

DRAFT MINUTES
Regular Meeting
Carson City Planning Commission
Wednesday, March 29, 2017 • 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
Susan Pansky, Special Projects Planner
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

(4:59:12) – Vice Chairperson Sattler called the meeting to order at 5:00 p.m. Roll was called and a quorum was present. Commissioner Green led the Pledge of Allegiance.

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

B. PUBLIC COMMENTS

(5:00:03) – Vice Chairperson Sattler entertained public comment; however, none were forthcoming.

C. POSSIBLE ACTION ON APPROVAL OF MINUTES – February 22, 2016

(5:00:38) – MOTION: I move to accept the minutes [of the February 22, 2016 meeting] as written.

RESULT:	APPROVED (3-0-1)
MOVER:	Borders
SECONDER:	Green
AYES:	Sattler, Borders, Green
NAYS:	None
ABSTENTIONS:	Salerno
ABSENT:	Esswein, Monroy, Owens

D. MODIFICATION OF AGENDA**E. DISCLOSURES**

(5:01:15) – There were no disclosures by the Commissioners.

F. PUBLIC HEARING MATTERS

F-1 SUP-17-012 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FOR A SPECIAL USE PERMIT FROM PHILIP STEWART (PROPERTY OWNER: SOUTH CARSON LANDS, LLC) TO ALLOW A HOTEL ON PROPERTY SPLIT-ZONED MULTI-FAMILY APARTMENT (MFA) AND GENERAL COMMERCIAL (GC) WHERE THE USE IS ALLOWED IN ONLY ONE OF THE ZONING DISTRICTS, AND TO ALLOW AN INCREASE IN THE PERMITTED BUILDING HEIGHT FROM 45 FEET TO 55 FEET, LOCATED AT 4040 S. CURRY STREET, APN 009-151-61.

(5:01:31) – Vice Chairperson Sattler introduced the item. Ms. Sullivan presented the Staff Report with accompanying slides and responded to the commissioners' questions. Commissioner Salerno suggested using the term "shall" in lieu of "will need to" and Ms. Sullivan noted that the terminology was "lifted" directly from the code and offered "to clean that up" at a future date. Vice Chair Sattler expressed concern over the proposed weekend construction hours and Ms. Sullivan explained that those hours had been modified for previous projects and could be modified again for this project. Since there were no additional questions for Staff, Vice Chair Sattler invited the applicants to the podium.

(5:08:41) – Christopher Ross, Ph.D., Senior Scientist, and Brittany Dougherty, Project professional, both with Robison Engineering, introduced themselves as applicant representatives. Dr. Ross indicated that they accepted the conditions of approval presented by Staff and was open to reduced construction hours on Sunday. Ms. Dougherty read a letter from project architect Philip Stewart which is incorporated into the record. Vice Chair Sattler entertained public comments.

PUBLIC COMMENT

(5:14:41) – Jean Bondiett introduced herself as a Voltaire Street property owner, southwest of the subject property. Ms. Bondiett objected to the proposed project height as it was an obstruction to their views. She was also concerned with the "lack of flood findings" and gave examples of floods in the area.

(5:18:41) – John Krmpotic introduced himself as the project leader for the adjacent property's multi-family project. Mr. Krmpotic referenced a letter written by his client, a representative of Voltaire Master, LLC,

incorporated into the record. He called the additional 10 feet requested by the applicant “a design embellishment”, and impacted the view and the economic value of his client’s project. He also noted that a revision to “flip-flop” the parking location of the Voltaire Master project would be proposed at an upcoming Special Use Permit (SUP) revision. Ms. Sullivan clarified that the project referenced by Mr. Krmpotic will be presented before the Commission at a later date. She also noted that the proposed elevation was the maximum as it would have height variations “to create architectural interest”. Vice Chairperson Sattler was informed that a geo-technical report must be done to study the soil conditions and structural design.

(5:25:00) – Commissioner Borders preferred this proposal to a 45-foot flat roof. Commissioner Salerno also preferred an undulated roofline to make the building more attractive.

(5:28:44) – MOTION: I move to approve SUP-17-012, a request from Philip Stewart (property owner: South Carson Lands, LLC) for a Special Use Permit to allow a hotel on property split-zoned Multi-Family Apartment (MFA) and General Commercial (GC) and to allow a height that exceeds the maximum allowed in the zoning districts, located at 4040 S. Curry Street, APN 009-151-61, based on the findings and subject to the conditions of approval contained in the Staff Report, with a modification to Condition Number 6 [that constriction take place] on Sundays from 9 a.m. until 5 p.m.

