideration by this board”. He added that the Master Plan was the document “guiding the development in this City”; however, it “is not set in stone” and that the language could be interpreted in many ways. Chairperson Esswein believed that calling for casinos in the downtown area was not a land use decision but a business decision, noting that the proposed use would fit “under goal 52B of the Master Plan”. Commissioner Owens believed that the applicant did not meet criteria number six, as the facility would draw from the local economy and will not provide growth. Commissioner Salerno believed that competition provided by another casino was “a good thing in the free enterprise system”. He also noted that the proposed facility is “in dire need of improvement”, calling the project “a good start”, adding that he was in favor of the project.

There were no further discussions on the item and Chairperson Esswein entertained a motion.

(7:14:10) – MOTION: “I move to approve SUP-16-090, a request from Silver Bullet of Nevada, LLC (property owner: C & A Investments, LLC) for a Special Use Permit to allow the operation of an unlimited gaming casino, bar, and additional signage on property zoned Retail Commercial – Planned Unit

Development, located at 3246 N. Carson St., APN: 007-462-06, based on the findings and subject to the conditions of approval contained in the Staff Report, along with the amendment to number 13 of the Conditions of Approval.”

RESULT:	APPROVED (6-1-0)
MOVER:	Sattler
SECONDER:	Salerno
AYES:	Esswein, Sattler, Borders, Green, Monroy, Salerno
NAYS:	Owens
ABSTENTIONS:	None
ABSENT:	None

(7:16:00) – Chairperson Esswein indicated that per agenda item D, the Public Hearing portion of the agenda will be recessed until the next evening, September 29, 2016, at 5:00 in the Bob Boldrick Theater of the Carson City Community Center. He also introduced the next agenda item.

G. STAFF REPORTS (NON-ACTION ITEMS)

G-1 DIRECTOR'S REPORT TO THE COMMISSION.

(7:16:24) – Mr. Plemel noted that no Planning Commission items had been heard during the last Board of Supervisors meeting. However, he noted that the Board had extended the building permit for the Ormsby House, with the stipulation that the outside ground work will be completed within 90 days, adding that the fence had already been removed.

FUTURE AGENDA ITEMS

(7:17:10) – Mr. Plemel noted that no applications have been received and alerted to a possible cancellation of October Planning Commission meeting. He also stated that the Master Plan Annual Report will be agendized for November.

COMMISSIONER REPORTS/COMMENTS

(7:18:10) – Commissioner Salerno received confirmation that the continuation of this meeting will take place in the Bob Boldrick theatre the next evening. Mr. Plemel informed the commissioners that a break was planned during the meeting on Thursday; however, he cautioned that no discussions about the agenda items should take place during the break.

H. PUBLIC COMMENT

(7:19:57) – Mr. Anderson reintroduced himself and noted that due to a high-interest Carson High School volleyball game, he would not attend the Thursday evening public hearing, although he had submitted his written comments regarding the Vintage development for the record. Mr. Yu clarified that Mr. Anderson could speak for three minutes as all comments regarding Vintage would be limited to three minutes. Mr. Anderson explained that both he and his wife were in favor of the project, calling themselves “the sole voice of the neighborhood”. He was in favor of the setbacks, the par course, the trails, and the architecture. Mr. Anderson also suggested that the

neighborhood residents be allowed to patronize the personal services businesses offered by the developers to the residents of the development.

(7:23:51) – Chairperson Esswein recessed the meeting until 5 p.m. the next evening.

THE FOLLOWING ITEMS WERE HEARD ON THURSDAY, SEPTEMBER 29, 2016, BEGINNING AT 5:00 PM, IN THE BOB BOLDRICK THEATER

(5:08:54) – Chairperson Esswein reconvened the meeting and introduced the Commissioners and Staff to the audience. He also read a statement, incorporated into the record, which outlined the process to be followed throughout the meeting, including limiting each public comment to three minutes, timed by Vice Chair Sattler. Commissioner Green noted that she would abstain from voting on items F-4 and F-5, which was confirmed by Deputy District Attorney Daniel Yu, as she and her husband owned a home within three minutes of the proposed project site. Commissioner Green left the dais. Chairperson Esswein then introduced items F-4 and F-5 together, and noted that each item will be voted on separately after joint discussion of both items. Planning Manager Hope Sullivan presented the Staff Report which is incorporated into the record, and along with Carson City Public Works Engineering Manager Danny Rotter presented the findings and conditions of approval, also incorporated into the record, including a report on the water availability and conditions. Ms. Sullivan noted that after reviewing the findings and the conditions of approval, Staff recommended approval of both items.

