

STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF DECEMBER 20, 2017

FILE NO: SUP-17-197

AGENDA ITEM: E-2

STAFF AUTHOR: Hope Sullivan, AICP
Planning Manager

REQUEST: To consider a request for a Special Use Permit from Palidin LLC to allow a Marijuana Distributor, on property zoned General Industrial (GI), located at 3160 N. Deer Run Rd. #4, APN 008-541-75.

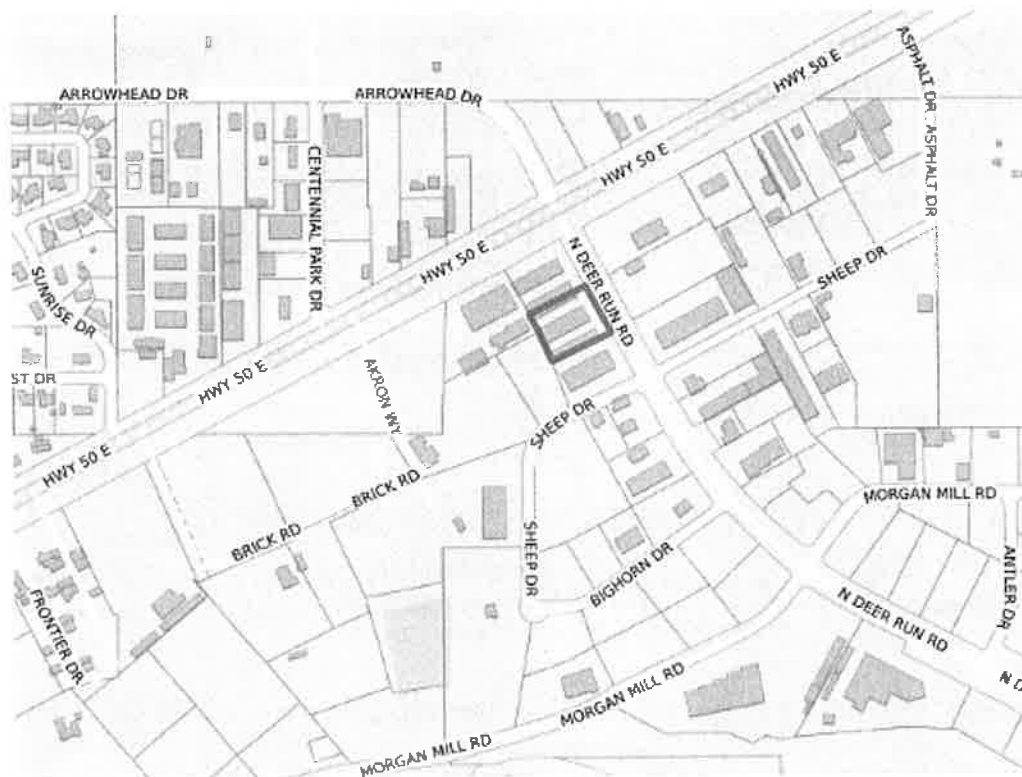
APPLICANT: Palidin LLC

OWNER: Robert P. Hall LLC

LOCATION: 3160 N. Deer Run Road, #4

APN: 008-541-75

RECOMMENDED MOTION: "I move to approve SUP-17-197, a Special Use Permit request from Palidin LLC to allow a Marijuana Distributor use on property zoned General Industrial, located at 3160 N. Deer Run Road, APN 008-541-75, 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. 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.
5. The applicant shall maintain a State certificate to operate a Marijuana Establishment, specifically a distributor facility, at the subject location prior to commencement of operation. Failure to maintain this certificate will render this Special Use Permit null and void.
6. The applicant shall obtain and maintain a valid Carson City Business License for the operation of a marijuana distributor facility.
7. Should the applicant desire signage, the applicant shall submit proposed signage to the Planning Division for review and approval prior to installation. A Sign Permit may be required depending on the nature of the proposed signage. All signage shall conform to Division 1.20 and Division 4 of the Carson City Development Standards, as applicable.

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. Project must use CCFD marijuana establishment guidelines as applicable.
11. Project must install a Knox box.
12. If greater than 160 square surface feet of material or 260 linear feet of material will be disturbed, the following items will be required. CCMC 12.12.065
 - a. An asbestos assessment done on all applicable materials being disturbed.
 - b. Submittal of Carson City Acknowledgement of Asbestos Assessment form.
 - c. Depending on results of asbestos assessment, an EPA 10 day notification may also be required.

The following conditions shall be applicable throughout the life of the use:

13. The Special Use Permit for this Marijuana distributor facility 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 Marijuana Establishments are non-transferable between operators and locations within Carson City.
14. No consumption of marijuana or marijuana-infused products shall occur on the premises of this distributor facility, including the parking lot and surrounding area.
15. The sale of marijuana products to the general public from this facility is prohibited.
16. Outdoor display and sales of marijuana merchandise is prohibited.
17. Marijuana products shall not be visible from outside the facility at any time.
18. Marijuana shall not be stored on the premises.
19. The facility must be operated in compliance with all applicable state and federal law.

