

**DRAFT MINUTES**  
**Regular Meeting**  
**Carson City Planning Commission**  
**Wednesday, October 24, 2018 • 5:00 PM**  
**Community Center Sierra Room**  
**851 East William Street, Carson City, Nevada**

**Commission Members**

<b>Chair – Mark Sattler</b>	<b>Vice Chair – Elyse Monroy</b>
<b>Commissioner – Charles Borders, Jr.</b>	<b>Commissioner – Alex Dawers</b>
<b>Commissioner – Paul Esswein</b>	<b>Commissioner – Teri Preston</b>
<b>Commissioner – Hope Tingle</b>	

**Staff**

Hope Sullivan, Planning Manager  
Ben Johnson, Deputy District Attorney  
Steven Pottéy, Senior Project Manager  
Heather Ferris, Associate Planner  
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](http://www.Carson.org/minutes).

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

(5:01:10) – Chairperson Sattler called the meeting to order. Roll was called. A quorum was present. Vice Chair Monroy was absent. Commissioner Tingle led the Pledge of Allegiance.

<b>Attendee Name</b>	<b>Status</b>	<b>Arrived/Left</b>
Chairperson Mark Sattler	Present	
Vice Chairperson Elyse Monroy	Absent	
Commissioner Charles Borders, Jr.	Present	
Commissioner Alex Dawers	Present	
Commissioner Paul Esswein	Present	
Commissioner Teri Preston	Present	
Commissioner Hope Tingle	Present	

**B. PUBLIC COMMENTS**

(5:02:56) – Chairperson Sattler entertained public comments. Suzanne Fox introduced herself and thanked Ms. Sullivan “for getting that boarded up gas station on the corner of Carson Street and Highway 50 cleaned up”, calling it “an eyesore”, and wished to know what was going on with the property. She also requested that the Commission require the new developer of the Vintage project to go through a new approval process, including the zoning changes and paying the related fees again.

**C. POSSIBLE ACTION ON APPROVAL OF MINUTES – September 26, 2018.**

(5:06:38) – Chairperson Sattler introduced the item and entertained corrections or a motion.

(5:06:52) – MOTION: I move to approve the minutes of the September 26, 2018 Planning Commission meeting.

<b>RESULT:</b>	<b>APPROVED (5-0-1)</b>
<b>MOVER:</b>	Esswein
<b>SECONDER:</b>	Tingle
<b>AYES:</b>	Sattler, Dawers, Esswein, Preston, Tingle
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	Borders
<b>ABSENT:</b>	Monroy

#### D. MODIFICATION OF AGENDA

(5:07:10) – There were no modifications to the agenda.

#### E. PUBLIC HEARING MATTERS

##### **E.1 SUP-18-131 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FOR A SPECIAL USE PERMIT FOR A RESIDENTIAL USE IN A NON-RESIDENTIAL ZONING DISTRICT ON PROPERTY ZONED RETAIL COMMERCIAL, LOCATED AT 110 CORBETT STREET, APN 002-137-08.**

(5:07:20) – Chairperson Sattler introduced the item. Ms. Sullivan presented the Staff Report and the accompanying photographs. She noted that Staff was recommending residential use in the area; however, no other use such as office space should be allowed because of the open space and parking requirements. Ms. Sullivan also noted that the applicant was present to answer any questions. Commissioner Borders received clarification that a home business was possible; however, no visiting clients will be allowed. Chairperson Sattler invited the applicant to the podium.

(5:11:45) – Chairperson Sattler received confirmation from applicant Ed Silsby that he was in agreement with the conditions of approval.

#### PUBLIC COMMENT

(5:12:44) – Rodger Rakow introduced himself as a property owner on Deer Run Road and noted that certain individuals had “made permanent residences of these [office] buildings”. Chairperson Sattler explained that in this case, a commercial office is not permitted, adding that any violations seen by Mr. Rakow should be forwarded to Code Enforcement. Ms. Sullivan offered to assist Mr. Rakow with the process and invited him to contact her.