(5:40:55) – Commissioner Salerno was informed that the development will have private roads and six points of access utilizing gates which will be open from dawn until dusk. He was also informed that the assisted living did not include kitchen or cooking facilities. Commissioner Salerno suggested building homes with multiple elevations. Parks and Recreation Department Director Jennifer Budge clarified that the 3.2 acres of open areas will be maintained by the homeowners association (HOA); however, “the land will be dedicated to the City” via an operations and maintenance schedule agreement. Ms. Budge also noted that a Landscape Maintenance District was discussed but due to the lack of City resources, it was agreed to have the maintenance performed by the HOA, with a deed restriction or other backup alternative, should the HOA become unable to fulfill its obligations. Commissioner Borders recommended clarifying in the documentation that the HOA is responsible for maintaining the streets. He also suggested that the developer build a street and gate it until Long Street is extended to connect with the new street for better traffic flow.

Carson City Transportation Manager Patrick Pittenger noted that Public Works had recommended having four access roads to the development, and that the developer had selected the four depicted on the map. He also clarified that a Long Street extension was not planned at this time, adding that the traffic study conducted for this specific project had “added a certain amount of traffic to that [Bolero] road”. Chairperson Esswein inquired about water sources for expanding the water system capacity, and Mr. Rotter noted that “additional wells and blending” would be contingent upon having “sufficient water capacity”. Ms. Sullivan clarified for Vice Chair Sattler that the construction hours were “directly from the municipal code...for tentative maps”. Commissioner Borders learned that the gate hours were based on the traffic study but could be altered should there be a need. Chairperson Esswein was informed that the traffic study was conservatively estimated by a qualified engineer; however, “there could be fluctuations within a fair margin and still meet our City standards”. Chairperson

Esswein inquired about the project's applicability as a mixed use development, and Ms. Sullivan clarified that the applicant had requested personal services; however, they were to be used by the residents only.

(6:05:40) – Chairperson Esswein invited the applicant to present. Mike Draper, Partner at Argentum Partners, introduced himself as a representative of developer Scott Properties, Managing Partner of the project. Mr. Draper gave background and presented the project overview, which is incorporated into the record. Mike Railey, Partner at Rubicon Design Group, offered information on the “age in place” concept and explained the reasons for the Planned Development Unit (PUD) and Master Plan Amendment. He also clarified that five different elevations will be incorporated into the design and that any changes to the PUD will require additional approvals. Mr. Railey’s presentation is also incorporated into the record.

(6:22:29) – Mike Bennett, Principal and Director of Engineering at Lumos & Associates, introduced himself and presented the engineering report which is also incorporated into the record. Mr. Bennett also addressed several issues highlighted in the written public comments such as storm water and flood zone issues, noting that they will increase the channel widths to comply with City and federal flood prevention requirements and that storm water runoff would be mitigated via retention basins. Mr. Bennett noted that specific traffic questions will be addressed by Loren Chilsen, President of Traffic Works, the firm that had conducted the traffic study.

(6:27:56) – Mark Forsberg introduced himself as a legal representative of both Vintage and the Anderson Family, the property owners, and gave background on the property, noting that the property owners had made an effort to enter into a purchase agreement for Open Space with the City, as detailed in a letter incorporated into the record. Mr. Forsberg also noted that the residential zoning had not changed and that the medium density residential designation was compatible with the Master Plan. He believed that the proposed 5.6 acres assisted living required an amendment to the Master Plan, adding that the original designation would create more traffic congestion than what is being proposed and would allow for more than two residents per dwelling. Mr. Forsberg highlighted that no traffic will be generated by the assisted living residents and will not impact the school traffic.

(6:39:42)- Mr. Draper concluded the presentation by noting that in the last several months “we certainly learned that we needed to and could have done some things better to be more communicative about the project”. He added that they had met with business and community leaders, and residents both opposed and in support of the project and addressed their concerns where possible. Mr. Draper believed “we understand we’re not going to make everybody happy...but we do feel strongly...that this development does minimize impact [and] does provide a community benefit”. He believed that they have made changes based on the input received and addressed several concerns, noting “we’re still listening...and we’re here to answer questions.”

