

MINUTES
Carson City Planning Commission and Growth Management Commission Regular Meeting
Wednesday, May 26, 2021 ● 5:00 PM
Community Center Robert “Bob” Crowell Boardroom
851 East William Street, Carson City, Nevada

Commission Members

Chair – Charles Borders, Jr.

Commissioner – Paul Esswein

Commissioner – Sena Loyd

Commissioner – Teri Preston

Vice Chair – Jay Wiggins

Commissioner – Nathaniel Killgore

Commissioner – Richard Perry

Staff

Hope Sullivan, Community Development Director

Heather Ferris, Planning Manager

Todd Reese, Deputy District Attorney

Stephen Pott y, Senior Project Manager

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 Public Meeting Clerk 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.

GROWTH MANAGEMENT COMMISSION

1. CALL TO ORDER – GROWTH MANAGEMENT COMMISSION

(5:01:12) – Chairperson Borders called the Growth Management Commission meeting to order at 5:01 p.m.

2. ROLL CALL AND DETERMINATION OF QUORUM

(5:01:29) – Roll was called and a quorum was present.

Attendee Name	Status	Arrived
Chairperson Charles Borders, Jr.	Present	
Vice Chair Jay Wiggins	Present	
Commissioner Paul Esswein	Present	
Commissioner Nathaniel Killgore	Present	
Commissioner Sena Loyd	Present	
Commissioner Richard Perry	Present	
Commissioner Teri Preston	Absent	

3. PLEDGE OF ALLEGIANCE

(5:01:44) – Commissioner Loyd led the Pledge of Allegiance.

4. PUBLIC COMMENTS

(5:02:15) – Chairperson Borders welcomed members of the public back into the Boardroom and read into the record information regarding public comment, noting that he preferred to hear the comments during the discussion of an item. He also entertained public comments; however, none were forthcoming.

5. FOR POSSIBLE ACTION: APPROVAL OF THE MINUTES – MAY 27, 2020.

(5:04:54) – Chairperson Borders introduced the item and entertained comments or changes and when none were forthcoming, a motion.

(5:05:11) – Commissioner Perry moved to approve the minutes of the May 27, 2020 Growth Management Commission meeting as presented. The motion was seconded by Vice Chair Wiggins.

RESULT:	APPROVED (4-0-2)
MOVER:	Perry
SECONDER:	Wiggins
AYES:	Borders, Esswein, Perry, Wiggins
NAYS:	None
ABSTENTIONS:	Loyd, Killgore
ABSENT:	Preston

6. MEETING ITEMS

6.A GM-2021-0147 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A RECOMMENDATION TO THE BOARD OF SUPERVISORS FOR A RESOLUTION ESTABLISHING THE MAXIMUM NUMBER OF RESIDENTIAL BUILDING PERMIT ALLOCATIONS UNDER THE GROWTH MANAGEMENT ORDINANCE FOR THE YEARS 2022 AND 2023 AND ESTIMATING THE MAXIMUM NUMBER OF RESIDENTIAL BUILDING PERMITS FOR YEARS 2024 AND 2025; ESTABLISHING THE NUMBER OF BUILDING PERMIT ALLOCATIONS WITHIN THE DEVELOPMENT AND GENERAL PROPERTY OWNER CATEGORIES; AND ESTABLISHING A MAXIMUM AVERAGE DAILY WATER USAGE FOR COMMERCIAL AND INDUSTRIAL BUILDING PERMITS AS A THRESHOLD FOR GROWTH MANAGEMENT COMMISSION REVIEW.

(5:05:50) – Chairperson Borders introduced the item. Ms. Sullivan gave background and reviewed the Staff Report with accompanying documents, all of which are incorporated into the record. She also highlighted comments from key stakeholders such as the Carson City School District, Carson City Fire Department, Carson City Sheriff’s Office, and the Carson City Public Works Department. Ms. Sullivan highlighted the current projects and responded to clarifying questions by the Commissioners, adding that the City was not close to meeting the housing starts approved by the Growth Management Commission in the past years.

