

**DRAFT MINUTES**  
**Carson City Planning Commission Regular Meeting**  
**Wednesday, September 28, 2022 ● 4:00 PM**  
**Community Center Robert “Bob” Crowell Boardroom**  
**851 East William Street, Carson City, Nevada**

**Commission Members**

**Chair – Jay Wiggins**

**Vice Chair – Teri Preston**

**Commissioner – Charles Borders, Jr.**

**Commissioner – Paul Esswein**

**Commissioner – Nathaniel Killgore**

**Commissioner – Sena Loyd**

**Commissioner – Richard Perry**

**Staff**

Hope Sullivan, Community Development Director

Heather Ferris, Planning Manager

Todd Reese, Senior Deputy District Attorney

Stephen Pottéy, Senior Engineering Project Manager

Heather Manzo, Associate Planner

Tamar Warren, Senior Deputy 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](http://www.Carson.org/minutes).

**1. CALL TO ORDER**

(4:01:52) – Chairperson Wiggins called the meeting to order at 4:01 p.m.

**2. ROLL CALL AND DETERMINATION OF QUORUM**

(4:02:00) – Roll was called, and a quorum was present.

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

**3. PLEDGE OF ALLEGIANCE**

(4:02:22) – Chairperson Wiggins led the Pledge of Allegiance.

**4. PUBLIC COMMENTS**

(4:02:47) – Chairperson Wiggins entertained public comments; however, none were forthcoming.

**5. FOR POSSIBLE ACTION: APPROVAL OF THE MINUTES – AUGUST 31, 2022**

(4:03:38) – Chairperson Wiggins introduced the item and entertained comments or changes; however, none were forthcoming. He also entertained a motion.

**(4:03:52) – Commissioner Perry moved to approve the minutes of the August 31, 2022 meeting as presented. The motion was seconded by Vice Chair Preston.**

<b>RESULT:</b>	<b>APPROVED (7-0-0)</b>
<b>MOVER:</b>	Perry
<b>SECONDER:</b>	Preston
<b>AYES:</b>	Wiggins, Preston, Borders, Esswein, Killgore, Loyd, Perry
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

**6. MEETING ITEMS**

**6.A LU-2022-0372 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FROM CAPSTONE CONSTRUCTION SERVICES, LLC (“APPLICANT”) FOR A SPECIAL USE PERMIT (“SUP”) TO ALLOW FOR THE CONVERSION OF A NON-RESIDENTIAL BUILDING INTO A 3-UNIT MULTIFAMILY RESIDENTIAL DEVELOPMENT ON PROPERTY ZONED RETAIL COMMERCIAL (“RC”) LOCATED AT 2061 CALIFORNIA STREET, ASSESSOR’S PARCEL NUMBER (“APN”) 009-085-07.**

(4:04:13) – Chairperson Wiggins introduced the item. Ms. Manzo presented the subject property and reviewed the agenda materials which are incorporated into the record. She also highlighted Condition of Approval No. 7 which stated: *Prior to the issuance of a site improvement permit, the applicant shall have plans approved which include a minimum of four code-compliant onsite parking spaces.* Applicant Adam Hurley noted his agreement to the Conditions of Approval outlined in the Staff Report. Commissioner Perry was informed by Mr. Hurley that the building would undergo improvement for better curb appeal. Chairperson Wiggins entertained public comments.

(4:09:00) – Richard Nagel inquired whether the smaller units were being considered as part of the total number of residences approved by the Growth Management Commission.

(4:10:15) – Ms. Manzo confirmed that the proposed units would be considered part of the total residential units approved as the City’s Growth Management Plan for this year.

(4:10:40) – There were no additional comments; therefore, Chairperson Wiggins entertained a motion.

**(4:11:00) – Commissioner Perry moved to approve the special use permit LU-2022-0372 based on the ability to make the required findings, and subject to the conditions of approval contained in the staff report. The motion was seconded by Commissioner Loyd.**

<b>RESULT:</b>	<b>APPROVED (7-0-0)</b>
<b>MOVER:</b>	Perry
<b>SECONDER:</b>	Loyd
<b>AYES:</b>	Wiggins, Preston, Borders, Esswein, Killgore, Loyd, Perry
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

**6.B ZA-2022-0382 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST BY APPLICANT CARSON CITY HOLDINGS, LLC (“APPLICANT”) FOR A RECOMMENDATION TO THE BOARD OF SUPERVISORS CONCERNING AN ORDINANCE RELATING TO ZONING; ADDING A BREWERY WITH A TASTING ROOM AS A PRIMARY PERMITTED USE IN THE TOURIST COMMERCIAL ZONING DISTRICT; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AN ORDINANCE RELATING TO BREWERIES.**

(4:11:48) – Chairperson Wiggins introduced the item. Ms. Sullivan informed the Commissioners that they should consider the corrected Staff Report which is incorporated into the record and provided as late material. She also reviewed the updated Staff Report and recommended approval based on Staff’s ability to make the three findings of fact in the affirmative. She also responded to clarifying questions. Ms. Sullivan clarified for Commissioner Esswein that a brewery’s maximum size was not precluded; however, a tasting room would be required to satisfy the Tourist Commercial zoning component.

(4:22:25) – Applicant representative Keith Shellhamer provided background on the existing businesses on the property on which the current Shoe Tree Brewery exists and noted that the new brewery with a tasting groom would be located on nearby land they had acquired for expansion of the brewery, the restaurant, and the Hot Springs that comprise the businesses on the property. Mr. Shellhamer also responded to clarifying questions. Chairperson Wiggins entertained public comments; however, none were forthcoming. Commissioner Perry recommended moving *brewery with a tasting room* from the Permitted section of the Ordinance to the Conditional Use section. Chair Wiggins and Commissioner Borders agreed. Chairperson Wiggins entertained a motion.