(6:43:54) – Chairperson Esswein entertained commissioner questions. Commissioner Monroy inquired about the market study and wished it could have been included in the presentation. She also questioned the “viability of the project” citing the income levels of current Carson City residents who were age-eligible to live in the proposed development. Ms. Sullivan clarified that the “handbook is an extension of the zoning that will run with the land”. Commissioner Monroy was informed by developer Vince Scott that the residences would be ADA compliant and that two-story homes were not being planned at this time. Commissioner Owens received confirmation that the homes would be limited to two residents, 55 years or older, per household and Ms. Sullivan clarified that the limited on-street parking would be on one side of the street. Vice Chair Sattler inquired about recourse should the developer not sell all the homes, and was informed that they were “confident” there was a market for such residences. Mr. Draper also confirmed for Vice Chair Sattler that the PUD specified that the residents occupying the homes must be age 55 or over; therefore, a younger family member may not live with the resident(s), and that

any changes to it would have to be reapproved by this Commission and the Board of Supervisors. Commissioners Salerno inquired about the vineyards and Ms. Sullivan clarified that the Parks and Recreation Staff had worked with the developer to ensure no vineyards will be planted on the trails; however, the applicant may plant them on other open space areas away from trails and parks. Mr. Draper noted that the vineyards were for aesthetic and marketing purposes; however, “there may be a potential for a small winery”. In response to a question by Commissioner Borders, Mr. Draper noted that the applicant will most likely accept the conditions outlined by Staff, with some “amiable modifications”. He also clarified that they had “increased the buffer by 10-30 feet” after community feedback, in addition to increasing the trail system and making it public. Mr. Railey explained to Chairperson Esswein that the proposed winery would not be a commercial operation and Ms. Sullivan clarified that the assisted living units would not qualify as dwellings because they lacked kitchens and that the residents would not be cooking in them. She also noted that the traffic report had taken the assisted living residents into consideration, adding that since the expansion of the aging in place concept, the code had not changed and “was treating it like an institution”. Traffic Works President Loren Chilsen responded to Chairperson Esswein’s concerns about other methods of transportation such as bicycles and pedestrians as part of the traffic study and noted that “the analysis is performed for the highest 15 minutes of the peak hour”, adding that they had also “looked at daily trips”. Mr. Chilsen stated that the trail system was designed to accommodate those on foot or on bicycles, and stated that local traffic will be impacted by a 2.5 second delay. Chairperson Esswein also commented on the impact on the local medical community and Mr. Draper explained that the goal was to provide on-site private services and noted that the project would contribute to the investments in the community. Mr. Scott clarified for Chairperson Esswein that the leased assisted living units will be operated by Care, Inc., a licensed operator. He also explained to Vice Chairperson Sattler that the location was chosen based on the availability of many medical services nearby, adding that they would assess the on-site services accordingly.

(7:26:31) – Chairperson Esswein recessed the meeting.

(7:52:48) – Chairperson Esswein reconvened the meeting. A quorum was still present.

(7:52:51) – Chairperson Esswein entertained public comment on the project, and reminded everyone that a three-minute time limit will be set per person for all public comment and that speakers will not have a second opportunity for comments. He also noted that no response will be offered by the Commission members, Staff, or the applicant during public comment.

PUBLIC COMMENTS

Louise Uttinger noted that she had submitted written comments as well, and believed that the project documents have continuously changed. She also objected to the density of the project and believed the traffic study was not efficient.

Michael Goldeen, a Lexington Avenue resident, expressed concern over parking due to small garages offered to the residents, and believed that the traffic will impact Carson Middle School. Mr. Goldeen also believed that the required age of 55 for one resident could mean that another resident who is not 55 may also live on site.

Chairperson Esswein thanked those who had submitted their concerns in writing and incorporated into the record, noting that he had found them “interesting”.

Nancy Gammie, area resident, explained that many primary care doctors did not accept Medicare and others did not accept new patients, thus overburdening the emergency room (ER) of the local hospital.

James Pincock, MD introduced himself as a physician and expressed concern over the increased traffic, especially in the school zones, and believed that the traffic study had not taken that into consideration. Dr. Pincock also spoke of Carson City being designated as a “healthcare professional shortage area”, a situation that will be exacerbated by bringing in hundreds of additional seniors, especially since Medicare patient ER visits are considered a “financial loss” to medical institutions.

Sean Gallagher, introduced himself as a “brand new Carson City resident who opposed the Vintage development in its current state. Mr. Gallagher believed that the commercial aspect of the property undermined the Carson City Master Plan, and that the residents of the congregate care units would not frequent downtown to contribute to its vitality. However, he was in favor of mixed housing models and densities and believed that the land could be developed, but not as currently planned.

Maxine Nietz, introduced herself as living adjacent to the Anderson Ranch, objected to the development because the developers were building a “commercial zone” bordered by single family homes, calling it “totally out of keeping with the character of the entire district west of Mountain Street”. She suggested that the project be “sent back to the drawing board” and work with the community “in a way that has not been done to date”. Ms. Nietz requested that archaeologists be present when digging to safeguard any Native American or natural history presence.

