

**MINUTES**  
**Regular Meeting**  
**Carson City Planning Commission**  
**Wednesday, May 29, 2019 ● 4:00 PM**  
**Community Center Sierra Room**  
**851 East William Street, Carson City, Nevada**

**Commission Members**

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

**Staff**

Lee Plemel, Community Development Director  
Hope Sullivan, Planning Manager  
Ben Johnson, Deputy District Attorney  
Steven Pottéy, Engineering Project Manager  
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**

(4:00:58) – Chairperson Sattler called the meeting to order at 4:00 p.m. Roll was called. A quorum was present. Commissioner Borders led the Pledge of Allegiance.

Attendee Name	Status	Arrived
Chairperson Mark Sattler	Present	
Vice Chair Charles Borders, Jr.	Present	
Commissioner Alex Dawers	Present	
Commissioner Paul Esswein	Present	
Commissioner Teri Preston	Present	
Commissioner Hope Tingle	Present	
Commissioner Jay Wiggins	Present	

**B. PUBLIC COMMENTS**

(4:01:33) – Chairperson Sattler informed members of the public that that item E-6 (TSM-19-054) will be continued until the June 24, 2019 Planning Commission meeting. He also entertained public comments.

(4:02:27) – Daniel Thompson introduced himself as a resident of the Timberline area and spoke in favor of agenda items E-3 and E-4. He believed that the decision to approve the Zoning Map Amendment would benefit both the community and the area wildlife.

**C. POSSIBLE ACTION ON APPROVAL OF MINUTES – April 24, 2019.**

(4:03:57) – Chairperson Sattler entertained comments or changes. Commissioner Esswein noted a missing section and Ms. Sullivan suggested approving the minutes at the next meeting, after the correction has been made.

#### **D. MODIFICATION OF AGENDA**

(4:04:37) – Mr. Plemel noted that there were no modifications to the agenda. He also explained that the two agenda items pertaining to the same property will be read together.

#### **E. PUBLIC HEARING MATTERS**

##### **E.1 and E.2**

(4:05:00) – Chairperson Sattler introduced both items. Ms. Sullivan presented the Staff Report, incorporated into the record and noted that Staff had made the four Master Plan Amendment findings of fact outlined in the Staff Report in the affirmative. She also stated that the three Zoning Map Amendment findings of fact, incorporated into the record, were made in the affirmative by Staff. Ms. Sullivan explained that the Commission will make a recommendation to the Board of Supervisors for approval of both Zoning Map and Master Plan Amendments, since only the Board of Supervisors can approve the Amendments. She also acknowledged the presence of Ann Bollinger, Open Space Administrator, in the audience.

(4:08:19) – Ms. Bollinger introduced herself and gave an overview of the Open Space Program and its creation in 1996 by a Carson City ballot initiative. Chairperson Sattler entertained public comments; however, none were forthcoming.

**E.1 MPA-19-070 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR AN AMENDMENT TO THE MASTER PLAN TO RE-DESIGNATE FROM CONSERVATION RESERVE (PRIVATE) TO OPEN SPACE ON A 20 ACRE PARCEL LOCATED ON THE NORTH SIDE OF HIGHWAY 50 WEST, APN 007-051-81.**

(4:09:58) – **MOTION: I move to adopt Resolution No. 2019-PC- R-1 recommending to the Board of Supervisors approval of MPA-19-070, a Master Plan Amendment to change the land use designation from Conservation Reserve (Private) to Open Space on a 20 acre parcel located on the north side of Highway 50 [West], APN 007-051-81 based on the findings contained in the staff report.**

<b>RESULT:</b>	<b>APPROVED (7-0-0)</b>
<b>MOVER:</b>	Tingle
<b>SECONDER:</b>	Esswein
<b>AYES:</b>	Sattler, Borders, Dawers, Esswein, Preston, Tingle, Wiggins
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

**E.2 ZMA-19-069 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR AN AMENDMENT TO THE ZONING MAP TO CHANGE THE ZONING FROM CONSERVATION RESERVE TO PUBLIC REGIONAL ON A 20 ACRE PARCEL LOCATED ON THE NORTH SIDE OF HIGHWAY 50 WEST, APN 007-051-81.**

**(4:10:56) – MOTION: I move to recommend to the Board of Supervisors approval of ZMA-19-069, a Zoning Map Amendment to change the zoning from Conservation Reserve to Public Regional on property located on the north side of Highway 50 West, APN 007-051-81 based on the findings contained in the staff report.**