**(4:29:36) – Commissioner Perry moved to recommend to the Board of Supervisors approval of ZA-2022-0382 with the following change to Title 18 Section 18.04.140 - Tourist commercial (TC): moving *brewery with a tasting room* from the Permitted section 1 of the Ordinance to the Conditional Use in section 3. The motion was seconded by Commissioner Borders.**

(4:30:20) – Ms. Sullivan clarified that the agenda title would also require a change to read: *An ordinance relating to zoning, adding a brewery with a tasting room use as a conditional use in the Tourist Commercial District. Both the mover and the seconder agreed to the modification of the motion.*

<b>RESULT:</b>	<b>APPROVED (7-0-0)</b>
<b>MOVER:</b>	Perry
<b>SECONDER:</b>	Borders
<b>AYES:</b>	Wiggins, Preston, Borders, Esswein, Killgore, Loyd, Perry
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

**6.C ZA-2022-0381 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FROM APPLICANT SARAH MARTIN (“APPLICANT”) FOR A RECOMMENDATION TO THE BOARD OF SUPERVISORS CONCERNING AN ORDINANCE RELATING TO ZONING; REVISING PROVISIONS TO DECREASE THE NUMBER OF GUEST ROOMS IN THE DEFINITION OF HOTEL; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.**

(4:31:16) – Chairperson Wiggins introduced the item. Ms. Sullivan gave background and presented the Staff Report and accompanying documentation, all of which are incorporated into the record. She also clarified that this request would not change where a hotel can be located. She added that “if you are in a Residential Zoning District, you cannot have a hotel or transient use of under 28 days.” Ms. Sullivan reminded everyone that the request would only change the number of guest rooms for a hotel from a minimum of six, to a minimum of three rooms, provided it was zoned appropriately. She also responded to clarifying questions and announced that the applicant Sarah Martin was present in the room.

(4:36:39) – Ms. Martin believed that the Inn would be a great asset to Carson City. She also explained that it would accommodate guests from Thursday until Sunday. Chairperson Wiggins entertained public comments.

(4:38:20) – Maxine Nietz inquired about the enforcement of transient occupancy in areas zoned as Residential.

(4:39:06) – Betsy Strasbourg inquired about “other commercial activities that will be carried out at this location.”

(4:39:47) – Ms. Sullivan clarified that the item is to change the definition of a hotel from a minimum of six bedrooms to three bedrooms. However, she wished to be clear that transient use of under 28 days was prohibited in Residential zoning districts and that enforcement for that would continue. Ms. Sullivan also clarified that the amendment could “create incentives for the adaptive reuse of some of our larger historic

properties.” She clarified that hotels could host events such as weddings. Chairperson Wiggins entertained a motion.

**(4:43:36) – Commissioner Borders moved to recommend to the Board of Supervisors approval of ZA-2022-0381 including the recommended modifications as recommended by the Board of Supervisors at its meeting on January 20, 2022. The motion was seconded by Vice Chair Preston.**

<b>RESULT:</b>	<b>APPROVED (7-0-0)</b>
<b>MOVER:</b>	Borders
<b>SECONDER:</b>	Preston
<b>AYES:</b>	Wiggins, Preston, Borders, Esswein, Killgore, Loyd, Perry
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

**6.D SUB-2021-0215 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FROM ROSEVIEW TOWNHOMES, LLC AND CARSON CITY (“APPLICANTS”) FOR A RECOMMENDATION TO THE BOARD OF SUPERVISORS (“BOARD”) CONCERNING AN AMENDMENT TO TENTATIVE SUBDIVISION MAP SUB-2021-0215 TO MODIFY CONDITION 17 REQUIRING THE WATER MAIN TO BE PRIVATE; AND ELIMINATE AND MODIFY CONDITIONS 24 AND 26 AS A VARIANCE IS NO LONGER REQUIRED, ON PROPERTY ZONED NEIGHBORHOOD BUSINESS PLANNED UNIT DEVELOPMENT (“NB-P”), LOCATED AT 1147 W COLLEGE PARKWAY, ASSESSOR’S PARCEL NUMBERS (“APNS”) 007-462-16 AND 007-462-17.**

(4:45:10) – Chairperson Wiggins introduced the item. Ms. Ferris presented the Staff Report and the accompanying documentation, all of which are incorporated into the record. Mr. Pottéy clarified that the Nevada Department of Environmental Protection (NDEP) had “interpreted the Nevada Administrative Code (NAC) differently than we anticipated they would,” resulting in a change to the water main design.

(4:50:32) – Applicant Mark Turner noted his agreement to the Conditions of Approval outlined in the Staff Report. Chairperson Wiggins entertained public comments and when none were forthcoming, a motion.

**(4:51:24) – Vice Chair Preston moved to recommend approval of the amendment to Tentative Subdivision Map SUB-2021-0215 to the Board of Supervisors 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.**

<b>RESULT:</b>	<b>APPROVED (7-0-0)</b>
<b>MOVER:</b>	Preston
<b>SECONDER:</b>	Esswein
<b>AYES:</b>	Wiggins, Preston, Borders, Esswein, Killgore, Loyd, Perry
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

(4:52:22) – Chairperson Wiggins recessed the meeting to accommodate the time-specific item 6.E.

(5:14:12) – Chairperson Wiggins reconvened the meeting. A quorum was still present.

**6.E SUB-2022-0374 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FROM ANDERSEN-COLARD RANCH ENTERPRISES, LLC (“APPLICANT”) FOR A RECOMMENDATION TO THE BOARD OF SUPERVISORS (“BOARD”) CONCERNING A TENTATIVE SUBDIVISION MAP (SUB-2022-0374) KNOWN AS ANDERSEN RANCH WEST, TO CREATE 61 SINGLE FAMILY RESIDENTIAL LOTS AND A 50.33-ACRE REMAINDER PARCEL WITH AN EXISTING RESIDENCE ON AN ±80.53 ACRE SITE ZONED SINGLE FAMILY 1 ACRE (“SF1A”) AND SINGLE FAMILY 12,000 SQUARE FEET (“SF12”), LOCATED WEST OF ORMSBY BOULEVARD AND NORTH OF KINGS CANYON ROAD, ASSESSOR’S PARCEL NUMBERS (“APNS”) 009-012-20 AND -21.**

(5:14:20) – Chairperson Wiggins introduced the item. Ms. Manzo introduced the subject site, presented the Staff Report and accompanying documentation, incorporated into the record, and responded to clarifying questions. She also highlighted the receipt of public comments which are also incorporated into the record and summarized the following topics of concern: traffic issues; changing the neighborhood’s character; wildlife impacts; opposition to Chapter 17.01.10 of the Carson City Municipal Code (CCMC); Ash Canyon Road conditions; floodplain concerns; dust control; and water resources. Ms. Manzo also highlighted a Staff memorandum that included modified Conditions of approval and another from the traffic engineering firm that provided a traffic report which addressed the traffic concern for this and the neighboring project.

