

MINUTES
Carson City Planning Commission Regular Meeting
Wednesday, October 27, 2021 ● 5:00 PM
Community Center Robert “Bob” Crowell Boardroom
851 East William Street, Carson City, Nevada

Commission on Members

Chair – Charles Borders, Jr.

Vice Chair – Jay Wiggins

Commissioner – Paul Esswein

Commissioner – Nathaniel Kilgour

Commissioner – Sena Loyd

Commissioner – Richard Perry

Commissioner – Teri Preston

Staff

Hope Sullivan, Community Development Director

Heather Ferris, Planning Manager

Todd Reese, Deputy District Attorney

Stephen Pott  y, Engineering Project Manager

Heather Manzo, 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 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.

The approved minutes of all meetings are available on www.Carson.org/minutes.

1. CALL TO ORDER

(5:03:27) – Chairperson Borders called the meeting to order at 5:03 p.m.

2. ROLL CALL AND DETERMINATION OF QUORUM

(5:03:30) – Roll was called, and a quorum was present.

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

3. PLEDGE OF ALLEGIANCE

(5:03:45) – Commissioner Esswein led the Pledge of Allegiance.

4. PUBLIC COMMENTS

(5:04:12) – Chairperson Borders entertained public comments; however, none were forthcoming.

5. FOR POSSIBLE ACTION: APPROVAL OF THE MINUTES – SEPTEMBER 29, 2021.

(5:04:34) – Chairperson Borders introduced the item and explained that since two of the four members present at this meeting would abstain from voting on the approval of minutes (because they were not present in the September meeting) he had been advised by Mr. Reese to postpone the item to the next meeting. Mr. Reese also advised that a motion was not necessary to table the item.

6. MEETING ITEMS

6.A LU-2021-0346 - FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A SPECIAL USE PERMIT TO RETAIN AN EXISTING BILLBOARD ON PROPERTY ZONED GENERAL COMMERCIAL (“GC”) LOCATED AT 4440 HWY 50 EAST, APN 008-281-11.

(5:05:17) – Chairperson Borders introduced the item. Ms. Ferris gave background and presented the Staff Report which is incorporated into the record. Chairperson Borders noted that the comments on the photographs accompanying the Staff Report were “very helpful.” He was also informed by Ms. Ferris that the billboard met all the new billboard requirements.

(5:09:27) – Benjamin Cossio, Real Estate Manager at Lamar Advertising Company, confirmed that he had read and was in agreement with the Conditions of Approval outlined in the Staff Report. Commissioner Loyd was informed that the term “glare” had not been defined in the Carson City Municipal Code (CCMC). Ms. Sullivan explained that five years ago, during this billboard’s discussion, a shield had been required to shield the light from a resident’s home and she had been informed that it was still present and that it pointed the light downward. Chairperson Borders entertained public comments.

(5:11:42) – Kristoffer Wickstead introduced himself as a Garden Lane resident and noted that he had initially objected to the project five years ago. Mr. Wickstead referenced his written public comments with accompanying photographs, incorporated into the record, and noted that there was still glare over his fence and that the original billboard company had taken several tries to remedy the issue in the past. He objected to billboards in general and informed Commissioner Perry that he was not aware of the change of ownership. Mr. Cossio responded to Commissioner Loyd’s question by noting that the longest time for the light to stay on was from dusk until dawn, and the shortest time was from dusk until midnight. Ms. Ferris believed that there had been “a fence agreement” in the past; however, she was not familiar with the details as it had not been a Condition of Approval and out of the applicant’s control. Commissioner Perry recommended having the applicant meet with Mr. Wickstead to find a way to mitigate the glare. Commissioner Esswein recommended adjusting the luminosity reflecting from the billboard, and stated that he was also in favor of postponing action on the item until the applicant meets with Mr. Wickstead.

(5:27:02) – Commissioner Esswein moved to continue the item until the December Planning Commission meeting. The motion was seconded by Commissioner Loyd.

