

DRAFT MINUTES
Regular Meeting
Carson City Planning Commission
Wednesday, December 21, 2016 ● 1:00 PM
Community Center Sierra Room, 851 East William Street, Carson City, Nevada

Commission Members

Chair – Paul Esswein	Vice Chair – Mark Sattler
Commissioner – Charles Borders, Jr.	Commissioner – Monica Green
Commissioner – Elyse Monroy	Commissioner – Walt Owens
Commissioner – Daniel Salerno	

Staff

Lee Plemel, Community Development Director
Hope Sullivan, Planning Manager
Dan Yu, Deputy District Attorney
Kathy King, Chief Deputy Clerk
Minutes by: Tamar Warren, Deputy Clerk

NOTE: A recording of these proceedings, the commission’s agenda materials, and any written comments or documentation provided to the recording secretary 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.

An audio recording of this meeting is available on www.Carson.org/minutes.

A. ROLL CALL, DETERMINATION OF QUORUM, AND PLEDGE OF ALLEGIANCE

(1:01:52) – Chairperson Esswein called the meeting to order at 1:01 p.m. Roll was called; a quorum was present. Commissioner Salerno led the pledge of allegiance.

Attendee Name	Status	Arrived
Chairperson Paul Esswein	Present	
Vice Chairperson Mark Sattler	Present	
Commissioner Charles Borders, Jr.	Present	
Commissioner Monica Green	Present	
Commissioner Elyse Monroy	Present	1:57 p.m.
Commissioner Walt Owens	Present	
Commissioner Daniel Salerno	Present	

B. PUBLIC COMMENTS

(1:02:48) – There were no public comments.

C. POSSIBLE ACTION ON APPROVAL OF MINUTES – November 30, 2016.

(1:03:18) – Chairperson Esswein advised that there were no minutes to approve. Ms. Sullivan explained the due to the length of the previous meeting, and due to the fact that this meeting was scheduled for an earlier date due to the Holidays, the approval of minutes would be continued to the next meeting.

D. MODIFICATION OF AGENDA

(1:04:03) – Chairperson Esswein introduced this item, and entertained modifications to the agenda. Mr. Plemel advised that no modifications were recommended by staff.

E. DISCLOSURES

(1:04:25) – Chairperson Esswein advised that he would recuse himself from participating in discussion and action on Item F-4.

F. PUBLIC HEARING MATTERS

F-1 MISC-16-184 – POSSIBLE ACTION TO MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING AN ORDINANCE TO PLACE A MORATORIUM, FOR A PERIOD OF UP TO 180 DAYS WITH THE ABILITY TO EXTEND BY RESOLUTION FOR UP TO AN ADDITIONAL 60 DAYS, ON THE ACCEPTANCE AND PROCESSING OF PLANNING OR OTHER APPLICATIONS FOR CONSTRUCTION OR OPERATION OF MARIJUANA ESTABLISHMENTS, AS CONTEMPLATED BY THE REGULATION AND TAXATION OF MARIJUANA ACT, PASSED BY NEVADA VOTERS DURING THE GENERAL ELECTION ON NOVEMBER 8, 2016

(1:04:58) – Chairperson Esswein introduced this item, and Mr. Plemel reviewed the agenda materials in conjunction with displayed slides. Vice Chair Sattler was informed that Special Use Permits expire a year after the issue date.

(1:09:54) – There were no public comments.

(1:10:12) – MOTION: I move to recommend to the Board of Supervisors approval of an ordinance declaring a moratorium, for a period of 180 days with the ability to extend it by resolution for up to an additional 60 days, on the acceptance and processing of planning or other applications for construction of operation of new marijuana establishments, based on the findings contained in the Staff Report.

RESULT:	APPROVED (6-1-0)
MOVER:	Sattler
SECONDER:	Green
AYES:	Esswein, Sattler, Borders, Green, Monroy, Owens
NAYS:	Salerno
ABSTENTIONS:	None
ABSENT:	None

F-2 SUP-16-181 – POSSIBLE ACTION TO CONSIDER A REQUEST FROM CARSON NUGGET (PROPERTY OWNER: ADAMS CARSON LLC) FOR A SPECIAL USE PERMIT TO ALLOW PLACEMENT OF TWO METAL STORAGE CONTAINERS IN THE DOWNTOWN MIXED-USE ZONING DISTRICT, ON PROPERTY LOCATED AT 405 AND 495 EAST SPEAR STREET, APNs 004-223-06 AND -07

(1:11:04) – Chairperson Esswein introduced this item, and Ms. Sullivan reviewed the agenda materials in conjunction with displayed slides. Ms. Sullivan and Mr. Plemel responded to questions of clarification. Vice Chairperson Sattler was informed that the units would be eight feet tall. Commissioner Salerno inquired about the term “permanent” and Ms. Sullivan stated that it was because the placement “would be in excess of 90 days”.