(5:24:40) – Ms. Manzo clarified for Commissioner Esswein that in Condition of Approval No. 20, the deed restriction was recommended: “to limit the developable number of units to conform with the overall zoning of the overall 80-acre site.” Commissioner Borders recommended identifying common areas as lots and Ms. Manzo noted that they would be on the final map. Commissioner Perry was informed by Mr. Pottéy that the City had “sufficient water right and water supply to meet that demand.” He also expressed concern that the proposed site was in a floodplain and Mr. Pottéy stated that the applicant had been working with the City’s chief stormwater engineer to evaluate “how changing the flood zone impacts the overall flood zone, including upstream and downstream areas.”

(5:36:00) – Commissioner Esswein believed that the streets were residential; however, they were being designed as collector streets and inquired whether the size of the roads would be reduced given that the development was proposing to allow for through traffic on the roads. City Engineer Randall Rice explained the need to have room for improvement and clarified that they had been working with the City’s Transportation Division to shrink the size of the above-mentioned roads. Ms. Manzo informed Commissioner Loyd that a children’s play area was planned by the applicant and parking would be available “on both sides of the street.”

(5:41:23) – Applicant representative Mark Forsberg introduced himself as an attorney representing the property owners Dennis and Kim Colard, whom he called “good stewards of the community” who are now unable to tend to the ranch. Planning Consultant Dave Snelgrove introduced himself, Brian Moon of Lumos and Associates, and Loren Chilson of Headway Transportation. Mr. Snelgrove reviewed the project map and a presentation, incorporated into the record, and the team responded to clarifying questions. Commissioner Loyd expressed concern regarding not enough evacuation options in case of a wildfire. Commissioner Perry recommended using the correct State Water Resources calculations for [water] pipe sizing. Mr. Snelgrove also noted that the new modeling done by the property owners had shown “a fairly significant amount of land that actually should never have been in the floodplain” and would be corrected with a new Conditional Letter of Map Revision (CLOMR) application.

(6:10:06) – Mr. Chilson explained that the developer would follow the City’s standards for street width. Discussion ensued regarding street parking for the playground, and the development team believed that most of the streets would have parking on both sides of the street to accommodate access. Mr. Pottéy informed Commissioner Loyd that the Fire Department’s review had not been for the remainder of the parcel since there was no proposed development at this time. Ms. Sullivan explained that Staff would look at the entire parcel for fire access and not the portion being developed. Mr. Snelgrove also noted that there was no street connectivity between the proposed development and “what’s to the south of it.” Commissioner Perry received confirmation that the trail system and the detention basin areas would be maintained by the homeowners’ association (HOA). Chairperson Wiggins entertained public comments.

(6:18:35) – Ms. Nietz opposed CCMC 17.10 and noted that “in the conceptual review, the scope of review is solely based on Parcel No. 21 and the proposed development is located within the SF 1A (one Acre) zoning district and does not appear to conform to density limitations for the zone.” She also explained that per the applicant, the southern parcel would remain unchanged and that no zoning map amendments would be proposed. She believed that the northern parcel should be developed as one-acre properties as zoned. She also noted that should the property be developed, the hours of construction stated in the Conditions of Approval should be 8 a.m. until 5 p.m. Monday through Friday. She objected to detention basins being considered open space as they were part of the infrastructure. Ms. Nietz requested that no additional dirt be brought in, that two water trucks remain on site, and the work area be fenced for the safety of the children. Additionally, she requested that only single-story homes are built.



(6:21:55) – Ron Knecht introduced himself as a Spencer Street resident and requested stop signs on both directions of Washington Street and Manhattan Drive. He also wished to have “quiet enjoyment of our property” by proposing a buffer between the homes on Spencer Street from the proposed project.

(6:24:35) – Richard Nagel introduced himself as a Tahoe Drive resident and explained that they have experience with flooding in the area. He also requested a better fire escape route, citing the issues experienced during the Waterfall Fire. Mr. Nagel expressed concern regarding the water availability and wished to see “the development done in a way that doesn’t cost lives.”

(6:27:25) – Joe Lachew introduced himself as a Carson City resident since 1962 who has seen flooding in the area. He also objected to the road graders and dirt compactors that have caused problems such as falling pictures and cracks in his house. Mr. Lachew believed that the dirt control materials have “whitewashed” his car and house and objected to the Saturday and early weekday construction. He also believed that four homes are being built on a spring.

(6:31:08) – Brian Smith introduced himself as a North Ormsby Boulevard resident and objected to the statement that the applicants had been good stewards of the community. He believed that two-story residences will be built to accommodate the smaller lot sizes and inquired about plans to continue Washington Street to Manhattan Drive. Mr. Smith also expressed concern about the already existing traffic issue which he thought would worsen by the proposed project.

(6:33:38) – Jeffrey Foltz introduced himself as an area resident and a retired civil engineer. Mr. Foltz referenced his public comment, received via email, and highlighted his concerns on intersection spacing which are incorporated into the record via his public comment.

(6:37:34) – Heather Coe noted that she had “a problem with you approving any of this.” She believed that there would be issues with fires and floods, calling past evacuation processes “horrific.” Ms. Coe was also concerned about the safety of the schoolchildren walking to and from Bordewich Bray Elementary School and wished to have a “moratorium on Title 17.”

(6:40:25) – Steve Pryor introduced himself as a Spencer Street resident and explained that they had purchased their home based on the one-acre zoning of the neighborhood. As a structural engineer, he expressed concern regarding the City’s inability to provide costly long-term water mitigation plans. He urged the Commission not to approve the project and have the developers return with plans for homes zoned as SF 1A.

(6:42:32) – Brian Firenz introduced himself as an area resident who had also purchased his property based on the SF 1A zoning. He also noted that the designated common open space did not “seem to meet the intent” of the open space criteria. Mr. Firenz was also concerned about the traffic patterns and believed that the new residents would take shortcuts through Ash Canyon and create more congestion to reach Hwy 580.



(6:45:30) – Sam Taylor introduced himself as an Ash Canyon resident. Mr. Taylor preferred wide roads and that is why he purchased his home in his area. He was not opposed to the project as he believed “it opens up the paths and the roads and allows us to basically have a nice close park.” Mr. Taylor believed that the development provided opportunities for bicycle riding and walking, giving it “a neighborhood feel.”

(6:47:46) – Maryam Young introduced herself as a West Washington Street resident and recommended keeping the SF 1A zoning. She cited the traffic on her street when Longview Way was closed for repairs and believed the additional 61 homes would cause a lot of traffic.

