

DRAFT MINUTES
Carson City Planning Commission Regular Meeting
Wednesday, February 22, 2023 ● 5:00 PM
Community Center Robert “Bob” Crowell Boardroom
851 East William Street, Carson City, Nevada

Commission Members

Chairperson Chair – Teri Preston
Commissioner – Charles Borders, Jr.
Commissioner – Nathaniel Killgore
Commissioner – Richard Perry

Vice Chair – Sena Loyd
Commissioner – Ellen DeChristopher
Commissioner – Vern Krahn

Staff

Heather Ferris, Planning Manager
Todd Reese, Deputy District Attorney
Stephen Pottéy, Sr. Engineering Project Manager
Heather Manzo, Associate Planner
Danielle Howard, Deputy Clerk
Minutes By: 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.

1. CALL TO ORDER

(5:01:09) – Chairperson Preston called the meeting to order at 5:01 p.m.

2. ROLL CALL AND DETERMINATION OF QUORUM

(5:01:19) – Roll was called, and a quorum was present.

Attendee Name	Status	Arrived
Chairperson Teri Preston	Present	
Vice Chair Sena Loyd	Present	
Commissioner Charles Borders, Jr.	Present	
Commissioner Ellen DeChristopher	Present	
Commissioner Nathaniel Killgore	Present	
Commissioner Vern Krahn	Present	
Commissioner Richard Perry	Present	

3. PLEDGE OF ALLEGIANCE

(5:01:38) – Commissioner Borders led the Pledge of Allegiance.

4. PUBLIC COMMENTS

(5:02:30) – Chairperson Preston entertained public comments; however, none were forthcoming.

5. FOR POSSIBLE ACTION: APPROVAL OF THE MINUTES – JANUARY 25, 2023.

(5:02:58) – Chairperson Preston introduced the item and entertained comments or changes; however, none were forthcoming. She also entertained a motion.

(5:03:17) – Commissioner Borders moved to approve the minutes of the January 25, 2023 meeting as presented. The motion was seconded by Commissioner Killgore.

RESULT:	APPROVED (7-0-0)
MOVER:	Borders
SECONDER:	Killgore
AYES:	Preston, Loyd, Borders, DeChristopher, Killgore, Krahn, Perry
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

6. MEETING ITEMS

6.A LU-2023-0018 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FROM HARRAH’S LAKE TAHOE (“APPLICANT”) FOR A SPECIAL USE PERMIT (“SUP”) TO RETAIN AN EXISTING BILLBOARD ON PROPERTY ZONED GENERAL COMMERCIAL (“GC”) LOCATED AT 4900 S. CARSON STREET, ASSESSOR’S PARCEL NUMBER (“APN”) 009-284-01.

(5:03:43) – Chairperson Preston introduced the item. Ms. Ferris provided background and presented the Staff Report which is incorporated into the record. She also recommended approval of the Special Use Permit (SUP) because Staff had been able to make all the required findings. Ms. Ferris responded to clarifying questions and informed Commissioner Krahn that the Carson City Municipal Code (CCMC) specifically addressed damaged billboards. She also informed Commissioner Borders that per the CCMC, Billboards were not subject to administrative approval and had to be approved by the Planning Commission. Ms. Ferris read excerpts from the CCMS for Commissioner Perry regarding the allowable locations for billboards.

(5:10:48) – Applicant Brandon Pulliam acknowledged reading and agreeing with the Conditions of Approval outlined in the Staff Report. Chairperson Preston inquired whether the applicant would accept an additional Condition of Approval to point the billboard lights down and become dark sky compliant.

Mr. Pulliam accepted the amended Condition of Approval and agreed to comply within 90 days. There were no public comments; therefore, Chairperson Preston entertained a motion.

(5:12:54) – Commissioner Perry moved to approve LU-2023-0018, based on the findings and subject to the Conditions of Approval contained in the Staff Report, with the addition of Condition 8 to reorient the billboard lights downward within 90 days. The motion was seconded by Commissioner Borders.

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

6.B LU-2023-0019 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FROM RICHARD ATKINS (“APPLICATION”) FOR A REVIEW OF THE SPECIAL USE PERMIT (“SUP”) FOR FOUR METAL STORAGE CONTAINERS ON PROPERTY ZONED GENERAL COMMERCIAL (“GC”) LOCATED AT 4261 HWY 50 E., ASSESSOR’S PARCEL NUMBER (“APN”) 008-292-27.