(5:16:09) – Paula Cannon introduced herself as a Rice Street resident and gave background on the barn. She also believed that “if [Mr. Silsby] can make it work, it’s better than the building sitting there alone]. There were no additional public comments; therefore, Chairperson Sattler entertained a motion.

(5:17:22) – MOTION: I move to approve SUP-18-131, a Special Use Permit to allow a residential use in the Retail Commercial zoning district, located at 110 Corbett Street, APN 002-137-08, based on findings and subject to conditions of approval contained in the Staff Report.

<b>RESULT:</b>	<b>APPROVED (6-0-0)</b>
<b>MOVER:</b>	Borders
<b>SECONDER:</b>	Dawers
<b>AYES:</b>	Sattler, Borders, Dawers, Esswein, Preston, Tingle
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	Monroy

**E.2 SUP-18-133 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FOR A SPECIAL USE PERMIT FOR ACCESSORY STRUCTURES TO EXCEED FIVE PERCENT OF THE PARCEL SIZE, AND FOR THE CUMULATIVE SQUARE FOOTAGE OF THE ACCESSORY BUILDINGS TO EXCEED 50 PERCENT OF THE TOTAL SQUARE FOOTAGE OF THE PRIMARY BUILDING ON PROPERTY ZONED SINGLE FAMILY 21,000, LOCATED AT 2183 GREGG STREET, APN 008-295-07.**

(5:18:27) – Chairperson Sattler introduced the item. Ms. Sullivan presented the Staff Report, including the accompanying photographs, and responded to clarifying questions. She also noted that the applicant was present to answer questions, and clarified for Commissioner Borders that the total square footage is a cumulative calculation of all accessory buildings.

(5:21:08) – Applicant Brad Bonkowski noted his agreement with the conditions of approval outlined by Staff and noted that the addition will continue the color and roofline of the existing structure. Chairperson Sattler entertained public comments and when none were forthcoming, a motion.

**(5:22:19) – MOTION: I move to approve SUP-18-133, a request for a Special Use Permit to allow accessory structures located at 2183 Gregg Street, based on the findings and subject to the conditions of approval contained in the Staff Report.**

<b>RESULT:</b>	<b>APPROVED (6-0-0)</b>
<b>MOVER:</b>	Esswein
<b>SECONDER:</b>	Tingle
<b>AYES:</b>	Sattler, Borders, Dawers, Esswein, Preston, Tingle
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	Monroy

**E.3 SUP-18-142 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FOR A SPECIAL USE PERMIT TO ALLOW A DETACHED ACCESSORY STRUCTURE WHERE THE CUMULATIVE SQUARE FOOTAGE OF DETACHED ACCESSORY STRUCTURES WILL BE 112% OF THE SIZE OF THE PRIMARY STRUCTURE, ON PROPERTY ZONED SINGLE FAMILY 1 ACRE (SF1A), LOCATED AT 1420 SOUTH DEER RUN ROAD, APN 010-082-06.**

(5:23:09) – Chairperson Sattler introduced the item and Ms. Sullivan presented the agenda materials which are incorporated into the record. She also responded to clarifying questions by the commissioners. Chairperson Sattler indicated that the late material, incorporated into the record, consisted of a letter in support of the project.

(5:25:40) – Applicant Jerrad Kordonowy explained that he was planning to build an addition to the house, which will reduce the accessory structure percentage. He also wished to revisit the setbacks to ensure no neighbor views are compromised and Ms. Sullivan suggested discussing the item at a later date as the Commission was not agendized to discuss setbacks in this meeting. Chairperson Sattler entertained public comments.

(5:29:06) – Ms. Paine, a neighbor who had received a letter of notification, expressed concern over the lighting specifications and hoped that the project will not interfere with the “night skies”, and that the lighting should point downward and not contain mercury vapors. Ms. Paine also believed that “the facility looked large to me”. Ms. Sullivan clarified that the Carson City Municipal Code mandated dark sky-compatible lighting. There were no other comments; therefore, Chairperson Sattler entertained a motion.

