

Late Material Item 6.H

Heather Ferris

From: Tasha Couste <tashacouste@gmail.com>
Sent: Monday, September 26, 2022 9:44 AM
To: Heather Ferris
Subject: FW: Item 6.H LU-2022-0262 Qualcan Marijuana Dispensary Provisions Request for Special Use Permit
Attachments: City Planning - Item 6.H LU-2022-0262 Qualcan SUP Marijuana Dispensary.docx
Follow Up Flag: Follow up
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09/26/2022

Heather Ferris
Carson City Planning Commission

RE: Item 6.H LU-2022-0262 Qualcan Marijuana Dispensary Provisions Request for Special Use Permit

Good day Heather:

Considering the Board of Supervisors recent decision to allow the increase of additional marijuana dispensaries in Carson City, I am reaching out to you on behalf of Jeannie White and Bruce Sanders who own the residence that neighbors the proposed location for the new dispensary at 5100 S. Carson Street. My relation to the White/Sanders owners of the neighboring property is a grandchild.

The Whites/Sanders are requesting that our City Planners consider the attached provisions as conditions of the special use permit. After reviewing the website, I did not see direct contact information for our City Planners. Can you forward this information to them for consideration?

I would be happy to speak with you at your earliest convenience to discuss if necessary. My contact information is below for your reference:

Tasha Couste
tashacouste@gmail.com
(775) 267-7626

Respectfully,

Tasha Couste

PROPOSED QUALCAN MARIJUANA DISPENSARY LOCATION

RE: **Item 6.H LU-2022-0262: Special Use Permit (SUP) Provisions and Concerns for City Planning/Qualcan, LLC Consideration**

Objective:

The proposed location of the marijuana dispensary will share a property line with an existing residence. The following concerns are being submitted for consideration on behalf of Jeannie White and Bruce Sanders, who own the residence that will share a property line with the dispensary at 5100 S. Carson Street. The White/Sanders family are respectfully requesting that these provisions be considered and added as conditions of the Special Use Permit (SUP).

Denial of Option to Install a Drive Through Lane and Window

Given that the Qualcan, LLC property abuts the property line of the existing White/Sanders residence, which has been occupied by them for nearly 28 years, the option to install a drive through lane and window should be denied for the following reasons:

1. **Safety and Security** – The proposed drive through will have customers sitting in it for very long periods of time, given the need to check ages and identification. This will encourage passengers in drive through customer vehicles to consider exploring the neighboring area, which is the White/Sanders property. In addition, having a dispensary, restaurant, and patio co-located on the property will encourage the presence of children, who should not be placed at risk by vehicles using a drive through, including health risk from vehicle emissions.
2. **Emissions** – The emissions from the hundreds of vehicles per day idling in the drive through lane create a health hazard for the owners of the adjacent residence and their family members.
3. **Light Pollution** – Headlights of vehicles waiting in the drive through lane, accessing the drive through, and the drive through itself will introduce excessive light pollution, which will disturb the White/Sanders household.
4. **Noise Pollution** – Similarly, noise from vehicles using the drive through, as well as the interaction between employees and patrons, will affect the White/Sanders household at all hours of the day and night.

Special Use Permit Provisions to Ensure Safety, Access, Privacy and to Limit Economic Harm

According to the trip generation calculations on page 50-51 of Staff Report File number: LU-2022-0262, the Qualcan proposal has the potential to increase traffic at this location to 1,240 cars a day. This is the estimate for both the dispensary and the restaurant. The dispensary by itself is estimated as having the possibility of 840 cars a day. In addition to the requirements outlined by the City Planners, the White/Sanders are requesting provisions be included in the Special Use Permit to mitigate increased traffic and drive through concerns. Their interests and proposed resolutions are outlined below:

1. **Safety:** The increase of traffic on Junction Road is a concern, and the dead end has been an issue in the past. **The Whites/Sanders are requesting increased signage and additional deterrents that prevent drivers from trying to access Highway 50 from Junction Road.** Drivers often bypass the gate and get stuck in the sand in the undeveloped areas surrounding the nearby properties. These events occur frequently and cause stranded drivers to have to seek assistance nearby (often at night). The Whites/Sanders believe that additional deterrents and clearer signage will serve to further discourage drivers from attempting to go off road to unsuccessfully gain access to Highway 50.
2. **Property Access Gate:** If the location is approved, Bennett Street ends in the driveway of the White/Sanders residence. Bennett street will be the primary point of access into the drive through for the dispensary. **A**

security gate that blocks the entrance from Bennett into their driveway is a provision of the permit that is being requested by the White/Sanders. They are asking that the gate be installed at their property line with a lockbox for emergency fire/ambulance access to the residence. The gate is intended to prevent dispensary customers from heading up their driveway and turning around if they attempt to go up Bennett any further than the dispensary. **They are respectfully requesting that the gate is remote controlled** and not automatic to prevent unwanted visitors from entering their property. They already experience drivers that think Bennett is an outlet who pull into their driveway to turn around. Inattentive drivers have caused damage to their landscaping in the past and it brings unwanted visitors close to their residence and loved ones.

3. **Retaining/Privacy Wall: The White/Sanders are requesting that the wall that runs along the west property line that is included on the proposed plans is at least 8 feet tall and is thick enough to be a sound deterrent.** This is the barrier between the drive through traffic that will separate the dispensary from the White/Sanders front yard. The proposed drive through runs along the back of the dispensary building which will be the view the White/Sanders will see from their front porch, front yard, and living spaces. The White/Sanders have outlined additional supporting reasons for the height and thickness of the wall being requested below:
 - a. **Privacy:** When customers are sitting in the drive through, the White/Sanders property will be the view from the passenger's window of the vehicles that are waiting to pick up their orders. This view peeks into the White/Sanders main windows and front yard.
 - b. **Light Pollution:** The drive through traffic will introduce light pollution as dispensary customers drive up Bennett and turn into the drive through during evening hours, which happens quite early in the winter months. Lights will flash into the front yard and across the front facing windows of the White/Sanders residence.
 - c. **Noise Pollution:** The sound from vehicles, orders at the drive through, and sound from car stereo systems will be around 110 feet from the front door of the house. Any sounds from outdoor speakers and music in the drive through have the potential to make the nearby areas noisy.
 - d. **Security:** The wall should be high enough to deter people from being able to easily scale the wall to gain access or to view the neighboring property.

Billboard

1. **The Newly Proposed Dispensary Billboard Location:** On Staff Report File number: LU-2022-0262 (Agenda Item 6.H mentions on page 2, item 10) that the existing billboard has been removed. However, on page 161 of 192 on the Lochsa Engineering site plan, a proposed billboard is shown. The new location for the proposed sign is about 100 feet from the White/Sanders existing billboard and is directly in front of its view. The billboard being proposed will block the view of the existing billboard which the White/Sanders depend on to subsidize their retirement income. In addition, the newly proposed sign location is 10 times less than the spacing of 1,000 feet that is required by the existing municipal code (CCMC 4.8.3(f)). The Whites/Sanders understand that the sign has been permitted in the past and do not object to the original location. However, the newly proposed sign location will block their investment. An image of the prior billboard that existed at 5100 S. Carson Street next to the White/Sanders billboard is shown below. **The White/Sanders are requesting that the billboard remains at the original location or is moved to an area that does not block the view of the signage on their property.** The Lochsa Engineering plan moves the billboard directly in front of the White/Sanders existing investment as the red arrow on the picture demonstrates below.



- Billboard Access:** Current access to the White/Sanders billboard runs through the proposed dispensary's parcel. **The White/Sanders are requesting access be granted to the billboard from Junction Drive or that the billboard remains accessible as is.**

Security/Lighting

The proposed location for the dispensary is set back and isolated from other businesses near the surrounding area. **The White/Sanders are requesting that lighting for security is directional and faces away from their residence.**

Other

In addition to the provisions being requested from Qualcan, LLC for the Special Use Permit the White/Sanders have included three additional questions and concerns below:

City Water and Sewer

City water and sewer are mentioned on page 3 line 18, item A of file number LU-2022-0262. The item states that water and sewer mains must be extended to serve the project. The White/Sanders are concerned that they may be required to hook up to city water and sewer.

They are currently on well and septic. They will not be able to afford the connection fees, related service installation costs for water and sewer, or the monthly costs for usage to maintain the existing mature landscape if the city requires them to hook up to these services.