(5:13:48) – Chairperson Preston introduced the item. Ms. Ferris gave background and presented the Staff Report and supporting documents which are incorporated into the record. She also explained that Staff had not received any complaints to date regarding the storage container and recommended an added Condition of Approval No. 8 to read: *Any further review that may be required by the code shall be administrative, although the Community Development Director may refer the review to the Planning Commission.*

(5:16:30) – Applicant Cynthia Petittpas informed the Chair that she had read and agreed with the Conditions of Approval. Ms. Ferris informed Commissioner Perry that the five-year approval would begin on this day despite the fact that a five-year review of approvals of the storage containers was due in 2020. She also informed Commissioner Loyd that the reason for the Planning Commission review at this time was due to a Condition of Approval at the time requiring the approval. There were no additional comments; therefore, Chairperson Preston entertained a motion.

(5:18:53) – Commissioner Borders moved to approve LU-2023-0019, based on the ability to make the required findings and subject to the Conditions of Approval contained in the Staff Report, with an amendment to Condition No. 8 to note that the item would be reviewed administratively by the Community Development Director on February 22, 2028. The motion was seconded by Commissioner DeChristopher.

RESULT:	APPROVED (7-0-0)
MOVER:	Borders
SECONDER:	DeChristopher
AYES:	Preston, Loyd, Borders, DeChristopher, Killgore, Krahn, Perry
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

6.C LU-2023-0017 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FROM LENNAR RENO, LLC (“APPLICANT”) FOR A SPECIAL USE PERMIT (“SUP”) TO ALLOW A TEMPORARY TRACT SALES OFFICE, MODEL HOMES, PARKING AREA AND ADVERTISING SIGNAGE ON PROPERTIES ZONED SINGLE FAMILY 6,000 (“SF6”) LOCATED AT 1484 WEST SUNSET WAY AND 1409, 1419, 1429 AND 1439 PICKAXE STREET, ASSESSOR PARCEL NUMBERS (“APNS”) 001-263-01 THROUGH -04 AND 001-264-10.

(5:19:55) – Chairperson Preston introduced the item. Ms. Manzo provided background and presented the Staff Report and the accompanying documentation, all of which are incorporated into the record. She also noted that two public comments were received regarding the SUP request one of which was the concern that potential buyers would park on Mountain Street and another regarding fencing, landscaping, and lighting which Ms. Manzo had discussed with the commenter. Ms. Manzo recommended approval based on Staff’s ability to make all the findings and responded to clarifying questions.

(5:25:28) – Applicant Tom Sosa introduced himself and noted his agreement to the recommended Conditions of Approval. He also clarified that the model home landscaping would be completed “in the next couple of months,” citing weather issues. Mr. Sosa explained to Commissioner Borders that the parking lot would be asphalt and clarified that the signage would be removed once the last home on the property is sold. Commissioner DeChristopher expressed concern regarding parking on North Mountain Street and Ms. Manzo noted that directional signage would point the way to the model homes and the parking. Vice Chair Loyd was informed by Mr. Sosa that the model homes would be open seven days a week. Commissioner Krahn inquired about gated parking lots and Mr. Sosa did not believe that had been an issue in the past. Chairperson Preston entertained public comments.

(5:33:10) – Patrick Anderson introduced himself as an area resident and inquired about the lighting and an easement. He also requested adding a Condition of Approval to ensure the unfinished portion of the sidewalk is completed on Mountain Street. Ms. Manzo clarified that the lighting would be in the front of the model homes, similar to those of the homes to be constructed, and noted that the Commission would be able to request additional Conditions of Approval. Vice Chair Loyd was informed that the Sidewalk would be considered part of the overall Anderson Ranch project. Discussion ensued regarding the completion timeline of the sidewalk due to weather conditions. Christopher Moltz, representing Westex Consulting, believed that a Condition of Approval could be added regarding the completion of the sidewalk on Mountain Street; however, he was concerned that the weather and a holdup “from a permitting and right-of-way standpoint” could present a problem. Chairperson Preston was informed by Project Engineering that the permit had already been issued; therefore, no holdups should be expected from the

City. Chairperson Preston entertained public comments and Mr. Anderson was concerned that he “will not have access to the back of my property for probably the next five-to-ten years if there is not some accommodation made that allows me to do so.” Chairperson Preston entertained a motion.

(5:47:16) – Commissioner Borders moved to approve LU-2023-0017, based on the findings and subject to the Conditions of Approval contained in the Staff Report, and with the addition of Condition No. 10 which states that the Sidewalk on Mountain Street should be completed prior to the opening of the model homes. The motion was seconded by Commissioner Krahn.

