

MINUTES
Carson City Planning Commission Regular Meeting
Wednesday, July 29, 2020 ● 5:00 PM
Community Center Sierra Room
851 East William Street, Carson City, Nevada

Commission Members

Chair – Charles Borders, Jr.
Commissioner – Paul Esswein
Commissioner – Teri Preston
Commissioner – Jay Wiggins

Vice Chair – Alex Dawers
Commissioner – Richard Perry
Commissioner – Hope Tingle

Staff

Lee Plemel, Community Development Director
Benjamin Johnson, Deputy District Attorney (via WebEx)
Steven Pottéy, Engineering Project Manager
Heather Ferris, Associate Planner
Tamar Warren, Senior Public Meetings 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 and the approved minutes of this meeting are available on www.Carson.org/minutes.

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

Chairperson Borders called the meeting to order at 5:10 p.m. Roll was called and a quorum was present. Commissioner Esswein led the Pledge of Allegiance.

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

B. PUBLIC COMMENTS

Chairperson Borders introduced the item and read the Notice to Public, incorporated into the agenda, regarding the way public comment will be handled during the Governor’s Declaration of Emergency directive caused by the COVID-19 pandemic. He noted that the public comments will be heard at this time; however, they will be discussed during the relevant portions on the agenda.

Rob Winkel introduced himself as a principal at Paradiso Communities, LLC and an associate of John Krmptic, representative of Emerson Drive Cottages. Mr. Winkel offered to answer questions regarding agenda item E-3. John Krmptic introduced himself and noted that he was also available to respond to questions regarding item E-3.

Valerie Cooney introduced herself as the Chair of the Covenants, Conditions, and Restrictions (CC&Rs) Committee at Brush Ranch Estates and noted that she was present to observe and respond to questions the Commission may have.

John Foley also introduced himself as a principal of Paradiso Communities, LLC and offered “to stand by and comment as needed.”

C. FOR POSSIBLE ACTION: APPROVAL OF THE MINUTES – JUNE 24, 2020 AND JULY 6, 2020 WORKSHOP

Chairperson Borders introduced the item and entertained comments and/or corrections.

Motion: Commissioner Tingle moved to approve the minutes of the June 24, 2020 meeting and July 6, 2020 workshop minutes as presented. The motion was seconded by Commissioner Preston.

RESULT:	APPROVED (5-0-0)
MOVER:	Tingle
SECONDER:	Preston
AYES:	Borders, Dawers, Esswein, Preston, Tingle
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Perry, Wiggins

D. MODIFICATION OF AGENDA

Chairperson Borders introduced the item. Mr. Plemel stated that there were no modifications to the agenda; however, Ms. Ferris would be presenting the Staff Reports instead of Planning Manager Hope Sullivan who was out that day.

E. MEETING ITEMS

PUBLIC HEARING

E.1 LU-2020-0019 - FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A FIVE-YEAR REVIEW OF A PREVIOUSLY APPROVED SPECIAL USE PERMIT (SUP-04-095) FOR AN EXPANDED EXTRACTION OPERATION (CINDERLITE) ON PROPERTY ZONED PUBLIC REGIONAL (PR) AND CONSERVATION RESERVE (CR), LOCATED AT 6100 GONI ROAD, APNS 008-011-06, -11, -57, AND -58.

Chairperson Borders introduced the item. Ms. Ferris presented the Staff Report and accompanying documentation which included public comments that were addressed by Ms. Ferris during her presentation. She highlighted the following proposed revisions to the Conditions of Approval:

- Removal of Conditions 14 and 25.
- Correction to Condition 21 to read: *The next scheduled review for SUP-04-095 will be the scheduled Planning Commission meeting for July ~~2015-2020~~ 2025.*
- Adding Condition 26 to read: *By June 30, ~~2020~~ 2023, Cinderlite or its successor in interest shall provide the City with a cash deposit equal to the cost of a slurry seal and striping of Goni Road from Conestoga Drive to Kelvin Road (square footage of the asphalt section of the road multiplied by the price per square foot that Carson City has negotiated with its seasonal provider) to the satisfaction of the public works director.*

Mr. Pott y addressed the drainage issues and the reconstruction of Goni Road which were raised by members of the public. Mr. Pott y noted that the pit acted as a retention basin and noted that water had been pumped in cases of “large events” by City approval. He referenced a 2004 Condition of Approval (page 6) that the Special Use Permit required Cinderlite to participate in the reconstruction of Goni Road north of Conestoga Drive in the amount of \$125,712, adding that the full reconstruction had not taken place due to the lack of City funding. Mr. Pott y also discussed other maintenance performed on the residential sections of Goni Road and responded to clarifying questions.

