

STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF MAY 30, 2018

FILE NO: SUP-18-068

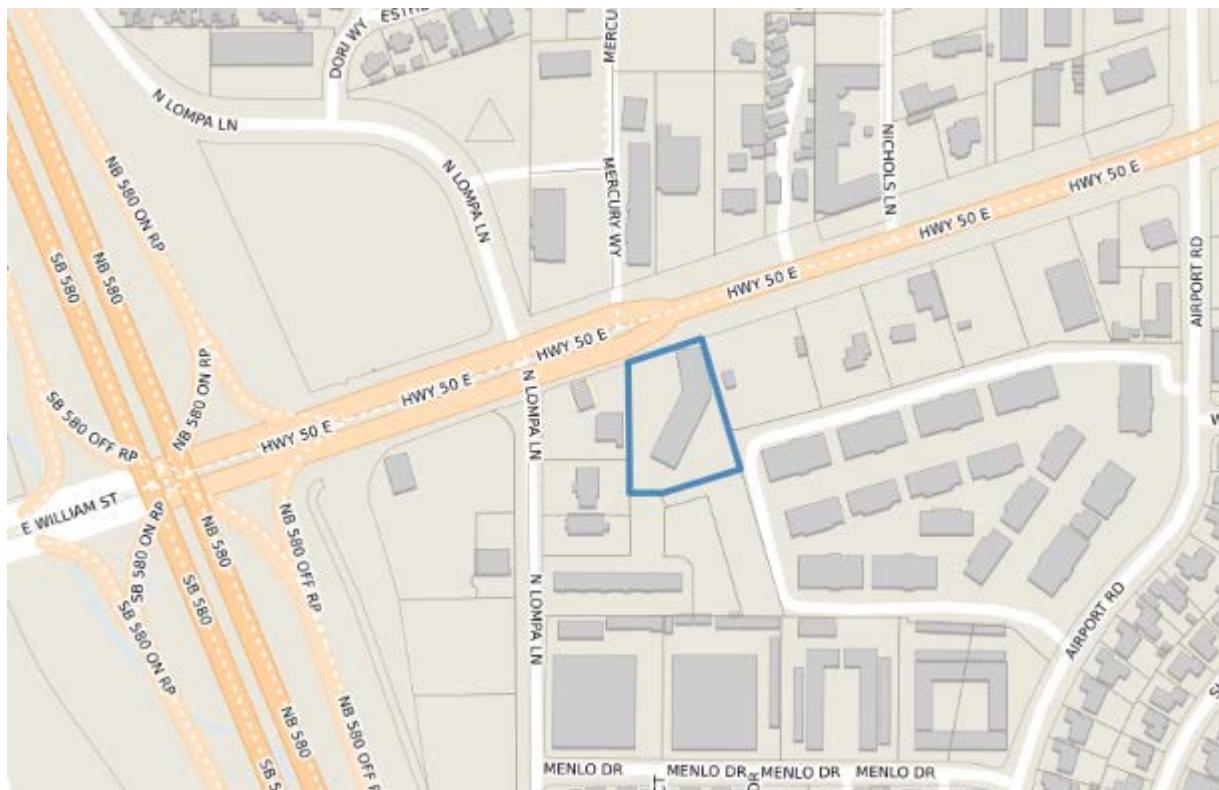
AGENDA ITEM: G.3

STAFF CONTACT: Hope Sullivan, AICP, Planning Manager

AGENDA TITLE: For Possible Action: To consider a request to amend Special Use Permit SUP-14-081 to expand the Medical Marijuana Dispensary and Retail Marijuana Store use by 1,294 square on property zoned General Commercial (GC) located at 2765 Highway 50 East, APN 008-312-12.

STAFF SUMMARY: At its meeting of October 29, 2014, the Planning Commission issued Special Use Permit SUP-14-081 to allow a Medical Marijuana Dispensary in a 2,450 square foot tenant space on the subject property. The applicant is now seeking to expand the use into the neighboring 1,294 square foot tenant space. Per Carson City Development Standards 1.20, the expansion of the use by more than ten percent of the space requires the use of a Special Use Permit.

RECOMMENDED MOTION: I move to approve SUP-18-068, a request to revise Special Use Permit SUP-14-081, to allow an expansion of a Medical Marijuana Dispensary and Retail Marijuana use by 1,294 square feet on property zoned General Commercial located at 2765 Highway 50 East, APN 008-312-12, 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 of 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 all applicable State requirements.
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 compliance with all State permitting and requirements.
7. The applicant shall obtain and maintain a valid Carson City Business License.

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 as adopted by Carson City.
10. The project shall comply with all Carson City Fire Department marijuana facility guidelines.
11. The building plans shall show how use will achieve a single point of access for the public.

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

12. The Special Use Permit for this Medical Marijuana dispensary and Retail Marijuana Store is only valid at the location specified in this application for this operator. The Special Use Permit approval shall become null and void if the operator loses or otherwise forfeits his or her State approval. This Special Use Permit is non-transferable between operators and locations within Carson City.
13. Marijuana or 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.

14. No consumption of marijuana or marijuana-infused products shall occur on the premises, including the parking lot and surrounding area.
15. Outdoor display and sales of marijuana merchandise is prohibited.
16. Hours of operation shall be limited from 7:00 a.m. to 8:00 p.m., seven days per week.
17. Marijuana products shall not be visible from outside the dispensary at any time.
18. The applicant shall ensure that any offensive marijuana product odors are not discharged from the building at any time. The detection of marijuana odors in the vicinity may result in citation and possible revocation of this Special Use Permit.
19. 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 and Marijuana Establishments.

MASTER PLAN DESIGNATION: Community/Regional Commercial

PRESENT ZONING: General Commercial (GC)

KEY ISSUES: Will the proposed Medical Marijuana Dispensary and Retail Marijuana Store expansion 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/Vacant Land
- WEST: General Commercial/Gas Station with convenience store
- NORTH: General Commercial/Feed Store and Grocery Store
- SOUTH: General Commercial/Vacant Land

ENVIRONMENTAL INFORMATION:

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

SITE DEVELOPMENT INFORMATION:

- LOT SIZE: 1.21 acres
- EXISTING STRUCTURE SIZE: 12,322 square feet, 2450 for existing tenant space
- EXISTING PARKING: 48 spaces on existing parcel
- SETBACKS: N/A – Existing Building
- VARIANCES REQUESTED: None

PREVIOUS REVIEWS:

Special Use Permit SUP-14-081: to allow a Medical Marijuana Dispensary on this site was approved by the Planning Commission at its meeting of October 29, 2014. This use has been established.

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.

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 added Marijuana Retail Store as a conditional use in the same zoning districts and locations as existing Medical Marijuana Dispensaries, including limiting the number of Marijuana Retail Stores to the locations of the two existing Medical Marijuana Dispensaries for as long as they continue to operate at those locations. Per Carson City Development Standards 1.20, 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. However, the expansion of a facility by more than ten percent of the space requires an amendment to the Special Use Permit.

On October 29, 2014, the applicant obtained a Special Use Permit to allow a Medical Marijuana Dispensary on the subject property. In the intervening time, the use has been established as well as the Marijuana Retail Store use. The applicant is now seeking to modify the Special Use Permit to expand into the tenant space next door, resulting in a total space of 3,744 square feet.

In the floor plans, the applicant has identified the expanded area as a call center. As with any retail store, the business owner may choose to move inventory around to accommodate its customers. In recognition of this, staff is reviewing the application based on a 3,744 square foot Marijuana Retail Store and Medical Marijuana Dispensary, and is not relying on the details of the floor plan to make the required findings.