Katie Hoffman introduced herself as an attorney at Fennemore Craig, representing Save Open Space (SOS) Carson City. Ms. Hoffman objected to the commercial development and recommended denial of the application by presenting several concerns, incorporated into the record, including impact of the added traffic on schools, the increased burden on the healthcare system, and the commercial nature of the congregate care system.

Sharon Tipton introduced herself as a resident and a voter of Carson City. Ms. Tipton reiterated the contents of her written comments, incorporated into the record, and objected to the proposed high-priced homes which would attract retirees from California to avoid “the crushing taxes [there]”. She urged the Commission not to approve the proposal, have an “open mind”, and review all the comments prior to making a decision.

Christy Tews, a Tahoe Drive resident, expressed concern over traffic on Mountain Street and believed that the development would make it more difficult to turn from Tahoe Street to Mountain Street.

Suzanne Fox introduced herself as a homeowner, rental property owner, voter, taxpayer, and a 22-year Carson City resident and suggested that she and her neighbors are willing to work with the City and the Anderson family “to put together a solution that will be acceptable to all parties”. Ms. Fox believed that “nothing smaller than SF6” and compatible with existing homes should be constructed on the property.

Carson City Mayoral candidate Chris Carver urged the Commission to reject the applicant’s request because “it conflicts with the existing neighborhoods and it will definitely cause friction”. Mr. Carver noted that many Reno residents were walking away from congregate care facilities, and believed that by moving forward with the plan will put a burden on the fire department, law enforcement, and health services. He also referred to his written statement, incorporated into the record, and stated that the developer’s plans “keep changing” and cited the wrought iron versus a split rail fence decisions. Mr. Carver suggested using the Master Plan as a guide and not altering it.

Cathy (cat) Kindsfather, gave background on her family’s land donation to the City, and spoke in favor of having a larger park via grants obtained by the City, and declaring the area a “refuge”.

Kari Wilson introduced herself as a Carson City native and cited several reasons why she did not like the project. She believed that “the nursing home section is not designed right”. She also explained that the proposed ditch would cause a mosquito problem, and was concerned about flooding that would cut off some of the streets. Ms. Wilson disagreed with the small homes being built and inquired about the guest quarters that will be for rent.

Molly Bundy-Toral introduced herself as a native Nevadan and wished “to see real democracy have a chance to work regarding the Vintage project”. She wished to have input from Carson City residents, who live within 900 feet of the area, via a “yes or no vote” in the form of a survey, because she believed that many area residents could not make it to this hearing.

Luke Papez referred to his written comments, which are incorporated into the record, and read several excerpts from his letter.

Steve Brenneman, co-owner of the Bliss Mansion in Carson City, “strongly opposed” the proposed development and questioned the timeliness of the developer’s presentation, especially the drainage study. He also inquired about the deadline of public comments versus the production of the Staff Report. Mr. Brenneman requested terminating tonight’s meeting until timely materials are received from the developer by the nearby property owners and this Commission.

Courtney Gallagher introduced herself as a resident adjacent to the proposed development. Ms. Gallagher listed the many reasons why they had chosen to live in the area and raise their daughter there. She also read excerpts from an email submitted into the record as part of the agenda item’s written comments.

Nathan Wadhams, area resident, introduced himself and noted that the project did not comply with the “thriving, vibrant community in Carson City”, especially when age restrictions are placed upon the residents of the proposed development. Mr. Wadhams believed that the presence of grocery stores and the senior center on the east side of the City could provide better services for seniors, adding that there was no need to such a development in Carson City.

J.R. Williams introduced himself as an author, pilot, flight instructor, and chair of an airline’s safety committee. Mr. Williams reviewed the points he had submitted in written format, incorporated into the record, which indicated that the project site could be used an “ideal emergency landing field for Cason Airport”.

Jeff Foltz introduced himself as a Carson City resident and objected to the ever-changing and inaccurate nature of the project. Mr. Foltz noted that the location of a trail recommended by the Parks and Recreation Commission was not yet incorporated into the plan by the developer. Therefore, he recommended continuing the hearing until accurate information is received from the developer. Mr. Foltz also submitted written comments, which are incorporated into the record.

Paul LaFleur, area resident, referred to the “conceptual subdivision map review of the Vintage” was not compatible with the current neighborhood, lifestyle, or quality of life. He also called it “an intrusion by an enclosed community with exclusivity not compatible to and resisted by the existing single family homes in the area”. Mr. LaFleur suggested not changing the current zoning.

Cheryl Bowman, a Bolero Drive resident, paraphrased her written statement, incorporated into the record, which expressed concern that Bolero Drive would become prone to accidents due to its narrow nature. Ms. Bowman recommended against opening Bolero Drive to the additional traffic.