**(5:31:14) – MOTION: I move to approve SUP-18-142, a request for a Special Use Permit to allow a detached accessory structure located at 1420 South Deer Run Road based on the findings and subject to the conditions of approval contained in the Staff Report.**

<b>RESULT:</b>	<b>APPROVED (6-0-0)</b>
<b>MOVED:</b>	Tingle
<b>SECONDER:</b>	Borders
<b>AYES:</b>	Sattler, Borders, Dawers, Esswein, Preston, Tingle
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	Monroy

(5:32:26) – Chairperson Sattler introduced items E.4 and E.5 simultaneously. Ms. Ferris gave background on marijuana legislation and presented the Staff Report and accompanying photographs which are incorporated into the record. She also clarified that should a facility offer cultivation and production, two special permits will be required, adding that the applicant was present to answer questions. Commissioner Esswein received confirmation that medical marijuana facilities may cultivate recreational marijuana as well.

(5:40:46) – Applicant Chad McCoy noted his agreement to the conditions of approval and thanked Staff for their professionalism. Chairperson Sattler entertained public comments.

#### **PUBLIC COMMENT**

(5:41:26) – Paula Cannon received confirmation that there were two Special Use Permits because one was for the cultivation and the other was for the production of marijuana.

(5:42:23) – Chairperson Sattler noted that additional public comment had been received via email from James and Roxanne Young and read it into the record. There were no additional comments; therefore, Chairperson Sattler entertained a motion.

#### **E.4 SUP-18-132 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FOR A SPECIAL USE PERMIT TO ALLOW A MARIJUANA CULTIVATION FACILITY ON PROPERTY ZONED GENERAL INDUSTRIAL, LOCATED AT 5700 MORGAN MILL RD., APN 008-541-38.**

**(5:43:41) – MOTION: I move to approve SUP-18-132, a Special Use Permit request to allow a medical Marijuana Cultivation Facility on property zoned General Industrial, located at 5700 Morgan Mill Rd.,**

APN 008-541-38,based on the findings and subject to the conditions of approval contained in the Staff Report.

<b>RESULT:</b>	<b>APPROVED (6-0-0)</b>
<b>MOVER:</b>	Tingle
<b>SECONDER:</b>	Dawers
<b>AYES:</b>	Sattler, Borders, Dawers, Esswein, Preston, Tingle
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	Monroy

**E.5 SUP-18-147 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FOR A SPECIAL USE PERMIT TO ALLOW A MARIJUANA PRODUCT MANUFACTURING FACILITY ON PROPERTY ZONED GENERAL INDUSTRIAL, LOCATED AT 5700 MORGAN MILL RD., APN 008-541-38.**

(5:45:36) – MOTION: I move to approve SUP-18-147, a Special Use Permit request to allow a Marijuana Production Facility on property zoned General Industrial, located at 5700 Morgan Mill Rd., APN 008-541-38, based on the findings and subject to the conditions of approval contained in the Staff Report.

<b>RESULT:</b>	<b>APPROVED (6-0-0)</b>
<b>MOVER:</b>	Tingle
<b>SECONDER:</b>	Borders
<b>AYES:</b>	Sattler, Borders, Dawers, Esswein, Preston, Tingle
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	Monroy

**E.6 SUP-18-135 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FOR A SPECIAL USE PERMIT FOR A TATTOO PARLOR ON PROPERTY ZONED RETAIL COMMERCIAL (RC), LOCATED AT 113 RICE STREET, APN 002-152-02.**

(5:46:30) – Chairperson Sattler introduced the item and Ms. Ferris gave background on the approved ordinance for the conditional use of tattoo parlors in the Retail Commercial zoning district. She also introduced the subject property and recommended approval with the outlined conditions. Upon Chairperson Sattler's Request, Ms. Ferris explained that the nearby properties consisted of four single-family residences, a bar, a chiropractor's office, retail shops, a used car lot, and a loan center. Applicant Tony Jackson noted his agreement to the conditions of approval outlined in the Staff Report. Chairperson Sattler entertained public comments.