<b>RESULT:</b>	<b>APPROVED (7-0-0)</b>
<b>MOVER:</b>	Tingle
<b>SECONDER:</b>	Esswein
<b>AYES:</b>	Sattler, Borders, Dawers, Esswein, Preston, Tingle, Wiggins
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

### **E.3 and E.4**

(4:11:40) – Chairperson Sattler introduced both items. Ms. Sullivan gave background on the property acquisition by Open Space and presented the Staff Report, incorporated into the record. She also responded to clarifying questions by the commissioners. Ms. Bollinger clarified that the properties will be for public use and invited everyone to attend National Trails Day on June 1, 2019 for a proclamation by the Mayor followed by interpretive walks and trail reconstructions. She also gave anecdotal information on the public support received when the property was for sale to make it part of Carson City Open Space. Commissioner Preston thanked Ms. Bollinger and called it “one of the best acquisitions of Open Space”. Chairperson Sattler entertained public comments; however, none were forthcoming.

**E.3 MPA-19-067 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR AN AMENDMENT TO THE MASTER PLAN TO RE-DESIGNATE FROM CONSERVATION RESERVE (PRIVATE) TO OPEN SPACE ON A 187 ACRE PROPERTY LOCATED SOUTH OF TIMBERLINE, APN 007-091-66.**

**(4:19:17) – MOTION: I move to adopt Resolution No. 2019-PC-R-2 recommending to the Board of Supervisors approval of MPA-19-067, a Master Plan Amendment to change the land use designation from Conservation Reserve (Private) to Open Space on a 187 acre parcel located south of Timberline, APN 007-091-66 based on the findings contained in the staff report.**

<b>RESULT:</b>	<b>APPROVED (7-0-0)</b>
<b>MOVER:</b>	Preston
<b>SECONDER:</b>	Esswein
<b>AYES:</b>	Sattler, Borders, Dawers, Esswein, Preston, Tingle, Wiggins
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

**E.4 ZMA-19-066 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR AN AMENDMENT TO THE ZONING MAP TO CHANGE THE ZONING FROM CONSERVATION RESERVE AND SINGLE FAMILY ONE ACRE PLANNED UNIT**

**DEVELOPMENT TO PUBLIC COMMUNITY ON TWO PARCELS TOTALING 206 ACRES LOCATED SOUTH OF TIMBERLINE, APNS 007-091-66, 007-293-29.**

**(4:20:05) – MOTION: I move to recommend to the Board of Supervisors approval of ZMA-19-066, a Zoning Map Amendment to change the zoning from Conservation Reserve and Single Family One Acre Planned Unit Development to Public Community on two parcels totaling 206 acres located south of Timberline, APNs 007-091-66 and 007-293-29 based on the findings contained in the staff report.**

<b>RESULT:</b>	<b>APPROVED (7-0-0)</b>
<b>MOVER:</b>	Preston
<b>SECONDER:</b>	Dawers
<b>AYES:</b>	Sattler, Borders, Dawers, Esswein, Preston, Tingle, Wiggins
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

**E-5 ZMA-19-068 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR AN AMENDMENT TO THE ZONING MAP TO CHANGE THE ZONING FROM LIMITED INDUSTRIAL TO GENERAL COMMERCIAL ON NINE PROPERTIES LOCATED AT 3205 RETAIL DRIVE, 3225 RETAIL DRIVE, 3250 RETAIL DRIVE, 909 HOT SPRINGS ROAD, 2185 MARKET STREET, 3305 COLLEGE PARKWAY AND 3200 COLLEGE PARKWAY, APNS 002-752-02, 002-755-10, -09, 002-755-11, -14, -17, -18, -07 AND -08.**

(4:20:58) – Chairperson Sattler introduced the item. Ms. Sullivan made a correction to the APNs [already made in the agenda item] and presented the Staff Report which is incorporated into the record and responded to clarifying questions. She also noted that “Staff had reviewed the three findings of fact and believes they can be made in the affirmative”. Ms. Sullivan reminded the Commission members that they make the recommendation to the Board of Supervisors, who can amend the Zoning Map. She recommended approval, noting that “this is an important commercial area for the northeast section of the City and per the Master Plan, stay commercial”, and explained that she had spoken to many members of the public, who had understood the reasons once explained to them. There were no public comments. Mr. Johnson reminded the Chair that the APNs need not be included in the motion.

