

STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF JUNE 28, 2017

FILE NO: SUP-17-067

AGENDA ITEM: F-3

STAFF AUTHOR: Hope Sullivan, AICP
Planning Manager

REQUEST: To consider a request for a revision to a Special Use Permit from Anthony Georgiadis, GTI Nevada (property owner: DBB Holdings, Inc.) to allow for the expansion of a Medical Marijuana Dispensary on property zoned General Commercial (GC), located at 135 Clearview Drive, Unit 119, APN 009-161-20.

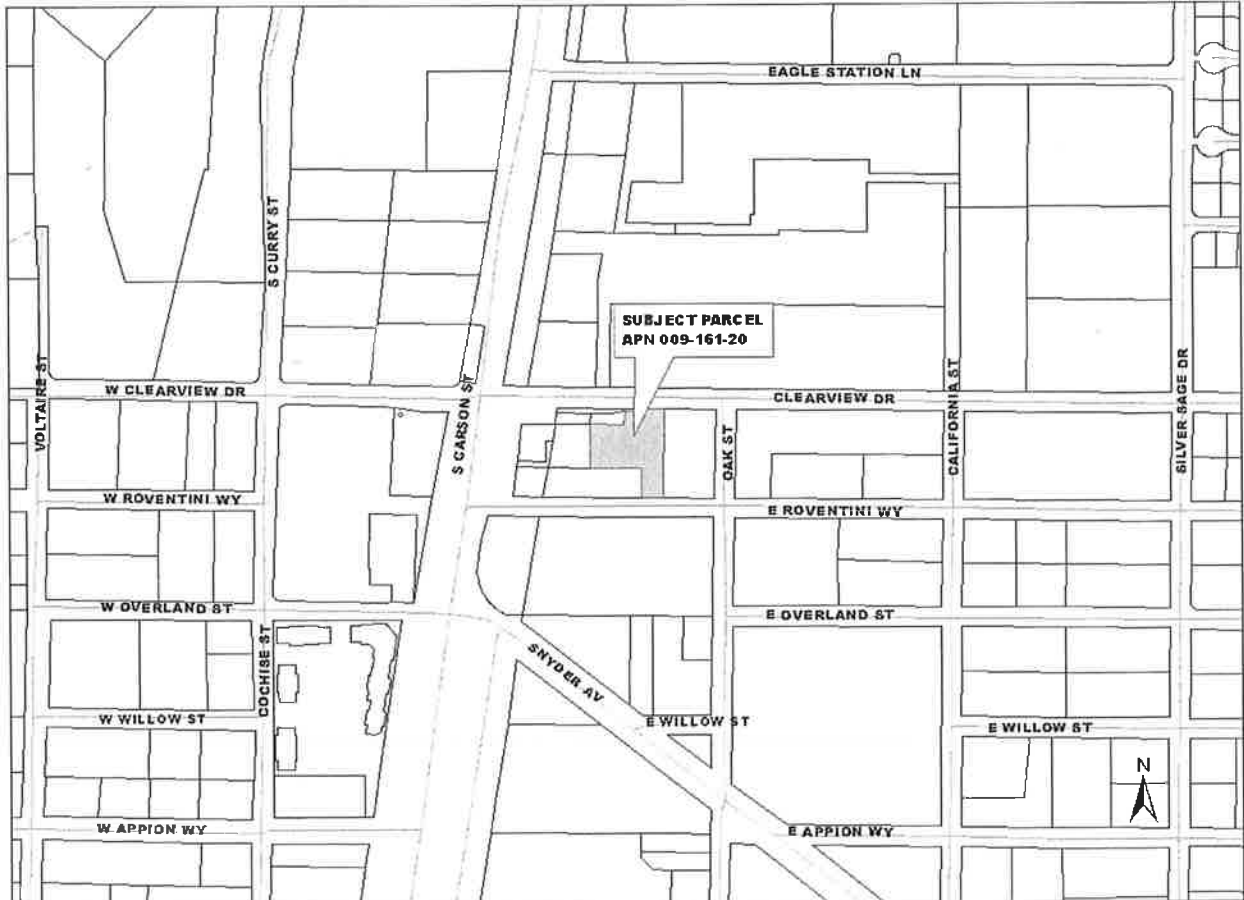
APPLICANT: Anthony Georgiadis, GTI Nevada

OWNER: DBB Holdings, Inc.

LOCATION: 135 Clearview Drive, Unit 119

APN: 009-161-20

RECOMMENDED MOTION: "I move to approve SUP-17-067, a request to revise a Special Use Permit, from Anthony Georgiadis, GTI Nevada (property owner: DBB Holdings, Inc.) to allow an existing Medical Marijuana Dispensary to expand its tenant space on property zoned General Commercial, located at 135 Clearview Drive, Unit 119, APN 009-161-20, based on the findings and subject to the conditions of approval contained in the staff report."



RECOMMENDED CONDITIONS OF APPROVAL:

The following shall be completed prior to commencement of the use:

1. The applicant must sign and return the Notice of Decision for conditions for approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, then the item may be rescheduled for the next Planning Commission meeting for further consideration.
2. All development shall be substantially in accordance with the development plans approved with this application, except as otherwise modified by these conditions of approval.
3. All on- and off-site improvements shall conform to City standards and requirements.
4. All on- and off-site improvements shall conform to NRS and NAC 453A and the Adopted Regulations of the Division of Public and Behavioral Health of the Department of Health and Human Services, 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 shall maintain a State certificate to operate a Medical Marijuana Establishment, specifically a dispensary, at the subject location. Failure to maintain a State certificate 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.

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

8. 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.
9. Project must comply with 2012 IFC and Northern NV fire code amendments.
10. Fire sprinkler and fire alarm coverage must be maintained.
11. Additional fire alarm notification devices may be required.
12. Applicant will need to turn in a Water and Sewer Use form with calculations with the building permits.
13. If the project will be disturbing greater than 160 square surface feet of material, submit an asbestos assessment on all applicable materials being disturbed.
14. Once the result from the asbestos assessment area is known, complete a Carson City Acknowledgement of Asbestos Assessment Form. Depending on the results, an EPA ten day notification may also need to be submitted.

15. The sanitary sewer may not connect to a grease interceptor. Per 2012 UPC 1014. Identify all lines connecting to the existing grease interceptor located in the parking lot outside the front entrance of the space this project is requesting to move into. Submit a plumbing plan that clearly shows how the drainage lines of the expansion will not be discharging into the grease interceptor. Lines connecting to the grease interceptor will need to be capped off.

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 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. Hours of operation shall be limited from 7:00 a.m. to 8:00 p.m., seven days per week.
22. Medical marijuana products shall not be visible from outside the dispensary at any time.
23. The applicant shall ensure that any offensive medical marijuana product odors are not discharged from the building at any time. The detection of medical marijuana odors in the vicinity may result in citation and possible revocation of this Special Use Permit.
24. Any changes to signage must be reviewed and approved by the Planning Division prior to installation.

LEGAL REQUIREMENTS: CCMC 18.02.080 (Special Use Permits), CCMC 18.04.135 General Commercial (GC), CCMC DS 1.20 Development Standards for Medical Marijuana Establishments.

MASTER PLAN DESIGNATION: Community/Regional Commercial

PRESENT ZONING: General Commercial (GC)

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

SURROUNDING ZONING AND LAND USE INFORMATION:

- EAST: General Commercial/Retail Commercial Uses
- WEST: General Commercial/Retail Commercial Uses
- NORTH: General Commercial/Retail Commercial Uses
- SOUTH: General Commercial/Vacant Parcel and Retail Commercial Uses

ENVIRONMENTAL INFORMATION:

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

SITE DEVELOPMENT INFORMATION:

- LOT SIZE: .9 acres
- EXISTING STRUCTURE SIZE: 12,466 square feet, 1,374 square feet for tenant space
- EXISTING PARKING: 44 spaces on existing parcel, 97 for entire existing shopping center
- SETBACKS: N/A – Existing Building
- VARIANCES REQUESTED: None

PREVIOUS REVIEWS:

Special Use Permit SUP-16-037: to allow a Medical Marijuana dispensary on this site was approved by the Planning Commission at its meeting of May 25, 2016. This use has been established.

Special Use Permit SUP-15-002 to allow a Medical Marijuana dispensary on this site was approved by the Planning Commission at its meeting of February 25, 2015. SUP-15-002 was not acted upon, and has expired. The subject request is by a different applicant.

HISTORY:

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

In addition to the Special Use Permit requirements set forth by Carson City, any Medical Marijuana Establishment applicants are also required to apply to the State of Nevada for a certificate to operate a Medical Marijuana Establishment. In 2015, the Planning Commission approved SUP-15-002, a dispensary at this same location for Nevada Organix, LLC. In March 2016, the State Department of Health and Human Services authorized a Transfer of Interest from Nevada Organix, LLC to GTI Nevada, LLC. Per the provisions of Section 1.20.1 of the Carson City Development Standards, Special use Permits are non-transferable between operators. Therefore, although the State has approved a transfer of ownership, the new owner was required to obtain a Special Use Permit. The applicant did obtain the Special Use Permit in May, 2016, and established the use. The applicant is now seeking to expand the use.

This is one of two dispensary operators in Carson City to receive a provisional certificate from the State. A condition of approval has been recommended as a part of this staff report that the applicant must maintain their certificate to operate a Medical Marijuana Establishment in Carson City in order for this Special Use Permit to remain valid. The failure to maintain a certificate to operate from the State would result in the Special Use Permit becoming null and void.

DISCUSSION:

The existing medical marijuana dispensary occupies a 1,374 square foot tenant space within an existing shopping center on Clearview Drive, just east of South Carson Street. The dispensary sells medical marijuana, medical-marijuana-infused products and medical marijuana paraphernalia. The proposed addition will add 1,400 square feet to the dispensary. Essentially, two tenant spaces will be combined into one. The existing front door will continue to be the access to the use.

The applicant has implemented a security plan for the dispensary that includes the following security measures:

- On-site security guards. A security guard is present at all times during operating hours. All security guards will be registered agents of the dispensary.
- Alarm system. A third-party alarm system is be monitored by the contracted alarm company 24 hours a day and will include motion detectors and key-pad deactivation.
- Panic buttons.
- Video surveillance. Cameras capable of identifying faces of those present in the facility have been installed. Building exteriors are also be outfitted with video surveillance and sufficient lighting will be maintained to ensure functionality of surveillance. The system includes 30-day digital video storage, video printer and battery back-up and failure notification systems.
- Restricted employee access to security systems.
- Steel door frames.
- Solid core doors (90 minute fire rated).
- Buzz-in locking mechanism to allow entry to verify cardholders.
- Self-closing and self-locking door mechanisms.
- Commercial grade dead-bolt locks.
- Commercial grade fingerprint entry lock.
- Commercial grade keyless key-pad entry mechanism.
- Security walls.
- Bulletproof glass.
- Single, secure patient entrance.
- Bank-style safe system with locking system meeting the standards of Underwriters Laboratories.
- Enclosed, locked display cases.

The applicant anticipates that its customers can be accommodated by the 97 total parking spaces that exist in the overall shopping center.

Existing ventilation and odor control will be replicated in the expansion. Per State regulations, marijuana odor that is detectable outside of the facility is forbidden and staff has recommended a condition of approval in this Special Use Permit as well.