#### **PUBLIC COMMENT**

(5:54:31) – Paula Cannon introduced herself as a Rice Street resident gave background on the Roberts House Museum and the overall neighborhood homes. She believed that their “old established street” was not conducive to having a tattoo parlor on it and noted the presence of the construction trucks at Pioneer High School. Ms. Cannon was not in favor of the item because she believed the home prices on the street will decline.

(5:58:51) – Leslie Robinson introduced herself as the co-owner of the tattoo parlor and a former employee of the bar nearby. She noted that they valued the historic homes and structures of the neighborhood and believed that their renovations and the state-of-the art security system will help with the ongoing transient issue in the vicinity. Ms. Robinson stated that they are planning to work with the high school art program and generate goodwill. As for the parking issues, Ms. Robinson noted that a new parking lot was being built to alleviate the parking issues.

(6:00:40) – Albert Jaquez introduced himself and spoke in support of the item and in support of Mr. Jackson, whom he entrusted with the care of his son. He also believed that the stigma of a tattoo business will be alleviated due to the efforts of Mr. Jackson who will accommodate the needs of the neighborhood.

(6:03:11) – Carrie Sheerin introduced herself as the property owner and indicated that she was apprehensive at first; however, after meeting with Mr. Jackson she felt that the business “will benefit the entire area”.

(6:04:13) – Shelly Schaff introduced herself as a retired federal employee, a grandmother, and the owner of tattoos. Ms. Schaff was in favor of the item and believed that tattoos were an art form which transients could not afford.

(6:04:48) – Zachary Hemes explained that the bar was “rowdy” and was open late at night, as opposed to the tattoo parlor which would operate during “regular business hours”. He urged the Commission to approve the item.

(6:05:34) – Randy Jackson introduced himself as Mr. (Tony) Jackson’s stepfather and “a former police lieutenant” who wished to vouch for the applicant’s character, determination, and accomplishments. He also believed that the business would benefit the community.

(6:06:52) – Alexandria Cannon introduced herself as a Rice Street resident, and noted her support of the applicant for his professionalism, believing that he will enhance the property.

(6:07:46) – Montana Cannon also introduced herself as a Rice Street resident and a horse therapy advocate. Ms. Cannon considered herself a historian and gave background on the origination of tattoos and requested “a home value study” prior to approving the agenda item.

(6:10:10) – Chairperson Sattler entertained additional comments and when none were forthcoming, a motion.

**(6:10:18) – MOTION: I move to approve SUP-18-135 a Special Use Permit to allow a Tattoo Parlor at a property zoned Retail Commercial (RC), located at 113 Rice Street, APN 002-152-02, based on the findings contained in the Staff Report and subject to the conditions of approval.**

<b>RESULT:</b>	<b>APPROVED (6-0-0)</b>
<b>MOVER:</b>	Dawers
<b>SECONDER:</b>	Sattler
<b>AYES:</b>	Sattler, Borders, Dawers, Esswein, Preston, Tingle
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	Monroy

**E.7 SUP-18-137 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST FOR A SPECIAL USE PERMIT FOR A CHILDCARE CENTER ON PROPERTY ZONED RETAIL COMMERCIAL (RC), LOCATED AT 640 E. JOHN STREET, APN 002-142-17.**

(6:11:43) – Chairperson Sattler introduced the item. Ms. Ferris presented the Staff Report, incorporated into the record, and recommended not approving the item due to many issues including onsite parking such as the lack of safe loading and unloading of children, all of which are outlined in the Staff Report. Ms. Ferris also addressed public comments from neighboring business owners such as Bank of America, and responded to clarifying questions by the commissioners. She noted that the applicant was present in the audience. Discussion ensued regarding the parking spaces in the front and Ms. Ferris explained that the spaces were for public parking and not designated for the childcare center only. Commissioner Preston cited her experience with constructing playgrounds for the State of Nevada and believed “this is in the wrong place”.