Cinderlite Vice President Greg Lehman introduced himself and explained that he had reviewed and was in agreement with the Conditions of Approval incorporated into the record. He also clarified that the trail requested by Muscle Powered was not related to the parcel being discussed at this time.

Commissioner Tingle corrected Fining Number Seven to read:

7. Will not result in material damage or prejudice to other property in the vicinity. The heavy truck traffic is compromising the condition of Goni Road. There are residences along Goni Road, and residential neighborhood on the east and west sides of Goni Road that rely on Goni Road. In recognition of this, staff is recommending condition #~~25~~ 26 that Cinderlite participate in financing improvements to a portion of Goni Road.

Mr. Lehman wished to correct the public’s assumption noting that the area was zoned as Conservation Reserve and not as Single Family One Acre. He also stated that the truck traffic had increased due to the business growth. Commissioner Preston recommended changing the word “deposit” in Condition 26 to “contribution” to ensure it was not a refundable fee. Mr. Lehman ensured the Commission that they have kept their trucks locally, paid fuel taxes, and collected sales taxes to ensure the City benefited from their contributions. He also invited Commissioners to take a tour of their facilities. Chairperson Borders entertained a motion.

Motion: Vice Chair Dawers moved to approve the five-year review of SUP-04-095, based on the findings and subject to the amended conditions of approval contained in the staff report, including the modifications and corrections made in this meeting. The motion was seconded by Commissioner Preston.

RESULT:	APPROVED (5-0-0)
MOVER:	Dawers
SECONDER:	Preston
AYES:	Borders, Dawers, Esswein, Preston, Tingle
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Perry, Wiggins

PUBLIC HEARING

E.2 LU-2020-0020 - FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR A SPECIAL USE PERMIT FOR A MODIFICATION TO A MUNICIPAL WELL FACILITY ON PROPERTY ZONED SINGLE FAMILY 2 ACRE (SF2A), LOCATED AT 1881 NORTH WINNIE LANE, APN 007-572-99.

Chairperson Borders introduced the item. Ms. Ferris presented the Staff Report and accompanying documents, all of which are incorporated into the record. She also noted that in response to public comments and after discussion with neighboring property owners, Carson City Public Works and Staff have recommended a modification to Condition of Approval no. eight to read:

The applicant must install landscaping consistent with Division 3 of the Development Standards. The landscape plan must be submitted with the application for a building permit and installed prior to the completion of the building. Landscaping shall be designed to create a visual screen of the generator cabinet from the right-of-way and shall include evergreen trees on the west and south sides of the site on the outside perimeter of the fence.

Deputy Public Works Director Dan Stucky clarified for Chairperson Borders that the Public Works Department had acquired four generators for use in emergency situations through a grant in addition to several older ones. Mr. Stucky noted that the well in question, well no. three, was critical to the City; therefore, this generator had been acquired through a hazard mitigation grant. Commissioner Preston inquired about a public tap and bench at the well site and Commissioner Esswein believed the tap had been removed. Mr. Stucky also explained that the some of the deteriorating fencing will be replaced. He added that the old and the new wellhouse will be fenced. Chairperson Borders noted that the attached blueprints did not contain measurements. He also entertained a motion.

Motion: Commissioner Esswein moved to approve LU-2020-0020 based on the ability to make the required findings and subject to the conditions of approval contained in the staff report, including the modification to Condition no. 8 as discussed above. The motion was seconded by Vice Chair Dawers.

RESULT:	APPROVED (5-0-0)
MOVER:	Esswein
SECONDER:	Dawers
AYES:	Borders, Dawers, Esswein, Preston, Tingle
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Perry, Wiggins

PUBLIC HEARING

E.3 SUB-2020-0006 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR AN AMENDMENT TO TENTATIVE SUBDIVISION MAP (TSM-19-165) TO DELETE CONDITION 26A REQUIRING THE INTERIOR STREETS TO BE PRIVATELY OWNED AND MAINTAINED, ON PROPERTY ZONED NEIGHBORHOOD BUSINESS (NB), LOCATED ON EMERSON DRIVE, NORTH OF COLLEGE PARKWAY, APN 002-751-07.

Chairperson Borders introduced the item. Ms. Ferris provided background and presented the Staff Report along with accompanying documents, all of which are incorporated into the record. She also acknowledged the virtual presence of applicant representative John Krmptic. Mr. Plemel clarified that the applicant was seeking to eliminate the previously approved condition by the Planning Commission which required the internal streets to be owned and maintained privately. However, based on a decision by the Board of Supervisors to allow the internal streets to be publicly owned and maintained, the applicant was seeking removal of condition 26(a). Discussion ensued regarding the Commission’s initial decision of making the streets private, and Mr. Stucky explained that slurry seals were prioritized to address collector streets first based on budgetary decisions. Mr. Pottéy cited another development the streets of which would become public as well, and noted that a typical homeowners’ association (HOA) was not accustomed to deal with street issues. Commissioner Preston clarified that internal street are considered common areas and are only used by the residents. She also cited examples of HOAs in other states that were capable of maintaining streets.