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

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

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

1.20 Medical Marijuana Establishments.

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

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

Staff has recommended a condition of approval outlining these requirements.

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

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

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

The business activities for the dispensary are proposed to be conducted inside an existing permanent tenant space, within an existing shopping center. The existing exterior of the tenant space is professional and consistent with the general look of pharmacies and medical offices.

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

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

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

Outside storage is not proposed with this dispensary.

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

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

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

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

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

The applicant is not proposing signage with this application. Staff has recommended a condition of approval that will require that changes to signage be reviewed and approved by the Planning Division prior to installation.

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

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

The dispensary is located within a shopping center with 44 existing spaces on the subject parcel and 97 total parking spaces for the entire center. Per the Carson City Development Standards, Division 2, Parking and Loading, a shopping center is required to have one space per 250 square feet of gross floor area. Based on the gross floor area of the overall shopping center buildings at 22,770 square feet, a total of 92 parking spaces are required. The shopping center exceeds this requirement with 97 total parking spaces. Because the proposed dispensary is located in an existing shopping center that shares parking, the overall parking count meets the minimum requirement for the dispensary.

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

The proposed dispensary location is one of two that has previously obtained a provisional certificate from the State.

- k. A MME shall not be located within 1,000 feet of a public or private school that provides formal education traditionally associated with preschool or kindergarten through grade 12 or within 300 feet of a facility that provides day care to children, a public park, a playground, a public swimming pool, a center or facility, the primary

purpose of which is to provide recreational opportunities or services to children or adolescents, that existed on the date on which the application for the proposed MME was submitted to the State Health Division, measured on a straight line from the nearest school or community facility property line to the front door or primary entrance of the MME.

The applicant has verified that the proposed dispensary meets the minimum distance requirements outlined in this standard.

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

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

A single point of secure public entry has been identified on the included floor plan. A second door on the north side is for exit only.

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

Staff proposes this limitation within the conditions of approval.

- c. Drive-through service is prohibited.

Drive-through service is not proposed for this dispensary.

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

While the dispensary is located within a shopping center with frontage on the same street as residentially-zoned property, the applicant has verified that the residentially-zoned property is more than 300 feet from the front door of the dispensary, as required by this standard.

Staff finds that the proposed dispensary meets the applicable development standards required.

PUBLIC COMMENTS: Public notices were mailed to 33 owners of property within 720 feet of the subject site on June 9, 2016. As of the writing of this report, no correspondence has been received. Any comments that are received after this report is completed will be submitted to the Planning Commission prior to or at the meeting on June 28, 2017, 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: no comments

Fire Department:

1. Project must comply with 2012 IFC and Northern NV fire code amendments.
2. Fire sprinkler and fire alarm coverage must be maintained.
3. Additional fire alarm notification devices may be required.

Engineering Division:

1. A water and sewer use form with calculations is required at the time of building permit application.

Health and Human Services:

Carson City Health and Human Services has no concerns with the application as submitted.

Environmental Control Authority:

1. Project will be disturbing greater than 160 sq. surface feet of material. Please submit an asbestos assessment on all applicable materials being disturbed.
2. Once you have obtained the results from the asbestos assessment submit a completed Carson City Acknowledgement of Asbestos Assessment Form.
3. Depending on the results of the Asbestos Assessment an EPA 10 Day Notification may also need to be submitted.
4. Sanitary sewer not allowed to connect to a grease interceptor. Per 2012 UPC 1014. Please identify all lines connecting to the existing grease interceptor located in the parking lot outside the front entrance of the space this project is requesting to move into. Please submit a plumbing plan that clearly shows how the drainage lines of the expansion will not be discharging into grease interceptor. Lines connecting to grease interceptor will need to be capped off.

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 objectives of the Master Plan elements.**

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

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

2. **Will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and is compatible with and preserves the character and integrity of adjacent development and neighborhoods or includes improvements or modifications either on-site or**

within the public right-of-way to mitigate development related to adverse impacts such as noise, vibrations, fumes, odors, dust, glare or physical activity.

The proposed expanded dispensary will be located in an existing tenant space within an existing shopping center. The nature of the business is in line with a retail or pharmacy use and is not expected to cause objectionable noise, vibrations, fumes, odors, dust, glare or physical activity.

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

The proposed expanded dispensary is anticipated to generate both vehicular and pedestrian traffic to the site, but no more than what would be expected of a retail commercial operation common for the existing shopping center. Therefore, it is not expected to have a detrimental impact on vehicular or pedestrian traffic.

4. Will not overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public improvements.

The proposed expanded dispensary is located in an existing building and should not have impact on public services such as water, sanitary sewer, storm drainage or other public improvements. All of these existing improvements are adequate for the proposed use. There is no anticipated impact on schools. Sheriff's office is not advising any modification to the security plan. The applicant has proposed extensive security measures so as to minimize the demand for police services.

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

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

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

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

7. Will not result in material damage or prejudice to other property in the vicinity, as a result of mitigation measures.

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

Conclusion

Based on the ability to make the required Special Use Permit findings, subject to the recommended conditions of approval, staff is in support of this Special Use Permit application. Staff recommends that the Planning Commission approve SUP-17-067 subject to the conditions identified based on the required findings as noted in this report.

Attachments:

- Fire Department Comments
- Engineering Division Comments
- Health and Human Services Comments
- Environmental Control Authority
- Updated Floor Plan
- Application (SUP-17-067)

June 8, 2017

Fire

SUP-17-067

RECEIVED

JUN 08 2017

CARSON CITY
PLANNING DIVISION

1. Project must comply with the 2012 IFC and northern Nevada fire code amendments.
2. Sprinkler coverage must be maintained.
3. Additional fire alarm notification devices may be required.

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



**Engineering Division
Planning Commission Report
File Number SUP 17-067**

TO: Hope Sullivan - Planning Department
FROM: Guillermo Munoz – Development Engineering Department
DATE: June 13, 2017 **MEETING DATE:**

SUBJECT TITLE:

Action to consider an application for a Special Use Permit, from Applicant Anthony Georgia, to allow expanding the currently operating MM, Rise.

RECOMMENDATION:

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

DISCUSSION:

The Engineering Division has reviewed the application within our areas of purview relative to adopted standards and practices and to the provisions of CCMC 18.02.080. Conditional Uses. The Engineering Division offers the following condition of approval:

- Applicant will need to turn in a Water and Sewer use form with calculations with the building permit.

C.C.M.C. 18.02.080 (5a) - Master Plan

The request is not in conflict with any Engineering Master Plans.

C.C.M.C. 18.02.080 (5b) – Use, Peaceful Enjoyment, Economic Value, Compatibility

Development Engineering has no comment on this finding.

C.C.M.C. 18.02.080 (5c) - Traffic/Pedestrians

Development Engineering has no comment on this finding.

C.C.M.C. 18.02.080 (5d) - Public Services

Development Engineering has no comment on this finding.

C.C.M.C. 18.02.080 (5e) – Title 18 Standards

Development Engineering has no comment on this finding.

C.C.M.C. 18.02.080 (5f) – Public health, Safety, Convenience, and Welfare

The project meets engineering standards for health and safety.

June 13, 2017

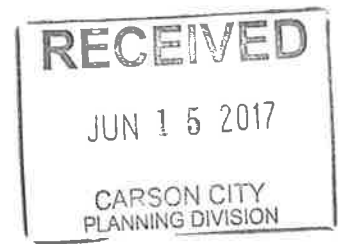
Health

SUP-17-067

Health and Human Services

No concerns with the application as submitted.





06/14/2017

Major Project Review Committee

Re: # SUP – 17-067

Greetings,

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 17- 067 @ 135 Clearview Dr. project:

1. Project will be disturbing greater than 160 sq. surface feet of material. Please submit an asbestos assessment on all applicable materials being disturbed.
2. Once you have obtained the results from the asbestos assessment submit a completed Carson City Acknowledgement of Asbestos Assessment Form.
3. Depending on the results of the Asbestos Assessment an EPA 10 Day Notification may also need to be submitted.
4. Sanitary sewer not allowed to connect to a grease interceptor. Per 2012 UPC 1014. Please identify all lines connecting to the existing grease interceptor located in the parking lot outside the front entrance of the space this project is requesting to move into. Please submit a plumbing plan that clearly shows how the drainage lines of the expansion will not be discharging into grease interceptor. Lines connecting to grease interceptor will need to be capped off.

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

Sincerely;

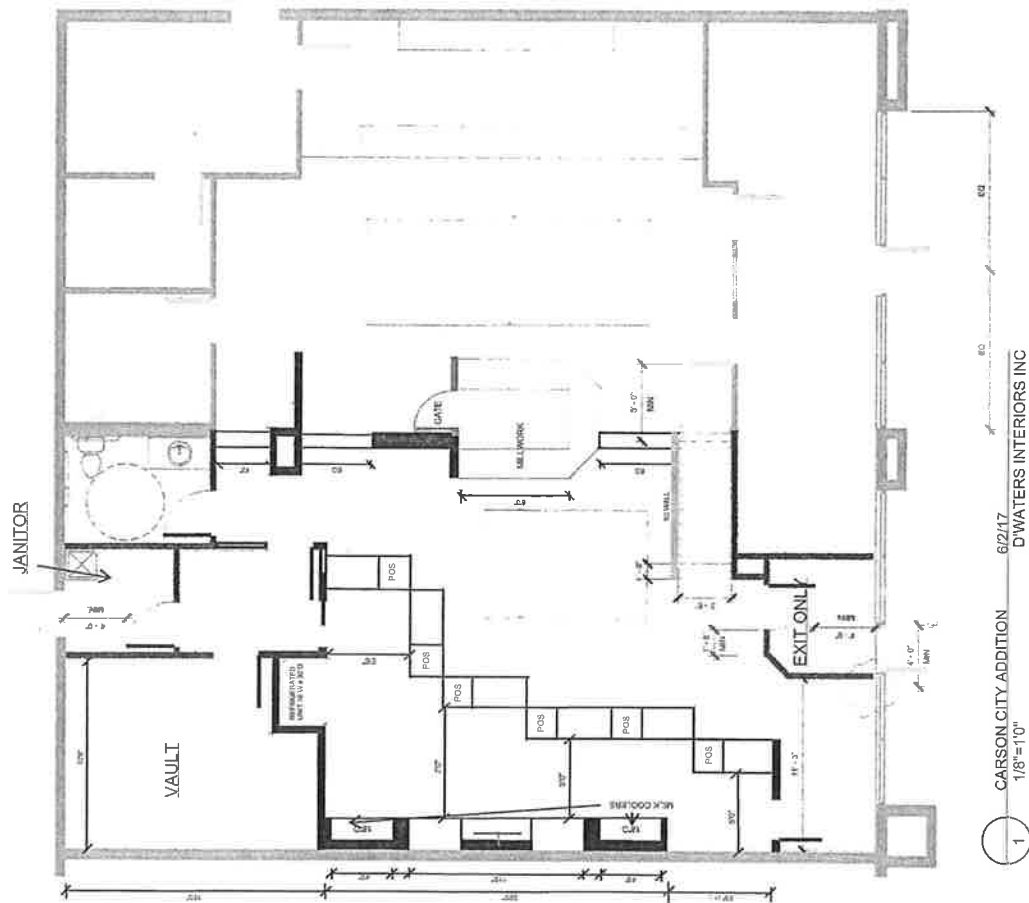
Mark Irwin
Senior Environmental Control Officer

c: Kelly Hale, Environmental Control Foreman

RECEIVED

JUN 15 2017

CARSON CITY
PLANNING DIVISION



1 CARSON CITY ADDITION 6/2/17 D WATERS INTERIORS INC
1/8" = 1'-0"

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

FILE # SUP - 17 - 067

APPLICANT PHONE #
 Anthony Georgiadis, GTI Nevada 704-287-3447

MAILING ADDRESS, CITY, STATE, ZIP
 3130 N. Deer Run Rd., Carson City Nevada 89701