(5:23:04) – Carson City Wastewater Utility Manager Andy Hummel reviewed the Wastewater Capacity Analysis Update, incorporated into the record as late material, and responded to Commissioner questions.

(5:38:15) – Carson City Water Utility Manager Eddy Quaglieri reviewed the overall health of the ground water basins, water usage and demand, the City’s water sources, projects, and the projected demand, all of which are incorporated into the record as late material. Mr. Quaglieri and Ms. Sullivan also responded to clarifying questions. Commissioner Perry called the presentations “very good” and recommended presenting a simplified version of it to civic organizations in the City. Ms. Sullivan clarified that the modeling done for the sewer was based on communication between the Planning and Public Works Departments as development projects were being planned.

(5:56:18) – The meeting was recessed to address technical issues.

(6:05:21) – Chairperson Borders reconvened the meeting.

(6:05:40) – Commissioner Perry recommended including some language to justify going above the 15,000-gallon daily limit requirement. Commissioner Esswein also thanked Staff for the presentations and noted that he was in favor of criteria to evaluate excess water use as well, citing the drought situation being experienced currently. Ms. Sullivan noted that item 6.B would be continued in order to bring forward the criteria discussed earlier. Commissioner Loyd requested information regarding the current businesses who have received approval to exceed the 15,000-gallon daily limit. Mr. Reese noted that the Commission was not required to take action on this item.

6.B GM-2021-0131 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST TO ALLOW FOR DAILY WATER USAGE ABOVE 15,000 GALLONS PER DAY FOR A PROPOSED DRIVE-THROUGH CARWASH ON PROPERTY ZONED RETAIL COMMERCIAL (RC), LOCATED AT 3390 S. CARSON STREET, APN 009-111-28.

(6:13:05) – Chairperson Borders introduced the item. Ms. Sullivan explained that per the late material received, the applicant representative had requested for the item to be continued until the June 30, 2021 meeting. No action was necessary.

7. PUBLIC COMMENT

(6:14:04) – Chairperson Borders entertained public comments; however, none were forthcoming.

8. FOR POSSIBLE ACTION: ADJOURN AS THE GROWTH MANAGEMENT COMMISSION

(6:14:37) – Chairperson Borders adjourned the Growth Management Commission meeting at 6:14 p.m.

PLANNING COMMISSION

9. CALL TO ORDER – PLANNING COMMISSION

(6:14:45) – Chairperson Borders called the Planning Commission meeting to order at 6:14 p.m.

10. ROLL CALL AND DETERMINATION OF A QUORUM

(6:14:55) – Ms. Warren called roll and determined the presence of a quorum comprising Chairperson Borders, Vice Chair Wiggins, Commissioner Esswein, Commissioner Killgore, Commissioner Loyd, and Commissioner Perry. Commissioner Preston was absent.

11. PUBLIC COMMENT

(4:15:11) – Chairperson Borders entertained public comments; however, none were forthcoming.

12. FOR POSSIBLE ACTION: APPROVAL OF THE MINUTES – APRIL 28, 2021

(6:15:31) – Chairperson Borders introduced the item and entertained comments or corrections and when none were forthcoming, a motion.

(5:15:41) – Commissioner Perry moved to approve the minutes of the April 28, 2021 Planning Commission meeting as presented. The motion was seconded by Vice Chair Wiggins.

RESULT:	APPROVED (6-0-0)
MOVER:	Perry
SECONDER:	Wiggins
AYES:	Borders, Wiggins, Esswein, Loyd, Killgore, Perry
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Preston

13. MEETING ITEMS - PUBLIC HEARINGS

13.A LU-2021-0130 – FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR A SPECIAL USE PERMIT TO CONSTRUCT A GUEST BUILDING AND A DETACHED GARAGE RESULTING IN THE CUMULATIVE SQUARE FOOTAGE OF ACCESSORY STRUCTURES EXCEEDING 75 PERCENT OF THE SIZE OF THE PROPOSED PRIMARY BUILDING ON PROPERTY ZONED MOBILE HOME 12,000 (MH12), LOCATED AT 2754 DORI WAY, APN 008-181-22.