She also clarified that the Nugget exceeded the parking requirements; therefore the units would not impact the parking and Mr. Plemel noted that the containers would be subject to the five-year review. Chairperson Esswein inquired about time limits or the removal of the containers in the future and Ms. Sullivan believed that the five year review would determine appropriateness in the future.

(1:20:33) – Chairperson Esswein invited Carson Nugget General Manager Dean Dilullo to the podium. Mr. Dilullo acknowledged having reviewed the staff report and his agreement with the conditions of approval. In response to a question, Mr. Dilullo advised that the Carson Nugget does not maintain the fence. He provided background information on previous uses of the proposed location for the storage containers. He expressed a willingness to work with any developer to improve the proposed location for its highest and best use. In response to a question, Mr. Dilullo advised that slot machines are currently stored in the metal containers. He responded to additional questions regarding the method by which the slot machines are transported to and from the containers and relocation of the Nugget’s RV lot. In response to a question, he advised that he is “part of the plan” to improve Stewart Street. He responded to additional questions regarding the proposed placement of the storage containers and noted his flexibility should there be any improvements to the area.

(1:27:52) – Chairperson Esswein entertained discussion of the commissioners, and discussion took place regarding condition of approval 10. Ms. Sullivan proposed revised language to condition of approval 10, stating that the Special Use Permit is in place for five years, and will expire in December, 2021 and will be subject to a new approval by the Planning Commission at that time. Chairperson Esswein entertained public comment.

PUBLIC COMMENT

(1:30:30) Dave Ungst introduced himself as an East Spear resident and stated that he had contacted the current owners of the property who had promptly responded by “cleaning out the lot”. He approved of the container placement “because they cover up the ugly fence”. Mr. Ungst wished to see “the continued blocking of the lot” and wanted to know how to stop “the people from the Carson Nugget from using it as a dog park”.

(1:32:51) Bryce White introduced himself as an East Robinson resident and requested that the Commission not “approve these containers from coming farther into the neighborhood” noting that the neighborhood will get worse at a time when property values are “finally coming up”.

(1:36:10) – Chairperson Esswein entertained additional public comment; however, none was forthcoming. In response to a question, Mr. Dilullo advised that the storage containers were purchased in 2016 and were painted a neutral color “to make them blend in more”. Ms. Sullivan responded to additional questions of clarification. Discussion took place among the commissioners. Chairperson Esswein entertained alternatives to the current request. Vice Chair Sattler suggested shortening the five-year timeframe and Chairperson Esswein requested the relocation of the units to an area that did not require a permit.

(1:42:46) Bryce White reiterated his opposition to the containers and noted that many other neighbors were also opposed. He added that a 90-day limit would be acceptable. Commissioner Borders cautioned that the applicant could move the container to another area on the lot every 90 days. Ms. Sullivan reminded the Commission that Staff recognized the gentrification of downtown and suggested modifying finding number 2, based on the condition of the site as it is right now. It was suggested via public comment to keep the containers in their current location. Ms. Sullivan explained that the applicant had identified a number of sites, including the existing one, and the Staff had recommended this particular site in order “make all the findings”. Mr. Plemel clarified that

Adams LLC was the owner of “all the land”, including the one on which the Nugget resides. Chairperson Esswein entertained a motion.

(1:52:27) – MOTION: I move to approve SUP-181, a Special Use Permit request from Carson Nugget (property owner: Adams Carson LLC), for placement of two metal storage containers in the Downtown Mixed Use zoning district, located at 405 and 495 East Spear Street, APNs 004-223-06 and 004-223-07, based on findings and subject to the conditions of approval contained in the Staff Report, and with an amendment to Condition of Approval 10 to read the placement of the containers shall be in place for no more than five years and expire in December, 2021.

Ms. Sullivan clarified that the expiration was for the Special Use Permit in five years, and should the applicants decide to extend the placement of the containers, they must apply for a new Special Use Permit.