EMAIL ADDRESS
 anthony.georgiadis@doriancap.com

PROPERTY OWNER PHONE #
 DBB Holdings, Inc. 1775-624-8429

MAILING ADDRESS, CITY, STATE, ZIP
 please contact through applicant

EMAIL ADDRESS
 or applicant agent / representative

APPLICANT AGENT/REPRESENTATIVE PHONE #
 Pistil and Stigma, Inc. 775-815-4813

MAILING ADDRESS, CITY STATE, ZIP
 250 Bell St., Reno, NV 89502

EMAIL ADDRESS
 info@pistilandstigma.com

FOR OFFICE USE ONLY:

CCMC 18.02.080

SPECIAL USE PERMIT

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

+ noticing fee

***Due after application is deemed complete by staff**

☐ **SUBMITTAL PACKET – 4 Complete Packets (1 Unbound Original and 3 Copies) including:**

- ☐ Application Form
- ☐ Detailed Written Project Description
- ☐ Site Plan
- ☐ Building Elevation Drawings and Floor Plans
- ☐ Special Use Permit Findings
- ☐ Master Plan Policy Checklist
- ☐ Applicant's Acknowledgment Statement
- ☐ Documentation of Taxes Paid-to-Date
- ☐ Project Impact Reports (Engineering)

☐ **CD or USB DRIVE with complete application in PDF**

Application Received and Reviewed By:

Submittal Deadline: See attached Planning Commission application submittal schedule.

Note: Submittals must be of sufficient clarity and detail for all departments to adequately review the request. Additional information may be required.

<u>Project's Assessor Parcel Number(s):</u> 009-161-20	<u>Street Address</u> 135 Clearview Drive Unit 123 and Unit 119, 89701
<u>Project's Master Plan Designation</u> Community Regional Commercial	<u>Project's Current Zoning</u> General Commercial
<u>Nearest Major Cross Street(s)</u> S. Carson and Oak St.	

Please provide a brief description of your proposed project and/or proposed use below. Provide additional pages to describe your request in more detail.

The proposed project will expand the currently operating Medical Marijuana Establishment, RISE.

PROPERTY OWNER'S AFFIDAVIT

I, DBB Holdings Inc., being duly deposited, do hereby affirm that I am the record owner of the subject property, and that I have knowledge of, and I agree to, the filing of this application.

Signature [Signature] Address 3953 So. McCarran Blvd Reno, NV 89508 Date 5/23/2017

Use additional page(s) if necessary for additional owners.

STATE OF NEVADA)
 COUNTY)

On May 23, 2017, Jack H. Brower, 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.

[Signature]
 Notary Public

ANITA Y. NELSON
 Notary Public - State of Nevada
 Appointment Recorded in Washoe County
 No: 99-56343-2 - Expires April 21, 2019

NOTE: If your project is located within the Historic District or airport area, it may need to be scheduled before the Historic Resources Commission or the Airport Authority in addition to being scheduled for review by the Planning Commission. Planning staff can help you make this determination.

TO: Carson City Planning Division
FROM: GTI Nevada, LLC (GTI)
RE: Application for Amended Special Use Permit
SUBMITTED: May 18, 2017

PREPARED BY:

Pistil & Stigma, Inc.
250 Bell Street, Reno, NV 89502
775-815-4813
info@pistilandstigma.com

PROPOSED LOCATION: 135 Clearview Drive in Carson City (APN 009-161-20)
PROPOSED USE: Medical Marijuana Dispensary

CONTENTS


- Application Form
- Written Project Description
- Site Plan
- Building Photos
- Zoning Letter with Supporting Documents
- Questionnaire with Both Answers and Questions Given
- Documentation of Taxes Paid-to-Date
- Applicant's Acknowledgment Statement

If there is any additional 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 it in your detailed description.

Please type and sign the statement on the following page at the end of your findings response.

ACKNOWLEDGMENT OF APPLICANT

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


Applicant's Signature

Anthony Georgiadis
Print Name

5/18/2017
Date



GTI NEVADA, LLC

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T (312) 471.6730 | WWW.GTIGROWS.COM

June 1, 2017

Carson City Planning Department
108 E. Proctor Street
Carson City, NV 89701

To Whom It May Concern:

This letter is a formal acknowledgement that GTI Nevada, doing business as RISE Dispensary, located at 135 Clearview Drive Unit 119, Carson City, Nevada 89701, is in compliance with the distance requirements set forth by NRS 453A and Carson City's planning, land use, and property set back requirements.

GTI is requesting Planning Commission consideration for an Amended Special Use Permit to allow for the expansion of RISE, a currently operating Medical Marijuana Dispensary. The proposed use is consistent with the zoning designation, and is consistent with the criteria set for a medical marijuana establishment. The site plan shows that the front entrance to the building will not change with the proposed modification, and meets the separation requirements of 1,000 feet from a school, and 300 feet from a community facility, as well as residential set back requirements.

GTI acknowledged its compliance with the original separation distance requirements in 2014 when proposing to develop the subject site, and found that it satisfied all separation requirements. On May 31, 2017, GTI informally surveyed all land and commercial uses and found that it continues to be in compliance. The included property information map includes related support information.

Please do not hesitate to reach out to me should any additional information be required.

Kind regards,

Anthony Georgiadis

Co-owner, GTI Nevada

Overview

This application for a Special Use Permit Amendment (SUP) is an amendment of the original SUP to allow for the expansion of RISE, a medical marijuana dispensary located at 135 Clearview Drive in Carson City (APN 009-161-20). The applicant, GTI Nevada, LLC (GTI), also holds provisional certificates from the Division of Public and Behavioral Health to operate a cultivation facility and production facility in Carson City. As all medical marijuana establishments in Carson City must apply separately for a Special Use Permit (SUP), applications for the co-located medical marijuana cultivation and production facilities in Carson City were submitted separately from this application and extensions on those two have recently been filed.

GTI's leaders have a proven, successful track record of developing and adhering to sustainable business practices, and a deep understanding of the legal and regulatory requirements surrounding medical marijuana. GTI continues to be dedicated to serving patients in need of quality medicine and ensuring that its efforts positively impact the Carson City community. The team has designed and developed and currently operates two medical marijuana cultivation/production facilities and one dispensary in Illinois' highly regulated Medical Cannabis Pilot Program.

The original plan called for a 1,374 sq. ft. building with high security including monitor cameras on 24 hour surveillance as well as on-site security. The amendment would include an additional 1,400 sq. ft. The total square footage of the proposed facility is 2,800 sq. ft. With cardholder access areas of approximately 1,000 square feet, the dispensary comfortably accommodate up to 200 patients per day. The existing space includes the following rooms and areas:

- Vestibule (60 sq. ft.): Cardholders, including registered patients, designated primary caregivers and nonresident patients, and visitors enter through the single secure entrance into this space, where they wait until they are allowed access to the rest of the dispensary. Cardholders and visitors provide their identification and/or patient registry identification card to a dispensary agent stationed behind a window between the Vestibule and the Patient Area. This window is made of bullet-proof glass.
- Patient Area (988 sq. ft.): After their identification and/or cardholder status has been confirmed, the door leading to the Patient Area is unlocked using a buzzer to allow cardholders and visitors to enter the Display Area. All sales of medical marijuana products are conducted in this area. All medical marijuana inventories in the Patient Area are stored behind locked service counters staffed by dispensary agents.

- **Manager's Office (135 sq. ft.):** Only authorized dispensary agents have access to this room, which contains the IT closet and the video surveillance monitors.
- **Storage Safe (47 sq. ft.):** The storage safe is only accessible through the Manager's Office and access is limited to select employees. The Storage Safe houses the dispensary's excess inventory. Only the amount of product needed to immediately serve patients is removed from the Storage Safe at any time.
- **Unisex Bathroom (78 sq. ft.):** All faucets within the facility are quipped with products that have the EPA's "WasteSense" approval. To conserve water, toilets are 1.6 gallon flushes and a quarterly check is performed to ensure all sources of water within the facility are not leaking.

The proposed amendment will include 1,400 sq. ft. of additional space which includes: additional floor space for product, large vault, unisex bathroom, refrigerator area, and janitor room.

Adjustments including demolition, layout, framing, painting, and installation of safes, large equipment, flooring, drywall, and mechanical, electrical and plumbing devices will be made over a period of about sixty days. Proposed floor plans have been provided with this application.

Dispensing Operations

The dispensary is open from 11am – 7pm Monday – Friday, and 10am – 5pm Saturday and Sunday. GTI anticipates serving 45-50 patients per day with the expansion, and will hire about ten additional full-time positions on top of the five current employees to meet this need. GTI team leaders will continue to recruit and train local staff based on the patient-focused policies and procedures they currently employ. Staff is and will continue to be trained on safety and security with a focus on transparent communication with law enforcement. As the face of GTI's local operations, the dispensary and its staff lead all departments in supporting local educational and community service efforts.

Security and Safety

Security measures that have been implemented include, without limitation:

- **On-site security guards.** A security guard is present at varying times during operating hours. All security guards are registered agents of the dispensary.
- **Alarm system.** A third-party alarm system is monitored by a contracted alarm company 24 hours a day and includes motion detectors and key-pad deactivation.
- **Panic Buttons.**