**(4:25:35) – MOTION: I move to recommend to the Board of Supervisors approval of ZMA-19-068, a Zoning Map Amendment to change the zoning from Limited Industrial to General Commercial on nine properties located at 3205 Retail Drive, 3225 Retail Drive, 3250 Retail Drive, 909 Hot Springs Road, 2185 Market Street, 3305 College Parkway and 3200 College Parkway, based on the findings contained in the staff report.**

<b>RESULT:</b>	<b>APPROVED (7-0-0)</b>
<b>MOVER:</b>	Esswein
<b>SECONDER:</b>	Borders
<b>AYES:</b>	Sattler, Borders, Dawers, Esswein, Preston, Tingle, Wiggins
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

**E.6 TSM-19-054 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A TENTATIVE SUBDIVISION MAP TO CREATE A 103 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION WITHIN THE LOMPA RANCH SPECIFIC PLAN AREA, AND WITHIN THE BLACKSTONE RANCH SPECIFIC PLAN AREA, ZONED SINGLE FAMILY 6,000 AND LOCATED AT THE EAST END RAILROAD DRIVE AND SALIMAN ROAD, APN 010-051-44.**

(4:26:39) – Chairperson Sattler introduced the item. Ms. Sullivan recommended continuation of the item and stated that Staff had been able to send letters to those who had received an original notification of the item, advising them of the continuation of the item to the June 26, 2019 meeting. There were no public comments.

**(4:27:54) – MOTION: I move to continue Tentative Map TSM-19-054 to the Planning Commission meeting of June 26, 2019.**

<b>RESULT:</b>	<b>APPROVED (7-0-0)</b>
<b>MOVER:</b>	Sattler
<b>SECONDER:</b>	Esswein
<b>AYES:</b>	Sattler, Borders, Dawers, Esswein, Preston, Tingle, Wiggins
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

**E.7 AB-19-046 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR AN ABANDONMENT OF A PUBLIC RIGHT-OF-WAY KNOWN AS A PORTION OF PINTO STREET LOCATED EAST OF SALIMAN ROAD, AND LOCATED SOUTH OF 411 NORTH SALIMAN ROAD.**

(4:28:29) – Chairperson Sattler introduced the item. Ms. Sullivan presented the Staff Report, incorporated into the record, and responded to clarifying questions. She also noted that Staff had worked with the City Engineer to ensure it was “going to the larger property” from which it was extracted, and offered to double-check the recorded document. Justin Moore of RC Engineering introduced himself and noted his agreement with the conditions of approval outlined in the Staff Report. There were no public comments.

**(4:32:50) – MOTION: I move to recommend that the Board of Supervisors approve AB-19- 046, based on the findings and subject to the conditions of approval contained in the staff report.**

<b>RESULT:</b>	<b>APPROVED (7-0-0)</b>
<b>MOVER:</b>	Dawers
<b>SECONDER:</b>	Esswein
<b>AYES:</b>	Sattler, Borders, Dawers, Esswein, Preston, Tingle, Wiggins
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

**E.8 SUP-19-044 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A SPECIAL USE PERMIT TO ALLOW A CHILD CARE FACILITY ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT 200 EAST WINNIE LANE, SUITE 288-298, APN 002-072-01.**

(4:33:34) – Chairperson Sattler introduced the item. Commissioner Preston read a prepared statement regarding having a disqualifying conflict, and recused herself, leaving the dais for conflict of interest and noted that she represented the applicant as a commercial real estate broker. Ms. Sullivan presented the Staff Report and noted that applicant Kristen DeMara was present in the audience.

(4:36:35) – Ms. DeMara of Community Services Agency introduced herself and stated that she was in agreement with all the conditions of approval outlined in the Staff Report. She also explained to Commissioner Esswein that the planter box will remain and informed Chairperson Sattler that the grass area will be fenced. Commissioner Dawers was informed that the door configuration of the outdoor grassy area was still being worked on with Engineering. Ms. Preston explained that the children will be supervised at all times. Ms. Sullivan clarified that the majority of the regulations are by the state and will be enforced by them. Chairperson Sattler entertained public comments.

**PUBLIC COMMENT**

(4:43:37) – Small Blessings Preschool Director Ali Cooper introduced herself and stressed the need for quality child care in Nevada and in Carson City.