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

6.B LU-2021-0344 - FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR A SPECIAL USE PERMIT TO ALLOW A CONGREGATE CARE FACILITY FOR THE RESIDENTIAL TREATMENT OF SUBSTANCE ABUSE ON PROPERTY ZONED GENERAL COMMERCIAL (“GC”) LOCATED AT 788 FAIRVIEW DRIVE, APN 009-551-31.

(5:27:41) – Chairperson Borders introduced the item. Ms. Ferris presented the Staff Report and accompanying documents, all of which are incorporated into the record. Applicant Jackie Shott noted that they had read the Conditions of Approval and had no objections to them. She also responded to clarifying questions by the Commissioners.

(5:30:58) – Commissioner Loyd referenced public comment regarding the item and inquired about maintaining the safety of children in the area. Ms. Shott clarified that the residents would remain within the gated facility which will have 24-hour staff. She also confirmed for Chairperson Borders that this application is for “the same facility we saw before, at a different location.” Chairperson Borders entertained public comments.

(3:32:31) – Bob Waldschmidt introduced himself as the property owner “across the street and directly to the east” and expressed concern that many homeless individuals had been on the property and needles had been found there. He expressed concern about safety and provided anecdotal data from out-of-state family members whose home was broken into after three residential facilities had been built in the area. Ms. Ferris noted that the applicants would gate the facility, would provide 24-hour on-site staff, and would be subject to State oversight. Community Counseling Center Executive Director Carol Basagoitia explained that they would receive referrals from hospitals, courts, Division of Child and Family Services, and added that most clients are “on their way to sobriety.” She also clarified that because children will be living with their parents in the facility, the patients will be screened prior to being admitted. Commissioner Loyd was informed that staff will act as security, but no formal security staff will be hired because of the prescreening process. Chairperson Borders entertained additional discussion and when none was forthcoming, a motion.

(5:37:03) – Commissioner Perry moved to approve LU-2021-0344 based on the ability to make the required findings and subject to the Conditions of Approval included in the Staff Report. The motion was seconded by Commissioner Esswein.

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

6.C LU-2021-0296 - FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR A SPECIAL USE PERMIT TO ALLOW FOR COLLOCATION OF WIRELESS FACILITIES ON AN EXISTING STEALTH MONOPINE COMMUNICATION TOWER ON A PROPERTY ZONED SINGLE FAMILY 5 ACRES ("SF5A"), LOCATED AT 5364 SIERRA HIGHLANDS DRIVE, APN 007-051-66.

(5:38:37) – Chairperson Borders introduced the item. Ms. Manzo gave background on the subject site and presented the agenda materials incorporated into the record. She also addressed the concerns of a residential property owner, whose letter is included in the record as late material, noting that the concerns were related to maintaining the area around the cell tower and the related access issues. Ms. Manzo clarified that “those agreements are already in place between the previous property owner and the original communications company,” which included a blanket access to the property in the form of a civil contract, and outside the City’s purview. She also recommended approval because Staff were able to make all the necessary findings.

(4:42:38) – Crown Castle Project Manager Irina Gardini introduced herself and noted that her firm owned and operated the tower. She also stated that she had read and was in agreement with the Conditions of Approval. Ms. Manzo clarified for Commissioner Esswein that the easement was “a blanket easement and not specific to a certain location on the site.” Chairperson Borders inquired about accessing the easement from the west side of the property and Ms. Gardini read a paragraph written by the Crown Castle operations team noting that “currently the alternate access road from the west is not accessible to the power site,” adding that they would work with the landowner in the future. In response to a defensible space discussion, Ms. Ferris noted that the request was “a simple co-location” as the tower already existed. Mr. Reese also advised focusing on the request at hand since federal law stated that state and local governments could not deny a request to modify wireless equipment as long as the modification did not substantially change the physical dimensions of the tower or the facility. Commissioner Loyd was informed that the application had been reviewed by the Fire Department. Chairperson Borders entertained Public comments.