Throughout the application, the applicant references that certain parameters will be established pursuant to a performance contract to be executed with the city of Carson City. This will not be the case. Any use restrictions will be addressed as Conditions of Approval in the Special Use Permit. There will not be a contract that supplements the Special Use Permit.

The subject property is in a small shopping center where the other tenants are an electrical shop, and two automobile service facilities. The property is on Highway 50, and is surrounded by commercial uses or commercially zoned vacant property.

In addition to the Special Use Permit requirements set forth by Carson City, any marijuana establishment operators are required to comply with the State of Nevada regulations relative to marijuana establishments. Should the modification of the Special Use Permit be approved, the applicant will need to demonstrate compliance with Nevada regulations in advance of commencement of the expanded use, and maintain compliance with State regulations.

This is one of two dispensaries in Carson City.

DISCUSSION:

The existing medical marijuana dispensary and marijuana retail store occupies a 2,450 square foot tenant space within an existing shopping center on Highway 50 East, just east of the interchange of Highway 50 and US Highway 580. The dispensary and store sells medical marijuana, marijuana, marijuana-infused products and marijuana paraphernalia. The proposed addition will add 1,294 square feet to the existing dispensary and store. Essentially, two tenant spaces will be combined into one. The existing front door will continue to be the access to the use.

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

- Pursuant to Carson City Development Standards 1.20.a, the expansion of any location of a Medical Marijuana Establishment or a Marijuana Establishment that will result in an increase of more than ten (10) percent of the space in which the use has been approved to operate requires the issuance of an amended Special Use Permit.

Section 1.20 of the Development Standards provides specific criteria for Medical Marijuana Establishments and Marijuana Retail Stores. These development standards and how the proposed dispensary meets them are addressed below:

1.20 Medical Marijuana Establishments and Marijuana Establishments.

The following standards are intended to establish minimum requirements and Special Use Permit review criteria for Medical Marijuana Establishments, and Marijuana Establishments, 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 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 the required 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 to 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.

The proposed expansion exceeds ten percent of the space in which the Medical Marijuana Establishment has been approved. Therefore, the applicant is seeking an amended Special Use Permit.

- 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 dispensary and store is not proposed. 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 dispensary and store 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. The outdoor display or sales of any Medical Marijuana Establishment or Marijuana Establishment merchandise or product is prohibited.

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

- 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.

- 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 requiring that the use maintains compliance with all State regulations.

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

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. All signage for Medical Marijuana Establishment and Marijuana Establishment 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 modifications to 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. Off-street parking must be provided for Medical Marijuana Establishments and Marijuana Establishments in accordance with the following:
 - (1) For Medical Marijuana Dispensaries and Marijuana Retail Stores: A minimum of one space for every per 300 square feet of gross floor area.

Fifteen spaces are required for the proposed dispensary based on 3,744 square feet. The dispensary and store is located within a shopping center with 48 existing parking spaces. 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 building at 12,322 square feet, a total of 50 parking spaces are required. However, the building was constructed in 1984, which was before the current development standards for parking were in place. The shopping center parking spaces are non-conforming. However, consistent with the approval of SUP-14-081 in 2014, additional parking is not required.
- 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.

The existing dispensary and store is one of two permitted to operate in Carson City.

- 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.

The proposed use 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 must be provided and identified.

The floor plan shows two points of entry. Only one point of entry shall be available to the public. The building plans for the tenant improvement must recognize this requirement by making the second point of access a secured access. Additionally, staff is recommending that this requirement be a condition of approval.

b. Hours of operation are limited from between 7:00 a.m. and 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 and store.

d. A Medical Marijuana Dispensary or Retail Marijuana Store is prohibited on any property or within a shopping center with frontage that is located on the same street on which a residentially-zoned property is also located unless the dispensary or store is located more than 300 feet from the residential property, as measured on a straight line from the nearest residential property line abutting the street right-of-way to the front door of the dispensary or store.

This requirement is met.

PUBLIC COMMENTS: Public notices were mailed to 30 property owners of property within 600 feet of the subject site on May 11, 2018. 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 May 30, 2018, 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.

Fire Department:

1. Project must comply with 2012 IFC and Northern NV fire code amendments.
2. Project shall comply with all Carson City Fire Department marijuana facility guidelines.

Engineering Division:

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

application.

Health and Human Services: no comments

Environmental Control Authority: no comments

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 and retail marijuana store provides for expansion of the general retail base in Carson City. In addition to increasing economic vitality at the existing shopping center, area businesses will benefit from increased exposure to consumers coming into the area.

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 and retail store 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 and retail marijuana store is anticipated to generate both vehicular and pedestrian traffic to the site, but no more than 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 and retail marijuana store is located in an existing building and should not have a negative 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. The 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 and Retail Marijuana Stores are a conditional use in accordance with Title 18.04.135 General Commercial Conditional Uses and have been lawfully established. The expansion of more than ten percent of the space is necessitating a revision to the 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 existing dispensary has not been found to be detrimental to public health, safety, convenience and welfare. The location is very visible along Highway 50. The business operates in a way consistent with other retail businesses. It is not anticipated that the expansion will 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 and retail marijuana store is proposed in an existing commercial shopping center within a large General Commercial zoning district. It will operate much like other retail businesses. The use as it exists does not result in material damage or prejudice to other property in the vicinity, and it is not anticipated that the expansion of the use will be in conflict with this finding

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-18-068 subject to the conditions identified based on the required findings as noted in this report.

Attachments:

Fire Department Comments
Engineering Division Comments
Application (SUP-18-068)

Fire Department Comments

05/08/2018

Comments for SUP 18-068:

1. Project shall comply with the 2012 IFC and northern Nevada fire code amendments as adopted by Carson City.
2. Project shall comply with all Carson City Fire Department marijuana facility guidelines.

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-18-068**

TO: Hope Sullivan - Planning Department
FROM: Stephen Pottéy – Development Engineering Department
DATE: May 23, 2018 **MEETING DATE:** May 30, 2018

SUBJECT TITLE:

Action to consider an application for a Special Use Permit, from WSCC Inc., to expand a marijuana dispensary, apn 008-312-12.

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 is sufficient to provide safe access and circulation. The traffic impact expected from the expansion of the business is negligible.

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. The unit in question currently has City water and sewer.

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 18-068 Engineering Comments

Engineering Division
Planning Commission Report
Page 2

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.

Application to Carson City for:

**Amended Special Use Permit for a Medical Marijuana
Dispensary and Retail Marijuana Store**

Prepared by:

Will Adler, Silver State Government Relations
412 N. Dicision Street,
Carson City, NV 89703
775-230-0247

Prepared for:

WSCC. Inc
Deane Albright
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April 19, 2018

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Appendix

Site Plan (8.5" x 11")

Carson City SUP application

- Owners Affidavit
- Site Plan Checklist
- SUP application Questionnaire
- Acknowledgement of Applicant
- Site Plan (city template)

City of Carson City - Master Plan Policy Checklist

Project Description - This application is for an amended Special User Permit (SUP) for:

- The Establishment of a Medical Marijuana Dispensary and a Retail Marijuana store located at 2765 U.S. Highway 50E on one parcel in Carson City, Nevada. The Parcel is located within the General Commercial zone which allows for the use with a SUP.

Property Location

Medical and Retail marijuana store

The site is located on Highway 50, on one parcel of 1.21 acres which is APN 008-312-12.