(6:49:55) – Dan Dykes introduced himself as an Ash Canyon Road resident and expressed concern that the construction trucks of more than one development would use the same ingress and egress roads. He also recommended strict timelines for finishing the access roads.

(6:51:59) – Gary Kilty introduced himself as a West Washington Street resident and stated that he had lived there because of the SF 1A zoning and considered it unfair to those who have lived in the area for that reason. He wished to see the zoning unchanged.

(6:53:15) – Randy Clark introduced himself as an area resident and explained that “everything above Ormsby [Boulevard] is over an acre. And to see smaller, little homes come in below us, just doesn’t seem right,” calling the neighborhood “affluent.”

(6:54:14) – Sue Masiello introduced herself as a Manhattan Drive resident and stated that she had purchased her home in Carson City to avoid traffic and to live on larger lots. Ms. Masiello expressed concern about water availability since residents currently were limited when watering their plants and believed that it was important to have less traffic for the safety of the children.

(6:56:39) – Marinka Willig was also concerned about the high-density housing. She noted that they had chosen to live in the area because of the large lots. Ms. Willig also had concerns about the water, especially if a lithium mine is opened in Nevada.

(6:58:22) – Sean Gallagher introduced himself as a Maison Way resident and agreed with previous comments regarding high-density homes and the issues that were raised. Mr. Gallagher believed that the Andersons’ property rights should be respected; however, he urged the Board to consider a compromise and the wishes of the community.

(7:01:47) – Ms. Strasbourg explained that she had exchanged tumbleweed for dust and mice with the new development in the area. She also stated that she did not support CCMC 17.10, adding it should be withdrawn or changed.

(7:03:07) – Abigail Johnson, a Maison Way resident, was in support of dark skies and recommended not changing the character of their neighborhood with street lights.

(7:04:55) – Scott Anderson introduced himself as a 60-year resident of Carson City and expressed concerns about traffic, water, and school zone safety. He was also opposed to higher-density homes.

(7:07:30) – Debbie Lachew introduced herself as an area resident and noted her concern about the impact of the high-density homes on the schools and on the medical community. She also noted that the “whitewash” from the construction was difficult to remove adding that they were inundated by mice as well.

(7:10:23) – Paul Longshore introduced himself as a West Washington Street resident and believed that the neighborhood should remain zoned for one-acre lots because “it does not fit into the area.” He was also concerned about drainage, traffic, and parking by those visiting the park.

(7:13:46) – Chairperson Wiggins entertained additional public comments and when none were forthcoming, he closed the public comment period and invited Staff to respond to the public’s concerns. Ms. Manzo explained that the Carson City School District had acknowledged a decline in the student population and an increase in the older population, which meant they could serve the increased student base. Chairperson Wiggins clarified that the Planning Commission meets as the Growth Management Commission at least once per year and gathers input from the City experts regarding water, schools, and other growth-related topics, [after which a growth percentage is established]. He invited members of the public to attend the Growth Management meetings and clarified that eliminating CCMC 17.10 is not within the purview of this Commission. Ms. Manzo explained that “the applicant would not tear down existing fences to facilitate the development.” She also noted the presence of a 30-foot-wide buffer that includes landscaping and a multi-use pathway along the edges of the development, except on the Ormsby Boulevard side where a 20-foot-wide buffer is proposed. Ms. Manzo stated that CCMC 17.10 allowed the minimum standards and to approve subdivisions such as the one proposed, which meets the code provisions.

(7:18:20) – Development Engineering Assistant Project Manager Lisa MacIsaac explained that the applicant had been requested to submit a revised geotechnical report analyzing the high groundwater table which had fluctuated in the past. She also indicated that the Transportation Division had anticipated that Ormsby Boulevard would “go through” in 10 years. As for the sewer system, Ms. MacIsaac stated that the current sewer system was not at capacity; however, a revised sewer report would be required. Should there be new sewer requirements, according to Ms. MacIsaac, the developer would be required to mitigate the situation. She reiterated the comment that the Growth Management Commission had made its water and transportation decisions based on recommendations by City Staff. She noted that the project required a dust control permit from NDEP; however, based on the lessons learned from the Anderson Ranch project, the application of a temporary palliative would be required. Ms. MacIsaac explained that there was no code requirement or precedent for using the Nevada Department of Transportation (NDOT) requirements on local streets; however, they have urged developers to ensure no conflicts between the two subdivisions pertaining to the intersection spacing between the two entrances. She noted that the water department would be investigating the water pressure issues raised through public comments.

(7:21:39) – Mr. Pottéy addressed the flooding comments and believed that a 42-inch culvert installed in 2016 contributed to the reduction in flooding on Washington Street. He also explained that the drainage issues at the end of Washington Street would be ironed out during the site improvement stage. Mr. Pottéy indicated that there were no standards prohibiting multiple uses of open space and detention basins combined. He also stated that the applicant would address the grading issues raised by Ms. Nietz and wished to follow the code in addressing the water truck numbers with the additional request that mitigation increase on an as-needed basis based on the information given to Community Development. Mr. Pottéy addressed the dark skies request, noting it was a requirement, and added that the intersections were meant to disperse traffic effectively.

(7:30:53) – Chairperson Wiggins recessed the meeting.

(7:42:01) – Chairperson Wiggins reconvened the meeting. A quorum was still present.

(7:42:08) – Chairperson Wiggins entertained Commissioner questions and/or comments. He referenced the Carson City Master Plan, noting that it believed “growth is okay, but it has to follow some rules.” Additionally, he interpreted that the Master Plan discouraged developments on the City’s hills; therefore, “the Master Plan guides us towards infill” such as the proposed project which created up to 30-foot buffer zones and setbacks. He also believed that construction traffic could be limited. Commissioner Esswein cited CCMC 17.10.005 – Purpose:

*The purpose of this chapter is to set forth regulations to permit variation of lot size, including density transfer (cluster) subdivisions, in order to preserve or provide open space, protect natural, cultural and scenic resources, achieve a more efficient use of land, minimize road building and encourage stable, cohesive neighborhoods offering a mix of housing types.*

Commissioner Esswein did not believe that the project design meets the purpose of CCMC.17.10. He recommended that applicants rework the project and create “some real open space” and not use detention basins and walkways as open space.