LEGAL REQUIREMENTS: CCMC 18.02.080 (Special Use Permits), CCMC 18.04.150 General Industrial (GI), CCMC DS 1.20 Development Standards for Medical Marijuana Establishments and Marijuana Establishments.

MASTER PLAN DESIGNATION: Community/Regional Commercial (C/RC)

PRESENT ZONING: General Industrial (GI)

KEY ISSUES: Will the proposed Marijuana Distributor use 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 Industrial/ Vacant / Parking
- WEST: General Industrial/Vacant Industrial
- NORTH: General Industrial/Commercial
- SOUTH: General Industrial/Warehouse / Industrial

ENVIRONMENTAL INFORMATION

- FLOOD ZONE: Zone X (areas of minimal flooding)
- EARTHQUAKE FAULT: Beyond 500 feet
- SLOPE/DRAINAGE: Flat, Site is Developed

SITE DEVELOPMENT INFORMATION

- LOT SIZE: 1.24 acres
- EXISTING STRUCTURE SIZE: 17,820 square feet

- SETBACKS: N/A – Existing Building
- VARIANCES REQUESTED: None

PREVIOUS REVIEWS:

None

HISTORY:

On November 8, 2016, the Nevada voters passed the Regulation and Taxation of Marijuana Act, an Act to legalize recreational marijuana.

On October 5, 2017 the Board of Supervisors adopted Ordinance 2017-21, creating land use regulations governing recreational marijuana. As part of these regulations, the Board adopted the following definition for Marijuana Distributor:

“Marijuana Distributor” has the meaning ascribed to in subsection 10 of NRS 453D.030 and means a person licensed to transport marijuana from a marijuana establishment to another marijuana establishment.

As part of the Ordinance, the Board also identified a Marijuana Distributor as a Conditional Use in the General Industrial zoning district subject to the provisions of Title 18 Appendix (Carson City Development Standards), Division 1.20 (Medical Marijuana Establishments and Marijuana Establishments)).

Of note, the applicant did lawfully obtain a temporary business license to establish the use in the Limited Industrial zoning district. As Ordinance 2017-21 does not allow for the Marijuana Distributor use in the Limited Industrial zoning district, the applicant must relocate the business to a lawful location by January 1, 2018.

DISCUSSION:

The applicant is proposing to establish the Marijuana Distributor use at a multi-tenant site in the General Industrial zoning district. The site is comprised of a series of buildings with various tenant spaces with roll up doors. The applicant's space is 841 square feet, and is improved with a bathroom, a secure storage area, a closet, and an interior parking area for the vehicle. Access to the space is via a roll up door and a man door. No signage is proposed.

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

1.20 Medical Marijuana Establishments.

The following standards are intended to establish minimum standards and Special Use Permit review criteria for Medical Marijuana Establishments and Marijuana Establishments, in addition to other standards for commercial and industrial development.

1. The following standards apply to all Medical Marijuana Establishments and Marijuana

Establishments.

- a. All Medical Marijuana Establishments and Marijuana Establishments require the issuance of a Special Use Permit. Special Use Permits for Medical Marijuana Establishments and Marijuana Establishments are only valid at the specific location for which a person has obtained the required approval through the applicable state agency to operate as a Medical Marijuana Establishment or Marijuana Establishment. A Special Use Permit that is issued in accordance with this Division automatically expires and shall be deemed null and void if the Medical Marijuana Establishment or Marijuana Establishment loses or otherwise forfeits state approval to operate. A Special Use Permit issued in accordance with this Division is not transferable between operators and locations within Carson City. Except as otherwise provided in this Division and notwithstanding any other provision of CCMC, a separate Special Use Permit is not required for a Medical Marijuana Establishment or Marijuana Establishment that will be established in an existing location at which a Medical Marijuana Establishment or Marijuana Establishment in good standing already operates. The expansion of any location of a Medical Marijuana Establishment or Marijuana Establishment that will result in an increase of more than ten (10) percent of the space in which the Medical Marijuana Establishment or Marijuana Establishment has been approved to operate requires the issuance of an amended Special Use Permit.

Staff has recommended a condition of approval outlining these requirements.

- b. The consumption of marijuana products is prohibited on the premises of any Medical Marijuana Establishment and Marijuana Establishment.

Consumption on the premises of the distributor facility is not proposed. In fact, given State law, marijuana should never be on the premises. Staff has recommended a condition of approval to address this requirement.

- c. All business activities related to Medical Marijuana Establishments and any marijuana cultivation facility, marijuana testing facility, marijuana product manufacturing facility or retail marijuana store must be conducted indoors, and within a permanent building. The use of an office trailer or other temporary structure is prohibited. All Medical Marijuana Establishments and Marijuana Establishments must at all times maintain an interior and exterior appearance that is professional, orderly, dignified, and consistent with the traditional style of pharmacies and medical offices.