(6:22:03) – Applicant Kristen Demara introduced herself and gave background on how the childcare centers are scored in Nevada, noting that they had received a five-star rating and that they were licensed in 17 other locations. She noted that they planned to bring quality childcare to Carson City and gave examples of how the parking issues had been remedied in their Reno location. Ms. Demara believed that there were enough parking spaces that could accommodate their facility. Chairperson Sattler applauded their non-profit status and explained that he was concerned about the location and the parking, and not their qualifications. Ms. Demara wished to consider having a security guard to monitor and help with the traffic.

(6:31:49) – Dustin Boothe, Carson City Health and Human Services, clarified that his comments were based on the actual application, citing food service as an example, adding that based on additional conversations with the applicants, their recommendations may change. Chairperson Sattler entertained public comments.

**PUBLIC COMMENT**

(6:33:42) – Property owner representative Scott MacKenzie of Sierra Nevada Properties introduced himself and noted that they had lost three parking spaces because of the placement of a cement area. He believed that the daycare will be “an important addition to the community” and cited a personal experience with the program, adding “we should try to figure out a way to make this work”.

(6:34:56) – Commissioner Esswein was informed that the loading and unloading of the children will take place on John Street and the children will be walked by their parents along Roop Street to enter the building. Chairperson Sattler entertained additional comment; however, none were forthcoming.

**(6:36:14) – MOTION: I move to deny SUP-18-13, a request for a Special Use Permit to allow for the establishment of a childcare center on property zoned Retail Commercial (RC), located at 640 E. John Street, APN 002-142-17, based on the inability to make findings 2, 3, 5, 6, 7 in the affirmative as stated in Staff Report.**

<b>RESULT:</b>	<b>APPROVED (6-0-0)</b>
<b>MOVER:</b>	Sattler
<b>SECONDER:</b>	Esswein
<b>AYES:</b>	Sattler, Borders, Dawers, Esswein, Preston, Tingle
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	Monroy

(6:37:00) – Ms. Sullivan noted that should the applicant wish to appeal to the Board of Supervisors, they must do so within 10 days, and invited them to contact her or Ms. Ferris.

(6:37:20) – Chairperson Sattler recessed the meeting.

(6:45:13) – Chairperson Sattler reconvened the meeting. A quorum was still present.

**E.8 SUP-10-115-2 FOR POSSIBLE ACTION: TO CONSIDER A REQUEST TO MODIFY A SPECIAL USE PERMIT FOR AN ASPHALT PLANT, SPECIFICALLY MODIFYING THE HOURS TO ALLOW STARTUP OF EQUIPMENT FROM 5:30 AM – 6:00 AM, WITH GATES OPEN TO CUSTOMERS FROM 6:00 AM – 7:00 PM, AND WITH AN ABILITY TO RUN NIGHTS EXCLUSIVELY FOR MUNICIPAL AND STATE WORK. THE SUBJECT PROPERTY IS ZONED GENERAL INDUSTRIAL, AND IS LOCATED AT 8013 HIGHWAY 50 EAST, APN 008-611-35.**

(6:45:19) – Chairperson Sattler introduced the item. Ms. Sullivan noted that there were two additional late material documents that were received, presented the Staff Report which is incorporated into the record, and responded to clarifying questions. She also noted that the applicant was present to answer the commissioners' questions. Discussion ensued regarding the Nevada Division of Environmental Protection (NDEP) requirements and Ms. Sullivan clarified that certain emissions such as odors which were considered a nuisance were not considered NDEP violations. In response to a question by the Chair, Ms. Sullivan noted that she had suggested revisiting the issue in a year because she was not certain the equipment to address the odors would work. Discussion ensued regarding the one year timeline and Ms. Sullivan noted that waiting a year may encompass all the seasons, not just the operation during winter months. She also clarified that the main concerns from the residents were the emissions (including odors) and the hours of operation; however, noise was not a primary issue. Commissioner Esswein suggested inquiring with Lyon County to understand the odor issues from a similar plant.

