

MINUTES
Regular Meeting
Carson City Planning Commission
Wednesday, December 20, 2017 • 1:00 PM
Community Center Sierra Room
851 East William Street, Carson City, Nevada

Commission Members

Chair – Mark Sattler	Vice Chair – Charles Borders, Jr.
Commissioner – Paul Esswein	Commissioner – Elyse Monroy
Commissioner – Daniel Salerno	Commissioner – Candace Stowell
Commissioner – Hope Tingle	

Staff

Lee Plemel, Community Development Director
Hope Sullivan, Planning Manager
Dan Stucky, City Engineer
Steven Pottéy, City Engineer
Dan Yu, Deputy District Attorney
Tamar Warren, Deputy Clerk

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

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

A. ROLL CALL, DETERMINATION OF QUORUM, AND PLEDGE OF ALLEGIANCE

(1:00:11) – Vice Chairperson Borders called the meeting to order. Roll was called. A quorum was present. Chairperson Sattler was absent. Commissioner Stowell led the Pledge of Allegiance.

Attendee Name	Status	Arrived/Left
Chairperson Mark Sattler	Absent	
Vice Chairperson Charles Borders, Jr.	Present	
Commissioner Paul Esswein	Present	
Commissioner Elyse Monroy	Present	
Commissioner Daniel Salerno	Present	
Commissioner Candace Stowell	Present	
Commissioner Hope Tingle	Present	

B. PUBLIC COMMENT

(1:01:14) – Vice Chairperson Borders entertained public comments; however, none were forthcoming.

C. POSSIBLE ACTION ON APPROVAL OF MINUTES – November 29, 2017

(1:01:51) – MOTION: I move to approve the November 29, 2017 meeting minutes.

RESULT:	APPROVED (5-0-1)
MOVER:	Esswein
SECONDER:	Salerno
AYES:	Borders, Esswein, Salerno, Stowell, Tingle
NAYS:	None
ABSTENTIONS:	Monroy
ABSENT:	Sattler

D. MODIFICATION OF AGENDA

(1:02:17) – There were no modifications to the agenda.

E. PUBLIC HEARING MATTERS

E-1 VAR-17-195 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FOR A VARIANCE REQUEST FROM SIERRA LAND DEVELOPMENT INC. TO REDUCE THE REQUIRED BUILDING SETBACKS AND DRIVEWAY LENGTHS AND TO HAVE A BUILDING HEIGHT OF 36 FEET TO THE RIDGE LINE, ON PROPERTY ZONED SINGLE FAMILY 12,000 PLANNED UNIT DEVELOPMENT (SF12-P), LOCATED AT STOCKE WAY ON THE SOUTH SIDE OF SILVER OAK DRIVE, SILVER OAK PHASE 22, APN 007-552-37.

(1:02:51) – Vice Chairperson Borders introduced this item. Planning Manager Hope Sullivan reviewed the agenda materials in conjunction with displayed slides, and recommended approval. She also responded to clarifying questions by the commissioners. City Engineer Dan Stucky clarified for Commissioner Tingle that the average of the combined driveway lengths from the garage doors to the end of the driveway, would have to be 18 feet. He also proposed amending Condition of Approval Number Five to read “minimum driveway length on rectangular lots from back of curb or sidewalk, if sidewalk is present, to the garage door...”. Ms. Sullivan noted that applicant Dale Brown was present.

(1:12:15) – Mr. Brown introduced himself and noted that he agreed with the conditions of approval and the suggested modification. He also clarified for Commissioner Tingle that the setbacks are usually measured from the foundation to the property line. Mark Turner of Silver Oak Development Company explained that the lots were irregularly shaped, and were the reason for readdressing the setbacks to make the lots buildable. Commissioner Stowell pointed out that the proposed lots “were more medium density” instead of their original designation of low density, and Ms. Sullivan suggested addressing the item during the Master Plan discussion. Mr. Plemel noted that the previously-discussed setbacks and height restrictions were different for every phase of the development. Ms. Sullivan confirmed for Commissioner Salerno that height was measured “as parallel to the grade”. Commissioner Stowell inquired about a permanent secondary access and was informed that it would only be an emergency access. Mr. Plemel also clarified that the report incorrectly stated the development as “low density” and confirmed that the Master Plan had named it “medium density”. There were no public comments and Vice Chair Borders entertained a motion.

(1:21:25) – MOTION: I move to approve VAR-17-195 a Variance to reduce the required building setbacks on the front, sides, and rear, driveway lengths and to allow a building height of 36 feet to the ridge line of Phase 22 of Silver Oak Development, located on Stocke Way, APN 007-552-37 in the Single Family 12,000 Planned Unit Development zoning district, based on the findings and subject to the recommended

conditions of approval in the Staff Report with the following modifications to the conditions of approval: Condition five will read that the minimum driveway length of rectangular lots from backup curb or sidewalk, if a sidewalk is present, to garage door shall be 18 feet; on irregular shaped lots the minimum driveway length must average 18 feet.