(7:46:20) – Commissioner Loyd agreed with Commissioner Esswein’s comments. She also wished to consider all 80 acres, and address future fire and evacuation needs. Commissioner Killgore also agreed with Commissioner Esswein and stated that he would not support the project for the same reasons. Vice Chair Preston believed the project has the opportunity to become a hallmark property. She preferred to see it aligned with Washington Street. She believed that the creek could be incorporated into the development and not use the open space areas as lots. Commissioner Perry clarified that the City’s Growth Management Plan, one of the few municipalities to have one, specified the number of sewer hookups and the water usage to be able to absorb growth based on the infrastructure capabilities. He also noted that a lot of development had been localized in specific areas on the City’s west side. Commissioner Perry agreed with a previous public comment that cited construction truck noise and believed that one-acre lots would use more water, noting that higher-density homes would use less water. He also was in favor of intersection alignment and the Ormsby Boulevard connector, adding that he wished to see engaging the public prior to bringing the

items to the Planning Commission. Commissioner Borders clarified that the Commission represented the City’s existing laws and statutes that are made by the elected officials. He invited members of the public to attend the Growth Management Commission meetings to understand how growth topics such as water and sewer limits are decided. Chairperson Wiggins noted that the Commission was leaning toward denial of the application. Ms. Sullivan recommended hearing from the applicant whether they wished to continue the item or not.

(8:03:17) – The applicants believed that their application complied with the law and requested a vote and not a continuance. Commissioner Borders reminded everyone that the evening’s action concerned a tentative subdivision map and not a final map, adding that many changes could take place prior to reaching the final map stage. Chairperson Wiggins entertained a motion.

**(8:04:43) – Commissioner Esswein moved to recommend denial of the tentative subdivision map SUB-2022-0374 to the Board of Supervisors based on the inability to make the required findings. The motion was seconded by Commissioner Killgore.**

<b>RESULT:</b>	<b>APPROVED (6-1-0)</b>
<b>MOVER:</b>	Esswein
<b>SECONDER:</b>	Killgore
<b>AYES:</b>	Preston, Borders, Esswein, Killgore, Loyd, Perry
<b>NAYS:</b>	Wiggins
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

(8:05:30) – Ms. Sullivan summarized the Commission’s reasons for denial as:

- The inability to make Finding No. 6: *Conformity with the zoning ordinance and land use element of the city's master plan.*
- The inability to make Finding No. 8: *The effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision - specifically the concern of evacuation routes in case of fires.*

(8:06:28) – Chairperson Wiggins clarified his “nay” vote, noting that the applicant had mitigated the reduced lot size issue by creating a 30-foot buffer and that he agreed with Staff’s findings.

(8:07:03) – Commissioner Loyd believed that Finding No. 11 (below) could not be made either:

- *The availability and accessibility of fire protection including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires including fires in wild lands.*

**ITEMS 6.F AND 6.E**

(8:09:37) – Chairperson Wiggins introduced items 6.F and 6.G noting that both items would be heard concurrently but acted upon separately. Ms. Ferris reviewed the subject property and the agenda materials and responded to clarifying questions. She also made the following correction to the Staff Report: *Additionally, immediately north is the Andersen Ranch Subdivision which includes lots as small as 4,407 5,000 square feet.*

(8:23:45) – Applicant representative John Krmpotic of KLS Planning, representing KP Investments, introduced himself and Michael Vicks of Monte Vista Consulting and reviewed a PowerPoint presentation about the project. He also stated that he agreed with the Conditions of Approval outlined in the Staff Report and the updated Condition No. 31 presented as Staff Memorandum in late material (all of which are incorporated into the record). Mr. Krmpotic also responded to clarifying questions by the Commissioners. Commissioner Borders was informed that a privacy fence and not a sound wall would be installed without gates. Mr. Krmpotic explained to Commissioner Esswein that the front of the house would be placed closer to the street to maximize the size of the backyard. Commissioner Perry was informed that the two existing homes on Ormsby Boulevard could not be relocated; therefore, they would be demolished. Vice Chair Preston inquired about the flood zone and Mr. Pottéy explained that “it was a remapping based on new technology to do a more accurate analysis of the floodplain.” Chairperson Wiggins entertained public comments.

(8:41:58) – Mr. Smith reintroduced himself and believed that the property owners/investment company had been around for only 10 months. He called them “hidden” because the emails sent to them would have to be accepted first, adding that he was still waiting for a reply. Mr. Smith believed that the Goni family, former property owners, had not envisioned the two-story, smaller lot developments.

(8:45:33) – Ms. Nietz reintroduced herself as a civil engineer, a NASA mission controller, and a former Planning Commissioner. She suggested that the Commission focus on rewriting CCMC 17.10 instead of focusing on Title 18, calling the former “a pit bull.” Ms. Nietz believed that developers must not downsize lots but build according to existing zoning. She also believed that Staff should not be recommending alternatives to parking deficiencies and reiterated her earlier requests for changing the construction hours.

(8:48:46) – Kaylie Rooker introduced herself as a Bunker Hill Drive Resident and explained that she had purchased her home because of the SF 12 zoning. She requested that the developer maintain that zoning around their lot line or ensure no two-story homes will be built.

(8:50:38) – Rob Jennings-Teats introduced himself as a Lexington Avenue resident who understood the need for growth and higher-density homes; however, he was concerned about the quality of life of the current and new residents. He believed that creativity was needed for the project and recommended “something a little more interesting.”

(8:52:44) – Dixie Jennings-Teats, a Lexington Avenue resident read the following statement from the KLS website: *Complex land use planning and real estate development projects require coordinated communications between community members, elected officials, government regulators and project*

planners. *KLS Planning & Design Group* is a powerful advocate and master facilitator for community planning and urban development. However, she was concerned that the community members had not been contacted by them. Ms. Jennings-Teats believed that the Commission should listen to those homeowners who owned one-third acre lots.

(8:55:00) – Ruby Lerma introduced herself as a Bunker Hill Drive resident and noted that the passion expressed towards item 6.E should also be expressed for this project, and it should be denied. Ms. Lerma also stated that she had bought her property for the view which she would now lose.

(8:57:23) – Michael Rooker, a Bunker Hill Drive resident, agreed with the issues raised by the Commissioners regarding item 6.E such as exiting the area in case of a fire, and infrastructure issues. He believed smaller homes should not be built on this property as well.

(9:00:08) – Mr. Lachew explained that the new homes “will be in my backyard.” He urged the Commission not to allow the building of a “California-style project” and consider the wildlife that would be displaced. He also reiterated his issue with the noise made by the excavating equipment that would last for five-six hours. He was also concerned with years of ongoing construction.