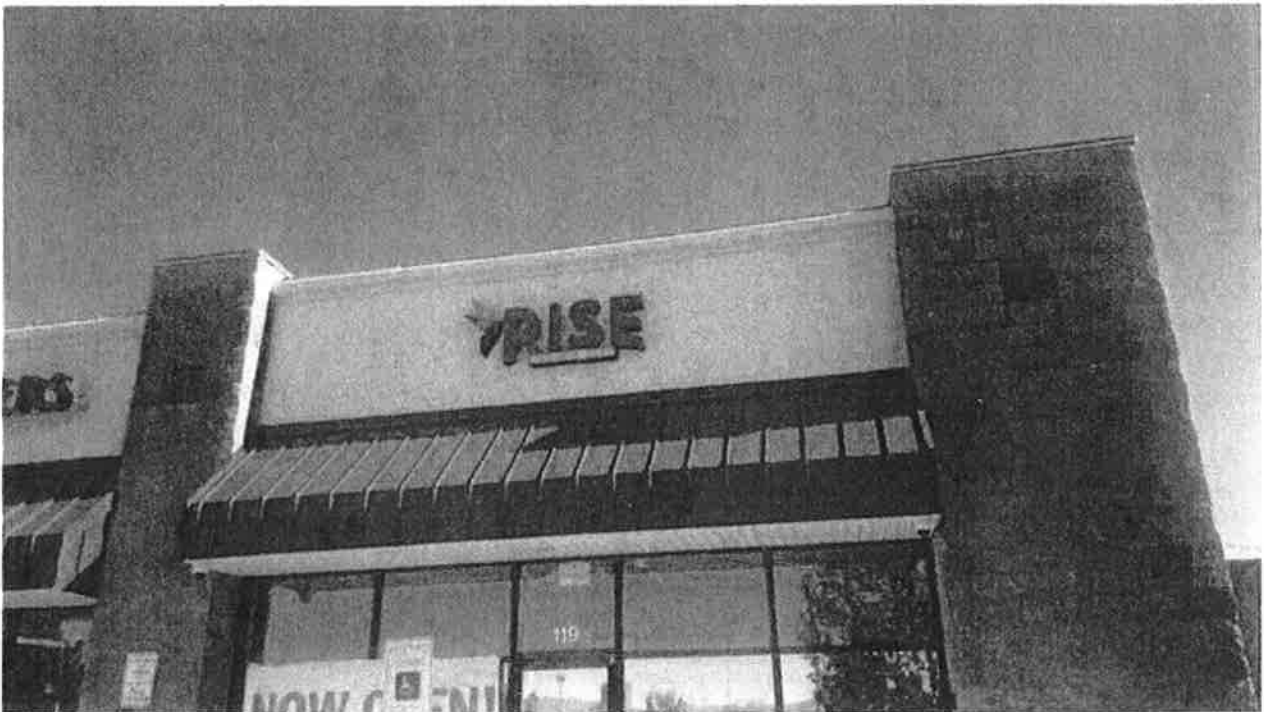
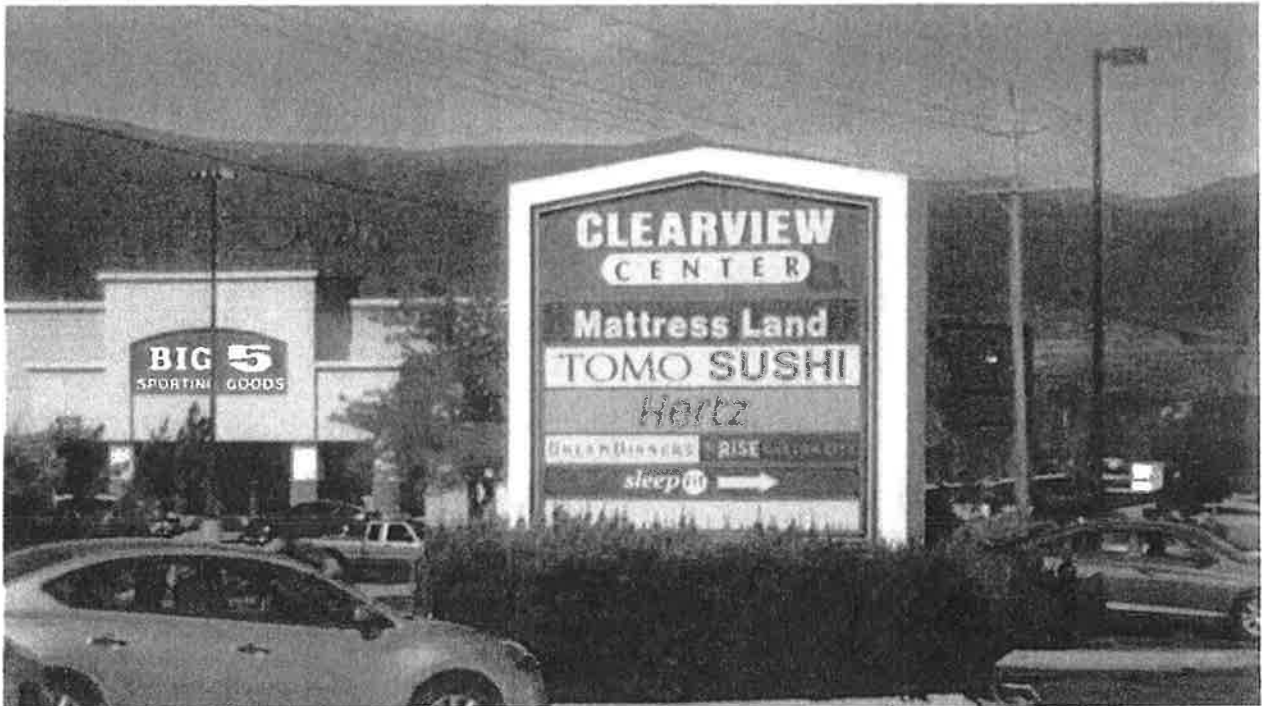
- Video surveillance. Cameras are capable of identifying faces of those present in the facility. Building exteriors are also outfitted with video surveillance and sufficient lighting is maintained to ensure functionality of surveillance. The system includes digital video storage, video printing, and battery back-up and failure notification systems. Additional video surveillance will be expanded to the areas marked Camera on the Floor plan.
- Restricted employee access to security systems.
- Steel door frames.
- Solid core doors (90 min. fire rated).
- Buzz-in locking mechanism to allow entry to verified cardholders.
- Self-closing and self-locking door mechanisms.
- Commercial grade dead-bolt locks.
- Commercial grade keyless key-pad entry mechanism.
- Security walls.
- Bulletproof glass.
- Single, secure patient entrance.
- Bank-style safe system with locking system meeting the standards of Underwriters Laboratories.
- Enclosed, locked display cases.
- Enclosed, locked vault.

Proposed Signage

This amended SUP request will not affect current signage and no changes are being considered. Required postings that are currently displayed at the dispensary include: operating hours, city certificate of occupancy, State of Nevada Medical Marijuana Establishment registration certificate (to be displayed prominently), “No Loitering” sign on the front door, “Surveillance Cameras In Use” sign, “Restricted Access” signs, and other postings required by law, such as “Exit” and “Fire Extinguisher” signs.

Currently, RISE has embraced a design style that is discreet, approved by the Division of Public and Behavior Health per state regulations in addition to the approval granted by the City. At no time will the applicant utilize any signs or postings that are not approved by the Division and City.

There is currently an existing sign on Clearview Drive for the plaza that RISE utilizes, approved by the Division and City.



Ventilation and Odor Control

Current ventilation and odor control approaches will be replicated in the expansion. Any odor that is detectable outside of the facility is expressly prohibited by state regulations (LCB File No R004-14 Sec. 72(3)(b)). As such, GTI has remained in good standing with the Division of Public and Behavioral Health, preventing such a nuisance from occurring in the first place. GTI currently employs active charcoal filtering, a widely-used odor mitigation technology that uses highly porous charcoal to absorb odorous substances from gases by chemically attracting carbon-based impurities. The dispensary's HVAC system is set up such that all air escaping the building is forced through an active charcoal filter. GTI's operating plans require performance of regular maintenance on all active charcoal filters located within the facility to ensure that all filters are clean, working, and replaced when necessary. Potential odor at the dispensary is also mitigated by receiving products that are already packaged, and by using odor-proof packaging.

Daily Traffic Volumes

GTI expects the following daily traffic at its expanded dispensary:

Employee vehicles	7 – 10
Incoming third-party vehicles (supply delivery, inspectors, approved visitors, etc.)	3 – 4
Incoming GTI product transfer from cultivation/production facility	>1
Outgoing GTI delivery to patients and caregivers	3 – 5
Patient vehicles	45 – 50
Patient vehicles (at operational capacity)	<200

The above daily traffic estimates are based on GTI's experience cultivating, processing and dispensing regulated medical marijuana in Illinois. Note that employee vehicles may be removed and returned to the facility during employee lunch breaks, thereby doubling individual vehicles' daily traffic impact. At the same time, some employees and patients may take advantage of public transit or carpooling to travel to and from the facility, which reduces an individual employee or patient's daily traffic impact. The number of patient vehicles per day is also inflated to reflect the maximum production output and patient capacity of GTI's vertically integrated Carson City operations.

The dispensary location is just off a major corridor (South Carson), but the expanded use should have little to no impact on existing transit since the expansion is replacing Dream Dinners, whose traffic patterns mimic what GTI's expanded footprint is projected to be. South Carson currently sees 45,000 cars per day. The dispensary expects to serve 55-60 patients per day during after the expansion, and no more than 200 patients per day at capacity. GTI has minimized traffic

to and from the facility as an added security measure. Some deliveries to the location are necessary, such as for receiving product from the cultivation/production facility or labels from a vendor. Deliveries that must occur are scheduled to necessitate the smallest number of trips possible.

Between employees, patients, deliveries, and third-party visitors, GTI has not had more traffic than a typical retail tenant in this location. The GTI dispensary at full capacity experiences no more than 151 vehicle ingress/egress cycles per day, presuming up to ten employees drive to the facility, all ten leave the premises for lunch via car, four third-party vehicles visit, two incoming product deliveries are made by the cultivation/production facility, five outgoing delivery trips are made to patients, and 200 patients drive to the dispensary. These 151 trips will produce an insignificant increase to traffic on South Carson of 0.0034%.

Carson City Development Standards Related to Medical Marijuana Establishments (1.20)

1.a. GTI has retained local consulting firm Pistil and Stigma to submit its Amended Special Use Permit applications for its proposed expanded Carson dispensing operations. Pistil and Stigma prepared the successful state license and local SUP applications for the entity that previously held state licenses and local SUPs for both locations and all three uses.

1.b. GTI has employee and patient policies prohibiting on-premise consumption of medical marijuana and derivative products. Any employee found to be in violation of this policy will be terminated, and any patient found to be in violation will be removed from the premises by a member of the security team. The patient or employee may be reported to the State Health Division and/or local law enforcement and/or be made subject to an indefinite ban from the premises, so far as such action is required by law. The premise is under both human and video surveillance that allows for detection of any on-premise consumption.

1.c. All GTI dispensary operations currently occur indoors, and all products dispensed to patients leave the facility in discrete packaging that conceals the dispensed products from view. There are no plans to alter the exterior of the dispensary, which is located inside an existing shopping center. The interior will be remodeled and styled with an aesthetic similar to what is currently being utilized, aligning with pharmacy or medical office spaces providing a clean, professional space that affords privacy to patients. GTI provides an environment that is welcoming and comfortable to patients while giving them a sense of security in both their person and their privacy.

1.d. No outside display or sales of MME merchandise is permitted at the dispensary. All products and merchandise is stored inside the dispensary, and all medical marijuana products are stored either in locked cases behind employee-manned counters, or inside the product safe, located

within an electronically access-controlled office. Only the amount of medical marijuana products necessary to meet immediate patient needs is removed from the safe and stocked in the locked cases.

1.e. The facility does not employ accessory outside storage. All storage is secured inside the facility.

1.f. Only owners, employees, patients and caregivers registered and approved by the state are permitted on premise, with the exception of previously approved third parties such as facility repairmen and government officials. All persons on premise is required to present their agent, patient, or caregiver card to security upon arrival and maintain it in their possession while on the premises. Visitors without agent, patient or caregivers cards are required to obtain prior approval, complete a visitor log, and remain within eyesight of a designated dispensary employee throughout their visit.

1.g. Currently there is no way to view the dispensary products from outside of the dispensary. Most of the existing storefront windows are walled off by the vestibule, where patients, caregivers, and visitors wait to have their identification and registration verified before gaining admittance to the patient counseling and dispensing area. No products are displayed in the vestibule. The remaining storefront windows are dressed with solar shades that prevent those on the outside from peering in, while allowing natural light to penetrate and those on the inside to see out. Further, all products dispensed to patients leave the facility in discrete packaging that conceals the dispensed products from view.