Fred Voltz commented that Vintage would not become an “aging-in-place” community because at the end of life a skilled nursing facility would be required, and would be different from “assisted living”. Mr. Voltz also noted that the project would create “a homelessness problem” to the wildlife currently residing on the property. He believed that having a vineyard on site would attract wildlife as well and questioned why a developer would not confirm to the City’s Master Plan.

Sara Romeo explained that she had already submitted written comments; however, she wished to understand how the 55-plus age requirements would be enforced. She was also concerned that the traffic study had taken place prior to the first day of school, adding that the opening of Bolero Drive would cause a blind spot near Monte Vista Park. Ms. Romeo believed that the older residents would have a negative impact on the schools as they could vote against “bond issues that would come up”.

John Bullis introduced himself as a resident of Carson City since 1954 and requested that the Commission deny the applicant’s requests because “it’s not compatible”.

LeAnn Saarem introduced herself as a native and a resident of Carson City, and believed that the project “impacts everyone in the community in many negative ways”. Ms. Saarem noted that she had sent her written comments which are incorporated into the late materials. She indicated that she was opposed to the density of the project and to the exclusive and restricted age group occupying the development, because it would send the wrong message of retiring in Carson City instead of attracting workforce for such companies like Tesla.

Bruce Robertson introduced himself as a Carson City resident for almost 57 years and spoke in favor of the project, calling it the right development for that property. He believed that the property would be developed in the future, and noted that Vintage was a high quality development with the lowest impact on the neighborhood. Mr. Robertson noted that another assisted living facility was nearby and “nobody knows it’s there”.

An audience member objected that the previous speaker “is a member of the applicant’s team” and Chairperson Esswein reminded her that she had already used her three-minute speaking time.

Andy Notar introduced himself as a new neighboring homeowner and referenced his written comments, incorporated into the record. Mr. Notar explained that “the field (subject property) looks like it’s gonna catch on fire because it’s so dry”. However, he explained that he had bought his house believing that one-acre lot homes would be built on the Anderson Ranch. Mr. Notar also expressed concern over the lack of water.

Marti Cockell noted that she lived, walked, and drove in the neighborhood and was concerned about traffic on Mountain Street, since a 100-patient Alzheimer’s facility was being constructed across the street from Vintage, creating increased traffic.

Joe LaChu introduced himself as a Carson City resident and teacher. Mr. LaChu objected to the construction noise generated by the project and believed that none of the current residents would move to the proposed facility. He was also opposed to have seniors “coming in from out of state reaping the benefits of Carson City … when that place can’t support itself”.

Jason Kuchnicki introduced himself as a 15-year Carson City resident. Mr. Kuchnicki stated that he had purchased his home knowing the subject property would be developed but with the current Master Plan zoning. He also objected to the “cut through” of Bolero Drive, calling it a public safety and welfare issue. Mr. Kuchnicki

wished to see a development similar to Long Ranch Estates and expressed concern over the aging population of Carson City and the lack of effort to attract businesses, and a more diversified and skilled workforce.

John Dunbar introduced himself and stated that he “grew up in the Carson Valley”, which he called “a real retirement community”. Mr. Dunbar believed that the Carson Valley resident “aren’t out there spending money”, adding that the restaurants and businesses had sustainability issues. He suggested promoting Carson City as an “outdoor community”.

Robert Stachow noted his agreement with Mr. Dunbar and Mr. Kuchnicki and stated that as a young professional he had carefully reviewed the City’s Master Plan prior to purchasing his home. He also expressed concern over opening Bolero Drive.

(9:24:02) – Chairperson Esswein entertained additional public comments and when none were forthcoming he closed the public comment section of the agenda and entertained commissioner comments or questions. He also advised that any Master Plan Amendment must be approved by a two-third (four-person) vote.

(9:25:10) – Commissioner Monroy inquired about the 15-minute traffic study and about the nearby Alzheimer’s facility. Mr. Pittenger clarified that the traffic counts were conducted prior to the end of the previous school year and had accounted for more than 15 minutes of traffic. He also explained that the nearby Alzheimer’s Facility had just “broken ground” therefore they were unable to count actual traffic; however, the City engineers’ traffic forecast had taken it into consideration as well. Commissioner Sattler was informed that the developer was instructed to connect two or the four dead-end streets and he had selected Bolero Drive as one, and that there were no plans to connect Long Street to the east. Commissioner Borders was concerned with the Bolero Drive expansion and also suggested that the developer select a different marketing tool other than the vineyard. Chairperson Esswein wished to understand how the “55 and over” rule would be enforced. Ms. Sullivan noted that Staff had not recommended methods of enforcement, but had left compliance to the HOA. She also recapped the suggested HOA compliance issues and clarified that any changes to the PUD must be approved by this Commission and the Board of Supervisors.