(9:03:43) – Ms. Strasbourg urged the Commissioners to discuss the advantages and disadvantages of CCMC 17.10, noting that its conditions were no longer applicable because the current developments are only infill.

(9:06:30) – Mr. Nagel recommended following the Master Plan and keeping the current zoning of the lot sizes.

(9:07:45) – Ryan Nylander called the view of their Lexington Avenue home spectacular and urged the Commission not to allow the dense development to ensure “everybody wins” if the project is done right.

(9:09:59) – Ms. Ferris addressed the public comments noting that there were many “repeats” from the discussion of item 6.E. She also clarified that should the Commission choose to require the 12,000 square foot lot size or single-story homes; the Conditions of Approval could be revised to accommodate those requests. Mr. Krmptic explained that 12,000 square foot zoning required a lot width of 70 feet, adding that their lot width adjacent to the south exceeded that at 78 feet. He also reiterated his comment that by keeping the front of the houses closer to the street, they were providing as much backyard and setback as possible. Mr. Krmptic stated that they had met with representatives of the Goni family and had gone through several design iterations. He also addressed the “cookie cutter” homes would lead to “a very nice neighborhood” and stated that the narrow streets eliminated speeding and safety issues. Additionally, he believed that by eliminating sidewalks on one side of the street, they would be able to service a closed-off neighborhood. Chairperson Wiggins entertained Commissioner comments or questions.

(9:15:53) – Commissioner Loyd reiterated her concern about the evacuation routes in the development and wondered whether the Anderson Ranch development could connect to this project. Ms. Sullivan noted that was not the case. Ms. Ferris clarified for Commissioner Loyd that it would be better to specify the number



of floors versus the building height and that the zoning and height issues would be part of the tentative map specifications. Commissioner Esswein stated that he was not opposed to the smaller lots; however, he wasn't certain this design would achieve that. He also stated that the homes seemed very "cookie cutter." Vice Chair Preston was in favor of one-story homes and called the two-story ones sprinkled. Commissioner Perry clarified that CCMC 17.10 allowed for trails and open space construction without which there would be blocks of lots with no connectivity. Mr. Pott y believed there was flexibility with private streets that do not have sidewalks. Mr. Rice also believed that Staff could look into eliminating sidewalks from one side of the road; however, he requested that the added condition remain flexible so Staff could work with the applicant on the sidewalk issue. Commissioner Borders suggested requesting that Staff to increase the setback by 10 feet and have them decide how to do it. Commissioner Killgore was concerned about the landlocked situation of the property but was not certain what would work. He was also concerned that by limiting the homes to single-story, they could be built quite high.

(9:29:30) – Ms. Sullivan recommended having a zoning map amendment (ZMA) discussion. She stated that the Commission had been discussing project design; however, the ZMA would determine whether the design conversation would continue. Chairperson Wiggins believed that by widening the street (and eliminating the sidewalk on one side) he would be in favor of the project. Vice Chair Preston believed the project worked well and she did not see how else it could be developed and Commissioner Loyd noted her agreement with the Chair's comments. Chairperson Wiggins entertained motions for items 6.F and 6.G.

**6.F ZA-2022-0376 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FROM JOHN KRMPOTIC ("APPLICANT") FOR A RECOMMENDATION TO THE BOARD OF SUPERVISORS ("BOARD") CONCERNING A PROPOSED ORDINANCE AMENDING THE ZONING MAP TO CHANGE THE ZONING FROM SINGLE-FAMILY 12,000 ("SF12") TO SINGLE-FAMILY 6,000 ("SF6"), FOR AN 8.41-ACRE PARCEL LOCATED AT 1051 N ORMSBY BLVD., ASSESSOR'S PARCEL NUMBER ("APN") 001-241-14.**

(9:31:57) – Commissioner Borders moved to recommend approval of zoning map amendment ZA-2022-0376 based on the ability to make the required findings as outlined in the staff report. The motion was seconded by Chair Wiggins.

<b>RESULT:</b>	<b>APPROVED (6-1-0)</b>
<b>MOVER:</b>	Borders
<b>SECONDER:</b>	Wiggins
<b>AYES:</b>	Wiggins, Preston, Borders, Esswein, Loyd, Perry
<b>NAYS:</b>	Killgore
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

Commissioner Killgore cited "lack of input" for his nay vote.



**6.G SUB-2022-0375 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FROM JOHN KRMPOTIC (“APPLICANT”) FOR A RECOMMENDATION TO THE BOARD OF SUPERVISORS (“BOARD”) CONCERNING A REQUEST FOR A TENTATIVE SUBDIVISION MAP (SUB-2022-0375) KNOWN AS ASH CANYON SF TO CREATE 41 SINGLE FAMILY RESIDENTIAL LOTS ON AN 8.41-ACRE PARCEL ZONED SINGLE-FAMILY 12,000 (“SF12”), LOCATED AT 1051N ORMSBY BLVD., ASSESSOR’S PARCEL NUMBER (“APN”) 001-241-14.**

(9:32:31) – Ms. Sullivan recommended a discussion with the applicant’s representative to see whether they will agree to continue the item based on the recommendations by the Commissioners and the City Engineer. Mr. Krmpotic offered either 20-foot setbacks with the sidewalk on one side or commit to single-story homes. Discussion ensued regarding the option offered by the applicant’s representative. Commissioner Borders was more inclined to accept the single-story option if given a choice. Mr. Krmpotic agreed to “single-story [homes], waive the sidewalk [on] one side, we’ll take all of that to the south end and get a 20-foot setback in the rear yard.”

(9:37:02) – Ms. Sullivan clarified that the applicant had volunteered to accept additional conditions to limit the height of the south and east perimeter buildings to single-story and has agreed to a 20-foot rear setback, with the request to provide a sidewalk on one side of the street [pending agreement from the City’s engineering team].

**(9:38:43) – Chairperson Wiggins moved to recommend approval of Tentative Subdivision Map SUB-2022-0375 based on the ability to make the required findings and subject to the conditions of approval with the additional conditions as volunteered by the applicant and reiterated by the Community Development director including the modification in Conditions of Approval No. 23 and 31. The motion was seconded by Commissioner Borders.**

<b>RESULT:</b>	<b>APPROVED (6-1-0)</b>
<b>MOVER:</b>	Wiggins
<b>SECONDER:</b>	Borders
<b>AYES:</b>	Wiggins, Preston, Borders, Esswein, Loyd, Perry
<b>NAYS:</b>	Killgore
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

Commissioner Killgore cited “lack of input and whatever mess we came up with here” for his nay vote.