At GTI's Carson City dispensary, the vestibule entrance is transparent and welcoming, while the solar shade-dressed windows protect patient privacy.

1.h. RISE brand-specific signage meets state regulations, ensures building and product security and embraces a design style that is “discreet.” Signage was first be approved by the Division of Public and Behavioral Health per state regulations, in addition to any approvals secured with the City. At no time will the applicant utilize any signs or postings that are not approved by the Division and City.

Currently there is a sign on Clearview Drive for the plaza in which the dispensary is located approved by both the Division and City. All use of this sign follows the sign regulations for Office Uses in the Development Standards, Division 4.

1.i. Dimensions and location of available parking are shown on the Site Plan. The current parking lot for the shopping center in which the dispensary is located is paved, lined, and provides more than enough accessible parking for the dispensary’s anticipated staff and patients. Carson City Development Standards require one parking spot for every 300 square feet of gross floor area. This translates into ten required parking spots for the proposed 2,800 square foot dispensary. As shown on the included Site Plan, there are at least twelve parking spots within just the width of the proposed dispensary’s storefront as it faces the shared shopping center parking lot. Additional parking spots are available throughout the parking lot.

1.j. GTI holds one of only two MME dispensary certificates issued to applicants in Carson City. The dispensary falls within Carson City’s two-dispensary limit.

1.k. The proposed location was certified by the Carson City Planning Division as meeting Carson City Development Standards set-back requirements prior to submission of the application for the original proposed MME to the State Health Division in 2014. A copy of the zoning certificate issued is included with this application.

2.a. The dispensary includes a single, secured entrance to be used by all patients, caregivers, and approved visitors. This amended SUP request will not change the entrance. It will continue to be monitored by security personnel and employs secure locking mechanisms. This entrance leads to the vestibule, where patients must have their identity and registration verified before being allowed admittance through an electronic access controlled entrance to the main dispensary area. The entrance and vestibule are shown on the included floor plans. There are two other doors to the dispensary shown on the included floor plans. The side door is for egress-only, employ self-closing and self-locking mechanisms, and be monitored by video surveillance. No persons are permitted to enter through this door. The back door will be utilized for emergency exit only and will employ self-closing and self-locking mechanisms and be monitored by video surveillance.

2.b. Operating hours are 11 – 7pm Monday – Friday, and 10am – 5pm Saturday and Sunday. These hours fall within the permitted operating hours.

2.c. There is no drive-thru service at the dispensary. All proposed points of ingress and egress are shown on the included floor plans.

2.d. While the shopping center in which the proposed dispensary is located does have frontage on a street where a residentially zoned property is located (Clearview Drive), a 300' radius extended from the front door of the proposed dispensary does not circumscribe any residential properties. Compliance with this set back requirement is demonstrated by the included set back map.

3. The proposed dispensary is located in a General Commercial zoning district, as evidenced by the included zoning certificate, and as such, this question set is not applicable.

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

A. Chapter 3: A Balanced Land Use Pattern (from the Master Plan Policy Checklist)

- i. The project is neutral on the provisions of the Growth Management Ordinance as it is not a residential development.
- ii. Where not prohibited by budgetary constraints, the applicant will seek to use sustainable building materials and construction techniques that promote water and energy conservation in accordance with Goals 1.1e and 1.1f. To that end, the applicant is in discussions with both DG Hand and Myles to complete the facility expansion and will decide in the near term.
- iii. While not currently in an identified priority area, the location is along a major gateway corridor (South Carson and Clearview Drive) and may be considered a Moderate Priority Area after a future review of the Master Plan. While the location is already developed, it may encourage other development by adding to the size of the immediate business community.
- iv. To the best of the applicant's knowledge there are no adjacent public lands and no required pathways at the location. Should the City determine that a pathway is required, the applicant shall provide for such an appropriate pathway per Goal 1.4a.
- v. The project will maintain the current façade of the building and has no plans to alter current landscaping unless directed by the City. Should the property owner fail to maintain current landscaping, the applicant will do so as part of general facility upkeep.
- vi. The location is over a mile from the nearest county border and should not cause land use conflicts with adjacent properties.
- vii. The location is not in a designated Mixed-Use area and so is not required to meet the intent of the Mixed-Use Evaluation Criteria.
- viii. The parcel is in the middle of a neighborhood zoned General Commercial and does not abut conflicting zoning. The project meets all set-back requirements as required by all governing jurisdictions, including specific set-back requirements mandated for licensure as a Medical Marijuana Establishment.
- ix. To the best of the applicant's knowledge, the location is not in an Environmentally Sensitive Area and as such is not required to meet related set-back requirements.
- x. The location is not within the 100-year floodplain or any other hazard areas, including identified earthquake faults.
- xi. The project provides for levels of services consistent with the Land Use designation and adequate for the proposed development. The location meets the criteria for its Land Use designation of Community / Regional

Commercial. The location is zoned General Commercial and is immediately surrounded by parcels zoned similarly. The project is a medical marijuana dispensary located in a shopping center with local and national retailers. The applicant business, including a separately applied for cultivation and production facility, is unique and serves as a regional draw in that it is only one of two state-licensed vertically integrated medical marijuana businesses in Carson City and will also serve patients from neighboring prohibition jurisdictions such as Douglas and Storey Counties.

- xii. The location is not within an identified Specific Plan Area and so the associated policies are not applicable.
 - xiii. Additional Considerations: While not currently in an identified priority area, the proposed use will add to the variety of businesses in the area, which is zoned General Commercial. The applicant is one of only two businesses to hold a certificate from the Division of Public and Behavioral Health to dispense medical marijuana in Carson City. As such, only one other company may bring this type of “variety” to the city.
- B. Chapter 4: Equitable Distribution of Recreational Opportunities
- i. The proposed use neither provides, nor takes away opportunities to expand parks and recreation opportunities in accordance with Goal 4.1b. However, the applicant business places a high value on community service, and future volunteer efforts by owners and employees may create such opportunities.
 - ii. The proposed use and location are consistent with the Open Space Master Plan and Carson River Master Plan as described in Goal 4.3a.
- C. Chapter 5: Economic Vitality
- i. The proposed use and location will neither encourage, nor discourage, a citywide housing mix consistent with the labor force and non-labor force population. The location is not located in or near residential or mixed-use areas, and the proposed use does not pertain to housing.
 - ii. The proposed expanded use and location may encourage the development of regional retail centers, as the site is located in an existing shopping.
 - iii. The proposed use does not affect reuse or redevelopment of underused retail space because the proposed site expansion is located in a retail unit adjacent to the existing operation that is currently in use.
 - iv. The proposed use is unrelated to heritage tourism activities.
 - v. The location is not in the Downtown core and thus does not promote revitalization of that area. However, the original location was intentionally chosen away from areas such as the Downtown core in order to discourage the presence of unauthorized or non-licensed persons on the premises. The

chosen expansion is intended to create a balance between access for patients and discretion among the community.

- vi. The location is not in the Downtown core and thus does not encourage the incorporation of additional housing in and around that area. However, the original location was intentionally chosen away from areas such as the Downtown core in order to discourage the presence of unauthorized or non-licensed persons on the premises. The expansion is intended to create a balance between access for patients and discretion among the community.

D. Chapter 6: Livable Neighborhoods and Activity Centers

- i. The project consists of expanding the interior of the existing building and upgrading security features. It does not contemplate structural changes or changes to the existing footprint. Durable, long-lasting building materials will be used wherever possible.
- ii. Per state regulations the project does not encourage visual interest and variety in accordance with Goals 6.1b and 6.1c. State regulations require a nondescript aesthetic that already exists at the location and that the applicant intends to maintain. Further, state medical marijuana regulations require a design that is “discreet,” mandating that any signs to be displayed are first approved by the Division of Public and Behavioral Health. The applicant intends to embrace this discretion.
- iii. The proposed use is compatible with surrounding development. The immediate neighborhood is commercial and consists of other retail businesses. All additions made to existing structures will be designed to be compatible with existing design considerations per Goal 6.2a. The location does not border any residential areas and should not impact the character of any established or existing neighborhoods per Goals 9.3b and 9.4a.
- iv. The location is not in an identified Mixed-Use Activity Center.
- v. The project is not located downtown.
- vi. The proposed use and location will neither encourage, nor discourage, an appropriate mix of housing models and densities based upon the location, size and surrounding neighborhood context. The location is not located in or near residential or mixed-use areas, and the proposed use does not pertain to housing.

E. Chapter 7: A Connected City

- i. The location is just off a major corridor (South Carson), but the use should have little to no impact on existing transit. South Carson currently sees 45,000 cars per day. The expanded dispensary expects to serve 45-50 patients per day and no more than 200 patients per day at capacity. Some of these patients will travel to the location via public transportation. The

applicant intends to minimize traffic to and from the facility as an added security measure. Some deliveries to the location are necessary, such as for receiving product from the cultivation facility or labels from a vendor. Deliveries that must occur will be scheduled to necessitate the smallest number of trips possible. Between employees, patients and deliveries, the applicant does not estimate more traffic than a typical retail tenant in this location might cause.

- ii. The location and use are neutral on promoting enhanced roadway connections and networks consistent with the Transportation Master plan as described in Goal 11.2c. The applicant does not expect significant increases in traffic over the location's previous occupants.
- iii. To the best of the applicant's knowledge there are no required pathways at the location. Should the City determine that a pathway is required, the applicant shall provide for such an appropriate pathway per Goals 12.1a and 12.1c.

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

- A. The parcel and all immediately neighboring parcels are zoned General Commercial and are located in a North-South strip along South Carson that includes General Commercial zoning on both sides of the road. West of this area, on the other side of South Carson, are parcels zoned Multi-family Apartment, Single Family 1 Acre and Retail Commercial. East of this area are parcels zoned Retail Commercial, Single Family 1 Acre, Public Community, Multi-family Duplex and Multi-Family Apartment. The location complies with all applicable state and local setback and zoning requirements.
- B. The project is similar to existing development in the neighborhood, which is entirely General Commercial. It will not hurt property values, but may increase them by reducing blight via the increased security presence of the applicant's 24-hr video surveillance of parking areas and exteriors. Any odor that is detectable outside of the facility is expressly prohibited by state regulations (LCB File No R004-14 Sec. 72(3)(b)). As such, in order to remain in good standing with the Division of Public and Behavioral Health, the applicant must prevent such a nuisance from occurring in the first place. In order to do this, GTI employs active charcoal filtering, a widely-used odor mitigation technology that uses highly porous charcoal to absorb odorous substances from gases by chemically attracting carbon-based impurities. The dispensary's HVAC system will be set up such that all air escaping the building will be forced through an active charcoal filter. GTI's operating plans require performance of regular maintenance on all active charcoal filters located within the facility to ensure that all filters are clean, working, and replaced when necessary. Potential odor at the dispensary will also be mitigated

by receiving products that are already packaged, and by using odor-proof packaging.