The business activities for the distributor facility are proposed to be conducted inside an existing permanent building. No changes to the exterior appearance of the building are proposed. Therefore, a tenant space in a building such as the one proposed is appropriate for this use.

- d. The outdoor display or sale of any Medical Marijuana Establishment or Marijuana Establishment merchandise or product is prohibited.

Outside display and sales is not proposed with the distributor facility. Given the function of the use, no merchandise or product will be on site.

- e. Accessory outside storage for Medical Marijuana Establishments and Marijuana

Establishments must comply with the provisions of Title 18 Appendix (Carson City Development Standards), Division 1.12 (Outside Storage).

Outside storage is not proposed with this distribution facility.

- f. Access to the Medical Marijuana Establishment or Marijuana Establishment must comply with all applicable state and federal laws and regulations.

A condition of approval has been recommended that the distribution facility maintain compliance with all state and federal regulations.

- g. Medical Marijuana Establishment and Marijuana Establishment merchandise and products must not be visible when viewed from outside the building in which the Marijuana Establishment or Marijuana Establishment is located.

No merchandise or product will be stored on site.

- h. All signage for Medical Marijuana Establishments and Marijuana Establishments must be discreet, professional and consistent with the traditional style of signage for pharmacies and medical offices. All signage for Medical Marijuana Establishments and Marijuana Establishments must satisfy the requirements set forth in Division 4, except that the height of a freestanding sign for the following facilities is limited to not more than ten (10) feet, as consistent with sign height requirements for industrial uses.

(1) Medical Marijuana Cultivation Facility and Marijuana Cultivation Facility.

(2) Medical Marijuana Product Manufacturing Facility and Marijuana Product Manufacturing Facility.

(3) Medical Marijuana Testing Facility and Marijuana Testing Facility.

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

- i. Off-street parking must be provided for Medical Marijuana Establishments and Marijuana Establishments in accordance with the following:

This provision does not include a parking requirement for a Marijuana Distributor. Of note, the proposed location includes on-site parking.

- j. Notwithstanding any other provision of CCMC, not more than two Medical Marijuana Dispensaries are allowed to operate at the same time in Carson City.

This item is not applicable to a marijuana distributor.

- k. A Medical Marijuana Establishment or Marijuana Establishment is prohibited 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, and any other center or facility, the primary purpose of which is to provide recreational opportunities or services to children or adolescents, which already exists on the date the application for the proposed Medical Marijuana

Establishment or Marijuana Establishment is submitted to the applicable state agency for approval to operate, as measured on a straight line from the property line of the nearest such school or facility to the front door or primary entrance of the Medical Marijuana Establishment or Marijuana Establishment.

Staff has verified that the proposed distributor facility meets the minimum distance requirements outlined in this standard.

Staff finds that the proposed distribution facility meets the applicable development standards required.

PUBLIC COMMENTS: Public notices were mailed to 31 adjacent property owners within 725 feet of the subject site on December 1 2017. As of the writing of this report, no comments in support or in opposition of the proposed project have 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 December 20, 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. Project must use CCFD marijuana establishment guidelines as applicable.
3. Project must install a knox box.

Engineering Division:

The Engineering Division has no preference or objection to the special use request and offers no conditions of approval.

Health and Human Services:

No comments.

Environmental Control Authority:

1. If greater than 160 square surface feet of material or 260 linear feet of material will be disturbed, the following items will be required. CCMC 12.12.065
 - a. An asbestos assessment done on all applicable materials being disturbed.
 - b. Submittal of Carson City Acknowledgement of Asbestos Assessment form.
 - c. Depending on results of asbestos assessment, an EPA 10 day notification may also be required.

FINDINGS: Staff's recommendation is based upon the findings as required by CCMC Section 18.02.080 (Special Use Permits) enumerated below and substantiated in the public record for the project.

1. **Will be consistent with the master plan elements.**

Chapter 5: Economic Vitality, Goal 5.1d – Industrial Specializations

The addition of a marijuana distributor facility meets the Master Plan goal of promoting a variety of industrial specializations. The proposed facility will provide a service to marijuana cultivation facilities and production facilities in Carson City, and neighboring communities.

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 a noise, vibrations, fumes, odors, dust, glare or physical activity.**

The proposed distributor facility will be located in an existing building. The nature of the business is in line with general industrial uses and is not expected to cause objectionable noise, vibrations, fumes, dust, glare or physical activity. No marijuana products will be stored on site. Rather, a truck which transports the marijuana will be housed on site.

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

The proposed production facility is anticipated to generate very low levels of vehicular traffic and essentially no additional pedestrian traffic. The applicant's Traffic Impact Investigation anticipates nine average daily trips per day based on the Institute of Transportation Engineer's Trip General Manual. Deer Run Road is a designated collector on the City's Functional Classification Plan, and can accommodate the traffic without realizing a detrimental effect.

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 Engineering Division has opined that existing sewer, water and storm drain infrastructure is sufficient to provide service to the project. Given the nature of the use, there will not be an impact on schools.

