

DRAFT MINUTES
Carson City Planning Commission Regular Meeting
Wednesday, April 26, 2023 ● 4:00 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

Hope Sullivan, Community Development Director
Heather Ferris, Planning Manager
Todd Reese, Sr. Deputy District Attorney
Stephen Pottéy, Sr. 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.

1. CALL TO ORDER

(4:00:30) – Chairperson Preston called the meeting to order at 4:00 p.m.

2. ROLL CALL AND DETERMINATION OF QUORUM

(4:00:35) – 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

(4:31:09) – Vice Chair Loyd led the Pledge of Allegiance.

4. PUBLIC COMMENTS

(4:32:05) – Chairperson Preston announced that item 6.B would be continued to the May 31, 2023 Planning Commission meeting, at the request of the applicant. She also entertained public comments.

(4:33:45) – Maxine Nietz thanked the Commission for eliminating Title 17.10. She also read into the record the written public comments, incorporated into the record, by Bepsy Strasburg (as Ms. Strasburg was suffering from laryngitis) who presented the accompanying photographs regarding item 6.C. Deni French noted his agreement with Ms. Nietz and Ms. Strasburg. He also requested timing demolitions outside the insect migration, aquatic, and bird nesting timeframe.

5. FOR POSSIBLE ACTION: APPROVAL OF THE MINUTES – MARCH 29, 2023.

(4:09:10) – Chairperson Preston introduced the item and entertained comments or changes; however, none were forthcoming. She also entertained a motion.

(4:09:35) – Commissioner Perry moved to approve the minutes of the March 29, 2023 meeting as presented. The motion was seconded by Commissioner Killgore.

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

6. MEETING ITEMS

6.A LU-2023-0110 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FROM DANIEL AND SHERI GAUNT (“APPLICANT”) FOR A SPECIAL USE PERMIT (“SUP”) TO ALLOW FOR THE CONSTRUCTION OF A 694 SQUARE FOOT ATTACHED GUEST BUILDING ON PROPERTY ZONED SINGLE-FAMILY-6,000 (“SF6”) LOCATED AT 3243 CORTEZ STREET, ASSESSOR’S PARCEL NUMBER (“APN”) 009-575-02.

(4:10:03) – Chairperson Preston introduced the item. Ms. Ferris presented the Staff Report and accompanying documents and noted receipt of late material in the form of written public comment, incorporated into the record. She also responded to clarifying questions. Vice Chair Loyd was informed

that Carson City did not allow accessory dwellings, but guest buildings were allowed to house non-paying guests and/or family members. She also informed Commissioner Borders that a duplex would most likely be rented. Applicant Representative Keith Shaffer noted his agreement to the Conditions of Approval and inquired why the deed restriction requirement was not written in the Conditions of Approval and Ms. Ferris clarified that it was a Carson City Municipal Code (CCMC) requirement; therefore, it would not be included in the Conditions of Approval. Mr. Shaffer introduced applicant Sheri Gaunt who explained that the guest building would be occupied by her mother.

(4:22:50) – Vice Chair Loyd was informed that years later, an applicant may request the removal of a deed restriction based on what the CCMC allows at that time. Mr. Shaffer informed Commissioner Borders that the door will be placed on the left side of the building and that the chicken coop would be located elsewhere on the property. Chairperson Preston entertained public comments.

(4:24:58) – Doris Hanke noted that she had walked by the property and had found the house “noisy” and recommended that the unit be built where the garage is now. Carol Rathjen, whose written comments are also incorporated into the record, noted her objection to the project which she called an “apartment.” She believed that the guesthouses could turn into rentals. Mr. French agreed with the prior comments and was surprised that the property was not to become a rental. He was also concerned about traffic and parking. Randy Bowling referenced his two written public comments, incorporated into the record, and requested a condition prohibiting the migration of the chickens to his property. He also requested limiting the hours of operation and cited the example of his neighbor who had built a garage and had blocked their view. There were no other public comments.

(4:34:02) – Ms. Ferris addressed the concerns presented in public comments. She explained to Ms. Rathjen that per CCMC the dwelling will be deed restricted and not to be rented. Ms. Ferris explained the Special Use Permit violation process, noting that if a complaint is received by Staff regarding a condition that has been violated, the matter will be investigated and if not compliant, the item will be agendized before this Commission. Ms. Ferris explained that an off-street parking space is required for every bedroom of the home, adding that animal control allowed a maximum of four chickens or ducks for a residential unit under one acre. In response to a question by Commissioner Krahn, Ms. Ferris explained that in a Single-Family 6,000 zoning district, a guest building would be allowed if the findings are met. Commissioner Borders was in favor of amending Condition No. 6 to call the structure a “guest building.” He also inquired about modified construction hours. Mr. Shaffer reiterated his acceptance of the Conditions of Approval with the modified Condition No. 6 as proposed and was amenable to modified construction hours. Discussion ensued regarding the construction hours. Vice Chair Loyd recommended 7 a.m. to 7 p.m. on weekdays and 8 a.m. to 7 p.m. on weekends. Mr. Shaffer agreed to the proposed hours.

(4:43:20) – Commissioner Loyd moved to approve LU-2023-0110 based on the findings and subject to the Conditions of Approval contained in the Staff Report with amendments to Condition No. 6 to include the term “guest building” and add Condition No. 9 to state hours of Construction would be between 7 a.m. and 7 p.m. on weekdays and 8 a.m. and 7 p.m. on weekends. The motion was seconded by Commissioner Krahn.