(5:50:45) – Jorge Tarango, whose written public comment is incorporated into the record, introduced himself as the property owner as of four months ago. Mr. Tarango provided background on the easements, noting that one was a utility easement and the other was an access easement, both of which utilize the same road. He stated that the operators of the communications tower had the ability to access it from the west side of the property but had chosen not to. Mr. Tarango cited issues such as accessibility, liability, and maintenance of the road leading to the tower. He explained that the brush has not been cleared, and their road was used by heavy vehicles that damage it. He also noted that the original agreement had been for an enclosure and access to the grantee; however, no mention had been made regarding subleases, adding that

he would not be amenable to renewing the lease and requested for the record, that no sub-lessee vehicles access his property. Mr. Tarango clarified for Chairperson Borders that he does not receive any revenues from the lease and the lessors do not practice preventative measures for fires or snow removal on the easements.

(5:55:04) – Chairperson Borders clarified that the legal agreement between property owner and the communications companies was not within the Commission’s purview and recommended that Mr. Tarango contact the lessors. Ms. Gardini clarified that a separate team was responsible for the leases at her firm; however, she offered to provide their contact information to Mr. Tarango. Commissioner Perry informed Mr. Tarango, who was concerned about liability, that he may request an inspection and a report from the City’s Fire Marshal. Chairperson Borders entertained additional comments and when none were forthcoming, a motion.

(6:01:06) – Commissioner Esswein moved to approve Special use Permit LU-2021-0296, based on the ability to make all findings and subject to the Conditions of Approval contained in the Staff Report. The motion was seconded by Commissioner Perry.

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

6.D LU-2021-0345 - FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A SPECIAL USE PERMIT FOR OUTDOOR STORAGE ACCESSORY TO PERSONAL STORAGE WITHIN AN ENCLOSED BUILDING ON PROPERTY ZONED GENERAL COMMERCIAL (“GC”), LOCATED ON THE SOUTHEAST CORNER OF COLLEGE PARKWAY AND SHERMAN LANE, APN 008-291-05.

(6:01:33) – Chairperson Borders introduced the item. Ms. Manzo presented the Staff Report, incorporated into the record, and responded to clarifying questions. She referenced a written public comment, incorporated into the record as late material, and her response to it. Ms. Manzo also stated that she had addressed another resident’s concern in person, prior to the item discussion, and noted the presence of the applicant in the Boardroom.

(6:04:42) – NAI Alliance broker Rocky Joy introduced himself as the applicant representative and acknowledged reading and agreeing with the Conditions of Approval incorporated into the Staff Report. Mr. Joy clarified for Chair Borders that an application for a separate Accessor’s Parcel Number (APN) would be submitted separately for the building and that construction would take about nine months. Chairperson Borders entertained public comments and when none were forthcoming, a motion.

(6:06:52) – Commissioner Perry moved to approve LU-2021-0345 based on findings and subject to Conditions of Approval contained in the Staff Report. The motion was seconded by Commissioner Loyd.

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

7. STAFF REPORTS (NON-ACTION ITEMS)

- DIRECTOR'S REPORT TO THE COMMISSION

(6:07:38) – Ms. Sullivan reminded the Board that the next Commission meeting will be held on Tuesday, November 16, 2021, at 3:30 p.m.

- FUTURE AGENDA ITEMS

(6:07:52) – Ms. Sullivan indicated that the following items would be agendized for the Commission's November meeting: A Special Use Permit for a chiller, three Zoning Map Amendments, and one Master Plan Amendment – all of which are “associated with the Master Plan update.” She noted that a public hearing on the Title 18 amendments will also be agendized for that meeting.

- COMMISSIONER REPORTS/COMMENTS

(6:08:34) – Commissioner Loyd stated that she would not be able to attend the next meeting in person, and requested attending via WebEx or phone.

8. PUBLIC COMMENT

(6:09:32) – Chairperson Borders entertained final public comments; however, none were forthcoming.

9. FOR POSSIBLE ACTION: ADJOURNMENT

(6:10:00) – Chairperson Borders adjourned the meeting at 6:10 p.m.

The Minutes of the, October 27, 2021 Carson City Planning Commission meeting are so approved this 16th day of November 2021.