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.**

Marijuana Distribution is a conditional use in accordance with Title 18.04.150 General Industrial Conditional Uses and requires 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 Industrial zoning district.

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

The proposed distribution facility will be located in an inconspicuous, secure space with other industrial use surrounding it. Marijuana products will not be stored on the property. This facility 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.

The distributor facility is proposed in an existing building within the General Industrial zoning district. The operation is intended to be inconspicuous and unobtrusive as all operations will be conducted inside. It is not anticipated to result in material damage or prejudice to other property in the vicinity.

Conclusion

With the recommended conditions of approval, the Planning Division staff can make the required findings, and is in support of this Special Use Permit application. Therefore, staff recommends, that the Planning Commission approve SUP-17-197.

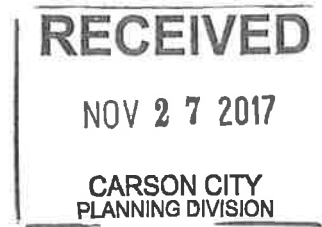
Attachments:

Staff comments
Application (SUP-17-197)

November 27, 2017

SUP-17-197

Fire



1. Project must comply with the 2012 IFC and northern NV fire code amendments
2. Project must comply with CCFD marijuana establishment guidelines as applicable.
3. Project must install a Knox box.

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

November 30, 2017

Major Project Review Committee

Re: # SUP 17-197

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 SUP request:

1. If this project would disturb greater than 160 sq. surface feet of material or 260 linear feet of material the following would be required.
 - a. An Asbestos Assessment on all material being disturbed.
 - b. A Carson City Acknowledgment of Asbestos Form.
 - c. Depending on results from Asbestos Assessment a EPA 10 Day Notification may also be required.
- 2.

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

Lena Reseck

From: Patti Liebespeck
Sent: Tuesday, December 05, 2017 7:44 AM
To: Hope Sullivan; Kathe Green; Lena Reseck
Cc: Vern Krahn; Veronica Martinez
Subject: SUP-17-197 Palidin LLC / North Deer Run Road

Hope, Kathe & Lena,

The Parks, Recreation & Open Space Department has no comments on the above referenced Special Use Permit.

Thank you,
Vern & Patti

Patti Liebespeck
Department Business Manager
Parks, Recreation & Open Space
3303 Butti Way, Bldg. 9
Carson City, NV 89701

775-283-7342
pliebespeck@carson.org

**Engineering Division
Planning Commission Report
File Number SUP 17-197**

TO: Hope Sullivan - Planning Department
FROM: Stephen Pottéy – Development Engineering Department
DATE: December 7, 2017 **MEETING DATE:** December 20, 2017

SUBJECT TITLE:

Action to consider an application for a Special Use Permit, from Shelly Brown, to allow a Marijuana Distributor at 3160 N Deer Run Rd, apn 008-541-75.

RECOMMENDATION:

The Engineering Division has no preference or objection to the special use request and offers no conditions of approval.

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 discussion:

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

The existing infrastructure and proposed drive isles are sufficient to provide safe access and circulation.

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

The existing sewer, water, and storm drain infrastructure are sufficient to provide service to the project.

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

SUP-17-197 Marijuana Distributor at 3160 N Deer Run Rd No4 apn 008-541-75

The project meets engineering standards for health and safety.

C.C.M.C. 18.02.080 (5g) – Material Damage or Prejudice to Other Property
Development Engineering has no comment on this finding.

C.C.M.C. 18.02.080 (5h) – Adequate Information
The plans and reports provided were adequate for this analysis.