(9:34:30) – Chairperson Esswein invited the applicant to answer Commissioner questions, and when none were forthcoming, he closed the public hearing and invited the commission to deliberate. He also noted that each agenda item will be voted on separately, and that the Master Plan Amendment would require a two-third majority or four votes to pass. Chairperson Esswein entertained comments on item F-4, the Master Plan Amendment. Commissioner Owens stated that he had “a bigger problem with the Planned [Unit] Development than the Master Plan”. Ms. Sullivan clarified for Vice Chair Sattler that the property was “currently zoned for SF 6,000 and SF 12,000” and that “the area west of Ormsby is zoned SF one acre”. Discussion ensued regarding the section of property for consideration of a Master Plan Amendment. Commissioner Borders compared the development to Sierra Place, an assisted living home near Silver Oak, adding that it wasn’t so bad, but it was different. He also noted that the zoning would dictate the viability of the entire project. Commissioner Monroy believed that “the impact [of the development] is low, because it’s an unreasonable plan”. She also requested confirmation that any deviations from the plan or any zoning changes must be approved by the Commission. Commissioner Borders suggested including a condition of approval in the motion that any changes must be reagendized for approval by this Commission and the Board of Supervisors. Chairperson Esswein clarified for Commissioner Owens that the Master Plan Amendment must be approved in order to proceed with the project approval. Commissioner Salerno appreciated the proximity to the medical buildings and the connectivity that the trails provided, noting that he was still uncomfortable with some details of the project. Chairperson Esswein informed Commissioner Salerno that if

the project is not approved, the Master Plan Amendment “won’t happen”. He also read a prepared statement in opposition of the Master Plan Amendment. Commissioner Monroy clarified that the zoning is “not a traditional commercial use” because it is designated only for residents of the development. Chairperson Esswein entertained additional discussion and when none was forthcoming, a motion.

F-4 MPA-16-091 FOR POSSIBLE ACTION: TO ADOPT A RESOLUTION RECOMMENDING TO THE BOARD OF SUPERVISORS APPROVAL OF A MASTER PLAN AMENDMENT FROM LUMOS & ASSOCIATES (PROPERTY OWNER ANDERSEN FAMILY ASSOCIATES) TO ALLOW A CHANGE IN THE MASTER PLAN LAND USE DESIGNATION OF A 5.6 ACRE AREA FROM MEDIUM DENSITY RESIDENTIAL (MDR) TO MIXED USE RESIDENTIAL (MUR), LOCATED AT NORTH ORMSBY BLVD. & 1450 MOUNTAIN ST., APNS 007-573-06, & 08.

(9:54:38) – MOTION: I move to adopt Resolution No. 2016-PC-R-3 recommending to the Board of Supervisors approval of MPA-16-091, a Master Plan Amendment from Lumos & Associates (property owner Andersen Family Associates) to amend the Land Use Map so as to re-designate 5.6 acres as depicted in Figure 3 of the application for a Master Plan Amendment: Vintage at Kings Canyon, dated August 18, 2016, a copy of which is attached to this resolution, from Medium Density Residential to Mixed Use Residential, on property located at 1450 Mountain St., APNs 007-573-06, and 08, based on the findings contained in the Staff Report.

Ms. Sullivan clarified that the effective date of the resolution will be the same as the date of the tentative PUD being discussed tonight.

RESULT:	APPROVED (4-2-1)
MOVER:	Borders
SECONDER:	Monroy
AYES:	Sattler, Borders, Monroy, Salerno
NAYS:	Esswein, Owens
ABSTENTIONS:	Green
ABSENT:	None

F-5 TPUD-16-092 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FROM LUMOS & ASSOCIATION (PROPERTY OWNER ANDERSEN FAMILY ASSOCIATES) FOR A TENTATIVE PLANNED UNIT DEVELOPMENT (TPUD) ON 78.2 ACRES FOR THE PROPOSED VINTAGE AT KINGS CANYON DEVELOPMENT. THE TPUD IS REQUESTED FOR (1) TENTATIVE MAP APPROVAL TO CREATE 212 SINGLE FAMILY RESIDENTIAL LOTS RANGING IN SIZE FROM 1,690 SQUARE FEET TO 17,000 SQUARE FEET, (2) A ZONING MAP AMENDMENT TO REZONE 5.6 ACRES OF LAND FROM SINGLE FAMILY 6,000 (SF6) AND SINGLE FAMILY 12,000 (SF12) TO NEIGHBORHOOD BUSINESS (NB) ZONING; AND (3) A SPECIAL USE PERMIT FOR CONGREGATE CARE HOUSING IN THE NEIGHBORHOOD BUSINESS (NB) ZONING DISTRICT. THE SUBJECT PROPERTY IS LOCATED AT NORTH ORMSBY BLVD, 1450 MOUNTAIN ST & 1800 KINGS CANYON RD, APNS 007-573-06, 07, 08 & 009-012-02.