(4:44:27) – **MOTION: I move to approve SUP-19-044, a request for a Special Use Permit to allow for the establishment of a childcare center on property zoned General Commercial, and located at 200 East Winnie Lane, based on the ability to make the required findings and subject to the conditions of approval included in the staff report.**

<b>RESULT:</b>	<b>APPROVED (6-0-1)</b>
<b>MOVER:</b>	Borders
<b>SECONDER:</b>	Sattler
<b>AYES:</b>	Sattler, Borders, Dawers, Esswein, Tingle, Wiggins
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	Preston
<b>ABSENT:</b>	None

**E.9 and E.10**

(4:45:16) – Chairperson Sattler introduced both items. Ms. Sullivan presented the agenda materials and responded to clarifying questions, noting that Staff was able to make all the findings. Additionally, she reminded the Commission that they must recommend approval to the Board of Supervisors who will vote for approval.

#### **PUBLIC COMMENT**

(4:52:26) – Cathy Bax introduced herself and inquired why the Variance had been zoned differently originally, she also noted that some homes “on the other side of Northgate” could be zoned Medium Density and that some may be even considered High Density. Ms. Bax did not wish to see her home grouped with the aforementioned ones. She also questioned how the zoning will affect her assessed valuation and property tax.

(4:55:05) – Dick Henderson introduced himself and inquired about “what this rezoning does to our neighborhood”.

(4:57:27) – Ms. Sullivan was not certain why the original zoning had occurred and clarified that the tax assessment was based on the improvements of a property. She also clarified that the zoning discrepancy was discovered after a neighbor had applied for a Special Use Permit.

**E.9 MPA-19-065 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR AN AMENDMENT TO THE MASTER PLAN TO RE-DESIGNATE FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL SIX PROPERTIES LOCATED AT 96 DEAN COURT, 94 DEAN COURT, 93 DEAN COURT, 95 DEAN COURT, 97 DEAN COURT AND 4376 NORTHGATE LANE, APN’S 008-095-02, -03,-04, -10, -11 AND -09.**

(5:03:02) – **MOTION:** I move to adopt Resolution No. 2019-PC- R-3 recommending to the Board of Supervisors approval of MPA-19-065, a Master Plan Amendment to change the land use designation from Low Density Residential to Medium Density Residential for six properties located at 96 Dean Court, 94 Dean Court, 93 Dean Court, 95 Dean Court, 97 Dean Court and 4376 Northgate Lane based on the findings contained in the staff report.

<b>RESULT:</b>	<b>APPROVED (7-0-0)</b>
<b>MOVER:</b>	Esswein
<b>SECONDER:</b>	Sattler
<b>AYES:</b>	Sattler, Borders, Dawers, Esswein, Preston, Tingle, Wiggins
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

**E.10 ZMA-19-064 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR AN AMENDMENT TO THE ZONING MAP AMENDMENT TO CHANGE THE ZONING FROM SINGLE FAMILY ONE ACRE TO SINGLE FAMILY 12,000 ON SIX PROPERTIES LOCATED AT 96 DEAN COURT, 94 DEAN COURT, 93 DEAN COURT, 95 DEAN COURT, 97 DEAN COURT AND 4376 NORTHGATE LANE, APN’S 008-095-02, -03,-04, -10, -11 AND -09.**



**(5:03:47) – MOTION:** “I move to recommend to the Board of Supervisors approval of ZMA-19-064, a Zoning Map Amendment to change the zoning from Single Family One Acre to Single Family 12,000 on six properties located at 96 Dean Court, 94 Dean Court, 93 Dean Court, 95 Dean Court, 97 Dean Court and 4376 Northgate based on the findings contained in the staff report.”

<b>RESULT:</b>	<b>APPROVED (7-0-0)</b>
<b>MOVER:</b>	Esswein
<b>SECONDER:</b>	Sattler
<b>AYES:</b>	Sattler, Borders, Dawers, Esswein, Preston, Tingle, Wiggins
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

**E.11 SUP-16-048-1 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST TO MODIFY AN EXISTING SPECIAL USE PERMIT (SUP-16-048) TO INCREASE THE NUMBER OF CONTAINERS ON SITE FROM TWO TO THREE, INCLUDING RELOCATION OF AN EXISTING METAL STORAGE CONTAINER AND THE PLACEMENT OF AN ADDITIONAL METAL STORAGE CONTAINER WHICH HAS BEEN ON THE SITE SINCE 2011 AT 4151 EAST FIFTH STREET, APN 010-035-27.**

(5:04:49) – Chairperson Sattler introduced the item. Ms. Sullivan gave background and presented the agenda materials, incorporated into the record. Applicant Mark Johnson representing the Carson City School District and explained that one container was being used for storage of office equipment and furniture and was placed there since the construction of Eagle Valley Middle School by a contractor. He stated that another container was moved to the track area because it held physical education equipment for that particular use. Mr. Johnson explained to Commissioner Dawers that moving all containers to the track area would be inconvenient because their contents pertained to classroom use.