(5:30:10) – Commissioner Salerno suggested several minor language edits; however, Mr. Yu believed that “legally speaking, it provides the same consequence” and that the text was copied from the Carson City Municipal Code; therefore, the changes were not necessary. Vice Chair Sattler called for the vote

RESULT:	APPROVED (4-0-0)
MOVER:	Borders
SECONDER:	Salerno
AYES:	Sattler, Borders, Green, Salerno
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Esswein, Monroy, Owens

(5:32:50) – Ms. Sullivan Suggested discussing items F-2 and F-3 together, but voting separately on each item. Vice Chair Sattler introduced both items and Ms. Sullivan presented the respective Staff Reports and responded to clarifying questions by the Commissioners. Ms. Sullivan also clarified for Vice Chair Sattler that because the area was not directly adjacent to the Airport, it could be used for “uses that were not federally allowed”. Vice Chairperson Sattler invited the applicant to the podium.

(5:37:43) – Applicant representative Will Adler introduced himself and noted that he had read and was in agreement with the conditions of approval in the Staff Report. He also gave background on the resubmission of the SUPs, noting that the original permit had expired and that a newly-acquired production facility would be added to the cultivation facility. Mr. Adler stated that an odor control plan would also be submitted. Vice Chair Sattler entertained public comments and when none were forthcoming, he suggested a motion. Ms. Sullivan clarified that two separate motions were necessary.

F-2 SUP-17-013 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FOR A SPECIAL USE PERMIT FROM WSCC, INC. (PROPERTY OWNER: WSCC PROPERTY LLC) TO ALLOW A

MEDICAL MARIJUANA ESTABLISHMENT (MME) PRODUCTION FACILITY ON PROPERTY ZONED GENERAL INDUSTRIAL (GI), LOCATED AT 3493 ARROWHEAD DRIVE, APN 005-052-03.

(5:41:02) – MOTION: I move to approve SUP-17-013, a Special Use Permit request from Will Adler (property owner: WSCC, Inc.) to allow a Medical Marijuana Production Facility on property zoned General Industrial (GI), located at 3493 Arrowhead Drive, APN 005-052-03, based on the findings and subject to the conditions of approval contained in the Staff Report.

RESULT:	APPROVED (3-1-0)
MOVER:	Green
SECONDER:	Borders
AYES:	Sattler, Borders, Green
NAYS:	Salerno
ABSTENTIONS:	None
ABSENT:	Esswein, Monroy, Owens

F-3 SUP-17-014 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FOR A SPECIAL USE PERMIT FROM WSCC, INC. (PROPERTY OWNER: WSCC PROPERTY LLC) TO ALLOW A MEDICAL MARIJUANA ESTABLISHMENT (MME) CULTIVATION FACILITY ON PROPERTY ZONED GENERAL INDUSTRIAL (GI), LOCATED AT 3493 ARROWHEAD DRIVE, APN 005-052-03.

(5:42:02) – MOTION: I move to approve SUP-17-014, a Special Use Permit request from Will Adler (property owner: WSCC, Inc.) to allow a Medical Marijuana Cultivation Facility on property zoned General Industrial (GI), located at 3493 Arrowhead Drive, APN 005-052-03, based on the findings and subject to the conditions of approval contained in the Staff Report.

(5:42:41) – Commissioner Salerno indicated that the reason for his nay vote is that “it’s a violation of federal law which I swore an oath that I would follow. So, therefore, I cannot vote for this item”.

RESULT:	APPROVED (3-1-0)
MOVER:	Green
SECONDER:	Borders
AYES:	Sattler, Borders, Green
NAYS:	Salerno
ABSTENTIONS:	None
ABSENT:	Esswein, Monroy, Owens

F-4 ZCA-17-024 FOR POSSIBLE ACTION: TO MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING AN ORDINANCE AMENDING TITLE 18, ZONING, CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 1, LAND USE AND SITE DESIGN, SECTION 1.17, MULTI-FAMILY APARTMENT DEVELOPMENT STANDARDS, AND SECTION 1.18, RESIDENTIAL DEVELOPMENT STANDARDS IN NON-RESIDENTIAL DISTRICTS, TO CLARIFY THAT WHEN DEVELOPMENT IN THE MULTI-FAMILY APARTMENT ZONING DISTRICT OR IN A NON-RESIDENTIAL ZONING DISTRICT IS FOR SINGLE FAMILY RESIDENTIAL, COMMON OPEN SPACE IS NOT REQUIRED.