(9:56:56) – Chairperson Esswein entertained discussion on the item. Commissioner Monroy reiterated her concerns regarding the viability of the proposed plan and wished to be reassured that any significant changes to

the plan will be addressed by the Commission “for public review” along with the “Community Development Handbook” for the land use. Commissioner Owens expressed concern over the community paying for the infrastructure of the development since the City had significantly reduced sewage fees along with a 90 percent reduction of hookup fees; therefore, he found it “difficult to approve the project and move forward”. Vice Chair Sattler requested reducing the construction hours, especially on weekend, from the 7 a.m. to 7 p.m. timeframe to possibly fewer hours. Upon Chairperson Esswein’s request, the zoning map amendment was addressed separately. Ms. Sullivan advised having a single motion for item F-5 as the Commission was not presented with a prepared motion for a separate Zoning Map Amendment, which was embedded in the agenda item. Chairperson Esswein read the findings, prepared by Staff and incorporated into the record, of the PUD and entertained further discussion.

(10:12:14) – Vice Chairperson Sattler expressed concern over Zoning Map Amendment Findings 2 and 3, PUD Finding number 7, and Public Interest Consideration number 5, all of which are incorporated into the record. Commissioner Salerno noted his agreement with Vice Chair Sattler’s concerns. Commissioner Borders preferred allowing construction from 9 a.m. until 7 p.m. Mondays until Saturdays with no construction on Sundays, and not utilizing Bolero Drive as an ingress/egress point. Mr. Pittenger clarified for the Commission that the continuation of Bolero Drive was a Public Works Department requirement as part of a four access points to the development. Mr. Rotter confirmed that a gate would be a possibility as well. Ms. Sullivan suggested having mitigation discussions regarding objectionable findings, prior to a recommendation to the Board of Supervisors. Discussion ensued regarding the approval of the Master Plan and Ms. Sullivan clarified that had the Master Plan not been approved, several of the PUD findings could not have been met, and Mr. Plemel further clarified that if the PUD is not approved, the Master Plan Amendment will also not go forward. When discussion occurred on whether to approve the commercial use portion of the zoning change, Ms. Sullivan reminded the Commission that examples of mitigation were “a larger buffer, a larger setback...something like that”.

Commissioner Salerno questioned the density of the small units in the development and Commissioner Borders noted “you can have a successful development with a zero lot line type facility” in many states and believed that part of the concern was “because they’ve never been seen here before”. He also noted that if the development fails, the Commission must approve any changes in the PUD, adding “it’s not our job to make the developer successful”. Commissioner Monroy believed that “we are here to consider the land use, and I think this is the appropriate land use”. Chairperson Esswein stated that consideration of the design and the proposed project were also objectives of this meeting. He also entertained a motion. Ms. Sullivan summarized the changes proposed by the Commission as: utilizing the NRS timing for a tentative map; the timing of the 20-foot PUE; adding the maintenance of roads to the HOA’s responsibility; a voluntary offer by the applicant for “over 55 product” that a change would require a recommendation by the Planning Commission to the Board of Supervisors for approval; modification of the construction hours; adding a statement to the Handbook to clarify that it was “a regulatory tool” and that all modifications would require the Planning Commission and Board of Supervisors approval; utilizing Bolero Drive as an “exit only” street. Discussion ensued regarding the proposed changes and

Chairperson Esswein noted for the record that the applicant had agreed to accept any conditions requested by this Commission. Mr. Draper stated that they would accept all the conditions recommended by Staff, adding that they were “anxious to discuss the recommendations that you all support, making Bolero [Drive] one way...or placing some restrictions on construction hours...we’re certainly willing to discuss any and all the things that you all brought up”. Chairperson Esswein entertained a motion.