#### **PUBLIC COMMENT**

(5:14:29) – Barney Rabold introduced himself an area resident and explained that the storage containers are visible from his house, calling them “eyesores” and recommended storing them near the track field. Discussion ensued regarding screening the containers. Vice Chair Borders suggested adding a roof and walls to make them look like a building. Commissioner Tingle suggested moving the storage containers to their original location and to transport the contents to the track area. Vice Chair Borders suggested having Staff work with the School District to suggest alternative locations. Mr. Johnson agreed to the suggestion.

**(5:27:35) – MOTION:** I move to continue this item until Staff and the School District meet and return with a proposal for a better solution for the container locations.

<b>RESULT:</b>	<b>APPROVED (7-0-0)</b>
<b>MOVER:</b>	Borders
<b>SECONDER:</b>	Dawers
<b>AYES:</b>	Sattler, Borders, Dawers, Esswein, Preston, Tingle, Wiggins
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None



**E.12 SUP-19-053 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A SPECIAL USE PERMIT TO ALLOW FOR THE EXPANSION OF A NON-CONFORMING USE, A CHILD CARE FACILITY, INTO AN ADJACENT EXISTING BUILDING ON PROPERTY ZONED RESIDENTIAL OFFICE (RO), LOCATED AT 213 NORTH MINNESOTA STREET, APN 003-202-01.**

(5:36:47) – Chairperson Sattler introduced the item. Ms. Sullivan presented the agenda materials which are incorporated into the record and responded to clarifying questions. Commissioner Tingle disclosed that she was a member of the first United Methodist Church; therefore, she would abstain from voting on the item. Commissioner Preston also disclosed a conflict of interest, noting that she had represented the applicant in the past in her capacity as a commercial real estate broker, and indicated she would also abstain from voting. Mr. Pottéy explained that the existing curb ramp does not meet ADA standards.

(5:42:57) – Applicant representative Rob Lauder noted his agreement to the conditions of approval outlined by Staff. There were no public comments. Commissioner Esswein suggested revisiting the language of the ordinance, because if it is zoned for a church, it should be allowed for a day care.

**(5:44:10) – MOTION: I move to approve SUP-19-053, a request for a Special Use Permit to allow for the expansion of a non-conforming use, a childcare facility, on property zoned Residential Office, and located at 213 North Minnesota Street, based on the ability to make the required findings and subject to the conditions of approval included in the staff report.**

<b>RESULT:</b>	<b>APPROVED (5-0-2)</b>
<b>MOVER:</b>	Esswein
<b>SECONDER:</b>	Borders
<b>AYES:</b>	Sattler, Borders, Dawers, Esswein, Wiggins
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	Preston, Tingle
<b>ABSENT:</b>	None

**E.13 MISC-19-047 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING DETERMINING IF GROUNDS FOR REVOCATION OR REEXAMINATION OF SPECIAL USE PERMIT U-79-25 EXISTS, AND POSSIBLE DIRECTION TO STAFF TO ISSUE AND SERVE THE APPLICANT WITH AN ORDER TO SHOW CAUSE WHY THE SPECIAL USE PERMIT SHOULD NOT BE REVOKED OR REEXAMINED RELATIVE TO SPECIAL USE PERMIT U-79-25, LOCATED AT 7400 BRUNSWICK CANYON ROAD, APNS 008-531-44 AND 008-531-45.**

(5:45:06) – Chairperson Sattler introduced the item. Ms. Sullivan presented the Staff Report, incorporated into the record, which included email exchanges and conversation reports between the City and Brunswick Materials. She also recommended not taking action at this time. Additionally, Ms. Sullivan wished to keep the investigation going and address any issues the commissioners may have. Commissioner Preston wished to understand the reason behind the bid for an automated gate and subsequently, the decision not to pursue it. She also requested an update on the road. Ms. Sullivan explained that the gate belonged to the previous business owner and the City's Risk Management Department had advised against doing anything with it.