Nuisances resulting from the expansion process, such as construction-related dust, will be prevented by keeping all construction projects located inside the existing building. Construction-related dust within the building will be mitigated with the use of dust shrooms that will circulate and capture dust as necessary, or with similarly effective odor mitigation technology, at the recommendation of the builder. The project will not involve any uses that are not contained within a building. The only time a use may come close to taking place outside of a building is during the disposal of marijuana waste, as defined and permitted by state law. The applicant's waste disposal already requires all waste to be secured within the facility until such time waste may be removed as permitted by law.

The project itself will not differ in appearance from any neighbors. Further, state medical marijuana regulations require a design that is "discreet," mandating that any signs to be displayed are first approved by the Division of Public and Behavioral Health. The applicant does not intend to change existing signage.

- C. The project will not be detrimental to the use, peaceful enjoyment or development of surrounding properties and the general neighborhood, as both the surrounding properties and the general neighborhood are similarly zoned General Commercial. Operating hours are 11am – 6pm Monday – Friday, and 10am – 5pm Saturday and Sunday. The applicant expects limited noise created by the project, but any noise, such as from the building-out process, will occur during operating hours. The applicant is already required by the State to minimize odor, and intends to minimize other potential nuisances.
- D. The applicant expects to use pre-existing exterior lighting. If additional lighting is necessary, similar equipment and techniques will be employed to ensure all outdoor lighting is shielded from adjoining property, as it now is.
- E. The location is currently home to a handful of trees and shrubs that comply with City ordinance requirements. The applicant has no plans to change the landscaping except at the direction of the City. Should the property owner fail to maintain current landscaping, the applicant will do so as part of general facility upkeep.
- F. The applicant expects to benefit the community in the following ways, both in the short- and long-term: economic impact (creation of permanent and temporary jobs, generation of excise tax revenue, and redirection of income from neighboring prohibition jurisdictions into Carson City); patient accessibility impact (access to affordable, high-quality, lab-tested medicine, removal of the burden of home-grow, and access to a variety of proprietary medicines);

educational impact (provision of accurate marijuana awareness education for community members, operational transparency with local government and law enforcement officials, and foundational support for existing prevention and anti-diversion efforts); and charitable impact (in-house donation drives, foundational support for community organizations and staff volunteer service).

3. What impact will your development have to pedestrian and vehicular traffic?

- A. The project will not significantly increase automobile or pedestrian traffic at the location. South Carson St. already sees 45,000 cars a day. The dispensary expects to serve 45-50 patients per day and no more than 200 patients per day at capacity. Some patients will travel to the location via public transportation. The dispensary's patients should not create a burden on the roads and traffic system already in place, as the area anticipates local retail use with its General Commercial zoning and Community / Regional Commercial Land Use Designation. Further, due to its location, some patients and employees may use public transit to access the location, further limiting any increases to automobile traffic. No additional walkways, traffic lights or other traffic related improvements are needed. Nothing about the project will cause emergency vehicle response times to existing businesses in the immediate area to change.

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

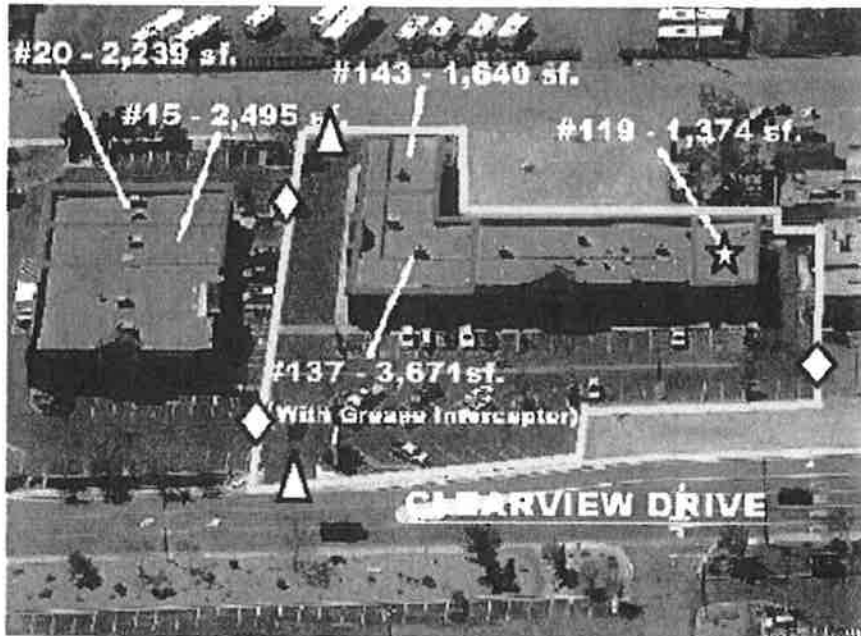
- A. The project will likely not affect the school district at all, as the applicant does not cater to minors, nor are minors (with the very rare exception of a licensed patient in the presence of his or her caregiver, as permitted by state law) allowed on the premises. The applicant intends to hire locally, and thus does not plan to cause an influx of new families to the community. The only foreseeable impact on the school is the future foundational support by the applicant of community organizations that provide services to local students. Nor does the applicant foresee any negative impact on the Sheriff's Office. Operating since September 2016, the applicant has had zero instances of crime resulting in the need for law enforcement. This is a tradition the applicant hopes to maintain while doing business in Nevada, and there may be a long-term benefit to the Sheriff's Office via the applicant's record of transparency and practice of constant communication with law enforcement officials. Even if there were a negative impact, Carson City has already accounted for additional burdens to the Sheriff's Office with the assessment of a relatively new and substantial business license fee for medical marijuana establishments.
- B. There will be a negligible effect on police and fire protection. GTI has developed a good relationship with both entities and neither has visited the location other than for tours or internal dialogue.

- C. The water supplies serving the project are adequate to meet project and use needs (one unisex bathroom with a proposal to add an additional bathroom) without degrading supply and quality to others in the area, including adequate water pressure. Water usage should be similar to the water usage of an average small retail business. No updates to the water system are necessary for this project.
 - D. No accommodations for drainage are necessary. The project does not include the covering of land area with paving or a compacted surface.
 - E. There is adequate capacity in the sewage disposal trunk line that will be connected in order to serve the project. No updates to the sewer system are necessary for this project.
 - F. No road improvements are needed to accommodate the project. Increased use to existing roads will be nominal and was likely anticipated by the location's General Commercial zoning.
 - G. These answers are based on the operational history in the current location in which this application seeks to expand. The source of the information used in this application is the local Northern Nevada firm engaged to complete this application. This application is also informed by the applicant's experience operating a medical marijuana dispensary in Illinois, as well as the prior cultivation/production facility construction experience of the applicant in consultation with private engineers and architects at DG Hand and Myles Construction.
- 5. Explain how your project meets the purpose statement of the zoning district in which it is located and how it meets the specific standards that are set forth in that zoning district.**
- A. The dispensary is located in a General Commercial zoning district, as evidenced by the included zoning certificate. The location was certified by the Carson City Planning Division as meeting Carson City Development Standards set-back requirements prior to submission of the application for the original proposed MME to the State Health Division in 2014. A copy of the zoning certificate issued is included with this application. The project meets the purpose statement in that it further preserves the commercial district and is limited to retail and wholesale sales as set forth by the CCMC Section 18.04.135. The project complies with the intensity and dimensional standards as set forth in CCMC Section 18.04.195 and all other applicable state and local setback and zoning requirements.
- 6. Provide a statement explaining how your project will not be detrimental to the public health, safety, convenience and welfare.**
- A. The project does not create adverse environmental impacts such as smoke, noise, glare, dust, vibrations, fumes, pollution or odor which would be detrimental to, or constitute a nuisance to area properties. RISE has been operating as a medical marijuana dispensary since September 2016 without generating negative impacts

upon adjoining properties. If any complaints occur, the applicant will quickly implement measures to rectify the issue.

7. Provide a statement explaining how your project will not result in material damage or prejudice to other property in the vicinity.

- A. The project expansion will not cause damage or prejudice to the other properties due to the containment of the project. The expansion construction will be contained within the facility, isolating all possible fumes, odor, and debris. The facility is also under 24-hr video surveillance of parking areas and exteriors, and employs a security presence outside of the building in order to safeguard the properties in the vicinity.



≈50ft

Rough Property Line
— Unit Within Existing Building

★ **Proposed Medical Marijuana Dispensary**
(1,374 square ft)

△ **Street Access Point**

◇ **Neighboring Property Access Point**



Map of 135 Clearview Dr. Carson City, NV 89701 (Carson City County)



APPLICANT:
GTI Nevada, LLC
(Contact: Anthony Georgiadis)
3130 N. Deer Run Rd.
Carson City, NV 89701
704-287-3447

PREPARER:
Pistil and Stigma
250 Bell Street Reno, NV 89502
775-815-4813

PROPERTY OWNER:
DBB Holdings
(RE Manager: Jack Brower)

APN: 009-161-20
ADDRESS: 135 Clearview Drive
Unit 119

REQUEST: Special Use Permit for
a Medical Marijuana Dispensary



Carson City Planning Division

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

August 6, 2014

Mr. William Myer
Nevada Organix, LLC
4050 Pacific Harbors Drive, #116
Las Vegas, NV 89121

ZONING CERTIFICATE

**RE: Medical Marijuana Establishment – Dispensary
135 Clearview Drive, Unit 119
APN 009-161-20**

Dear Mr. Myer:

In response to your request concerning the proposed placement of a Medical Marijuana Dispensary on property located at 135 Clearview Drive, Unit 119 in Carson City, please be advised of the following:

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

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

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

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

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

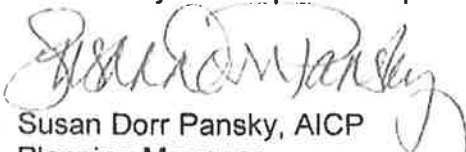
The Planning Division has verified by physical inspection that, as of the date of this letter, the subject property meets the minimum setback requirements set forth in NRS 453.322.