(7:05:55) – Applicant and Managing General Partner/Owner of Tahoe Western Asphalt (TWA) Robert Matthews introduced himself and stated that noise studies had shown it was below 72 decibels, well within ambient traffic noise. As for air quality, Mr. Matthews stated that reported odor complaints had been tested by the State's "Nasal Ranger" machine after complaint calls and no odor had been found, adding that they have purchased a new chemical by Standard Oil which they plan to use. Mr. Matthews indicated that they had received 40 complaints during non-operational times, adding "we're running a spotless, clean facility right now" attributing some of the fines to a recently-fired employee. He invited the commissioners to the site to view the operations and listed some of their clients. Based on an inquiry by Commissioner Dawers, Ms. Sullivan reference the inspection reports in the packet submitted by Mr. Matthews, a compliance letter, and an NDEP Nasal Ranger report of compliance; however, she stated that code enforcement staff have encountered the odor of asphalt. Commissioner Borders noted the difference between the air quality measurements and "the perception of smell" and believed in eliminating the "bad odor". Mr. Matthews was in favor of trying the new odor eliminating chemical and stated "we're willing to make it work no matter what we have to do". Commissioner Preston was informed that the plant will shut down after Thanksgiving; however, Mr. Matthews cited location and topography as being conducive to the odor traveling in the winter. Chairperson Sattler received confirmation that Mr. Matthews could begin utilizing the chemical additive immediately. He also entertained public comments.

**PUBLIC COMMENT**

(7:17:56) – Judy Lucas introduced herself as an area resident and called Mr. Matthews “a liar”. Chairperson Sattler requested remaining civil and addressing the Commission instead of the applicant. Based on a question, Ms. Lucas was informed that a former Planning Commission had approved the original project. She stated that the odor is making her and other residents ill and that the plant does not follow regular operating hours and that it is intermittent in order to stop prior to being reported. She was also concerned about an industrial fire and a fine film covering their cars, which she believed caused children and pets to fall ill and plants to die. Ms. Lucas suggested relocating TWA near Fallon and implied that “the next step for us is a class-action suit which will involve him [Mr. Matthews] and Carson City”.

(7:26:51) – Melissa Fracker introduced herself as a 30-year Mound House resident, gave background on the plant, and explained that many mitigation efforts and fines have not deterred the odor. She also reiterated that her trees and plants are dying, and stated that the odor lingers in the homes if the windows are open. Ms. Fracker believed that the asphalt plant has caused much damage to their lives.

(7:32:46) – Emmett Bishop introduced himself as “Part of the community” and noted that there is no odor near the asphalt plant in Fernley. Mr. Bishop also expressed concern that extended hours would cause more traffic and more problems to the community’s well-being.

(7:36:17) – Laura Webster introduced herself as an area resident and described the air as clean before the asphalt plant and having “this tarry disgusting smell that gets in your nose, it gets in your mouth...and it comes through your windows”. She expressed concern that her grandchildren are exposed to the smell and it has affected her health. Ms. Webster explained that her days are planned based on the odor, adding that the residents can not enjoy their own properties.

(7:40:28) – Bob Lucas stated that the odor may not be present at the plant, but is very pronounced in his neighborhood. He believed that Mr. Matthews complies when officials are present and operates at different hours including at night. Mr. Lucas invited everyone to come to their neighborhood to experience the odor, adding that they had reported it to a local television channel. He also referred to a class action suit in the future.

(7:44:39) – “Ed, from Ed’s custom sheds” introduced himself and described the pollution in his office caused by TWA noting that at times he cannot work as a result of chest pains when the plant is in operation. He also explained that Mr. Matthews would turn his equipment off when NDEP arrived and asked the Commission to help them because the NDEP tests are diluted and only take place for a few minutes per visit. His major concern was the chemicals settling into the lungs of the residents which he believed will eventually cause death.

(7:53:18) – Melanie Harris introduced herself as a Mound House resident and noted that she can smell the asphalt late at night when going to her graveyard shift job. She also stated that she had had four major skin cancer growths surgically removed and that the neighbor’s cat had died of cancer.

(7:54:57) – Jan Wiley introduced herself and noted that she worked on the Curry Street construction project the result of which was smelling asphalt. She wished not to smell it when she had a day off.