(6:16:03) – Chairperson Borders introduced the item. Ms. Ferris presented the subject property and the Staff Report, which is incorporated into the record, noting that no public comments were received regarding the project. She also introduced applicant Paul Holloway. City Engineer Randy Rice noted that a 12-foot driveway would be required for this project, and it would be paid for by the property owner.

(6:20:53) – Mr. Holloway stated that he had read and agreed with the Conditions of Approval in the Staff Report. He also noted that the permit process and the interaction with Ms. Ferris were “excellent.” Commissioner Perry was informed that the trailer on the property was a construction trailer which would be gone at the completion of the project. Mr. Holloway agreed with Chair Borders that the structures would not be used as rentals. Chairperson Borders entertained additional questions and when none were forthcoming, a motion.

(6:22:41) – Vice Chair Wiggins moved to approve Special Use Permit LU-2021-0130, based on the findings and subject to the conditions of approval contained in the staff report. The motion was seconded by Commissioner Killgore.

RESULT:	APPROVED (6-0-0)
MOVER:	Wiggins
SECONDER:	Killgore
AYES:	Borders, Wiggins, Esswein, Loyd, Killgore, Perry
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Preston

13.B LU-2021-00148 – FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR A SPECIAL USE PERMIT TO CONSTRUCT AN ACCESSORY STRUCTURE THAT EXCEEDS 75 PERCENT OF THE SIZE OF THE PRIMARY BUILDING ON PROPERTY ZONED MOBILE HOME 6000 (MH6), LOCATED AT 1120 CLAUDIA CIRCLE, APN 009-657-40.

(6:23:38) – Chairperson Borders introduced the item. Ms. Ferris gave background and presented the Staff Report which is incorporated into the record. Chairperson Borders was informed that the applicant was not present. He also expressed concern that the project was “already done.” Ms. Ferris clarified that should the Board deny the application, the structure would have to be removed. She also noted that the Special Use Permit request was the applicant’s first step towards compliance. Mr. Reese explained that Code Enforcement could issue a “Notice of Violation” or a “Notice to Abate” to obtain the necessary permits retroactively, adding that should the City request any changes to the structure, the applicant must abide. A refusal to comply, according to Mr. Reese, could result in a citation or a request to remove the structure, who also advised the Board to either approve the Special Use Permit, should it meet all the Conditions of Approval, or continue the item. Commissioner Esswein wished to either approve the Special Use Permit or continue it until the Building Permit is obtained; however, Ms. Ferris clarified that the Special Use Permit was the first step prior to obtaining a Building Permit. Commissioner Perry recommended approving the Special Use Permit and leaving it up to the City to ensure the structure meets the Conditions of Approval and the building code. Commissioner Loyd was informed that a Building Permit must be obtained as well. Chairperson Borders entertained a motion.

(6:32:01) – Commissioner Esswein moved to approve Special Use Permit LU-2021-0148, based on the findings and subject to the Conditions of Approval contained in the Staff Report.

RESULT:	APPROVED (6-0-0)
MOVER:	Esswein
SECONDER:	Perry
AYES:	Borders, Wiggins, Esswein, Killgore, Loyd, Perry
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Preston

PUBLIC HEARING

13.C PUD-2021-0132 – FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR A TENTATIVE PLANNED UNIT DEVELOPMENT (PUD-2021-0132) THAT WOULD CREATE 12 SINGLE FAMILY RESIDENTIAL LOTS WITH A MINIMUM LOT SIZE OF 29,300 SQUARE FEET AND APPROXIMATELY 3.75 ACRES OF OPEN SPACE ON PROPERTY ZONED SINGLE-FAMILY 1 ACRE (SF1A), LOCATED ON THE WEST SIDE OF LONGVIEW WAY, NORTH OF BEDFORD WAY AND SOUTH OF KENSINGTON PLACE, APN 007-061-61.