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

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

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

Sincerely,
Community Development Department, Planning Division


Susan Dorr Pansky, AICP
Planning Manager

Attachment - Setback Map

6363' FROM
M.M.E. FRONT DOOR
TO AL SEELIGER
ELEMENTARY SCHOOL

668' FROM M.M.E.
FRONT DOOR TO
ROSS GOLD PARK

CLEARVIEW DRIVE

SOUTH CARSON STREET



4<3:38

LUMOS
123061113

800 E. COLLEGE PARKWAY
CARSON CITY, NEVADA 89706
PH. (775) 883-7077 FAX (775) 883-7114

135 CLEARVIEW DR, SUITE 119
MEDICAL MARIJUANA ESTABLISHMENT (M.M.E.)

CARSON CITY

NEVADA

Date: AUGUST 2014

Scale: 1" = 500'

Job No: 8616.000

EXHIBIT 41

Property ID	00916201
Location	CLEARVIEW DR
Owner	PNR PROPERTIES B.A.H., LLC



Carson City, NV makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 05/11/2017
Properties updated 05/11/2017



CARSON CITY

Capital of Nevada

[Treasurer Home](#) [Assessor Data Inquiry](#) [Back to Last Page](#)

Secured Tax Inquiry Detail for Parcel # 009-161-20

Property Location: 135 CLEARVIEW DR
 Billed to: DBB HOLDINGS INC
 P O BOX 18087
 RENO, NV 89511-0000 Land Use Code: 400 [Code Table](#)

Tax Year: 2015-16
 Roll #: 004392
 District: 1.6
 Tax Service:

Outstanding Taxes:

Prior Year	Tax	Penalty/Interest	Total	Amount Paid	Total Due
Current Year					
08/17/15	2,692.04		2,692.04	2,692.04	No Taxes Owing .00
10/05/15	2,688.00		2,688.00	2,688.00	.00
01/04/16	2,688.00		2,688.00	2,688.00	.00
03/07/16	2,688.00		2,688.00	2,688.00	.00
Totals:	10,756.04	.00	10,756.04	10,756.04	

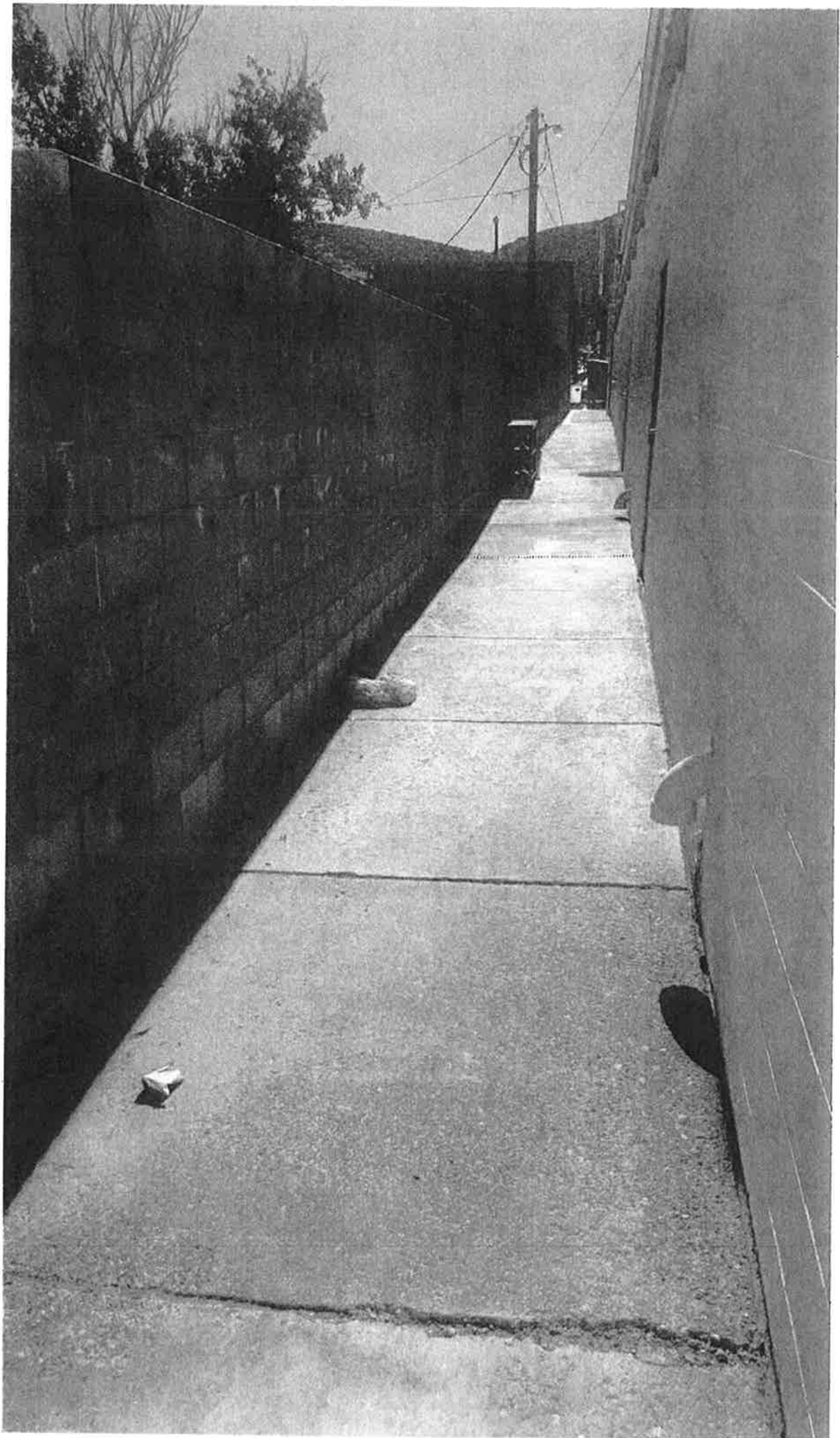
[History](#)

[Payment Cart](#)

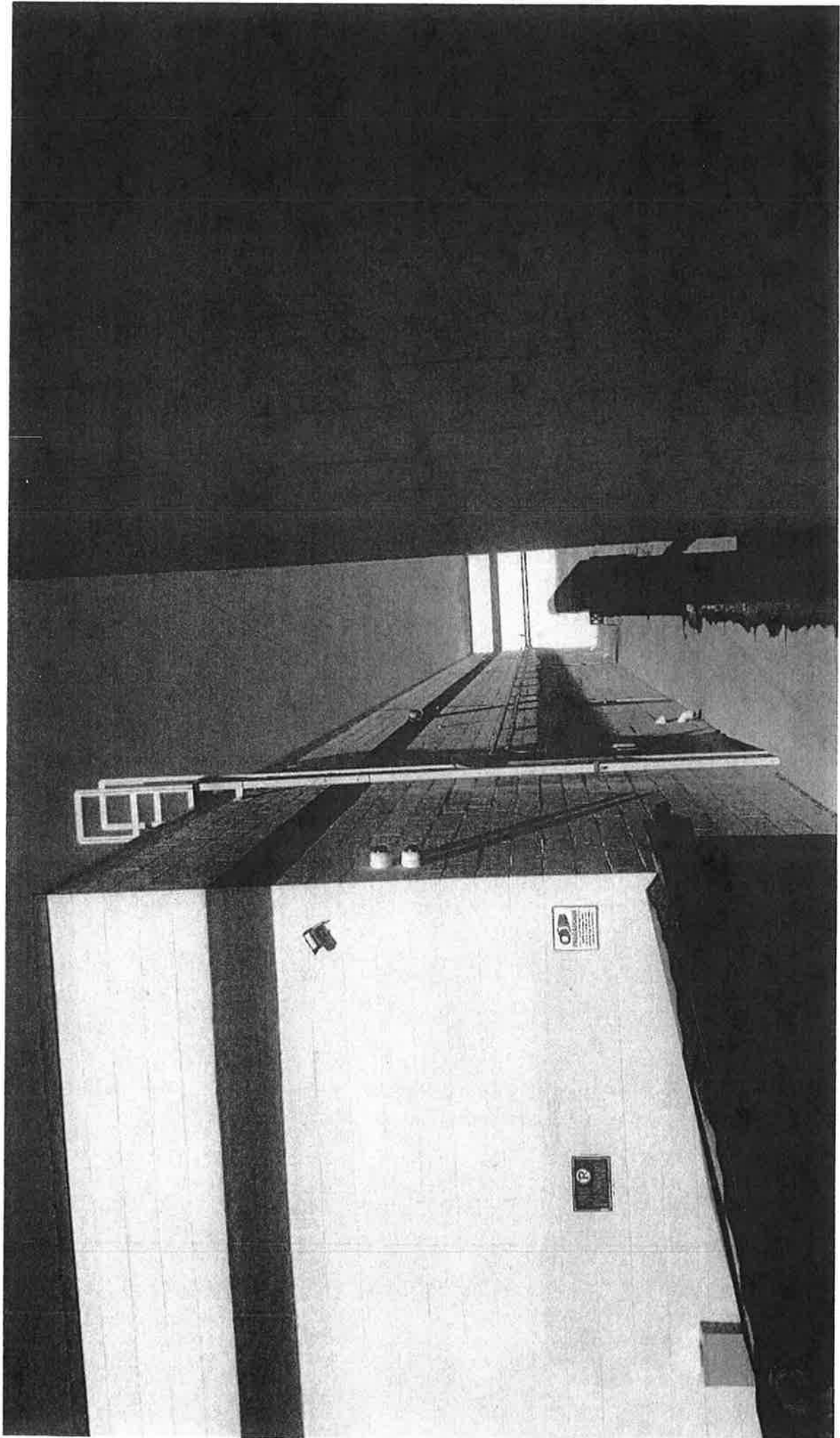
Additional Information

	2015-16	2014-15	2013-14	2012-13	2011-12
Tax Rate	3.5200	3.5400	3.5600	3.5600	3.0872
Tax Cap Percent	3.2	3.0	4.2	6.4	4.8
Abatement Amount		121.68	91.04	520.15	