(9:40:20) – Chairperson Wiggins recessed the meeting.

(9:47:10) – Chairperson Wiggins reconvened the meeting. A quorum was still present.

**6.H LU-2022-0262 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FROM QUALCAN, LLC (“APPLICANT”) FOR A SPECIAL USE PERMIT (“SUP”) TO ALLOW FOR A RETAIL MARIJUANA STORE ON A PARCEL ZONED GENERAL COMMERCIAL (“GC”), LOCATED AT 5100 S CARSON STREET, ASSESSOR’S PARCEL NUMBER (“APN”) 009-301-06.**

(9:47:17) – Chairperson Wiggins introduced the item. Ms. Ferris gave background on the Board of Supervisors’ action on September 15, 2022, during which the Board approved a request and adopted Bill No. 118 Ordinance 2022-19 to allow two additional marijuana stores and drive-through services in Carson City. The ordinance went into effect on October 1, 2022. She introduced the subject property and reviewed the Staff Report, incorporated into the record. Ms. Ferris also responded to clarifying questions by the Commissioners and clarified for Commissioner Borders that when the applicant decides to open a restaurant, they must abide by all the building permit rules, parking, water use, and other requirements relating to the restaurant business. She also noted that future use of the building was not being considered at this time.

(10:00:40) – Applicant representative and counsel Sev Carlson, a Partner at the law firm Kaempfer Crowell, introduced himself and provided background on the cannabis history and license issuance in the State. He also noted that the purchase of the property was conditional on obtaining the necessary regulatory approvals. Mr. Carlson reviewed the dispensary information including the site plan, incorporated into the record, and responded to an earlier inquiry regarding parking spaces, noting that the site was designed to have 63 spaces, 14 of which would be dedicated to the marijuana shop. He acknowledged that the property was next door to a residence that shared the shop’s General Commercial zoning. Mr. Carlson also noted that “the operator of the dispensary and the operator of the restaurant aren’t necessarily going to be the same ownership,” adding that the two would not be connected and there would be no attempt to make it a cannabis lounge. Mr. Carlson also responded to clarifying questions by the Commissioners.

(10:11:55) – Commissioner Killgore inquired about requests by the residents next door and Mr. Carlson explained that he was not familiar with the requested security gate by the White family; however, he noted that Qualcan had submitted a letter of intent to purchase their property. Commissioner Borders inquired about an added condition to erect a concrete wall; however, Mr. Carlson wished to consult with his client first. Mr. Reese clarified that the Nevada Revised Statute (NRS) had allowed two medical dispensaries in Carson City in addition to four adult-use store licenses and the two medical dispensary licenses were owned by the two current dispensaries. Commissioner Perry referenced the late material, incorporated into the record, that contained additional requests by the neighboring homeowners and Ms. Ferris stated that it had been forwarded to Mr. Carlson. Commissioner Loyd referenced the Staff Report which had referenced a billboard and Ms. Ferris clarified that the site plan indicated a billboard that would be relocated because it was non-conforming. She also noted that a billboard replacement must go through the Special Use Permit process and must conform to the new billboard standards. Commissioner Esswein inquired whether the applicant had been discussing with NDOT over a separate intersection in the future and Mr. Carlson noted that he had not been in those discussions, adding that the applicant had been unable to attend due to

contracting the COVID-19 virus. Commissioner Borders was informed by Mr. Reese that Qualcan would not have a medical marijuana license and Ms. Harris clarified that the request was only for retail marijuana without any request to sell medical marijuana. Mr. Carlson explained that under state law, a dispensary could sell both adult-use (recreational) and medical marijuana with different taxation laws. He also noted that he had heard from his client that Qualcan was “comfortable with putting up the wall on the western property line.” Vice Chair Preston believed that the intersection and roads in the area were not equipped to handle many of the new businesses that had been built recently. She wished to understand when the road improvements would take place and traffic signals would be installed. Mr. Pottéy noted that the Appion Way intersection was being designed and he anticipated that the construction would take place in 2024. Chairperson Wiggins entertained public comments.

(10:27:13) – Mr. Nagel explained that most liquor stores and cannabis establishments were open 9 a.m. until 9 p.m. and recommended Qualcan follow the same hours because it was a cash-only business, and its location was far away from the Carson City Sheriff’s Offices.

(10:28:39) – Tasha Couste introduced herself as a Carson City resident and noted that she was speaking on behalf of her grandparents Jeannie White and Bruce Sanders, owners of the residence next to the proposed site. She stated that an offer had been made to her grandparents for their house to which they had made a counteroffer; however, they had not heard back from Qualcan. Ms. Couste informed the Commission that her grandparents had no intention of selling their home that shares a property line with the proposed location. She requested that the drive-through portion be denied because it would be located 110 feet from their front door. Ms. Couste anticipated that 1,240 cars per day would be driven by her grandparents’ home, or suggested diverting the traffic in and out of Junction Road to avoid congestion and emergency access to her grandparents’ home.

(10:32:12) – Jeannie White objected to the drive-through which would be 110 feet from her front door, calling it inhumane. She noted that a member of the Board of Supervisors had suggested entering the drive-through from Junction Road due to a concern about getting in and out of their property safely. Ms. White believed that parking should not be allowed on Bennett Avenue as well and urged the Commission to consider her status as a cancer patient and not allow hundreds of cars to drive by her house daily.

(10:34:05) – Danny Couste introduced himself as a Carson City resident and spoke on behalf of Ms. White and Mr. Sanders. He also requested the following Conditions of Approval to be added:

- Denial of the drive-through.
- Diverting the entrance and exit to the location away from Bennett Avenue to Junction Road.
- The addition of signage and deterrents to prevent drivers from accessing Hwy 50 from Junction Road.
- Installation of a remote-controlled security gate with emergency personnel access.
- A taller (six to eight-foot) sound wall.
- Mitigation of light and sound pollution and vehicle emissions.

- Not changing their hookup status to City water and sewer (they currently have a well and a septic system). Should the City change that status, the family would request Qualcan to incur those connection and monthly service fees.

(10:37:40) – Bruce Sanders, co-owner of the residence, explained that the highway right-of-way ran through their property and that should remain unchanged. Chairperson Wiggins entertained additional public comments and when none were forthcoming, he invited Staff to respond to the public comments.