- a. Will the White/Sanders be expected (i.e., required) to hook up to city water and sewer when these services are brought to the new dispensary?
 - i. If yes, the White/Sanders are requesting an exception that allows them to keep their existing well and septic. They will not be able to afford the cost of city services otherwise on their fixed income.
 - ii. Or alternatively, if yes, the Whites/Sanders are requesting that the applicant is required to pay for line extensions and connection costs to the White/Sanders home to city water and sewer, and the White/Sanders be permitted to continue use of their well to water their landscape.

Storm Water Basin/Retention

Are there plans for storm water collection for the proposed site? If yes, the storm water collection and retention systems that are designed and installed, including considerations of the privacy wall discussed above, must be designed such that they do not affect the White/Sanders property or access to it.

Drive Through Traffic Overflow

Bennett street is the only access road to the White/Sanders residence. Since patrons will be accessing the drive through from Bennett, the Whites/Sanders are interested in finding out how any traffic overflow will be handled in the future. It is imperative that the access for emergency vehicles, delivery, and personal access to their residence is not blocked by vehicles waiting to gain access to the drive through.

Summary: Provisions that should be attached to any Special Use Permit Awarded to Qualcan, LLC for its Dispensary Location at 5100 S. Carson Street.

1. Increased signage and additional deterrents that prevent drivers from trying to access Highway 50 from Junction Road.
2. Installation of a remote-controlled security gate, with emergency access lockbox, at the entrance to the White/Sanders property at 497 W. Bennett.
3. Privacy wall along the west edge of White/Sanders property is at least 8 feet high and of adequate thickness to mitigate sound pollution and vehicle emissions.
4. The Qualcan billboard remains at the original location or is moved to an area that does not block travelers' view of the White/Sanders existing billboard.
5. Access to the White/Sanders billboard is retained through the Qualcan, LLC property or access is granted off of Junction Road.
6. If the White/Sanders household is required to connect to city water and sewer, the extension of lines and connection fees are to be paid by Qualcan, LLC.
7. If storm water diversion/retention features are required of Qualcan, LLC, they be designed and installed in a manner that takes access to the White/Sanders property into consideration.

From: [Tasha Couste](#)
To: [Heather Ferris](#)
Subject: Special Use Permit – Qualcan, LLC - Newly Proposed Drive through entrance
Date: Tuesday, September 27, 2022 2:41:14 PM
Attachments: [Proof of Concept-Bennett 09-26-2022.pdf](#)

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September 27, 2022

To: Carson City Planning Staff
Carson City Planning Commissioners

From: Tasha Couste

Re: Special Use Permit – Qualcan, LLC

Yesterday, our family received a proof-of-concept idea from a supervisor that has been closely involved in the decisions about Qualcan's application to change the existing Carson City Municipal Codes.

Our family is requesting that our City Planners and Qualcan take into consideration a design change to the existing plan that removes and mitigates the traffic that will be introduced onto Bennett Avenue.

According to the trip generation calculations on page 50-51 of Staff Report File number: LU-2022-0262, the Qualcan proposal has the potential to increase traffic at this location to 1,240 cars a day. This is the estimate for both the dispensary and the restaurant. This increase in traffic will directly impact the only access road the White/Sanders have to their property which dead ends at their driveway. Any unintended back up or overflow may impede entry to their residence and possibly delay emergency vehicle access. The possibility is not only a safety concern but is a nuisance to the neighboring property.

The proposal is suggesting that the entrance to the drive through be removed from Bennett Avenue and blocked by a Ram Gate for emergency access only. Incoming drive through traffic would instead come off Junction Road, circle through the driveway, and exit out of the dispensary parcel back onto Junction Road.

I have provided a simple proof of concept as a consideration and am not sure if the strategy is feasible. If not, please consider another approach that redirects the traffic away from Bennett Avenue onto Junction Road instead.