RECEIVED

NOV 15 2017

CARSON CITY
PLANNING DIVISION

Carson City Planning Division 108 E. Proctor Street • Carson City NV 89701 Phone: (775) 887-2180 • E-mail: planning@carson.org		FOR OFFICE USE ONLY CONC 10-02-000
FILE # SUP - 17 SUP - 17 - 197		SPECIAL USE PERMIT
APPLICANT Palidin LLC	PHONE # 775-301-6845	FEE: \$2,450.00 MAJOR \$2,200.00 MINOR (Residential zoning districts) + noticing fee *Due after application is deemed complete by staff
MAILING ADDRESS, CITY, STATE, ZIP 2033 S Lompa Ln Carson City NV 89701		
EMAIL ADDRESS palidinindistributing@gmail.com		
PROPERTY OWNER PHONE # Charles Hall 7073335735		
MAILING ADDRESS, CITY, STATE, ZIP 2030 N 3rd Ave Napa CA 94558		SUBMITTAL PACKET - 4 Complete Packets (1 Unbound Original and 3 Copies) including: <ul style="list-style-type: none"> Application Form Detailed Written Project Description Site Plan Building Elevation Drawings and Floor Plans Special Use Permit Package Master Plan Policy Checklist Applicant's Acknowledgment Statement Documentation of Taxes Paid/To-Pay Project Impact Reports (Engineering)
EMAIL ADDRESS hallcoin@aol.com		
APPLICANT AGENT/REPRESENTATIVE PHONE # Shelly Brown 775-223-9595		
MAILING ADDRESS, CITY STATE, ZIP 2033 S Lompa LN Carson City NV 89701		
EMAIL ADDRESS Palidinindistributing@gmail.com		CD or USB DRIVE with complete application in PDF Application Received and Reviewed By
Project's Amended Parcel Number(s) 8-541-75		
Street Address 3160 N. Deer Rn Rd #4 Carson City NV 89701		
Project's Major Plan Designation Project's Current Zoning Nearest Major Cross Street(s) Us Hwy 50 E		
Please provide a brief description of your proposed project and/or proposed use below. Provide additional pages to describe your request in more detail.		
Marijuana Distributor - Distribute Marijuana from Growers and Producers and deliver to Producers or Dispensaries.		
PROPERTY OWNER'S AFFIDAVIT I, <u>Charles Hall</u> , being duly sworn, do hereby affirm that I am the <u>legal owner</u> of the subject property and that I am the knowledge of, and I agree to, the filing of this application.		
<u>Charles Hall</u> <u>2030 N 3rd Ave Napa, Ca</u> <u>10/27/17</u> Signature Address Date		
Use additional pages if necessary for additional comments.		
STATE OF NEVADA COUNTY _____		
Or, _____ personally appeared before me, a notary public, personally known (or proved) to me to be the person whose name is subscribed to the foregoing document, and who acknowledged to me that he/she executed the foregoing document.		
Notary Public: _____		
NOTE: If your project is located within the Historic District or special 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 with this determination.		
Page 1 of 1		

SEE ATTACHED

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of NAPA)

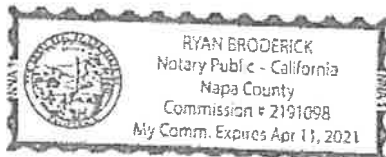
On OCTOBER 25th 2017 before me, RYAN BRODERICK / NOTARY PUBLIC
Date Here Insert Name and Title of the Officer

personally appeared CHARLES ROBERT HALL
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: SPECIAL USE DEED / PROPERTY OWNERS AFFIDAVIT
Document Date: OCTOBER 25th 2017 Number of Pages: 1
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

MIKE PAVLAKIS
KAREN A. PETERSON
JAMES R. CAVILIA
CHRIS MACKENZIE
DAWN ELLERBROCK
RYAN D. RUSSELL
JOEL W. LOCKE

JUSTIN TOWNSEND
S. JORDAN WALSH
KYLE A. WINTER
WILL WAGNER
KEVIN BENSON



ALLISON · MACKENZIE

GEORGE V. ALLISON
ANDREW MACKENZIE
PATRICK V. FAGAN
CHARLES P. COCKERILL
JOAN C. WRIGHT
OF COUNSEL

MIKE SOUMBENIOTIS
(1932-1997)

November 8, 2017

Carson City Planning Division
108 E Proctor Street
Carson City, NV 89701

Re: Palidin, LLC Special Use Permit Written Project Description

Dear Members of the Planning Commission:

Palidin, LLC ("Palidin") is a licensed recreational marijuana distributor with the Nevada Department of Taxation. It is currently located at 2033 S. Lompa Lane, Carson City, Nevada, but due to recent ordinance and zoning changes approved by the Board of Supervisors, it must move to a new location by January 1, 2018. Palidin has signed a lease to move to 3160 N. Deer Run Road, Unit #4, Carson City, Nevada (the "Property"), which is zoned to allow for marijuana establishments. Accordingly, this Special Use Permit Application ("Application") is submitted to facilitate its move prior to January 1, 2018.

Recreational marijuana distributors play a limited role under Nevada Revised Statutes ("NRS") Chapter 453D. Below are some of the pertinent restrictions:

- Distributors are *only* permitted to transport marijuana from point-to-point between cultivators/wholesalers and dispensaries. NRS 453D.120; Dept. of Taxation Regulation T002-17 ("Regulation") § 20.
- Distributors cannot store or warehouse marijuana on premises unless an emergency arises. Regulation § 20(9).
- Distributors are not allowed to buy or sell marijuana, either to the public or to other marijuana businesses. NRS 453D.120; Regulation § 20(3).
- Distributors are not allowed to deliver marijuana to consumers, *i.e.*, no home delivery. NRS 453D.120(4); Regulation § 22(1).
- Distributors are not allowed to have any logos, words, or any other designation related to marijuana on any of the vehicles. Regulation § 20(5)(c). The vehicles must be equipped with a secure lockbox, and must always have a method of communicating with the establishment for which the distributor is transporting. § 20(5)(d).

Pursuant to Nevada law, Palidin's use of the Property will be limited. Palidin will operate in a manner that is consistent with other distribution businesses: an office and a place to store vehicle(s). Palidin will not have any signage that indicates it is a business related to marijuana, nor will its employees be likely to have any interactions with the public.