Mr. Winkel noted that the small development of 36 single family homes would accommodate retirees and workers who were striving for affordable home ownership. He also explained that maintaining streets was not cost-effective for an HOA for a small subdivision and noted his acceptance of the Conditions of Approval. Mike Vicks of Monte Vista Consulting introduced himself as the project engineer and offered to answer questions. Ms. Ferris clarified for Vice Chair Dawers that the property was currently zoned as

Neighborhood Business; however, the map had not yet been recorded. It had been issued a Special Use Permit for residential use in a non-residential zoning district (reviewed by the Planning Commission on January 29, 2020) and noted that the decision tonight would only be for the roads. Mr. Stucky explained to Commissioner Preston that they would work with the applicant to come up with the slurry seal cost and the payment terms.

Mr. Krmptic explained that they had provided a voluntary condition to pay for the slurry seal and cited the Board of Supervisors meeting during which the decision to make the streets public was made. Commissioner Dawers expressed disappointment that if the City would allow concessions, so should the developer. Commissioner Tingle called the discussion “a moot point” since the Board of Supervisors had approved the public streets. Commissioner Esswein clarified that obtaining a Special Use Permit was abiding by the rules and not bending them. Mr. Krmptic called the Neighborhood Business zoning dysfunctional, and noted that the fiscal analysis incorporated into the record showed the fiscal results were positive for the City. Chairperson Borders entertained a motion.

Motion: Chairperson Borders moved to recommend to the Board of Supervisors approval of SUB-2020-0006 a modification to Condition of Approval no. 26, and the addition of Conditions 29 and 30, as provided for in the July 29, 2020 staff report to the Planning Commission, based on the findings and subject to the conditions of approval contained in the staff report.

RESULT:	FAILED (2-3-0)
MOVER:	Borders
SECONDER:	Esswein
AYES:	Borders, Esswein
NAYS:	Dawers, Preston, Tingle
ABSTENTIONS:	None
ABSENT:	Perry, Wiggins

Mr. Johnson clarified that a failed motion meant that the Planning Commission did not recommend the proposed modification to Condition of Approval no. 26 and the additions of Conditions 29 and 30 to the Board of supervisors.

PUBLIC HEARING

E.4 LU-2020-0026 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR A PARKING LOT AS A PRIMARY USE ON PROPERTY ZONED DOWNTOWN MIXED USE (DTMU), LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF SOUTH CURRY STREET AND WEST 5TH STREET, APN 003-116-06.

Chairperson Borders introduced the item. Ms. Ferris presented the Staff Report along with supporting documentation, all of which are incorporated into the record. She also recommended approval and

responded to clarifying questions. Chairperson Borders inquired about the Fifth Street Driveway and Mr. Pott y stated that it was scheduled for demolition.

Nevada Builders Alliance Chief Executive Officer Aaron West confirmed for Chairperson Borders that he had read and agreed with the Conditions of Approval outlined in the Staff Report. Ms. Ferris clarified for Commissioner Tingle that the parking lot was owned by the Bank Saloon; however, should the property be sold, it can be converted to a different use. There were no additional comments; therefore, Chairperson Borders entertained a motion.

Motion: Vice Chair Dawers moved to approve LU-2020-0026, based on the findings and subject to the conditions of approval contained in the staff report including the modification to item 7. The motion was seconded by Commissioner Preston.

RESULT:	APPROVED (5-0-0)
MOVER:	Dawers
SECONDER:	Preston
AYES:	Borders, Dawers, Esswein, Preston, Tingle
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Perry, Wiggins

F. STAFF REPORTS (NON-ACTION ITEMS)

Chairperson Borders introduced the item. Mr. Plemel noted that the Title 18 workshop packets were in the room for pickup by the Commissioners, adding that they had incorporated the comments received from them earlier. Mr. Plemel noted that the Board of Supervisors had approved the Growth Management Commission’s recommendations. He also reviewed the upcoming months’ requests.

- DIRECTOR'S REPORT TO THE COMMISSION

Previously discussed.

- FUTURE AGENDA ITEMS

Previously discussed.

- COMMISSIONER REPORTS/COMMENTS

None.

G. PUBLIC COMMENT

There were no public comments.

H. FOR POSSIBLE ACTION: ADJOURNMENT

Chairperson Borders adjourned the meeting at 6:52 p.m.

The Minutes of the, July 29, 2020 Carson City Planning Commission meeting are so approved this 26th day of August, 2020.