

MINUTES
Carson City Growth Management Commission Regular Meeting
Wednesday, September 29, 2021 ● 5:00 PM
Community Center Robert “Bob” Crowell Boardroom
851 East William Street, Carson City, Nevada

Commission Members

Chair – Charles Borders, Jr.

Vice Chair – Jay Wiggins

Commissioner – Paul Esswein

Commissioner – Nathaniel Kilgore

Commissioner – Sena Loyd

Commissioner – Richard Perry

Commissioner – Teri Preston

Staff

Hope Sullivan, Community Development Director

Heather Ferris, Planning Manager

Todd Reese, Deputy District Attorney

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 this meeting are available on www.Carson.org/minutes.

1. CALL TO ORDER – GROWTH MANAGEMENT COMMISSION

(5:01:22) – Chairperson Borders called the Growth Management Commission meeting to order at 5:01 p.m. and noted that the Planning Commission meeting will take place prior to the Growth Management Commission meeting.

2. ROLL CALL AND DETERMINATION OF QUORUM

(9:13:26) – 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	Absent	
Commissioner Nathaniel Killgore	Present	
Commissioner Sena Loyd	Present	
Commissioner Richard Perry	Absent	
Commissioner Teri Preston	Present	

3. PLEDGE OF ALLEGIANCE

(5:02:15) – Vice Chairperson Wiggins led the Pledge of Allegiance.

4. PUBLIC COMMENTS

(9:13:49) – Chairperson Borders entertained public comments; however, none were forthcoming.

5. FOR POSSIBLE ACTION: APPROVAL OF THE MINUTES – AUGUST 25, 2021.

(9:14:05) – Chairperson Borders introduced the item and entertained comments or changes.

(9:14:28) – Vice Chair Wiggins moved to approve the minutes of the August 25, 2021 Growth Management Commission meeting as amended. The motion was seconded by Commissioner Killgore.

RESULT:	APPROVED (6-0-1)
MOVER:	Wiggins
SECONDER:	Killgore
AYES:	Borders, Wiggins, Killgore, Loyd, Preston
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

6. MEETING ITEMS

6.A GM-2021-0131 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR A GROWTH MANAGEMENT APPROVAL TO ALLOW FOR A DAILY WATER USAGE OF 29,500 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.

(9:15:09) – Chairperson Borders introduced the item. Ms. Sullivan gave background including information that the item had been continued at the request of the applicant. She also presented the Staff Report and accompanying documents, and responded to clarifying questions. Vice Chair Wiggins expressed concern regarding transferability and Ms. Sullivan recommended adding a non-transferability Condition of Approval. Commissioner Preston inquired about the well on the property and Ms. Sullivan explained that the applicants would look into the well as an additional source of water should they need over 29,500 gallons per day.

(9:23:25) – Applicant representative and attorney Michael Cabrera noted that the Commission at its last meeting had been concerned about the quantity of water requested at the previous meeting based on the drought conditions. He also explained that at Vice Chair Wiggins’ request, they had revised Condition of Approval No. 3 to reflect: *Each year for ~~three~~ five years after commencement of the use, the applicant shall submit to the Growth Management Commission documentation of actual water use in the form of gallons per day and peak flow for any consecutive 15 minutes.* Mr. Cabrera also noted that the overall water use request had been reduced to 29,500 gallons per day. He also reviewed highlights of the presentation, incorporated into the record, he had made at the last Growth Management meeting and introduced Metro Carwash founder Ernie Ionno. Mr. Cabrera explained that the traffic counts were modified and based on 2019 numbers as 2020 was a slower traffic year due to the COVID-19 pandemic.

(9:39:58) – Commissioner Loyd inquired about the total amount of water used per vehicle, including the recycled water. Mr. Ionno stated that approximately 70-80 total gallons of wash water were used per vehicle. Mr. Cabrera indicated that they currently had 0.72-acre feet of well-water rights; however, they might have the possibility of purchasing more. He also clarified that in order to use the well water along with City water, Staff had requested them to “demonstrate that we can do that before moving forward.” Chairperson Borders entertained public comment.

(9:42:07) – Carson City Chamber of Commerce Executive Director Ronni Hannaman believed that the proposed carwash would be “a very good thing for South Carson Street which is in the Redevelopment zone, and the property in question has been blighted for years.” She also believed that the auto dealers were in need of a nearby carwash. Ms. Hannaman also applauded the applicant’s willingness to meet the City “almost half-way” and to fill a vacant property.