The operation will consist of on-site employee(s) who will likely only be in the office and drivers to operate a small number of vehicles. There should be no effect on existing services or facilities. Palidin's operation will not have a significant impact on traffic in the area, because its deliveries are point-to-point between cultivators/wholesalers and dispensaries, which are located elsewhere.

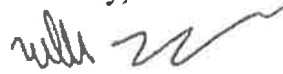
The only improvements being made to the interior of the property are a vault and security system, in the event marijuana must be stored on premises. On the exterior of the Property, security cameras will be installed. No other changes will be necessary to the Property, including elevation changes.

Along with this Project Description, enclosed in this Application please find the following documents:

- The Application Form
- The Site Plans and Floor Plans
- Special Use Permit Findings
- Master Plan Policy Checklist
- The Applicant's Acknowledgment Statement
- Documentation of Property Taxes
- Project Impact Reports

Should you have any questions about the forgoing, please contact me. I am happy to discuss this Application further.

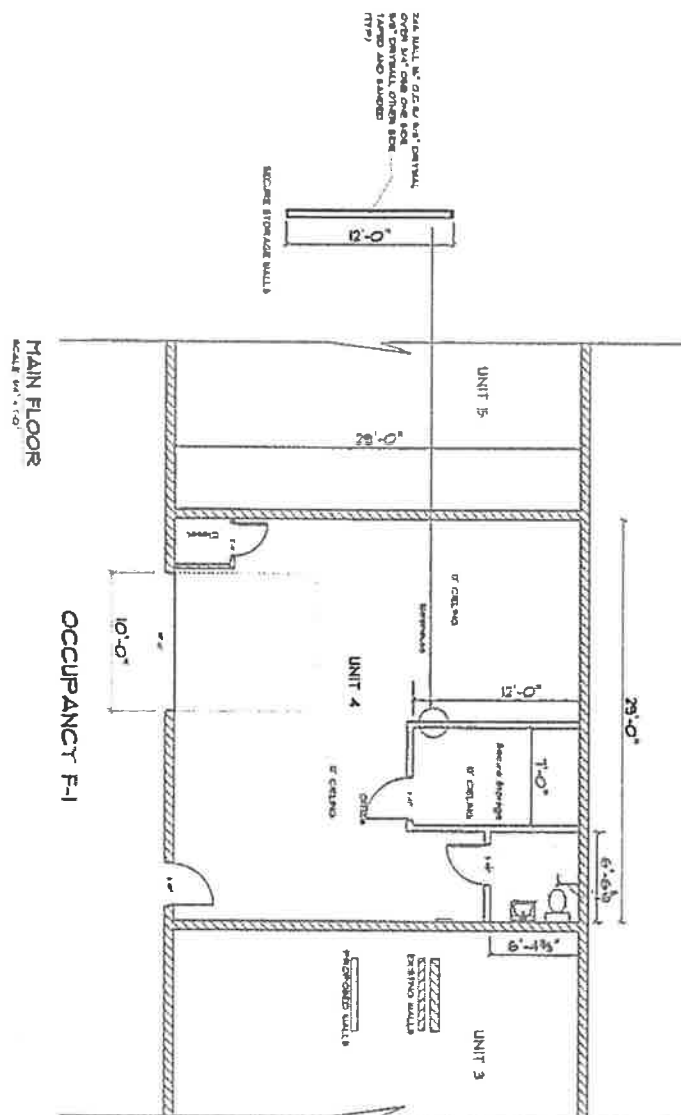
Sincerely,



WILL WAGNER

WMW/sp

Encl.

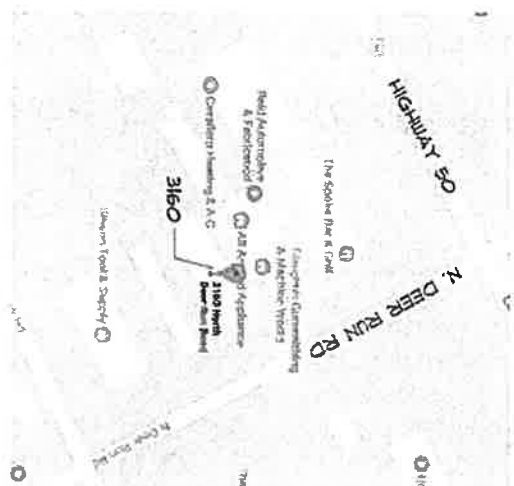


MAIN FLOOR

OCCUPANCY F-1

OWNER: PALDIN LLC
 APPLICANT: SHELLY BROWN, OPERATIONS MANAGER
 2033 S. LOMPA LN
 CARSON CITY, NV 89701
 775-223-9595
 LOCATION: 3160 N. DEER RUN RD
 UNIT A-3
 CARSON CITY, NV
 89701
 REQUEST: Licensed Marijuana Distributor
 Zoning: GI
 MASTER PLAN LAND USE DESIGNATION:
 APN: 008-541-15
 Site Plan Prepared By: Dennis Dene (BDR Construction)