RESULT:	APPROVED (7-0-0)
MOVER:	Borders
SECONDER:	Krahn
AYES:	Preston, Loyd, Borders, DeChristopher, Killgore, Krahn, Perry
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

6.D LU-2023-0016 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FROM CARSON LUXURY HOUSING, LLC (“APPLICANT”) FOR A SPECIAL USE PERMIT (“SUP”) FOR A MULTIFAMILY RESIDENTIAL DEVELOPMENT WITHIN THE STAFFORD GREENS PLANNED UNIT DEVELOPMENT ON A PROPERTY ZONED NEIGHBORHOOD BUSINESS (“NB-P”) LOCATED ON THE SOUTHEAST CORNER OF STAFFORD WAY AND SILVER SAGE DRIVE, ASSESSOR’S PARCEL NUMBER (“APN”) 009-563-07.

(5:48:16) – Chairperson Preston introduced the item. Ms. Manzo provided background and presented the Staff Report and the accompanying documentation, all of which are incorporated into the record. She also responded to clarifying questions and addressed a specific written public comment, incorporated into the record, confirming that the Planning Division had properly notified 90 residents in the 300-foot notification area. Ms. Manzo addressed the issue of accessing Silver Sage Drive, noting that there would be direct access from Stafford Way to Silver Sage Drive without accessing Heaton Way. She noted that east of the project, on Chubasco Way, there were two-story units that had been built in the 1980s, adding that the height limitation in that zoning area was 26 feet and the proposed project was under that limitation. She recommended approval based on Staff’s ability to make all the findings.

(5:55:11) – Mr. Moltz introduced himself as the applicant’s representative and noted that the applicant was in agreement with the Conditions of Approval outlined in the Staff Report. Commissioner Borders disclosed his affiliation with a Texas entity also named Westex, noting that the company was unrelated to the applicant, and explained that he would participate in discussion and action on the item. He also inquired about Condition No. 6: *Prior to the issuance of a site improvement permit, the Applicant shall have plans approved that include a photometric plan that demonstrates compliance with the non-residential lighting standards contained in Carson City Design Standards (CCDS) Division 1.3.* Ms. Manzo clarified that the project was in a non-residential zone and was in the Neighborhood Business (NB-P) zoning which required a lighting plan that is “downlit, shielded, and [does] not extend beyond their property line.” She also

informed Commissioner Borders that Condition No. 7 would prohibit the use of garages as storage as they should be used for vehicle parking, adding that Heaton Way was a private road with signage prohibiting parking on it; however, she believed that a condition could be added to prohibit parking on that street. Mr. Moltz clarified that each house with a backyard along Heaton Way would be fenced: however, the applicant would be amenable to a single fence that must incorporate drainage. Commissioner Krahn believed that “additional screening” might be needed along the south property line. Chairperson Preston entertained public comments.

(6:03:43) – Catherine Borde introduced herself as the owner of two properties on Heaton Way, noting that they were directly affected by the project. She also read into the record her written public comment which is incorporated into the record. Sandie Stephen objected to the zoning of the project and to the two-story nature of the proposed buildings, citing congestion and traffic issues. Eugene Carhart, another Heaton Way resident, noted that the project would lower home values in his neighborhood by building apartments “against the will of the people living in their neighborhood.” He also questioned whether the Commissioners would allow the project in their neighborhoods, adding that the two-story buildings in the area are single-family residences. Alex Echo noted that he agreed with the previous comments, thanked them for bringing the issues forward, and believed there were “flagrant violations” of the CCMC. A resident who did not provide his name noted that he was speaking for his wife who was the owner of a condominium in the neighborhood. He also noted his agreement with Ms. Borde’s testimony and believed that the project would create more traffic, congestion, and parking issues, adding that the two-story structures were condominiums and not apartments. Fran Hedman noted her agreement with the previous public comments and expressed concern about noise and traffic, especially during construction, as the project parking lot would be adjacent to her property. Mr. Reese clarified that a petition may be accepted as late material if the petitioner has enough copies for the Board, the record, and the back table for the public.

(6:23:16) – Ms. Manzo noted that she would accept the petition (which is incorporated into the record as late material) and responded to the public comments. She noted that in the NB-P zone, a commercial-use building may be constructed as high as 26 feet with a building permit, adding that this project required a SUP because “residential uses within a non-residential zone require a [SUP].” She added that the parking requirements were based on CCMC (two parking spaces per unit, including the garage space). Ms. Manzo explained that the access would be from Stafford Way to Silver Sage Drive, adding that “apartment uses are considered an acceptable and appropriate use within a neighborhood and are often times located adjacent to a single-family neighborhood,” clarifying that the only reason a SUP was required in this case was that residential use was being sought in a non-residential zone as CCMC did not differentiate between single-family and multi-family residential uses. Ms. Manzo also stated that residents have the ability to call and file a complaint with Code Enforcement regarding noise; however, she noted “we don’t have construction hours limitations – that’s not stated in code.”