(6:32:53) – Chairperson Borders introduced the item. Ms. Ferris presented the subject property and the Staff Report, incorporated into the record, and responded to clarifying questions. She indicated that Staff had made all the required findings, incorporated into the record, and recommended approval subject to the Conditions of Approval outlined in the Staff Report, with the following clerical changes to Condition of Approval No. 24 and No. 28.

24. Lots abutting the creek will need to have their lot lines adjusted so that they are located 5 feet away from the top of the edge of the creek, or outside of the AO/AE flood zone, whichever is closer to the interior of the lots. Should this adjustment be impracticable, an exclusive easement will need to be created in its place, in which no fences can be installed. In no case shall the lots be allowed to be reduced to less than 33% of the minimum lot size or 14, 374.8 square feet. If the lot lines are adjusted in this manner, the common area parcel will be increased in size and this area will be required to be owned and maintained by a homeowner's association or similar entity.

28. ~~A~~ A private access and Public Utility Easement shall be created over the roadway.

(6:38:09) – Ms. Ferris referenced the following request, via email correspondence between the City Engineer and the applicant's representative, with a request to remove Condition of Approval No. 31 as a result:

“On behalf of the Adams Foundation, I would like to request a waiver to the sidewalk requirements for the internal street of the proposed Adams Estates PUD. The development consists of only 12 parcels and will be served by a 2 private, gated roadway. We believe because of the private nature of the roadway as well as the limited number of residences on it, that access to the trail and open space on the west side can be achieved through just the roadway without sidewalks. The walkability of the Adams Estates PUD would function in the same way as the surrounding developments of Kingston Park and Long Ranch Estates (Kings Canyon Highlands), on either the streets or pathways within the open space. Thank you for your consideration.”

(6:39:42) – Ms. Ferris referenced the public comments, incorporated into the record, in the form of a petition signed by 194 individuals and late material. She explained to Commissioner Esswein that the Fire Department would review the Fire Hydrant spacing. Carson City Floodplain Manager Robb Fellows and Ms. Ferris also responded to clarifying questions by the Commissioners.

(6:50:01) – Applicant representative Susan Pansky introduced herself and Micah Laak of Lumos and Associates. Ms. Pansky gave background on the project, including the redesign and after the initial

neighborhood meeting, and reviewed the Adams Estate Planned Unit Development presentation, incorporated into the record. She also responded to clarifying questions. Chairperson Borders entertained public comments.

(7:02:01) – Bruno Bielat introduced himself as “not a hydrologist” and was “concerned that properties to the south of the creek are not protected by a berm, and that’s where my property is.” Mr. Bielat believed that the water would flow to their side, on Bedford Avenue. He was also appreciative of the reduced number of units on the property, and was in favor of having the City maintain the creek.

(7:05:27) – Frank Macdenell introduced himself as a resident on the north side of the property and was concerned that his property would get flooded. He also believed that a berm would “ruin the aesthetics” of the neighborhood.

(7:09:02) – Carson City Floodplain Manager Robb Fellows provided additional information on Ash Creek and noted that “when Long Ranch Estates was developed, they created these open spaces that were sized to take all of the flow from the 100 year storms not from not only Kings Canyon but also from Ash Canyon.” He believed that the open space between this proposed project and Long Ranch Estates would provide the appropriate open space for the floodplain, adding that 70 percent of the high-hazard floodplains in Carson City are in open space areas. Mr. Fellows also responded to clarifying questions by the Commissioners.

(7:15:12) – Ms. Pansky informed Chairperson Borders that the applicant was in agreement with all the Conditions of Approval stated in the Staff Report except for item 31.b, which will read as follows:

31.b. The street section must meet C-5.1.8 for urban local streets ~~including installation of interior sidewalks on both sides of the street per CCMC 17.09.095.~~

(7:16:40) – Commissioner Killgore expressed concern that members of the public were concerned about the reduction in surrounding property values. Ms. Pansky confirmed that the minimum house size would be 2,000 square feet. Chairperson Borders entertained a motion.