Vicinity Map



SITE PLAN



NORTH DEER RUN RD

Paladin LLC
 1145 Deer Run Rd
 Carson City
 Nevada
 89701
 PHONE: 775-223-9595
 FAX:
 paladin@paladinllc.com

BDR Construction
 450 Industrial Way
 Sparks, NV 89412
 NV 116-00-1145
 PHONE: 775-750-7600
 FAX: 775-365-3735

SCALE: As Noted
 DRAWN BY:
 DATE: Tuesday, November 07, 2017



APPROVED:
 CHECKED BY:

PAGE: C-1
 SITE PLAN

SPECIAL USE PERMIT APPLICATION FINDINGS

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

THE FINDINGS BELOW ARE PROVIDED IN THE EXACT LANGUAGE FOUND IN THE CARSON CITY MUNICIPAL CODE (CCMC), FOLLOWED BY EXPLANATIONS TO GUIDE YOU IN YOUR RESPONSE. ON A SEPARATE SHEET TO BE INCLUDED WITH YOUR COMPLETE APPLICATION, LIST EACH FINDING AND PROVIDE A RESPONSE IN YOUR OWN WORDS. ANSWER THE QUESTIONS AS COMPLETELY AS POSSIBLE TO PROVIDE THE PLANNING COMMISSION WITH THE DETAILS NECESSARY TO CONSIDER YOUR PROJECT. IF A FINDING DOES NOT APPLY TO YOUR SITUATION, EXPLAIN WHY.

CCMC 18.02.080(5) FINDINGS. Findings from a preponderance of evidence must indicate that the proposed use:

1. Will be consistent with the objectives of the Master Plan elements.

The proposed project, which must be located in a general industrial zoning district, is consistent with Goal 1.1, to promote the efficient use of available land and resources. The subject location is vacant space located within an existing industrial building and surrounded by existing industrial uses and zoning. The proposed use is consistent with Industrial Policies Ind. 1.1, Ind. 1.2, and Ind. 1.3, which set forth the characteristics, location, and screening of industrial uses. The proposed use, which is distribution of recreational marijuana, will not generate significant noise, if any, and will have little to no impact on traffic. The applicant will use a small number of vehicles, which will generally depart from the property in the morning and return in the evening. Recreational marijuana is not stored on site, except in emergency situations, so vehicles will not come and go from the site frequently. All loading and work operations will be screened from industrial zone boundaries and public streets by the various industrial buildings in the area. Lastly, the project is consistent with Goal 5.1, to maintain and enhance the primary job base in Carson City. The proposed project adds to and enhances the diversity of current industrial uses and promotes job growth within the 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 project will have little to no impact on the use, peaceful enjoyment, economic value, or development of surrounding properties or the general industrial neighborhood. The project will have little to no impact on traffic in the area or on surrounding businesses as the actual operations at the site will be minimal and quiet. The operation will consist of on-site employee(s) who will likely only be part time in the office at the site and drivers to drive the vehicles. The proposed project is compatible with and preserves the character and integrity of adjacent development and the neighborhood in that the improvements or modifications on site are minimal. The only modification to the exterior of the site will be the installation of security cameras, the benefits of which can only be positive. In fact, most neighbors will likely be unaware that a marijuana establishment exists on the premises because there will be no signage and, as noted above, marijuana will only be stored on site in emergency situations. Finally, the proposed use will generate no significant noise, vibrations, odors, dust, glare, or physical activity.

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

The proposed project will have little or no detrimental effect on vehicular or pedestrian traffic. The proposed operation will include a small number of vehicles that will leave the facility in the morning, generally integrating with traffic during peak traffic hours, and will return in the evening, again integrating with peak traffic hours. Vehicular traffic directly in and around the site will be minimally affected, if at all. There is no foreseeable impact from the proposed operation on 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 project will in no way overburden existing services and facilities. Recreational marijuana is not grown on site and it can only be stored on site in emergencies. The site will generally be used as a typical office and already contains a working bathroom. Therefore, there is no foreseeable increase in the use of water, sanitary sewer, storm drainage or other public improvements. Further, there is no foreseeable need for additional police or fire protection from that which is already provided to neighboring projects.

5. Meets the definition and specific standards set forth elsewhere in Carson City Municipal Code, Title 18 for such particular use and meets the purpose statement of that district.

The proposed site is to be used by a marijuana distributor and the applicant meets the definition of a "marijuana distributor" as set forth in Carson City Code Section 18.03.005. The proposed site is zoned for general industrial uses for which marijuana distributorships are a conditional use pursuant to Section 18.04.150. Section 1.2 of Chapter 18.16 of Title 18 sets forth that a special use permit for a marijuana distributor may only issue if the distributor is licensed and approved by the applicable state agency. The applicant is approved and licensed to operate as a marijuana distributor by the Nevada Department of Taxation. The proposed project complies with all other design and planning standards set forth in Title 18 and the Land Use and Site Design Standards for marijuana establishments.

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

The proposed project will not have any discernible negative impact to the public health, safety, convenience, and welfare. Indeed, the proposed project serves a need in a new industry created by the public initiative process.