(5:43:13) – Vice Chairperson Sattler introduced the item. Ms. Sullivan gave background and presented the Staff Report which is incorporated into the record. She also responded to clarifying questions. The Vice Chair entertained commissioner and public comments and when none were forthcoming, a motion.

(5:46:54) – MOTION: I move to recommend to the Board of Supervisors approval of ZCA-17-024, an ordinance amending Title 18, Chapter 18.16, Development Standards, Division 1, Land Use and Site Design, Section 1.17, Multi-Family Apartment Development Standards, and Section 1.18, Residential Development Standards in Non-Residential Districts, to clarify that only multi-family residential development in the Multi-Family Apartment zoning district or in a non-residential zoning district is subject to the common open space requirements, and addressing other matters properly relating thereto.

RESULT:	APPROVED (4-0-0)
MOVER:	Salerno
SECONDER:	Green
AYES:	Sattler, Borders, Green, Salerno
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Esswein, Monroy, Owens

F-5 ZCA-17-025 FOR POSSIBLE ACTION: TO MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING AN ORDINANCE AMENDING TITLE 18, ZONING, CHAPTER 18.02, ADMINISTRATIVE PROVISIONS, TO ADD A NEW SECTION CONCERNING THE PROVISION OF REASONABLE ACCOMMODATIONS WHICH IS CONSISTENT WITH THE FEDERAL FAIR HOUSING ACT.

(5:48:13) – Vice Chairperson Sattler introduced the item. Ms. Sullivan presented the agenda materials which are incorporated into the record. Mr. Plemel added that “in the last couple of days” they had been aware of a bill that may potentially put all the group home definitions back into the single-family definition in the Nevada Revised Statute (NRS) and wished to make the Commission aware of the potential change. There were no commissioner or public comments. Vice Chair Sattler suggested a motion.

(5:51:16) – MOTION: I move to recommend to the Board of Supervisors approval of ZCA-17-025, an ordinance amending Title 18, Chapter 18.02, Administrative Provisions, to add a new section concerning the provision of reasonable accommodations consistent with the Federal Fair Housing Act, and addressing other matters properly relating thereto.

RESULT:	APPROVED (4-0-0)
MOVER:	Borders
SECONDER:	Green
AYES:	Sattler, Borders, Green, Salerno
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Esswein, Monroy, Owens

G. STAFF REPORTS (NON-ACTION ITEMS)**G-1 DIRECTOR'S REPORT TO THE COMMISSION.**

(5:52:23) – Mr. Plemel stated that the Lompa Ranch Tentative Subdivision Map was approved by the Board of supervisors (BOS) and that the Planning Division would work with the developer on the development agreement. He indicated that the BOS had also approved the Airport Zoning Code and Map Amendments on first reading.

FUTURE AGENDA ITEMS

(5:53:15) – Mr. Plemel noted that SUPs for a freeway-oriented sign, apartments behind the Galaxy Theatre, and the expansion of a legal non-conforming use (a school) in a Limited Industrial zoning district.

COMMISSIONER REPORTS/COMMENTS

(5:54:02) – Commissioner Borders was informed that additional language was added to the Lompa Ranch project. The property will be maintained by a Homeowner's Association (HOA), but a Landscape Maintenance District will also be created, should the HOA cease to function. Vice Chair Sattler was informed that the appeal period had passed for the Golden Gate Petroleum sign project; therefore, no appeal will be filed.

H. PUBLIC COMMENT

(5:55:47) – There were no public comments.

I. FOR POSSIBLE ACTION: FOR ADJOURNMENT

(5:56:03) – Commissioner Green moved to adjourn. The motion was seconded by Commissioner Borders. The meeting was adjourned at 5:56 p.m.

The Minutes of the March 29, 2017 Carson City Planning Commission meeting are so approved this 26th day of April, 2017.

MARK SATTLER, Vice Chair