(7:18:48) – Commissioner Loyd moved to recommend to the Board of Supervisors approval of Tentative Planned Unit Development PUD-2021-0132 based on the ability to make the required findings and subject to the Conditions of Approval as noted in the staff’s report to the Planning Commission, with the amended Condition No. 31.b (as noted above). The motion was seconded by Commissioner Wiggins.

RESULT:	APPROVED (6-0-0)
MOVER:	Loyd
SECONDER:	Wiggins
AYES:	Borders, Wiggins, Esswein, Killgore, Loyd, Perry
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Preston

PUBLIC HEARING**13.D PM-2021-0030 – FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPEAL OF STAFF’S DECISION TO APPROVE A TENTATIVE PARCEL MAP (PM-2021-0030) SUBJECT TO A CONDITION OF APPROVAL (CONDITION #8) REQUIRING THE EXTENSION OF THE WATER MAIN AND ASSOCIATED IMPROVEMENTS ON PROPERTY ZONED SINGLE FAMILY 1 ACRE (SF1A), LOCATED AT 3042 COMBS CANYON ROAD, APN 007- 502-01.**

(7:20:01) – Chairperson Borders introduced the item. Commissioner Wiggins read into the record a prepared disclosure statement, advised of no disqualifying conflict of interest, and stated that he would participate in discussion and action. Ms. Ferris presented the Staff Report, incorporated into the record, reiterated Staff’s recommendation to deny the appeal and uphold Staff’s decision to approve the Tentative Parcel Map, subject to the Conditions of Approval outlined in the April 31, 2021 Notice of Decision, including the requirement to extend the water main as outlined in condition No. 8, and responded to clarifying questions. Ms. Ferris also introduced appellant Corey Hornamann and City Engineer Randy Rice who were both present and available to answer the Commissioners’ questions.

(7:28:41) – Mr. Hornamann referenced the agenda materials and requested that Mr. Rice’s notes be “thrown out” since he had not seen them as part of the Notice of Decision on April 30, 2021, adding that he would appeal today’s decision if it is a denial and would exclude those comments from the appeal. Mr. Hornamann noted that Attachment C was “incorrect” as well, and referenced the points he had included in his letter to Staff. He contested the City’s request to install a “reducer valve” adding that the City had “offered to pay for that.” He also noted that he is trying to sell one piece of the property, not create a subdivision, and did not know who would buy it. He believed that the City should pay for the water line. Mr. Hornamann offered “to drop that piece of property, if a deal can be worked out with the water line for one piece of the property which would be 4A.”

(7:38:40) – Ms. Sullivan reviewed the steps required to create a conceptual map, then a tentative map (which may require an improvement plan), after which a final map is created and recorded. She also noted that a lot with four parcels or less may be approved by Staff as a Parcel Map. Any property exceeding four lots is considered a subdivision. In response to a question by Commissioner Loyd, Ms. Sullivan noted that technically, a deed restriction may be placed to have a future buyer pay for the water line; however, City Staff was not set up to monitor deed restrictions or property sales. Mr. Hornamann stated that when he bought the 25-acre property, he was not required to have a water line.

(7:46:42) – Mr. Rice clarified that had the well not been installed in 2018, “we would be asking for this waterline extension to go all the way to the entire frontage, half street improvements

(sidewalk if that was appropriate for this area) including all the utilities. The only reason sewer is not in this conversation is because sewer is nowhere near [the property].” He also noted that the survey consisted of “blue spray paint.” Mr. Rice explained that Staff had erroneously believed that the existing line was able to serve the appropriate amount of water and pressure; hence, the requirement of the pressure reducing valve. He also recommended a compromise where Mr. Hornamann would “build a water line and get into a pro rata agreement with the City that would basically encumber any properties that would benefit from the construction and cost of that water line,” and Mr. Hornamann would be eligible for reimbursement of up to half the cost, should there be additional developments.