(9:44:20) – Jim Cavilia, attorney at the Law Offices of Allison MacKenzie (whose letter is incorporated into the record) introduced himself as a representative of Raceway Carwash. Mr. Cavilia reminded the Commission that they have discretion and could either approve or deny the application. He believed that the Commission should consider “other effects of water usage” which he defined as “what do you think is a good use of Carson City’s limited water resources?” Mr. Cavilia requested denial of the application based on the fact that other carwashes in town operate within the allowable water limits.

(9:47:29) – Mark Wray, introduced himself as an attorney and called Mr. Cavilia’s statements “misleading” when he stated that Metro Carwash would use three times the amount of water as other carwashes. He noted that Raceway Carwash had purchased two of Mr. Ionno’s carwashes in Reno that use more than 29,500 gallons of water per day. Mr. Wray believed that the City would not “lose the ability to have more water to allocate to people by giving approval to this project.” He also cited information on communities who had banned washing cars in a driveway or on a lawn, noting that the water would be used wisely by the carwash.

(9:53:12) – Ms. Sullivan clarified that this review is discretionary. She also explained that the Growth Management Commission had made a decision to review opportunity costs of a project; however, those criteria were not in effect at this time and that this application would be treated in the same manner as the nine applications before it. Ms. Sullivan addressed the transferability question noting that “an entitlement certificate runs with the land.” She also noted that the Commission has the right to create Conditions of Approval limiting transferability to new owners or for a new use.

(9:57:10) – Commissioner Loyd inquired about water pressure changes outlined in Mr. Cavilia’s letter. Mr. Pottéy clarified that pressure below 10 psi would cause issues; however, to his knowledge, there had not been such pressure drops. Chair Borders reminded the Commission that “to allocate this amount of water is a real unknown,” regardless of the drought conditions.

(10:02:05) – Commissioner Wiggins indicated that he would support the item with the added condition of terminating the water rights in case of a change of use, and he saw this as an opportunity to have the latest technology in carwashes. Commissioner Preston was informed that change of use was easier to track than change of ownership, as Staff were unable to track sales. Chairperson Borders inquired whether the project could be approved based on a schedule of incremental use year-over-year. Ms. Sullivan believed it could

be feasible but cumbersome. She also explained to Commissioner Preston that a Condition of Approval to have annual reporting of water use was provided and requested an explanation of from each Commissioner on their position. Chairperson Borders reminded the Commissioners that the non-transferability condition would be added. Mr. Cabrera confirmed that the Condition of Approval they have agreed to is that “as long as the use is not changed, the entitlement would remain on the site. If the ownership changes, that [Condition will be] nullified.”

(10:08:50) – Chairperson Borders noted that he still had issues with the requested water amount. Commissioner Preston acknowledged the concessions made by the applicant; however, she still felt the requested amount was high. Commissioner Killgore and Commissioner Preston believed that 25,000 gallons would be acceptable to them. Commissioner Loyd was also concerned with the requested water amount. Vice Chair Wiggins believed that the lot could accommodate two businesses that may use 14,999 gallons of water per each day with no way of tracking the usage. He believed that the applicant would use the water as efficiently as possible. Chairperson Borders entertained a motion.

(10:12:24) – Vice Chair Wiggins moved to approve GM-2021-0131 based on the review criteria in place at the time of application with the addition of Condition No. 8 as stated by the Community Development Director.

Ms. Sullivan reread into the record the added Condition No. 8: *This is approved based on the representation of water conservation and operations. Because of this authorization to utilize 29,500 gallons [of water] per day is non-transferrable, any change of use will be limited to the threshold in effect at that time, unless a larger water use is authorized by the Growth Management Commission.*

The motion was seconded by Commissioner Killgore.

RESULT:	APPROVED (3-2-0)
MOVER:	Wiggins
SECONDER:	Killgore
AYES:	Wiggins, Loyd, Killgore
NAYS:	Borders, Preston
ABSTENTIONS:	None
ABSENT:	Esswein, Perry

7. PUBLIC COMMENT

(10:14:05) – Chairperson Borders entertained public comments; however, none were forthcoming.

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

(10:14:31) – Chairperson Borders adjourned the Growth Management Commission meeting at 10:14 p.m.

The Minutes of the September 29, 2021 Carson City Growth Management Commission meeting are so approved this 29th day of June 2022.