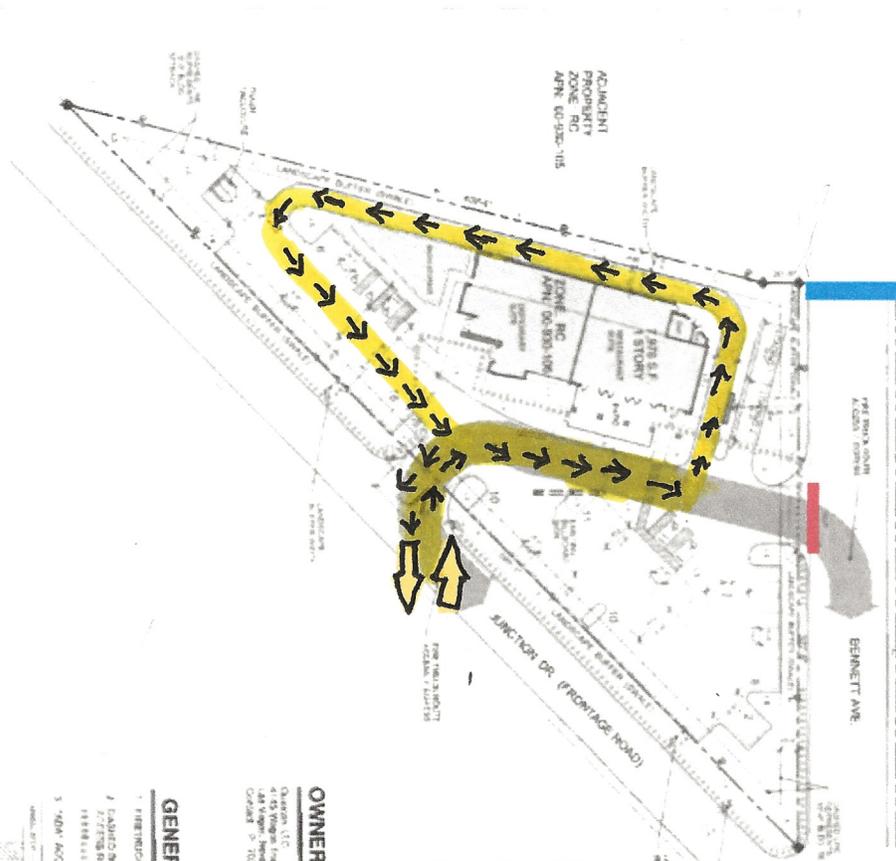
Respectfully,

Tasha Couste

Attachments: 1

SITE PLAN

SCALE 1"=30'-0"



Bennett Avenue Emergency Access
Ram Gate Only. No parking on street and no drive through access.
Security line at White/Sanders property line to prevent traffic from entering the dead end driveway.

Drive through entry and exit from Junction Drive only. Diverts the traffic off of Bennett Avenue and keeps it on the Junction Drive frontage road.

OWNER

Osageo LLC
 4145 Virginia Ave. Suite 100
 Las Vegas, Nevada 89114
 CONTACT: 702-253-2121 | PROJECT: 2021-001-001

PROJECT LOCATION

GENERAL NOTES

1. FIRE RISK TYPICAL BASED ON TYPE
2. EXISTING SIDEWALK TYPE REPAIRS INDICATED
3. SIGN ACCESSIBLE PARSONS STANDARD



SITE INFORMATION

APPLICABLE PARCEL NUMBER: 3100 S CARSON ST
 SITE ADDRESS: 3100 S CARSON ST
 COUNTY ZONING: RC COMMUNITY / RESIDENTIAL COMMERCIAL
 PROJECTED ZONING: RC COMMUNITY / RESIDENTIAL COMMERCIAL
 SITE AREA: 66,283.53 SQ FT
 PROJECT: 2021-001-001
 PROJECT NUMBER: 2021-001-001
 PROJECT TYPE: RESIDENTIAL

BUILDING AREA

RESTAURANT/TREATY SITE FLOOR AREA
 OUTDOOR SEATING AREA
 TOTAL FLOOR AREA
 TOTAL AREA INCLUDING UTILITY ROOMS

CONTRACT

REQUIRED PARKING: 12' x 20' x 5' = 1,125 STALLS
 RESTAURANT/TREATY SITE: 10' x 20' x 5' = 1,125 STALLS
 TOTAL STALLS REQUIRED: 2,250 STALLS

PARKING STALLS PROVIDED

STALLS PROVIDED: 48 STALLS
 ACCESSIBLE STALLS PROVIDED: 5 STALLS
 OTHER STALLS PROVIDED: 222 STALLS

LOADING SPACES PROVIDED

LOADING SPACES PROVIDED: 1
 UNLOADING AREA PROVIDED: 13,143.5 SQ FT
 OFF-SITE AREA PROVIDED: 21,870.5 SQ FT
 OFF-SITE AREA UNLOADING: 13,226.5 SQ FT

VICINITY MAP



NORTH



JADE DISPENSARY CARSON CITY
 3100 SOUTH CARSON STREET, 89701, CARSON CITY, NV
 SITE PLAN

A1