(10:39:58) – Ms. Ferris addressed the hours of operation and explained that the City Code allowed dispensaries to be open from 8 a.m. until 10 p.m. She also acknowledged the requests by Mr. Couste and noted that should the Board wish to add those Conditions of Approval and are accepted by the applicant, they would be added to the existing Conditions. Ms. Sullivan cautioned the Commission “on having an applicant make improvements on a neighboring property.” She believed it was unprecedented.

(10:42:50) – Mr. Pottéy noted that improvements to Junction Road would have to be permitted through NDOT. He also noted that limiting access on Bennet Drive had not been discussed by could be discussed. He stated that a detention basin was installed as part of the freeway project, and it must be verified that NDOT had the capacity to accommodate the proposed business. He did not see the “no highway access” sign as necessary to meet the findings; however, he believed it was “not a bad idea.” Mr. Pottéy explained that once the sewer and water connections have been completed, the neighboring property was not obligated to switch to City water and sewer unless their well or septic system fail. Mr. Pottéy believed that the only way to access the billboard would be via Junction Road, adding that Bennett Avenue was a public right of way, and a gate could not be installed.

(10:47:05) – Mr. Carlson noted that he had been conferring with his client and believed that Staff could still make the neighborhood compatibility findings because of the General Commercial zoning of both parcels, his client had agreed to build a wall, but ensuring it would be allowed by CCMC, and were willing to install a security gate on the White’s property but not on the City’s right-of-way. Chairperson Wiggins believed that the drive-through should operate from 8 a.m. until 8 p.m. and was in favor of the previously proposed signage. Commissioner Killgore was in favor of giving the Whites all the items they had requested through Mr. Couste, he also noted his opposition to billboards in general. Commissioner Loyd explained that she could also make the findings, including the applicant’s voluntary offer of installing a gate. Vice Chair Preston also wished to restrict the drive-through hours and noted that there are no liquor store drive-throughs, adding that it was very long and presented an encroachment on the Whites. She also stated that she could make the findings if the barrier is built, the security gate is installed, the drive-through hours are reduced, and the location of the trash bin is identified.

(10:53:40) – Commissioner Esswein agreed with the proposed additional Conditions of Approval and wished to add that no entrance or exit should be provided on Bennett Drive except for emergency use. Mr. Carlson was informed that the City’s Development Standards included frontage improvements regardless of access. Commissioner Perry believed that the Ordinance had specified the store hours to be 8 a.m. until 10 p.m. He also believed that if other commercial establishments are built, it would be problematic for the

properties not to have access through Bennett Avenue. Commissioner Borders believed that the White's concern would be alleviated with the applicant's offer to install a gate on their property which would mitigate the issue of closing Bennett Avenue to the entrance and exit traffic. Chairperson Wiggins summarized the proposed additions to the Conditions of Approval:

- A fence of at least eight feet with sound mitigation features.
- Limited drive-through hours of 8 a.m. until 8 p.m.
- Only emergency entrance/exit on Bennett Avenue or a security gate (voluntarily installed by the applicant) with emergency personnel access
- Signage and deterrents to prevent drivers from accessing Hwy 50 from Junction Road.

(11:00:07) – Mr. Carlson indicated that he was authorized by the applicant to install a fence with sound mitigation features, to add the no highway access signage, to install a private gate on the White's property, and instructed the Commission to decide the drive-through hours. He was not comfortable; however, with prohibiting entrance and exit access on Bennett Avenue. Commissioner Borders did not believe that the deterrent signage was in the purview of this Commission or the responsibility of the applicant. Ms. Sullivan recommended defining the sound mitigation wall and recommended calling it *an eight-foot-tall masonry wall running the length of the western property*. She also recommended the following specific language to ensure the Commission was not creating a precedent of making the neighborhood compatibility finding based on improvements on someone else's property: *Based on a voluntary offer placed on the record by the applicant, the applicant will install a security gate at the driveway of 497 W Bennett Avenue*. Mr. Rice believed that the signs would be an inexpensive way to mitigate traffic. Ms. Ferris believed the signage condition could be added to Condition No. 15. Ms. Sullivan also suggested specifying the drive-through hours to read: *The hours of operation for the drive-through shall be limited to 8 a.m. to 8 p.m. Should the residential use cease, hours of operation for the drive-through shall be as specified in the Carson City Municipal Code*. Chairperson Wiggins entertained a motion.

**(11:09:46) – Chairperson Wiggins moved to approve LU-2022-0262 based on the ability to make the required findings and subject to the conditions of approval included in the staff report with the following changes:**

- **Condition 15 will now read:** *Cochise Street must be reconstructed with half-street improvements from the intersection of Roland Street to Junction Drive and must have a minimum width to accommodate two-way traffic. Signage compliant with the Manual on Uniform Traffic Devices must be installed on Cochise Street to the satisfaction of the City Engineer. The intent of the signage is to alert drivers that there is no access to Highway 50 West to the south.*
- **Condition 22 will now read:** *Hours of operation are limited from 8:00 a.m. to 10:00 p.m., seven days per week. Due to the adjacent residential use, the hours of operation for the drive-through shall be limited to 8:00 a.m. to 8:00 p.m. Should the residential use cease, the hours of operation for the drive-through shall be as specified in Carson City Municipal Code.*

- A new Condition 27 will now read: *The applicant shall install an 8-foot-tall masonry wall along the entire length of the western property line.*
- A new Condition 28 will now read: *Based on a voluntary offer placed on the record by the applicant, the applicant will install a security gate at the driveway of 497 W Bennett Avenue.*

The motion was seconded by Commissioner Borders.

<b>RESULT:</b>	<b>APPROVED (6-1-0)</b>
<b>MOVER:</b>	Wiggins
<b>SECONDER:</b>	Borders
<b>AYES:</b>	Wiggins, Preston, Borders, Esswein, Loyd, Perry
<b>NAYS:</b>	Killgore
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

**7. STAFF REPORTS (NON-ACTION ITEMS)**

**- DIRECTOR'S REPORT TO THE COMMISSION. (HOPE SULLIVAN)**

None.

**- FUTURE AGENDA ITEMS.**

N/A.

**- COMMISSIONER REPORTS/COMMENTS**

None.

**8. PUBLIC COMMENT**

(11:14:23) – Chairperson Wiggins entertained public comments.

**9. FOR POSSIBLE ACTION: ADJOURNMENT**

(11:14:35) – Chairperson Wiggins adjourned the meeting at 11:14 p.m.

The Minutes of the September 28, 2022 Carson City Planning Commission meeting are so approved on this 26<sup>th</sup> day of October 2022.