(5:59:55) – City Engineer Dan Stuckey informed Ms. Preston that he was not familiar with the road’s history; however, he was aware that the City had performed maintenance on it in the past. Vice Chair Borders received clarification from Ms. Sullivan that the City owned the “mechanism on the gate”; however the gate is installed on private property. Parks and Recreation Director Jennifer Budge informed Commissioner Preston that the road was not was not considered a public road by the State. She also clarified for Commissioner Dawers that the only maintenance done on the road has been past the gate, and for FEMA flood mitigation, and offered to look into the V&T right-of-way. Ms. Budge explained that they are working with the property owner regarding the gate hours and noted they would be looking at the safety issues. Commissioner Tingle suggested moving the gate past the pit.

(6:08:30) – Jeremy Page introduced himself as the business operation and noted that they preferred the closed gate for safety and security reasons. Discussion ensued regarding the V&T easements. Member Esswein explained that the current gate was “at its optimum location to protect both the interests of the property owner and the City’s interest in the recreation lands beyond that”. Based on the discussion, Chairperson Sattler instructed Staff to continue this item and return with further information.

**E.14 SUP-19-057 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST TO AMEND AN EXISTING SPECIAL USE PERMIT (U-79-25) TO OPERATE A CONCRETE BATCH PLANT, A HOT PLANT OPERATION, AND TO REMOVE EARTH PRODUCTS SO AS TO MODIFY CONDITION #4 TO ALLOW FOR A GATE CLOSURE FROM DUSK TO DAWN ON PROPERTY LOCATED AT 7400 BRUNSWICK CANYON, APN 008-531-45.**

(6:12:55) – Chairperson Sattler introduced the item. Ms. Sullivan presented the Staff Report which include the conditions of approval and requested to change condition 18 to read: *Carson City Sheriff’s Office must be provided a gate key or code to be able to open the gate at any time to utilize the easement for the reclaimed water main. The gate must also have a manual override in case of power outage.* She also clarified that a Special Use Permit amendment may be granted during an on-going investigation, adding that she had spoken with all City stakeholders who have conveyed that they wish to have access to the pipeline beyond the plant. She also acknowledged the presence of the applicants in the audience. Commissioner Preston believed that there were two USGS gages which needed to be accessed. Ms. Sullivan recommended adding another condition of approval indicating that *Staff will consult with USGS to determine whether there is a need to access their equipment and if so, the gate should not limit their access.* Commissioner Esswein noted corrected two typographical errors in condition 21 and inquired about the Fire Department’s access to the property. He was informed by Ms. Sullivan that they use a “knox box” to access the properties. She also clarified that it was the applicant’s responsibility to comply with the conditions of approval.

(6:19:06) – Mr. Page, applicant, noted that they agreed with the conditions of approval and assured Mr. Dawers that the gate closures, which were decided by the plant manager as to accommodate road repairs due to weather, would not happen any longer. Mr. Page offered to instruct his plant manager to keep the gate closed “dusk to dawn without any exceptions”. Mr. Johnson noted that the City had purchased an easement; however, it had not been recorded. There were no public comments.

**(6:24:45) – MOTION: I move to approve an amendment to Special Use Permit U-79-25 to allow for a restriction to public access based on the ability to make the required findings and subject to the conditions of approval with the modification of condition 18 as discussed above, the two corrections in condition 21,**

and the consideration of an additional condition of approval that Staff contact USGS to identify if there is a need for them to access equipment, and if so, to ensure they have access through the gate.

<b>RESULT:</b>	<b>APPROVED (6-1-0)</b>
<b>MOVER:</b>	Sattler
<b>SECONDER:</b>	Esswein
<b>AYES:</b>	Sattler, Borders, Esswein, Preston, Tingle, Wiggins
<b>NAYS:</b>	Dawers
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

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

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

(6:26:54) – Mr. Plemel noted that no Commission-related items were heard by the Board of Supervisors, and noted that the June meeting will address the Tentative Subdivision Map which was continued this evening. He also noted that the next meeting will include the Growth Management Commission.

**FUTURE AGENDA ITEMS**

Previously discussed.

**COMMISSIONER REPORTS/COMMENTS**

There were no commissioner reports.

**G. PUBLIC COMMENT**

There were no public comments.

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

**() – MOTION: Chairperson Sattler adjourned the meeting at 6:28 p.m.**

The Minutes of the May 29, 2019 Carson City Planning Commission meeting are so approved this 26<sup>th</sup> day of June, 2019.

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MARK SATTTLER, Chair