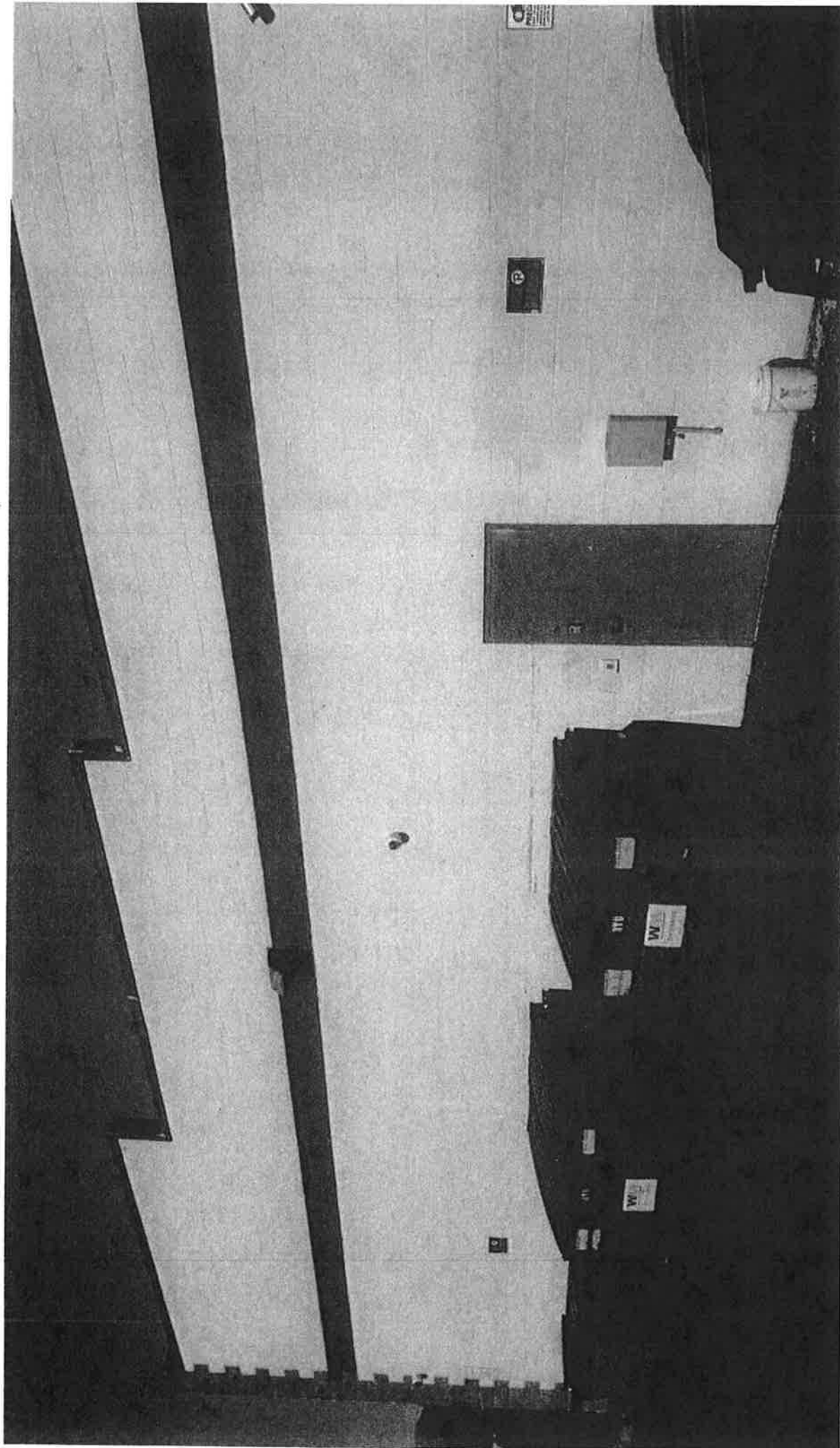




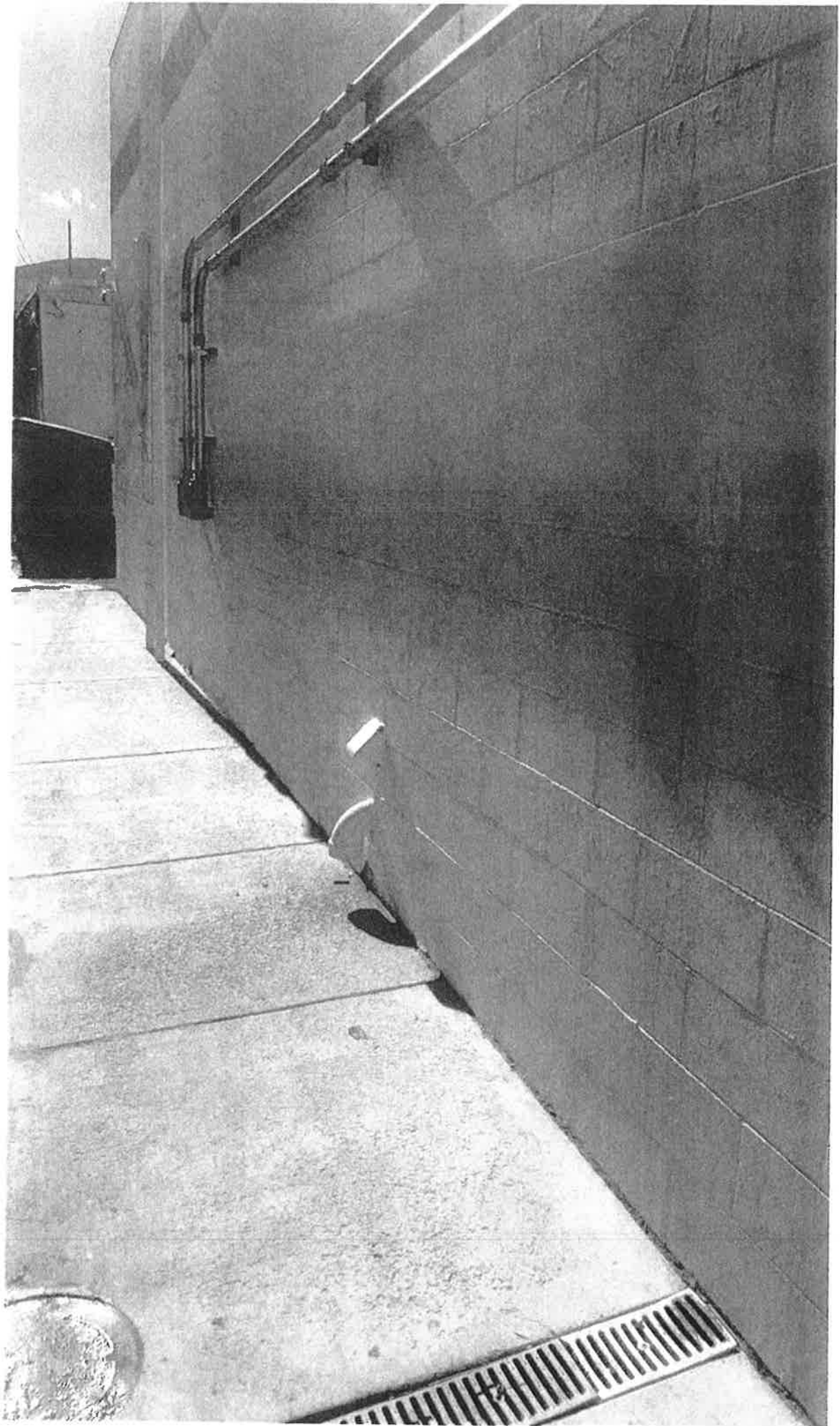
Retaining



South Bear wall



west wall



Drainage

Master Plan Policy Checklist

Special Use Permit, Major Project Review & Administrative Permits

PURPOSE

The purpose of a development checklist is to provide a list of questions that address whether a development proposal is in conformance with the goals and objectives of the 2006 Carson City Master Plan that are related to non-residential and multi-family residential development. This checklist is designed for developers, staff, and decision-makers and is intended to be used as a guide only.

Development Name: RISE, GTI Inc.

Reviewed By: Pistil and Stigma, Inc.

Date of Review: 5/18/2017

DEVELOPMENT CHECKLIST

The following five themes are those themes that appear in the Carson City Master Plan and which reflect the community's vision at a broad policy level. Each theme looks at how a proposed development can help achieve the goals of the Carson City Master Plan. A check mark indicates that the proposed development meets the applicable Master Plan policy. The Policy Number is indicated at the end of each policy statement summary. Refer to the Comprehensive Master Plan for complete policy language.

CHAPTER 3: A BALANCED LAND USE PATTERN



The Carson City Master Plan seeks to establish a balance of land uses within the community by providing employment opportunities, a diverse choice of housing, recreational opportunities, and retail services.

Is or does the proposed development:

- ☒ Meet the provisions of the Growth Management Ordinance (1.1d, Municipal Code 18.12)?
- ☒ Use sustainable building materials and construction techniques to promote water and energy conservation (1.1e, f)?
- ☐ Located in a priority infill development area (1.2a)?
- ☒ Provide pathway connections and easements consistent with the adopted Unified Pathways Master Plan and maintain access to adjacent public lands (1.4a)?
- ☒ Protect existing site features, as appropriate, including mature trees or other character-defining features (1.4c)?

- ☐ At adjacent county boundaries or adjacent to public lands, coordinated with the applicable agency with regards to compatibility, access and amenities (1.5a, b)?
- ☐ In identified Mixed-Use areas, promote mixed-use development patterns as appropriate for the surrounding context consistent with the land use descriptions of the applicable Mixed-Use designation, and meet the intent of the Mixed-Use Evaluation Criteria (2.1b, 2.2b, 2.3b, Land Use Districts, Appendix C)?
- ☒ Meet adopted standards (e.g. setbacks) for transitions between non-residential and residential zoning districts (2.1d)?
- ☒ Protect environmentally sensitive areas through proper setbacks, dedication, or other mechanisms (3.1b)?
- ☒ Sited outside the primary floodplain and away from geologic hazard areas or follows the required setbacks or other mitigation measures (3.3d, e)?
- ☒ Provide for levels of services (i.e. water, sewer, road improvements, sidewalks, etc.) consistent with the Land Use designation and adequate for the proposed development (Land Use table descriptions)?
- ☒ If located within an identified Specific Plan Area (SPA), meet the applicable policies of that SPA (Land Use Map, Chapter 8)?

CHAPTER 4: EQUITABLE DISTRIBUTION OF RECREATIONAL OPPORTUNITIES



The Carson City Master Plan seeks to continue providing a diverse range of park and recreational opportunities to include facilities and programming for all ages and varying interests to serve both existing and future neighborhoods.

Is or does the proposed development:

- ☐ Provide park facilities commensurate with the demand created and consistent with the City's adopted standards (4.1b)?
- ☐ Consistent with the Open Space Master Plan and Carson River Master Plan (4.3a)?

CHAPTER 5: ECONOMIC VITALITY



The Carson City Master Plan seeks to maintain its strong diversified economic base by promoting principles which focus on retaining and enhancing the strong employment base, include a broader range of retail services in targeted areas, and include the roles of technology, tourism, recreational amenities, and other economic strengths vital to a successful community.

Is or does the proposed development:

- ☒ Encourage a citywide housing mix consistent with the labor force and non-labor force populations (5.1j)
- ☒ Encourage the development of regional retail centers (5.2a)
- ☒ Encourage reuse or redevelopment of underused retail spaces (5.2b)?
- ☐ Support heritage tourism activities, particularly those associated with historic resources, cultural institutions and the State Capitol (5.4a)?
- ☐ Promote revitalization of the Downtown core (5.6a)?

- ☐ Incorporate additional housing in and around Downtown, including lofts, condominiums, duplexes, live-work units (5.6c)?

CHAPTER 6: LIVABLE NEIGHBORHOODS AND ACTIVITY CENTERS



The Carson City Master Plan seeks to promote safe, attractive and diverse neighborhoods, compact mixed-use activity centers, and a vibrant, pedestrian-friendly Downtown.

Is or does the proposed development:

- ☒ Use durable, long-lasting building materials (6.1a)?
- ☐ Promote variety and visual interest through the incorporation of varied building styles and colors, garage orientation and other features (6.1b)?
- ☐ Provide variety and visual interest through the incorporation of well-articulated building facades, clearly identified entrances and pedestrian connections, landscaping and other features consistent with the Development Standards (6.1c)?
- ☒ Provide appropriate height, density and setback transitions and connectivity to surrounding development to ensure compatibility with surrounding development for infill projects or adjacent to existing rural neighborhoods (6.2a, 9.3b 9.4a)?
- ☐ If located in an identified Mixed-Use Activity Center area, contain the appropriate mix, size and density of land uses consistent with the Mixed-Use district policies (7.1a, b)?
- ☐ If located Downtown:
 - ☐ Integrate an appropriate mix and density of uses (8.1a, e)?
 - ☐ Include buildings at the appropriate scale for the applicable Downtown Character Area (8.1b)?
 - ☐ Incorporate appropriate public spaces, plazas and other amenities (8.1d)?
- ☐ Incorporate a mix of housing models and densities appropriate for the project location and size (9.1a)?

CHAPTER 7: A CONNECTED CITY



The Carson City Master Plan seeks to promote a sense of community by linking its many neighborhoods, employment areas, activity centers, parks, recreational amenities and schools with an extensive system of interconnected roadways, multi-use pathways, bicycle facilities, and sidewalks.

Is or does the proposed development:

- ☒ Promote transit-supportive development patterns (e.g. mixed-use, pedestrian-oriented, higher density) along major travel corridors to facilitate future transit (11.2b)?
- ☐ Maintain and enhance roadway connections and networks consistent with the Transportation Master Plan (11.2c)?
- ☐ Provide appropriate pathways through the development and to surrounding lands, including parks and public lands, consistent with the Unified Pathways Master Plan (12.1a, c)?