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

The proposed project will have no discernible negative effects on any neighboring properties or businesses. As noted above, the project is consistent with the neighboring uses and is not in the vicinity of any residential facilities.

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

Shelly Brown
Print Name

11/8/17
Date

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: Palidin LLC - 3160 N. Deer Run Rd. #4

Reviewed By: Justin Townsend

Date of Review: 11/8/17

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 (1.1 d, Municipal Code 18.12)?
- ☐ Use sustainable building materials and construction techniques to promote water and energy conservation (1.1 e, 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)?



Special Use Permit & Major Project Review Development Checklist

- ☐ 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 (5.1i)
- ☐ 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)?



November 8th, 2017

Shelley Brown
Palidin, LLC
2033 S. Lompa Lane
Carson City, NV 89701

Subject: 3160 Deer Run Road SUP
Traffic Impact Investigation

The proposed project will occupy one existing industrial unit at 3160 Deer Run Road.

This investigation letter will estimate the Average Daily Trips (ADT) that will be generated from the project and the ensuing peak hour trips to determine if the new traffic volumes will require a technical traffic study pursuant to the *Carson City Development Standards*.

In accordance with the Section 12.13.1 of the Development Standards, traffic engineering studies are required if one or more of the following conditions are met:

1. The proposed development will generate 80 or more peak hour trips (the sum of all existing trips plus all entering trips) as determined using the Institute of Traffic Engineers (ITE) trip generation rates or other such sources accepted by the Engineering Division.
2. The proposed development will generate 500 or more trips per day.
3. The proposed development contains phasing, and impacts from the cumulative phase have net effect of items 1 or 2. In this case, a traffic study shall be required with the first phase of the development.
4. The Engineering Department determines that a traffic study is required.
5. The proposed development contributes to the need for a traffic signal/or signal improvements.

The project traffic volumes were estimated from the sixth edition of the Institute of Transportation Engineers (ITE) *Trip Generation Manual*. The *Trip Generation Manual* provides statistical data on various land uses and is the primary method for projecting traffic volumes from proposed developments. The land use will be **General Light Industrial (#110)**. **Table 1** displays the estimated trip-generations for the a.m. and p.m. peak hours and the average daily traffic (ADT).

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Table 1

Trip Generation Comparison

Land Use	Quantity	ADT	AM Peak Hour		P.M. Peak Hour	
			In	Out	In	Out
General Industrial	1	9	1.3	.2	.4	1.1
Source: 1. Institute of Transportation Engineers <i>Trip Generation Manual</i> , 6 th Edition						

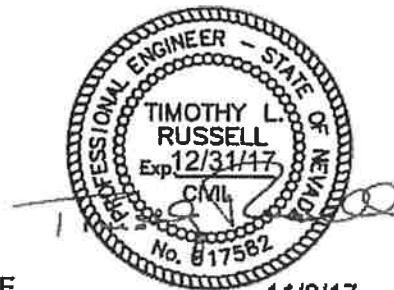
Average rates from the *Trip Generation Manual* were used instead of the fitted line equations associated with each study. The fitted line equations were not applicable due to the low number of employees and the intended use of the land. Using the average rates gives a more realistic ADT and peak hour trips.

The estimated traffic generated from the land use (General Light Industrial) does not exceed the requirements for providing a detailed traffic engineering study.

Based on all of the available information, there is no anticipated impact to traffic due to the proposed project.

If you have any questions or require additional information, please contact me.

Sincerely,



Tim Russell, PE
Group Manager – Engineering Division

11/8/17



November 8th, 2017

Shelley Brown
Palidin, LLC
2033 S. Lompa Lane
Carson City, NV 89701

Subject: 3160 Deer Run Road SUP
Storm Drainage and Utilities Impact Investigation

The proposed project will occupy a single existing industrial unit at 3160 Deer Run Road.

This letter will discuss the impacts on storm drainage, water, and sewer as required for the special use permit application related to the proposed marijuana distribution business. The use of this space will consist of office space for on-site employee(s) who will likely be part time in the office and indoor parking for a delivery vehicle. Minor tenant improvements are planned, but no new building or plumbing improvements are proposed for this site.

Storm Drainage

Since this is an existing building and no new impervious improvements are proposed, there will be no impact to existing storm drainage in this area.

Water/Sewer

This site is used strictly for office space and vehicle storage. There is an existing restroom facility that has no planned modifications. The office is planned to be used part time by the employee(s). Delivery vehicles are planned to be parked in the indoor parking area, and, when necessary, may occupy minimal outside spaces. Marijuana will not be grown on-site. No storage of marijuana products is planned for the facility.

Since restroom use and sewer/water demands are based upon fixture counts, and with no modifications to the existing restroom, and no other planned water/sewer usage/generation, there is no anticipated impact in terms of water use and sewer generation with the proposed project.



If you have any questions or require additional information, please contact me.

Sincerely,



Tim Russell, PE
Group Manager – Engineering Division

11/8/17