(7:57:08) – Sonia Lee described a white ash covering the water she and her husband leave for the birds and wondered if anyone would be interested in having it tested.

(7:58:27) – Dave Lockhart stated he had been an area resident since 2005 and noted that the odor is random. He hoped that the new equipment will make the air cleaner, especially for the children in the neighborhood.

(8:00:15) – Chairperson Sattler thanked the members of the public for their comments. Ms. Sullivan clarified that the State was responsible for air quality, not the City, although she was sympathetic to the concerns voiced this evening. She also noted that this hearing was for a Special Use Permit which would be approved when all seven findings of fact are made, adding that she was concerned with finding number two, due to the odors, and had met with NDEP to address it. Ms. Sullivan addressed several of the questions raised by the residents and noted that the rock crushing and asphalt plant Special Use Permit was issued in 2011. She also offered to follow up on the white ash residue mentioned by Ms. Lee and to work with Mr. Matthews and NDEP, reiterating that the air quality was within the parameters of the State. Chairperson Sattler indicated that the Commission did not have the control to shut down the plant; however, he outlined the Commission's choices as: deny the Special Use Permit and continue the operation as is, or approve extending the hours and adding the conditions of approval which include the odor suppressant which, Ms. Sullivan confirmed was not mandated by NDEP. She also clarified for Commissioner Dawers that as part of approving the Special Use Permit, the Commission will revisit the extended hours and its conditions of approval in a year. She indicated that Mr. Matthews had received three notices from the City for violating the hours of operation. Commissioner Tingle inquired about requesting the use of the regenerative thermal oxidizer used in the asphalt plant in Fernley and Chairperson Sattler believed it was the high cost. Ms. Sullivan explained that she had consulted with experts at the University of Nevada Reno and had received the same recommendation presented to her by Mr. Matthews. Discussion ensued regarding the Special Use Permit being the new basis which will be revisited in a year.

(8:16:35) – Mr. Matthews explained how the odor suppressant chemical will be used and noted that the plumes are steam and not ash. At the request of Commissioner Esswein, Ms. Sullivan reviewed the Special Use Permit and its revocation process as a result of “aggressive violations” and reminded everyone that today’s agenda addressed the extended hours and not revocation, with the opportunity to mitigate the odor issue.

**(8:22:15) – MOTION: I move to approve a request to modify Special Use Permit SUP-10-115-2, to modify the hours of operation based on the ability to make the seven required findings in the affirmative and subject to the recommended conditions of approval contained in the Staff Report, and supplemented in the memo of October 22, 2018 prepared by the Planning Manager.**

<b>RESULT:</b>	<b>APPROVED (5-1-0)</b>
<b>MOVER:</b>	Dawers
<b>SECONDER:</b>	Preston
<b>AYES:</b>	Sattler, Borders, Dawers, Esswein, Preston
<b>NAYS:</b>	Tingle
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	Monroy

(8:23:49) – Commissioner Tingle explained “while I understand that the intent is to resolve the odor issue, I don’t find that Staff found to my satisfaction findings number 2, 3, 6, and 7.”

## **F. STAFF REPORTS (NON-ACTION ITEMS)**

### **F.1 DIRECTOR'S REPORT TO THE COMMISSION.**

(8:25:06) – Ms. Sullivan explained that the November meeting will address many applications and possible Growth Management or Master Plan update items; therefore she suggested starting the meeting earlier.

**FUTURE AGENDA ITEMS**

Previously discussed.

**COMMISSIONER REPORTS/COMMENTS**

None.

**G. PUBLIC COMMENT**

(8:28:41) – There were no public comments.

**H. FOR POSSIBLE ACTION: FOR ADJOURNMENT**

**(8:28:50) – Commissioner Tingle moved to adjourn, seconded by Commissioner Dawers. Chairperson Sattler adjourned the meeting at 8:29 p.m.**

The Minutes of the October 24, 2018 Carson City Planning Commission meeting are so approved this 28<sup>th</sup> day of November, 2018.

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MARK SATTLER, Chair