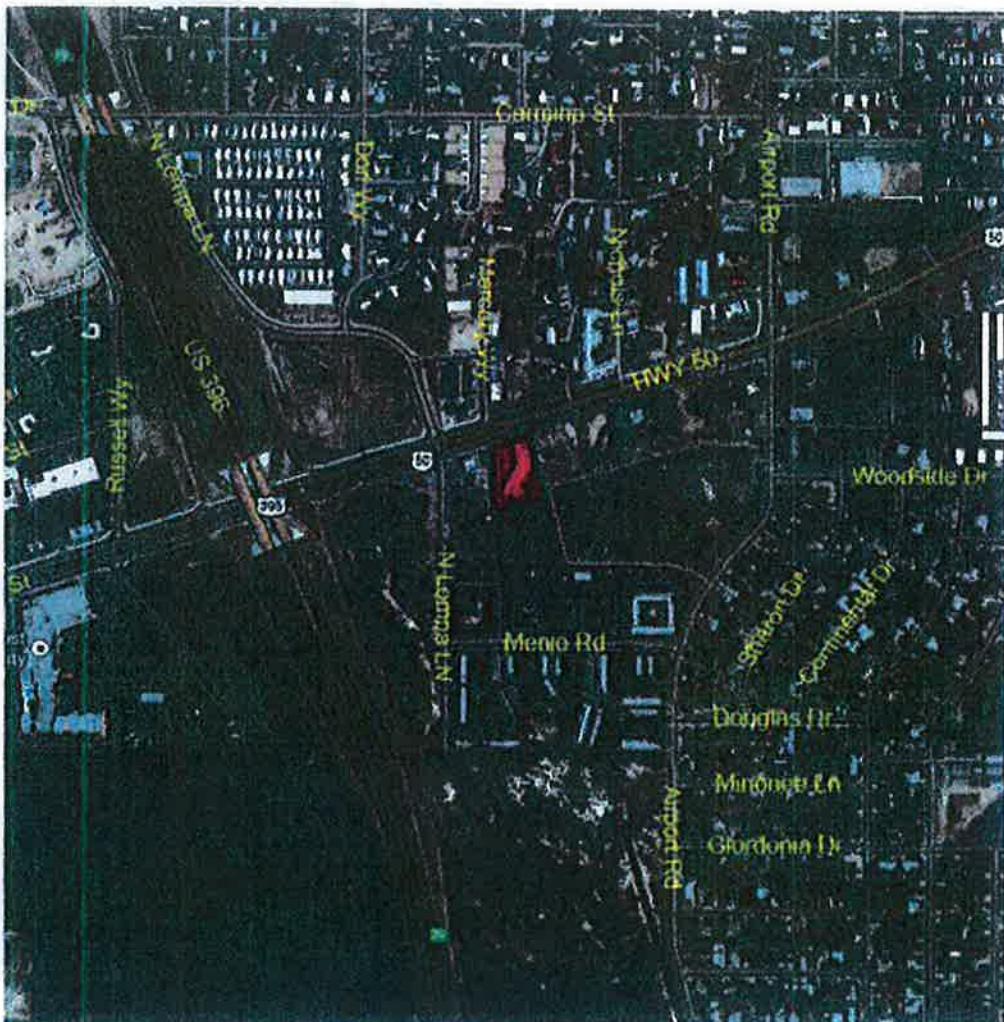


Figure 1 – Vicinity Map

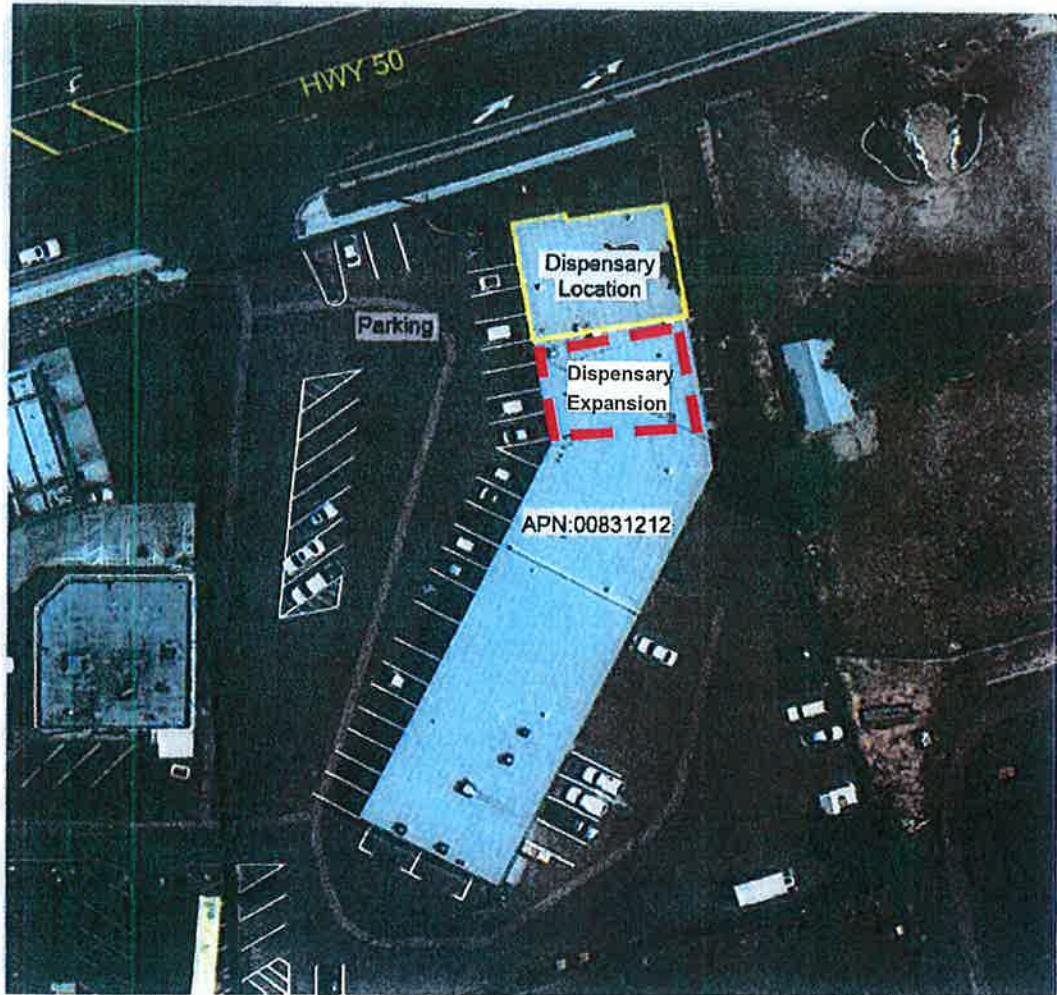


Figure 2 - Existing Site Plan

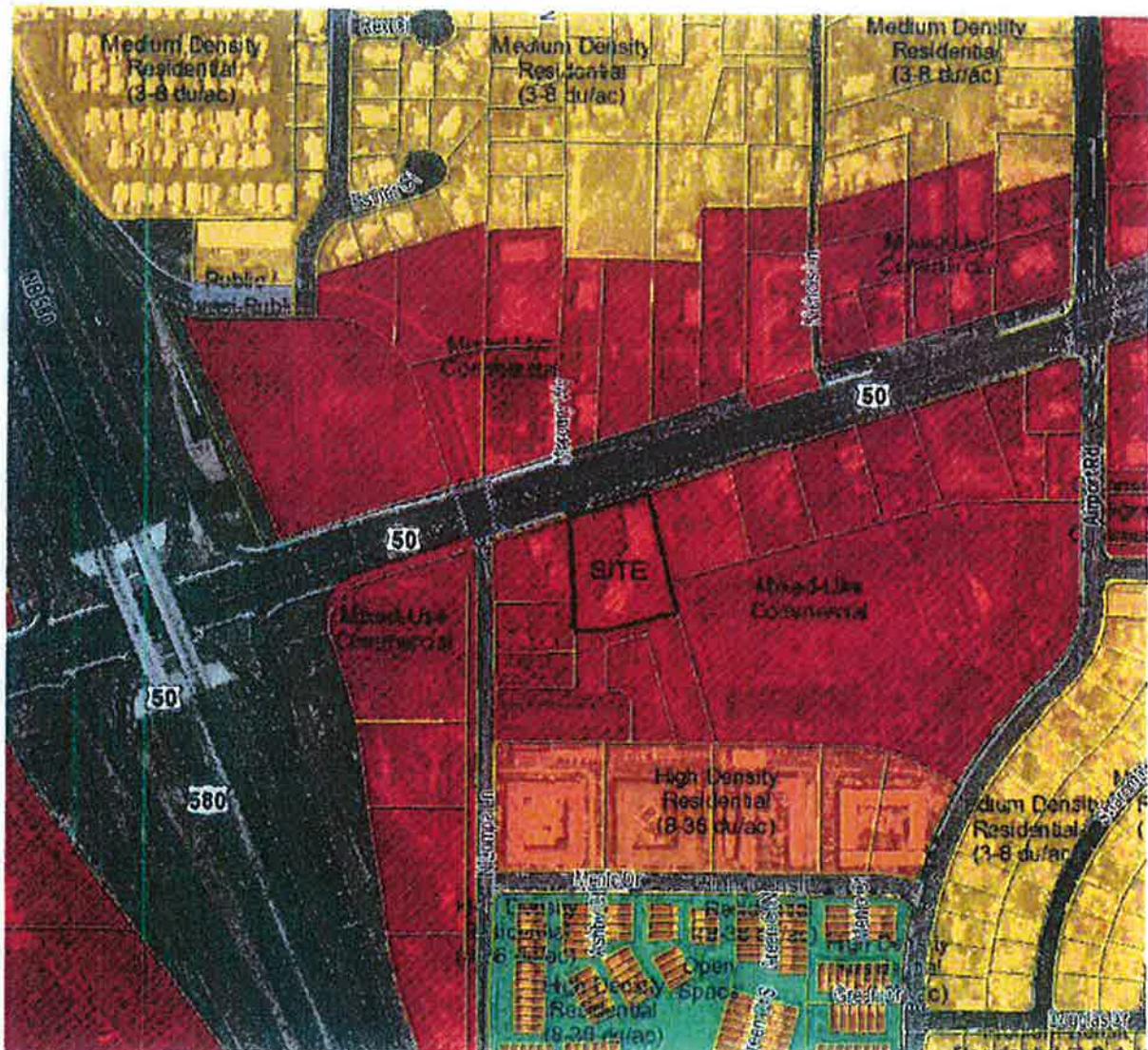


Figure 3 - Existing Master Plan

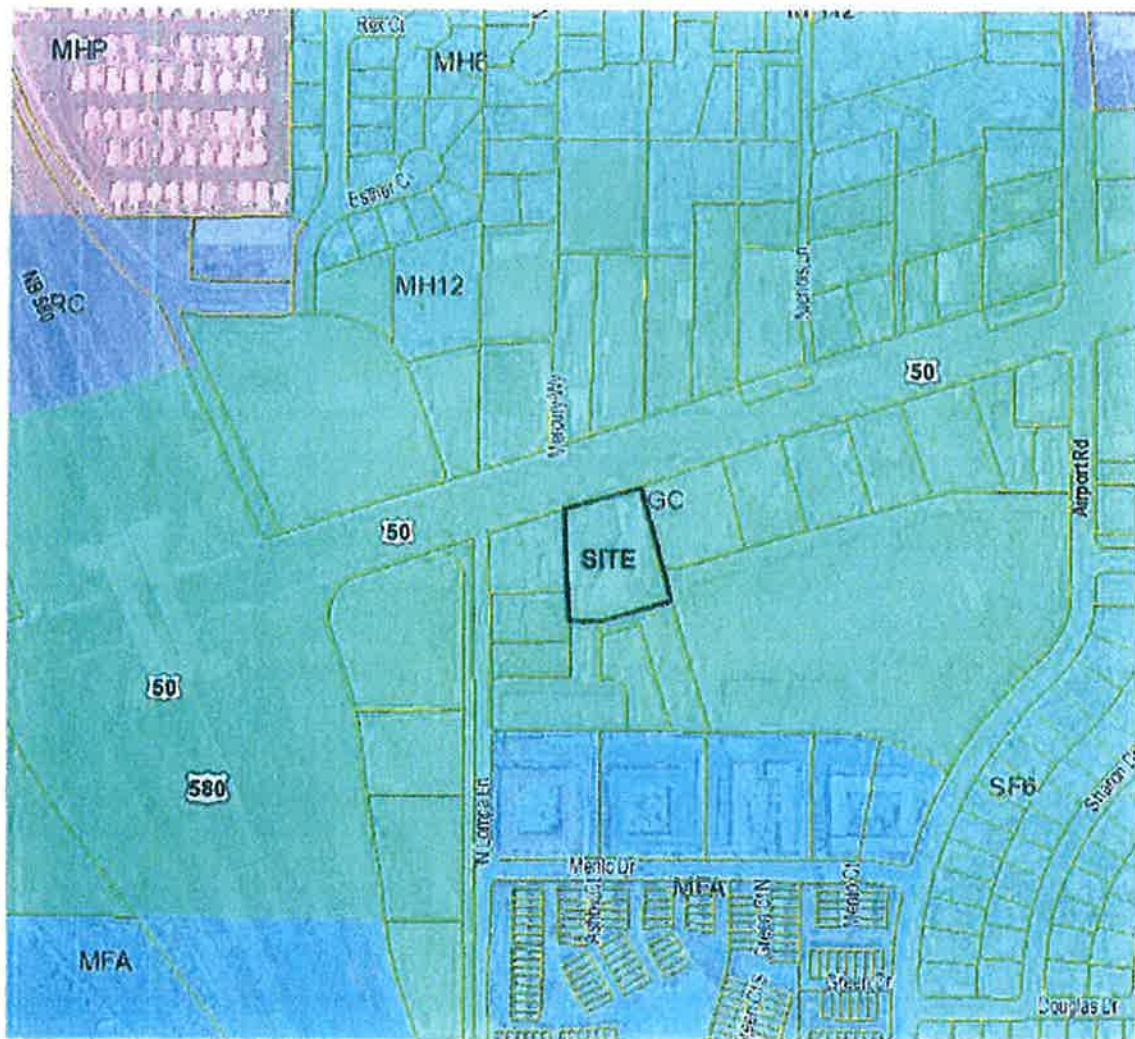


Figure 4 - Zoning Map

Zoning Analysis

The following were zoning items evaluated for zoning compliance:

Business Operation – The business will operate as a tenant in a multiple tenant building that totals 3,744 square feet. WSCC will occupy two tenant spaces at the north end of the building which is 3744 square feet. Basic elements of the dispensary operation include retail area, lobby, security, training, vault, storage, and restrooms. It is expected to be a low intensity operation in terms of parking, traffic volume and activity.

WSCC, Inc

Employees/Hours of Operation - There will a total of 4 to 5 full time employees working at the location. The applicant understands that the hours of operation will be established pursuant to a performance contract to be executed with the city of Carson City.

Parking – Parking code for medical marijuana is parked at the commercial rate of 1 space per 300 square feet per Title 18, Division 2 section of city code which includes retail. This is the best fit definition of the proposed use to the required parking rates. The remainder of the building is programmed at the Commercial parking rate (including repair shops, 2nd hand stores, etc.) that requires 1 space per 300 square feet per the table below. All of the spaces are shared in the parking lot for this multi-tenant building and will meet code parking standards. The shared parking will be managed in lease agreements and with a shared parking easement. This includes all parking demands assuming full occupancy of the building. There are roughly 48 parking spaces on site that serve this building.