(6:26:12) – Commissioner Krahn believed that the building elevations utilized many of the construction materials used throughout the neighborhood to “visually blend the buildings into the neighborhood.” He also wished to see a more enhanced landscaping plan to match the mature landscaping of the neighborhood. The applicant noted that the number of trees was limited by the City’s engineering code due to the presence of the utilities nearby, and suggested additional shrubs instead. Ms. Manzo clarified that according to code a tree must be planted every 30 feet and noted that the Commission could suggest a Condition of Approval that concentrates the trees along the southern portion of the development. She also informed Commissioner

Borders that an additional Condition regarding hours of construction would be appropriate since the project is adjacent to residential neighborhoods. Commissioner DeChristopher clarified that she had walked the neighborhood and cited her personal experiences of purchasing properties near vacant lands. She considered this project complimentary to the neighborhood. She also noted that it was not within the Commission’s purview “to make a call” on possible noise by children or barking dogs.

(6:34:18) – Commissioner Perry was informed that this vacant lot was the last of the undeveloped land within the Stafford Greens Planned Unit Development (PUD) and that Heaton Way was a private road maintained by the homeowners’ association (HOA) and that Stafford Way and Silver Sage Drive were maintained by the City. Ms. Manzo clarified that Stafford Way had been classified as being in poor condition as did certain parts of Silver Sage Drive.

(6:38:44) – Chairperson Preston explained that as a member of the 2019 Planning Commission that had approved the project, noting that land was set aside for commercial development, similar to many other PUDs such as Silver Oak. She called the SUP “a great infill project,” preferable to projects such as a previously approved taller U-Haul storage facility. Discussion ensued regarding trees being used as screens and the applicant clarified that they would be building a fence as well. Commissioner Borders was in favor of adding Conditions of Approval for a six-foot fence on the Heaton Way side of the project and for specified hours of construction. It was also noted that the Commission’s role would be to decide on the use and not the building height, acknowledging that many commercial uses would generate “substantially more” noise, parking, and traffic issues. There were no additional comments; therefore, Chairperson Preston entertained a motion. Ms. Manzo recommended the following language to the added Condition of Approval regarding construction hours:

Hours of construction will be limited to 7:00 a.m. to 7:00 p.m., Monday through Friday, and 7:00 a.m. to 5:00 p.m. on Saturday and Sunday. If the hours of construction are not adhered to, the Carson City building department will issue a warning for the first violation, and upon a second violation, will have the ability to cause work at the site to cease immediately. The applicant agreed to the amended Conditions.

(6:47:25) – Commissioner Borders moved to approve LU-2023-0016 based on the ability to make the required findings, and subject to the Conditions of Approval Contained in the Staff Report with the added Condition No. 10 for a six-foot fence to be constructed along the property line adjacent to Heaton Way and Condition No. 11 to specify that the construction hours will mirror the “subdivision hours” based on the above language proposed by Ms. Manzo. The motion was seconded by Commissioner Krahn.

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

(6:48:12) – Commissioner Killgore explained his “nay” vote by stating “if it doesn’t work for the surrounding community it doesn’t work for me.”

15. STAFF REPORTS (NON-ACTION ITEMS)

- DIRECTOR'S REPORT TO THE COMMISSION

(6:49:54) – Ms. Ferris reminded everyone of the joint meeting between the Planning Commission and the Board of Supervisors to discuss Title 17.10, Title 18, and the transient/non-transient use of the hotels and motels would be held in the Nugget Hall of the Western Nevada College on Friday, March 3, 2023, at 8:15 a.m.

- FUTURE AGENDA ITEMS

(6:52:23) – Ms. Ferris indicated that seven five-year billboard reviews would be agendized for the Commission’s March meeting. Additionally, three SUPs, an amendment to a SUP, and two Tentative Subdivision Maps would also be agendized for the next meeting, according to Ms. Ferris. Chairperson Preston recommended an earlier meeting start time in March.

- COMMISSIONER REPORTS/COMMENTS

16. PUBLIC COMMENT

(6:56:17) – Chairperson Preston entertained public comments; however, none were forthcoming.

17. FOR POSSIBLE ACTION: ADJOURNMENT

(6:56:34) – Chairperson Preston adjourned the meeting at 6:56 p.m.

The Minutes of the February 22, 2023 Carson City Planning Commission meeting are so approved this 29th day of March, 2023.