RESULT:	APPROVED (7-0-0)
MOVER:	Owens
SECONDER:	Salerno
AYES:	Esswein, Sattler, Borders, Green, Monroy, Owens, Salerno
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

F-3 SUP-16-182 – POSSIBLE ACTION TO CONSIDER A REQUEST FOR A SPECIAL USE PERMIT FROM DALBIR AND GURJEET SINGH (PROPERTY OWNER: DALBIR AND GURJEET SINGH) TO ALLOW SINGLE-FAMILY RESIDENTIAL USE IN THE RETAIL COMMERCIAL ZONING DISTRICT, ON PROPERTY LOCATED AT 3140 EAST NYE LANE, APN 008-191-08

(1:54:32) – Chairperson Esswein introduced this item, and Ms. Sullivan reviewed the agenda materials in conjunction with displayed slides. (Commissioner Monroy left the meeting at 1:57 p.m.; a quorum was still present.) Chairperson Esswein invited Dalbir Singh to the podium.

(1:58:13) – Mr. Singh acknowledged having reviewed the staff report and his agreement with the conditions of approval. Chairperson Esswein entertained questions of the commissioners. Mr. Singh and Ms. Sullivan responded to questions of clarification.

(1:59:27) – Chairperson Esswein entertained public comment and, when none was forthcoming, a motion.

(1:59:42) – MOTION: I move to approve SUP-182, a Special Use Permit request from Dalbir Singh (property owners: Dalbir and Gurjeet Singh), to allow a single family residential use in the Retail Commercial zoning district, located at 3140 East Nye Lane, APN 008-191-08, based on the findings and subject to the conditions of approval contained in the Staff Report, including the additional condition that the applicant will demonstrate compliance with the Open Space Landscaping Requirements identified in the Development Standards 1.18 at the time of building permit.

RESULT:	APPROVED (6-0-0)
MOVER:	Green
SECONDER:	Sattler
AYES:	Esswein, Sattler, Borders, Green, Owens, Salerno
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Monroy

F-4 ZCA-16-189 – POSSIBLE ACTION TO MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING AN ORDINANCE AMENDING TITLE 18, APPENDIX, CARSON CITY DEVELOPMENT STANDARDS, BY AMENDING DIVISION 4, SIGNS, CHAPTER 4.4, ADMINISTRATION, SECTION 4.4.7, EXEMPTIONS, BY ADDING THERETO A NEW SUBSECTION, 4.4.7.x, WHICH EXEMPTS FROM THE DIVISION CERTAIN OFF-PREMISE ELECTRONIC MESSAGE DISPLAY SIGNS; AMENDING TITLE 18, APPENDIX, CARSON CITY DEVELOPMENT STANDARDS, BY AMENDING DIVISION 4, SIGNS, CHAPTER 4.6, GENERAL REGULATIONS AND STANDARDS, BY ADDING A NEW SECTION, 4.6.6, THAT SETS FORTH STANDARDS FOR ELECTONIC MESSAGE DISPLAY SIGNS; AND ADDRESSING OTHER MATTERS PROPERLY RELATED THERETO.

(2:01:08) – Chairperson Esswein introduced this item, and advised that he would recuse himself from discussion and action on this item due to his wife’s professional association with the Nevada higher education system. Chairperson Esswein passed the gavel to Vice Chairperson Sattler and, at Commissioner Borders’ request, recessed the meeting at 2:01 p.m. Vice Chairperson Sattler reconvened the meeting at 2:06 p.m.

(2:06:56) – Vice Chairperson Sattler reintroduced this item, and Mr. Plemel reviewed the agenda materials in conjunction with displayed slides. Mr. Plemel responded to questions of clarification, and discussion ensued regarding limiting the electronic message display size.

(2:18:17) – Western Nevada College Assistant to the President for External Affairs Ann Hanson noted that they had read the conditions of approval and were in agreement with them. Vice Chairperson Sattler entertained additional discussion of the commissioners and, when none was forthcoming, a motion.

(2:20:05) – MOTION: I move to recommend to the Board of Supervisors approval of ZCA-16-189, an ordinance amending Title 18, Appendix, Carson City Development Standards, by amending Division 4, Signs, Chapter 4.4, Administration, Section 4.4.7, Exemptions, by adding thereto a new subsection, 4.4.7.x, which exempts from the Division certain off-premise electronic message display signs; amending Title 18, Appendix, Carson City Development Standards, by amending Division 4, Signs, Chapter 4.6, General Regulations And Standards, by adding a new section 4.6.6 that sets forth standards for electronic message display signs; and addressing other matters properly relating thereto, including the amendment of condition of approval number 6, not to exceed 90 square feet of message size and 120 square feet of total sign size.