Parking Analysis				
Use	Rate	Area (sq ft)	Required Spaces	Provided Spaces
Proposed ME location	1 per 300 sf	3,744	13	13
Rest of Building(comm.)	1 per 385 sf	8,578	23	25
Total	---	12,322	40	48¹

¹ note: The parking count is a physical count of spaces marked and some unmarked that are assigned to the building

Access – There is good vehicle access to the building with primary access from Highway 50 and another indirect access from Lompa Lane to the west. Also, the arrangement of parking is very convenient for medical customers with parking near the entry at the front of the building, including two accessible spaces.

Residential Adjacency - A ME use is not allowed adjacent to residentially zoned property. Per the city zoning map in Figure 4, there is General Commercial (GC) zoning surrounding the site in all directions. Those are the only zoning designations within the rough vicinity of the property. There is no residential property adjacent to the site.

Signs – There are one existing pylon sign being used for the retail center (see photo 4). The applicant will propose a building sign that meets the City code at time of building permit application. Applicant understands that signage will be addressed pursuant to a performance contract to be executed with the city of Carson City.

Environmental Impacts

The environmental impacts expected from this operation are typical of commercial and retail uses. There will be customers parking, walking, and shopping in this area known for conventional retail and/or commercial use. More customers using the center may better serve the viability of the center. The ease of access to the center along with good parking will be a service for customers as well. Medical Marijuana remnants, infused products, bi-products, and

other waste material will be rendered unusable before disposal, and will not be placed within the facility's exterior refuse containers. These materials will be disposed of in a safe, sanitary and secure manner approved by regulating agencies including Community Development division, Carson Sheriff Department, and the Carson City Health District.

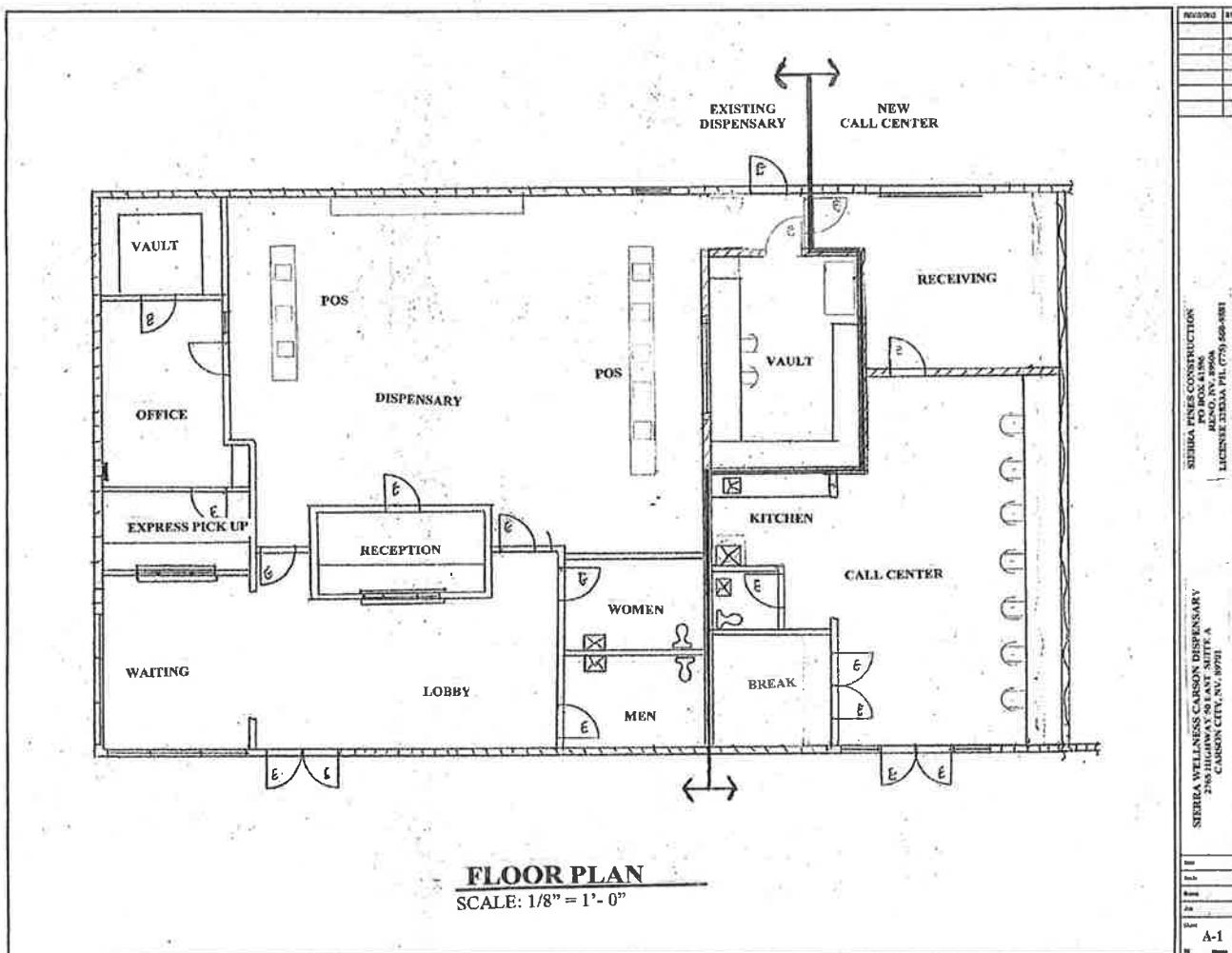


Figure 5- Floor Plan



Photo 1 - Front Building Elevation (facing east)



Photo 2 - Front Building Elevation (adjacent to Hwy 50)



Photo 3 - Landscaping Island (adjacent to Hwy 50)