RESULT:	APPROVED (6-0-0)
MOVED:	Esswein
SECONDER:	Salerno
AYES:	Borders, Esswein, Monroy, Salerno, Stowell, Tingle
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Sattler

E-2 SUP-17-197 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FOR A SPECIAL USE PERMIT FROM PALIDIN LLC TO ALLOW A MARIJUANA DISTRIBUTOR AS A CONDITIONAL USE, ON PROPERTY ZONED GENERAL INDUSTRIAL (GI), LOCATED AT 3160 N. DEER RUN RD. #4, APN 008-541-75.

(1:22:44) – Vice Chairperson Borders introduced this item. Ms. Sullivan reviewed the agenda materials in conjunction with displayed slides and recommended approval with a modification to Condition 18 to state at its beginning, in order to coincide with State law, to read: “unless extenuating circumstances exist consistent with State law...”. Ms. Sullivan indicated that applicant Shelly Brown of Paladin, LLC was present. She also responded to clarifying questions by the Commissioners.

(1:26:20) – Ms. Brown explained to Commissioner Stowell that the property in question will be an office. In response to a question by Vice Chairperson Borders, Ms. Brown stated that she had read and was in agreement with the conditions of approval, including the modification proposed by Ms. Sullivan. Commissioner Monroy was informed that the proposed location had an enclosed garage and ample parking for future expansion; however no large trucks would be used for distribution. In response to a question by Commissioner Esswein, Ms. Brown explained that currently recreational marijuana distributors may only distribute from and to licensed facilities. She also stated that medical marijuana may be distributed to end users via vehicles; however, they were not interested in doing that. There were no public comments; therefore, Vice Chair Borders entertained a motion.

(1:30:20) – MOTION: I move to approve SUP-17-197, a Special Use Permit request from Paladin, LLC to allow a Marijuana Distributor use on property zoned General Industrial, located at 3160 N. Deer Run Rd, APN 008-541-75, based on the findings and subject to the conditions of approval contained in the Staff Report with the modified Condition 18 as Stated above.

(1:31:05) – Commissioner Salerno indicated that he would vote against the motion “because it is a violation of federal law and I swore an oath to also follow federal law”.

RESULT:	APPROVED (5-1-0)
MOVER:	Monroy
SECONDER:	Esswein
AYES:	Borders, Esswein, Monroy, Stowell, Tingle
NAYS:	Salerno
ABSTENTIONS:	None
ABSENT:	Sattler

E-3 ZCA-17-208 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FOR A ZONING CODE AMENDMENT AMENDING TITLE 18 APPENDIX OF THE CARSON CITY MUNICIPAL CODE TO REVISE CERTAIN GUIDELINES FOR THE DESIGN OF FENCES LOCATED WITHIN THE HISTORIC DISTRICT OF CARSON CITY; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

(1:31:34) – Vice Chairperson Borders introduced the item. Ms. Sullivan gave background and presented the agenda materials. She also noted that the Historic Resources Commission Chair Mike Drews was in the audience.

(1:34:05) – Mr. Drews introduced himself and thanked Ms. Sullivan and Mr. Yu for their roles in preparing the documents for the appeals process in the Board of Supervisors meeting. He also clarified for Commissioner Stowell that it were up to the applicants to present alternative materials to meet the findings for approval. There were no public comments; therefore, the Vice Chair entertained a motion.

(1:36:20) – MOTION: I move to recommend to the Board of Supervisors approval of ZCA-17-208, an ordinance amending Title 18, Appendix of the Carson City Municipal Code to revise certain guidelines for the design of fences located within the Historic District of Carson City; and providing other matters properly relating thereto.

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

F. STAFF REPORTS (NON-ACTION ITEMS)

F-1 DIRECTOR'S REPORT TO THE COMMISSION

(1:37:01) – Mr. Plemel informed the Commission that no applications had been submitted to date for the January meeting; however, the deadline for the January submissions was for the following day.

(1:37:54) – Mr. Plemel stated that the Board of Supervisors had approved the first reading of ordinances related to Title 18, the single family definition of reasonable accommodations, and the wind turbines. He also reported that an ordinance allowing tattoo parlors in areas zoned as Retail Commercial would have a first reading during

tomorrow's Board of Supervisors meeting. Mr. Plemel announced that an ordinance to change Title 18, the appointment process to the Planning Commission, would be administratively presented to the Board of Supervisors. He estimated the changes to take effect within the first half of 2018. Commissioner Monroy was informed that the two "at large" positions would require soliciting applications; however, for the remaining five positions, each supervisor would nominate a candidate. Commissioner Tingle believed that the new process would "taint" the Commission as it would not represent a community-driven effort. Discussion ensued regarding the appointment process and Mr. Plemel advised "let's see how it works out first before passing judgement on this".

FUTURE AGENDA ITEMS

(1:37:33) – Mr. Plemel noted that the Master Plan report would be tentatively agendized for the next meeting.

COMMISSIONER REPORTS/COMMENTS

There were no Commissioner reports or comments.

G. PUBLIC COMMENT

There were no public comments

H. FOR POSSIBLE ACTION: ADJOURNMENT

(1:47:23) – Commissioner Esswein moved to adjourn. Commissioner Tingle seconded the motion. Vice Chairperson Borders adjourned the meeting at 1:47 p.m.

The Minutes of the December 20, 2017 Carson City Planning Commission meeting are so approved this 31st day of January, 2018.

Charles Borders, Jr., Vice Chair