RESULT:	APPROVED (5-0-1)
MOVER:	Borders
SECONDER:	Owens
AYES:	Sattler, Borders, Green, Monroy, Owens, Salerno
NAYS:	None
ABSTENTIONS:	Esswein
ABSENT:	Monroy

Chairperson Esswein returned to the dais, and Vice Chairperson Sattler returned the gavel.

F-5 MPA-16-170 – POSSIBLE ACTION TO CONSIDER A REQUEST TO AMEND THE MASTER PLAN TO INCORPORATE AN ABOVE-GROUND UTILITY PLAN THAT SHOWS CORRIDORS DESIGNATED FOR CONSTRUCTION OF ABOVE-GROUND UTILITIES, IN COMPLIANCE WITH NRS 278.165

(2:22:30) – Chairperson Esswein introduced this item. Ms. Sullivan reviewed the agenda materials and recommended approval. Both Ms. Sullivan and Mr. Plemel also replied to clarifying questions. Chairperson Esswein entertained commissioner and public questions or comments. When none were forthcoming, Chairperson Esswein entertained a motion.

(2:26:09) – MOTION: I move to adopt Resolution Number 2016-PC-R-4 recommending to the Board of Supervisors approval of MPA-16-170, a Master Plan amendment to amend Goal 1.5e of the Master Plan to provide for future aboveground utility corridors to be shown on the Land Use Map of the Master Plan in compliance with NRS 278.165, based on the findings contained in the Staff Report.

RESULT:	APPROVED (6-0-0)
MOVER:	Salerno
SECONDER:	Sattler
AYES:	Esswein, Sattler, Borders, Green, Owens, Salerno
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Monroy

F-6 MPA-16-174 – POSSIBLE ACTION TO MAKE RECOMMENDATIONS TO THE BOARD OF SUPERVISORS REGARDING THE ANNUAL MASTER PLAN REPORT

(2:27:17) – Chairperson Esswein introduced this item, and Mr. Plemel reviewed the agenda materials in conjunction with displayed slides. Mr. Plemel responded to questions of clarification, and discussion followed regarding single and multi-family residences. Commissioner Borders suggested meeting with the hospital in addition to meeting with the school district as they have large properties as well. Mr. Plemel offered to seek comments from them. There were no public comments and Chairperson Esswein entertained a motion.

(2:48:28) – MOTION: I move to recommend to the Board of Supervisors acceptance of the Master Plan annual report.

RESULT:	APPROVED (6-0-0)
MOVER:	Borders
SECONDER:	Owens
AYES:	Esswein, Sattler, Borders, Green, Owens, Salerno
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Monroy

G. STAFF REPORTS; DIRECTOR’S REPORT TO THE COMMISSION; FUTURE AGENDA ITEMS; COMMISSIONER REPORTS / COMMENTS

(2:49:07) – Chairperson Esswein introduced this item, and Mr. Plemel updated the commission on the outcome of Planning Commission items which had been forwarded to the Board of Supervisors. Mr. Plemel reviewed the tentative agenda for the January commission meeting as well. Chairperson Esswein stated that he had attended the Board of Supervisors meeting and had noticed that their approval of the Vintage project was different from what the Planning Commission had approved. He noted that the 55 years or older requirement was removed by the Board of Supervisors and did not believe that the Planning Commission would have approved that. Chairperson Esswein also wondered about the discretionary nature of applications and inquired about conditions of approval by asking “just because you can make the findings, does that mean you have to make the approval?” Commissioner Salerno inquired about the care facilities and Ms. Sullivan explained that what the Commission approved was conceptual and preliminary and the final will be approved administratively. Commissioner Salerno believed that what was presented to the Commission would not be a functioning plan. Discussion ensued regarding the presence of full kitchen facilities in the congregate care unit.

H. PUBLIC COMMENT

(2:57:52) – There were no public comments.

I. ACTION TO ADJOURN

(2:58:01) – Commissioner Green moved to adjourn. The motion was seconded by Vice Chair Sattler. The meeting was adjourned at 2:58 p.m.

The Minutes of the December 21, 2016 Carson City Planning Commission meeting are so approved this 25th day of January, 2017.

PAUL ESSWEIN, Chair