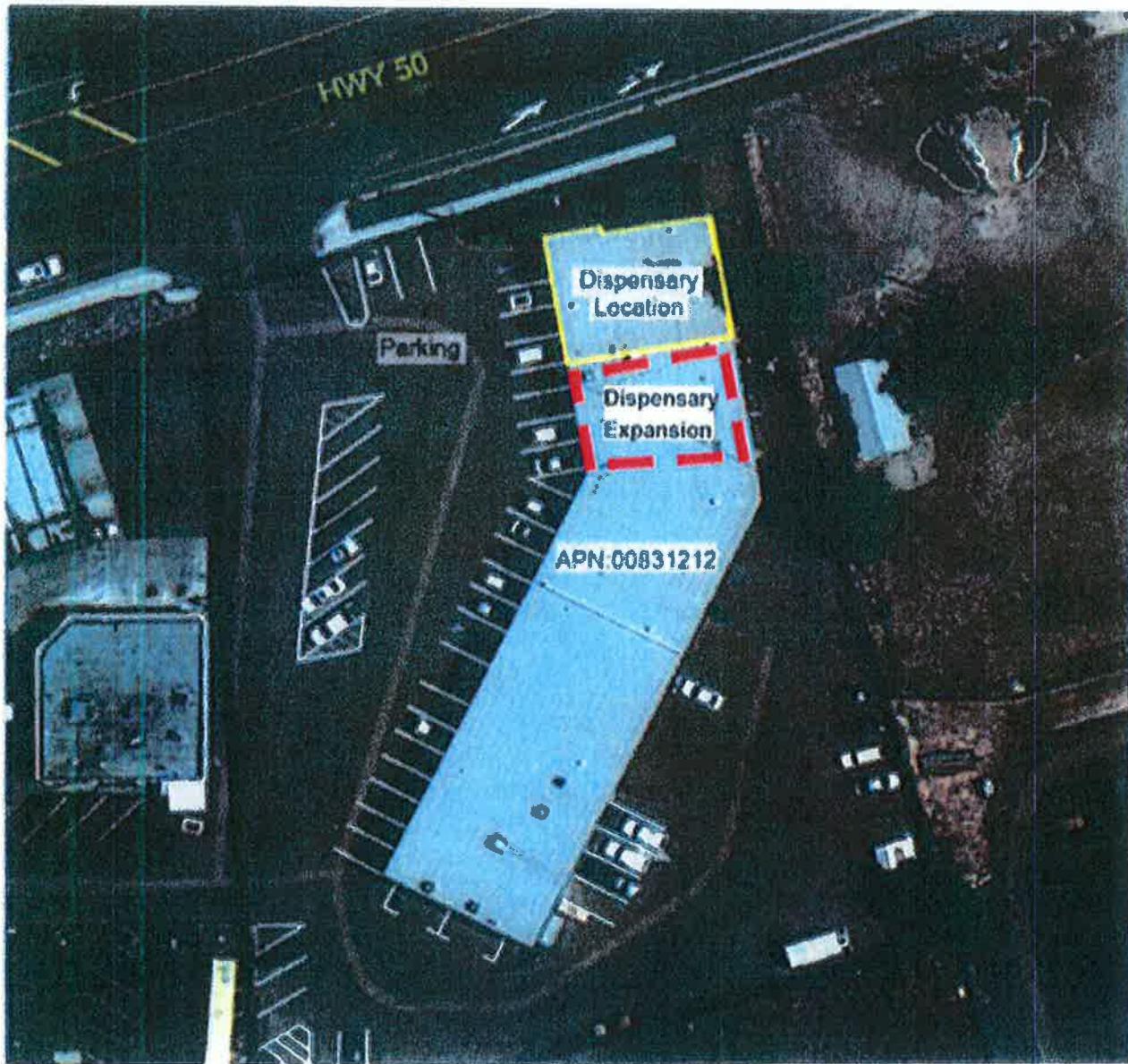
Photo 4 – Existing Pylon Sign

Appendix

- **Site Plan**
- **City of Carson City – SUP application**
- **City of Carson City – Master Plan Policy Checklist**

Appendix

- **Site Plan**
- **City of Carson City – SUP application**
- **City of Carson City - Master Plan Policy Checklist**



SITE PLAN CHECKLIST

The site plan shall be drawn on quality paper (minimum size of 8.5 inches by 11 inches) at an appropriate scale or dimension to depict the parcel. Any site plan larger than 8.5 inches by 11 inches must be folded. The site plan shall include the following information:

1. Show a north point arrow and plot plan scale. A bar scale is preferred because when the drawings are reduced, it will still show an accurate scale. A bar scale could appear like this for a project that has a scale of one inch equals 20 feet on the original plot plan: **Completed**
2. Vicinity map must be shown on the plot plan. This is a map, not to scale, that you would provide a visitor unfamiliar with the area as directions to get to your property. It will show adjacent streets. **Completed**
3. Title block in lower right-hand corner including:
 - (a) Applicant's name, mailing address, and daytime phone number (including area code).
 - (b) The name, mailing address, and daytime phone number of the person preparing the plot plan, if different from applicant
 - (c) The name, mailing address, and daytime phone number of the record owner of the subject property, if different from applicant.
 - (d) Assessor Parcel Number(s) (APN) and address (location, if no address) of the subject property.
 - (e) Project title and permit request. (Example: Variance, Special Use Permit).**Completed**
4. Property lines of the subject property with dimensions indicated. **Not Applicable/Completed**
5. All existing and proposed structures shall be shown, including:
 - (a) Distances from property lines indicated by dimensions.
 - (b) Distances between buildings shall be indicated on the plot plan.
 - (c) Clearly label existing and proposed structures and uses, and show dimensions.
 - (d) Square footage of all existing and proposed structures.
 - (e) If a commercial or multi-family project, show all elevations and submit roof plans showing all proposed roof equipment and means of screening from view along with plans for trash receptacle screening and loading/unloading area location and design.
 - (f) Elevations of any proposed structures/additions.**Completed**
6. Project access:
 - (a) Show the location of proposed street access and all existing accesses of neighboring properties including across the street.
 - (b) Show adjoining street names.
 - (c) Show all curb cuts with dimension.**Completed**
Show the Assessor Parcel Number(s) of adjoining parcels. **Completed**
7. Show all existing and proposed parking, landscape islands and traffic aisles, with dimensions. **Completed**
8. Show location of existing and proposed utilities and drainage facilities, and indicate whether overhead or underground. Show the location of any septic lines/fields. **Not applicable/completed**
9. If specific landscape areas are required or provided, show with dimensions. **Not applicable/completed**
10. Show location of all proposed amenities, such as gazebos, retaining walls, retention areas, etc. **Not applicable/completed**
11. **PROJECT IMPACT REPORTS** - Provide **four** copies of documentation regarding project impacts related to traffic, drainage, water, and sewer, including supportive calculations and/or reports required per the Carson City Development Standards Divisions 12,14 and 15. **Not applicable.**

Submit 8 copies of the entire application and site plans, including the original, or a very clear, high quality reproduction that may be used for generating additional copies. If 8 large blueprints are submitted, one 8.5 inch by 11 inch plan must also be submitted.

SPECIAL USE PERMIT APPLICATION QUESTIONNAIRE

PLEASE TYPE OR PRINT IN BLACK INK ON SEPARATE SHEETS. ATTACH TO YOUR APPLICATION.

State law requires that the Planning Commission, and possibly the Board of Supervisors, consider and support the questions 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 Proposal Questionnaire with as much detail as possible to ensure that there is adequate information supporting your proposal.

The questionnaire lists the findings in the exact language found in the Carson City Municipal Code (CCMC), then follows this with a series of questions seeking information to support the findings.

(On an attached sheet, list each question, read the explanation, then write your answer in your own words.)

Answer the questions as completely as possible so that you provide the Commission and possibly the Board with details that they will need to consider your project. If the question does not apply to your situation, explain why. BEFORE A SPECIAL USE PERMIT CAN BE GRANTED, FINDINGS FROM A PREPONDERANCE OF EVIDENCE MUST INDICATE THAT THE FACTS SUPPORTING THE PROPOSED REQUEST ARE INCORPORATED INTO YOUR APPLICATION.

GENERAL REVIEW OF PERMITS

Source: CCMC 18.02.080. (1) The Planning Commission, and possibly the Board of Supervisors, in reviewing and judging the merit of a proposal for a special use permit shall direct its considerations to, and find that in addition to other standards in this title, the following conditions and standards are met:

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

The applicant believes the proposed use and SUP does in fact further the goals of the Master Plan. In completing the MP policy checklist, there are several goals and policies being supported with this request. Please see the attached MP Policy checklist that includes many policies that support this request where applicable.

Explanation A. Turn to the Master Plan Policy Checklist. The Master Plan Policy Checklist for Special Use Permits and Major Project Reviews address five items that appear in the Carson City Master Plan. Each theme looks at how a proposed development can help achieve the goals of the Carson City Master Plan. Address each theme; a check indicates that the proposed development meets the applicable Master Plan Policy. In your own words provide written support of the policy statement. You may want to acquire a free CD or purchase a paper copy of the Master Plan from the Planning Division, or review the copy in the Planning Office or in the reference section of the Ormsby Public Library on Roop Street, or use our website at www.carson.org

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

There appears to be no detrimental affect or impact to anyone in the immediate area or to anyone in the general neighborhood. The site is located in an intense commercial area with highway frontage and access and not in a neighborhood per se. There is planning theory and principle to suggest that the use will be positive to the area by establishing a use in a vacant building (protection against blight), and some synergy of uses with commercial next to commercial. Abutting to the west is the AM/PM market, to the east is vacant, and the south are some undeveloped parcels. To the north, across the highway are a mix of commercial uses and businesses.