(10:36:16) – MOTION: I move to recommend approval of TPUD-16-92, a Tentative Planned Unit Development for 212 single family residential lots with a clubhouse and a pool, a 96 unit congregate care facility with associated ancillary uses, a park, and a trail system, including a zoning map amendment to rezone 5.6 acres of land as shown in figure 8 of the application for a Tentative Planned Unit Development; Vintage at Kings Canyon dated August 18, 2016 from Single Family 6,000 (SF6) and Single Family 12,000 (SF12) to Neighborhood Business (NB), and including approval of a Special Use Permit to allow a 96 Congregate Care Facility with associated ancillary uses, a reduction in the side setbacks in the SF6 zoning district, the use of a modified parking standard, and the use of a modified street zoning district design for property located at 1450 Mountain Street and property located west of Ormsby Boulevard and north of Kings Canyon Road, APN 007-573-06, -07, -08, and 009-012-02 based on the findings and subject to the recommended conditions of approval in the Staff Report, including the revised conditions of approval recited by Ms. Sullivan prior to the motion.

(10:38:29) – Ms. Sullivan recapped the following revised conditions:

REVISED CONDITION 3

Consistent with NRS 278.360 for the recordation of final maps, the applicant must record a final map for the first phase of development within four years after the approval of the PUD by the Board of Supervisors. Final maps for subsequent phases must be recorded within two years of the recordation of the preceding final map. Upon request by the applicant, the Board of Supervisors may approve not more than a two-year extension for the recordation of any final maps for subsequent phases provided such request and justification for the extension is submitted in writing to the Community Development Department at least 45 days prior to the expiration date. All final maps in full compliance with the conditions of approval must be submitted to the Community Development Department with a Final PUD Map application form and all required materials at least 30 days prior to the expiration date for the applicable final map. If the applicant fails to comply with these provisions, all proceedings concerning the subdivision are terminated.

REVISED CONDITION 28

Plans must be revised to show a 20 foot wide public utility easement (PUE) along the north side of Ash Canyon Creek from N Ormsby Blvd to the west boundary of the project. This PUE must also cross the creek on the west side of the project. This PUE must be labeled “public utility easement” This easement will be required per Section 17.01.015.4 of the Carson City Municipal Code for a future water transmission line per the Carson City Water Master Plan. Dedication of this PUE shall be at the time the first final map recordation for TPUD-16-092 or at the time of parcel map recordation, whichever occurs first.

REVISED CONDITION 66

A private Home Owner’s Association (HOA) will be formed to provide maintenance for all the following areas in perpetuity: Roads, common area landscape and open space areas, buffer areas between the development and neighborhoods, common area path system, landscape medians, street corridors, non-public recreation facilities/amenities (i.e. club house/pool) in perpetuity. The HOA will also be responsible for snow removal on private streets and snow storage. The maintenance and funding shall be addressed in the development’s CC&R’s to the satisfaction of the Carson City District Attorney. Common area maintenance shall include at a minimum, but not limited to the following:

- Debris, weed, and litter removal

- Noxious weed management
- Care and replacement of plant material
- Plant material irrigation and irrigation system repair

REVISED CONDITION 8

This condition was removed for redundancy.

HANDBOOK MODIFICATION

- The handbook shall include a statement of purpose recognizing that it is a regulatory device intended to complement the zoning ordinance, and any modification to the handbook would be a modification to the Planned Unit Development requiring review by the Planning Commission and review and approval by the Board of Supervisors.
- The handbook shall include a limit of single story buildings, with no multi-story buildings allowed.
- The handbook shall limit the permanent occupants to a home to two.
- The handbook shall recognize that this is an over 55 year old community.

REVISED CONDITION 13

Hours of construction will be limited to 7:00 a.m. to 7:00 p.m., Monday through Friday, and 7:00 a.m. to 5:00 p.m. reduced hours on Saturday and Sunday. If the hours of construction are not adhered to, the Carson City Building Department will issue a warning for the first violation, and upon a second violation, will have the ability to cause work at the site to cease immediately.

Chairperson Esswein noted that he would vote “no” on the motion “because I have a hard time with the commercial use within this project”.

RESULT:	APPROVED (4-2-1)
MOVER:	Owens
SECONDER:	Monroy
AYES:	Sattler, Borders, Monroy, Salerno
NAYS:	Esswein, Owens
ABSTENTIONS:	Green
ABSENT:	None

Chairperson Esswein noted that this item will be heard by the Board of Supervisors and Mr. Plemel confirmed that notices of the meeting will be sent out prior to the meeting. Mr. Yu clarified for Chairperson Esswein that since this meeting was a continuation of the previous evening’s meeting and final public comments had been agendized during the previous night’s meeting, no additional public comment was required.

I. FOR POSSIBLE ACTION: FOR ADJOURNMENT

(10:43:29) – Member Border moved to adjourn. The motion was seconded by Commissioner Salerno. The meeting was adjourned at 10:44 p.m.

The Minutes of the September 28 and September 29, 2016 Carson City Planning Commission meeting are so approved this 30th day of November, 2016.

PAUL ESSWEIN, Chair