(7:53:05) – Commissioner Perry inquired about the “hardship letter” referenced by Mr. Hornamann, noting that State law oversees water law. Public Works Water Operations Supervisor Tom Grundy stated that the State had permitted the drilling of the well. Commissioner Perry believed that wells were necessary in rural areas; however, “this [property] is in the middle of a municipality.” Mr. Hornamann reiterated that he was not willing “to spend \$200,000 on improvements for a lot that I’m going to sell for \$150,000.”

(7:58:15) – Commissioner Wiggins believed that the water line had a continuity with the rest of the City’s water system and was informed by Mr. Hornamann that he was not aware it was a “no connections [water] main,” who also believed that he had paid for “hookups” but had not been reimbursed by the City.

(8:00:12) – Commissioner Esswein was informed by Mr. Rice that a large transmission main was already in existence when Mr. Hornamann had a parcel map made; however, Staff had made an error in informing him that “he would tie into the water main;” therefore, a one-time waiver was made by the City to install the well. Ms. Ferris clarified that “the three existing lots from the original parcel map can connect into that distribution line that goes from Vista Ariana [Drive] up to Combs Canyon Road. They [property owners] would just have to tap into that for each of the lots when they build their single-family residences.” Discussion ensued and Mr. Rice noted that survey information had not yet been received, adding that the City would like to work with the appellant and would consider “removing 4B completely” or “reducing those water lines to the eastern edge of parcel A.”

(8:12:55) – Commissioner Perry noted that every development had water lines built for it and believed that the appellant should also build water lines. He also noted that lots around lakeview would sell for more than \$150,000. Mr. Hornamann offered to send the survey CAD file and believed his lot was within 400 feet of the water line. Commissioner Perry expressed concern that the one-time exception would perpetuate similar requests should the buyers decide to parcel their lot.

(8:19:32) – Ms. Ferris clarified for Commissioner Wiggins that when lots are recorded, they must be done so as “improved lots.” Commissioner Esswein explained “what the City is proposing is that you only have to provide [water] service to that one lot is perfectly reasonable.” Chairperson Borders entertained a motion.

(8:23:19) – Commissioner Esswein moved to deny the appeal and uphold Staff’s decision to approve the tentative Parcel Map subject to the Conditions of Approval outlined in the April 31, 2021 Notice of Decision, including the requirement to extend the water main as outlined in condition No. 8. The motion was seconded by Commissioner Perry.

RESULT:	APPROVED (5-1-0)
MOVER:	Esswein
SECONDER:	Perry
AYES:	Borders, Esswein, Killgore, Loyd, Perry
NAYS:	Wiggins
ABSTENTIONS:	None
ABSENT:	Preston

F. STAFF REPORTS (NON-ACTION ITEMS)

(8:25:20) – Chairperson Borders introduced the item.

- DIRECTOR'S REPORT TO THE COMMISSION

(8:26:16) – Ms. Sullivan reported on the Board of Supervisors’ decisions noting that they had approved a Final Map.

- FUTURE AGENDA ITEMS

(8:25:30) – Ms. Sullivan announced that Bates Homes (on Little Lane) would be agendized for a Special Use Permit request for model homes. She also stated that the Commission would discuss Special Use Permit requests for an accessory structure and a fence, in addition to a Growth Management car wash discussion and updates requested by the Commission.

(8:26:31) – Chairperson Borders requested information on the “Flat (soccer) Fields” and wished to see the Special Use Permit for Empire Ranch Golf Course and the continued modification. Based on Commissioner Esswein’s inquiry, Ms. Sullivan noted that the Title 18 workshops had been completed and that the information was being reviewed by the District Attorney’s Office, after which public hearing would be scheduled.

- COMMISSIONER REPORTS/COMMENTS

There were no Commissioner reports or comments.

G. PUBLIC COMMENT

(8:28:37) – Chairperson Borders entertained final public comments; however, none were forthcoming.

H. FOR POSSIBLE ACTION: ADJOURNMENT

(8:29:06) – Chairperson Borders adjourned the meeting at 8:29 p.m.

The Minutes of the, May 26, 2021 Carson City Planning Commission meeting are so approved this 30th day of June, 2021.