Explanation	<p>A. Describe the general types of land uses and zoning designations adjoining your property (for example: North: two houses, Single-Family 12,000 zoning; East: restaurant, Retail Commercial zoning; West: undeveloped lot, Retail Commercial zoning; South: apartment complex, Retail Commercial zoning).</p> <p><i>Please see the zoning map and site plan in the report. GC zoning and commercial uses surround the site in all directions. Abutting to the south are some undeveloped parcels.</i></p> <p>B. Explain why your project is similar to existing development in the neighborhood, and why it will not hurt property values or cause problems, such as noise, dust, odors, vibration, fumes, glare, or physical activity, etc. with neighboring property owners. Will the project involve any uses that are not contained within a building? If yes, please describe. If not, state that all uses will be within a building. Explain how construction-generated dust (if any) will be controlled. Have other properties in your area obtained approval of a similar request? How will your project differ in appearance from your neighbors? Your response should consider the proposed physical appearance of your proposal, as well as comparing your use to others in the area.</p> <p><i>There are no adverse impacts with respect to property values noise, dust, odors, vibration, fumes, glare, or any physical activity that can be expected with this use. All of the use and activity will be inside the building. There are no other approvals for such a use granted at this time. The building appearance will be very similar to neighbors with the only item that modifies appearance is the project sign.</i></p> <p>C. Provide a statement explaining how your project will not be detrimental to the use, peaceful enjoyment or development of surrounding properties <u>and</u> the general neighborhood. <i>See statement in 2B above.</i></p> <p>D. Consider the pedestrian and vehicular traffic that currently exists on the road serving your project. What impact will your development have when it is successfully operating? Will vehicles be making left turns? Will additional walkways and traffic lights be needed? Will you be causing traffic to substantially increase in the area? What will be the emergency vehicle response time? State how you have arrived at your conclusions. What City department have you contacted in researching your proposal? Explain the effect of your project with the existing traffic in the area.</p> <p><i>There is sidewalk along Highway 50 fronting the site. It does not appear to be a high pedestrian use location given the intensity of uses, lack of abutting residential, and being located on a high speed highway. Access is limited to right-in/right-out turns only. Left turns from the highway go to the traffic light at Lompa and u-turn to make their way to the site. There will not be a large increase in traffic with this use.</i></p> <p>E. Explain any short-range and long-range benefit to the people of Carson City that will occur if your project is approved.</p> <p><i>The business will provide a service to the people of Carson City that have a need for the benefits of medical marijuana. This will be one of very few locations allowed in Carson City. The fiscal benefits will be significant in terms of taxes and license fees. Medical benefits of medical marijuana must be addressed by qualified scientists and researchers that have some evidence of the health benefit.</i></p> <p>Question 3. Has sufficient consideration been exercised by the applicant in adapting the project to existing improvements in the vicinity?</p> <p><i>Yes, sufficient consideration has been exercised in adapting the use to the improvements in the area. Please refer to the analysis and statements that follow.</i></p> <p>Explanation</p> <p>A. How will your project affect the school district? Will your project add to the student population or will it provide a service to the student population? How will your project affect the Sheriff's Office?</p> <p><i>The project will have no effect on the school district. It will not add to student population and it does not provide a service to the school population. It may have a minimal effect on the sheriff's office in terms of creating some demand for pro-rata calls for service.</i></p>
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B. If your project will result in the covering of land area with paving or a compacted surface, how will drainage be accommodated? Talk to Engineering for the required information.

The site conditions will not change with the proposed use. This is reuse of an existing building that will involve tenant improvements only.

C. Are the water supplies serving your project adequate to meet your needs without degrading supply and quality to others in the area? Is there adequate water pressure? Are the lines in need of replacement? Is your project served by a well? Talk to Public Works for the required information.

Yes there is adequate water supply and water pressure to meet the user needs. There is no need to replace any water lines and the water is provided by the municipal means and not a well.

D. Is there adequate capacity in the sewage disposal trunk line that you will connect to in order to serve your project, or is your site on a septic system? Please contact Public Works for the required information.

Yes there is adequate sewer capacity to meet the user needs. There is no need to replace any sewer lines and the sewer is provided by municipal means and not a septic tank.

E. What kind of road improvements are proposed or needed to accommodate your project? Have you spoken to Public Works or Regional Transportation regarding road improvements?

There are no road improvements needed or proposed to serve the project. All of the demands were analyzed and established with development of the commercial center.

F. Indicate the source of the information that you are providing to support your conclusions and statements made in this packet (private engineer, Public Works, Regional Transportation, title report, or other sources).

The conclusions and statements in this report are the result of knowledge of the site and building, review of a preliminary title report, analysis of the site with respect to Title 18 of the Carson City code.

G. If outdoor lighting is to be a part of the project, please indicate how it will be shielded from adjoining property and the type of lighting (wattage/height/placement) provided.

There is no outdoor lighting proposed at this time. The applicant expects to enhance the outdoor lighting when the project moves forward. The lighting will be addressed with a lighting plan as part of the building permit application.

H. Describe the proposed landscaping, including screening and arterial landscape areas (if required by the zoning code). Include a site plan with existing and proposed landscaping shown on the plan which complies with City ordinance requirements.

Yes, the existing landscaping does comply with city code. Section 18.3.2 states that no additional landscaping is required for a site that expands by less than 5%. The landscaping on site is shown on the site plan and some of the site photos in the application.

I. Provide a parking plan for your project. If you are requesting approval for off-site parking within 300 feet, provide site plans showing (1) parking on your site, (2) parking on the off-site parking lot, and (3) how much of the off-site parking area is required for any business other than your own. Design and dimensions of parking stalls, landscape islands, and traffic aisles must be provided.

The parking is shown on Figure 2, the site plan in the application. All of the parking is on-site and appears to meet the code at a rate of 1 space per 300 sq ft of commercial uses. We performed a field survey of the spaces to complete the parking totals. There are a few tenants that are low intensity and not typical commercial users (Sunrise Auto, Silver State Electric) that likely have less parking demand than code requires.

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

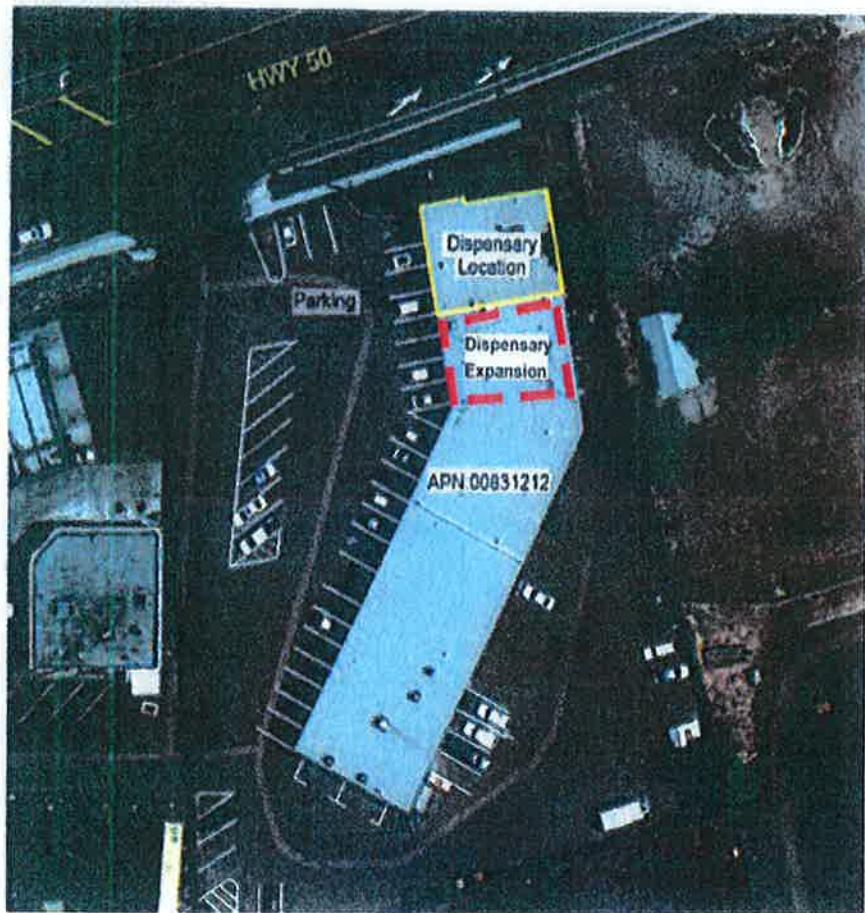
Diane O'Brien

Print Name

4/19/2018

Date

SPECIAL USE PERMIT - SITE PLAN FOR MEDICAL MARIJUANA DISPENSARY



OWNER: Sandbar G.P.
4120 Kings Canyon Rd
Carson City NV 89703
Phone: N/A

APPLICANT: WSCC, Inc
Deane Albright
1025 Ridgeview Dr
Reno, NV 89519
(775) 826-5432

REQUEST: A SUP to allow for a Medical Marijuana Dispensary in the General Commercial (GC) zone

LOCATION: 2765 US Hwy 50E, Carson City, NV

ZONING: General Commercial (GC)

MASTER PLAN LAND USE DESIGNATION: Mixed Use-Commercial

APN: 008-215-25

Site Plan Prepared By: KLS Planning & Design





Master Plan Policy Checklist

Master Plan and Zoning Map Amendments

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 Master Plan Map Amendments and Zoning Map Amendments. This checklist is designed for developers, staff, and decision-makers and is intended to be used as a guide only.

Development Name: WSCC Inc. Dispensary

Reviewed By: _____

Date of Review: _____

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 Master Plan or Zoning Map Amendment can help achieve the goals of the Carson City Master Plan. A check mark indicates that the proposed amendment 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 amendment:

Discourage growth outside areas planned to be served by community water and wastewater facilities as identified in the Water and Wastewater Master Plans (1.1b)?

This location is within the area planned for and served with community water and wastewater per policy 1.1b.

2 Master Plan and Zoning Map Amendment Development Checklist

Promote infill and redevelopment in an identified priority area (1.2a)?

The location is an infill location but it is a fully developed site as it currently exists. Although the proposed use is not considered redevelopment, it will have a positive effect on the site, and the viability of the multi- tenant building being occupied with a full time business.

- At adjacent county boundaries, minimize potential land use conflicts with adjacent properties (1.5a)?
This policy is not applicable as the site is not located adjacent to county boundaries.
- Adjacent to State or Federal lands, ensure compatibility with planned adjacent uses and access (1.5b)
This policy is not applicable as the site is not located adjacent to any state or federal boundaries
- Located to be adequately served by city services including fire and sheriff services, and coordinated with the School District to ensure the adequate provision of schools (1.5d)?
There will not be any demand placed on schools from such a use. The fire and sheriff services have already been established for this general area and this specific location.
- Promote a citywide range of mixed-use, residential, commercial and employment uses at a variety of scales and intensities (2.1a)?
The site is in a very busy mixed use area. The use is unique and will promote a mixed use development pattern although its impact is yet to be determined given the newness of the use.
- 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)?
The site is in a very busy mixed use area. The use is unique and will promote a mixed use development pattern although its impact is yet to be determined given the newness of the use.
- Discourage rezoning of properties that create "friction zones" between adjacent land uses, particularly industrial and residential uses (2.1d)?
The use will not create a friction zone as it is commercial next to commercial



- Encourage development outside the primary floodplain and away from geologic hazard areas (3.3d, e)?
The location is neutral on this policy as it is not located in a floodplain or geological hazard area.
- Provide for zoning consistent with the Land Use designation (Land Use table descriptions)?
The zoning is consistent with the land use designation and will not change with this request.
- Meet the location criteria for the applicable Land Use designation (Land Use descriptions)?
Yes, the location does meet the locational criteria for this land use designation and is not proposed for change.
- If located within an identified Specific Plan Area (SPA), meet the applicable policies of that SPA (Land Use Map, Chapter 8)?
The location is not in an SPA

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 amendment:

- Provide opportunities to expand parks and recreation opportunities (4.2a)?
The proposed use is neutral in terms of opportunity to expand park and recreation opportunities per this policy.
- Consistent with the Open Space Master Plan and Carson River Master Plan (4.3a)?
The proposed use is consistent with the open space and Carson River master plan but actually neutral on the policy.

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 amendment:

- Help maintain and enhance the primary job base (5.1)?
The SUP will have some small impact on job base and that impact will be positive.
- Encourage a citywide housing mix consistent with the labor force and non-labor force populations (5.1j)
The proposed use is neutral on this policy as it does not relates to housing product or choices.
- Encourage the development of regional retail centers (5.2a)
The SUP will positively support this policy in the sense that it is an existing retail center that serves a regional market given the proposed use. It is not a regional center in a pure definition because of the size of the center.
- Encourage reuse or redevelopment of underused retail spaces (5.2b)?
The proposed use is definitely an adaptive reuse of an existing retail space and strongly supports this policy statement.
- Support heritage tourism activities, particularly those associated with historic resources, cultural institutions and the State Capitol (5.4a)?
There are no known historical resources or cultural resources on this site. It is neutral on this policy.
- Promote revitalization of the Downtown core (5.6a)?
This location is not in the downtown core, thus, neutral on this policy
- Encourage the incorporation of additional housing in and around the Downtown (5.6c)?
This location is not in the downtown core, nor is it related to a housing product, thus, neutral on this policy

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 amendment:



- Promote compatibility with surrounding development for infill projects or adjacent to existing rural neighborhoods (6.2a, 9.3b 9.4a)?
This location is not in an infill location, nor is it adjacent to rural neighborhood thus, neutral on this policy
- If located in an identified Mixed-Use Activity Center or m area, provide for the appropriate mix, size and density of land uses consistent with the Mixed-Use district policies (7.1a, b)?
The site is located in a mixed use commercial area. It appears to be an appropriate mix of land uses and densities from a general planning perspective and does support the policy.
- Encourage an appropriate mix of housing models and densities based upon the location, size and surrounding neighborhood context (9.1a)?
The proposed use is neutral on this policy as it does not relate to housing product or choices.
- Discourage "spot" rezoning of parcels within established rural neighborhoods that have not been identified as higher density on the Land Use Map or that are not contiguous with lots zoned for a comparable density (9.4b)?
There is no rezoning linked to this request and is thus neutral on this policy.

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 amendment:

- Promote transit-supportive development patterns (e.g. mixed-use, pedestrian-oriented, higher density) along major travel corridors to facilitate future transit (11.2b)?
The use is a transit supportive mixed use on a major corridor. However, it does not appear to be a heavy used transit location because of the lack of residential in the immediate area.
- Promote enhanced roadway connections and networks consistent with the Transportation Master Plan (11.2c)?
The proposed use does not impact roadway connections but is consistent with the transportation master plan and is neutral on this policy.

6 Master Plan and Zoning Map Amendment Development Checklist

- Provide for appropriate pathways through the development and to surrounding lands, including parks and public lands, consistent with the Unified Pathways Master Plan and the proposed use and density (12.1a, c)?
There are no paths, parks, or public lands on this site and is neutral on this policy.