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

6.B SUB-2023-0061 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FROM STEVE THOMSEN (“APPLICANT”) FOR A RECOMMENDATION TO THE BOARD OF SUPERVISORS (“BOARD”) CONCERNING A TENTATIVE SUBDIVISION MAP KNOWN AS BLACKSTONE RANCH PHASE 2, TO CREATE 204 SINGLE FAMILY RESIDENTIAL LOTS ON A ±58.52 ACRE SITE WITHIN THE LOMPA RANCH NORTH SPECIFIC PLAN AREA (“SPA”) ZONED SINGLE FAMILY 6,000 SQUARE FEET (“SF6-SPA”) AND MULTIFAMILY DUPLEX (“MFD-SPA”) LOCATED AT 2230 EAST 5TH STREET, ASSESSOR’S PARCEL NUMBER (“APN”) 010-041-40.

(4:44:42) – Chairperson Preston reiterated that this item was continued to the May 31, 2023 Planning Commission Meeting.

(4:45:18) – Chairperson Preston recommended discussing agenda item 7 since the next item must be discussed at 5 p.m.

The following item(s) will not be heard before 5 PM:

6.C 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 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”), ASSESSOR’S PARCEL NUMBERS (“APNS”) 009-012-20 AND -21.

(5:00:28) – Chairperson Preston reconvened the meeting and read the paragraph in the agenda materials regarding public comments. She reminded the audience that the Commissioners, Staff, and applicants would not be required to adhere to the three-minute limit. Chair Preston also introduced the item. Ms. Manzo presented the Anderson Ranch West property and provided background, noting that the Planning Commission had recommended to the Board of Supervisors denial of the Special Use Permit on September 28, 2022 because they were unable to make Findings No. 6, 8, and 11. At the November 3, 2022 Board of Supervisors Meeting, the Board had been presented with an updated Tentative Subdivision Map which addressed several Planning Commission concerns. The Board had remanded the application back to the Planning Commission to evaluate the changes. Ms. Manzo also presented the Staff Report and accompanying documents, highlighted the written public comments, incorporated into the record, and responded to clarifying questions. Development Engineering Sr. Project Manager Stephen Pottéy also addressed the engineering-related public comments which are incorporated into the Staff Report and responded to clarifying questions.

(5:26:15) – Attorney Mark Forsberg, representing the applicant, reviewed a PowerPoint presentation that introduced the property, the Anderson family, and the project. A video of the presentation (and the meeting) is available at: <https://www.youtube.com/watch?v=7mzIqF5FXvg>. Mr. Forsberg included several historic photographs of the Ranch and explained that all the surrounding properties in the photographs had now become developments. He also added that they were following the code and the zoning, and their requirement was to meet every aspect of the CCMC. Dave Snelgrove, Planning and Right-of-Way Manager at CFA, Inc. whose report is incorporated into the record, clarified that they had addressed several items such as cultural resources. He also reviewed his report, especially Findings No. 6, 8, and 11, and believed that they had addressed all the concerns that were raised in the September 22, 2022 meeting. Mr. Forsberg noted that they agreed to the Conditions of Approval and explained that they had already made some of the outlined changes such as the widening of several streets. Chairperson Preston entertained Commissioner discussion.

(5:54:57) – Vice Chair Loyd inquired about the possibility of downgraded street/intersection service levels in the future and Mr. Pottéy believed that it would get prioritized based on the condition of other intersections, could become part of a development, and possibly get mitigated, or could have a traffic signal or roundabout installed. Vice Chair Loyd also noted for the record that the applicant representative had mentioned an emergency egress for a potential project on Ormsby Boulevard and wished to see that not locked in case of emergencies. She believed that fencing on the south, north, and west of the project to ensure the people’s safety from a potential mountain lion attack.

(5:58:10) – Commissioner Krahn believed that the walking path along Kings Canyon should connect to the Long Ranch Estates development to complete the trail. Ms. Manzo referenced Condition No. 32 which she believed addressed the connectivity issue. Commissioner Perry inquired about whether the nine-acre parcel that contained the original historic ranch site would have a permanent deed restriction to preserve the “historic resource in perpetuity.” Ms. Sullivan clarified that a conservation easement would be identified by looking at the conservation value of the land and its identified development potential. She

also noted that she had spoken with Mr. Forsberg regarding the item, and they had agreed this parcel was not a conservation easement and that Staff had not anticipated that restriction. Mr. Forsberg believed that the action would “honor the purpose statement of the [current Ordinance.] Discussion ensued regarding the private and public open space and Mr. Forsberg noted that a recorded document could be provided to ensure future buyers that the 9.46 acres cannot be subdivided or developed. He also informed Chair Preston that the action would not increase density. Ms. Sullivan noted that the applicant was interested in the open space around the ranch house, but she wanted to ensure it should not be considered “a lot.” Ms. Manzo clarified that Title 17.10 would not allow an increase in density and referenced Condition No. 20 which would address the deed restriction, the 71 total units, and include the ranch house. Discussion ensued regarding the 9.46 acres and Ms. Sullivan believed that the unknown development potential of the “homesite” is too broad and she did not believe it could be classified as open space.

(6:49:56) – Chairperson Preston recessed the meeting.

(7:01:09) – Chairperson Preston reconvened the meeting. A quorum was still present.

(7:02:30) – Chairperson Preston asked Mr. Forsberg if he would consider turning the 9.46 acres into a parcel with a deed restriction on the farmhouse and the 4,500 square foot house (any additional structures would require a Special Use Permit) and excluding them from the southern lot. She believed that the Open Space would only benefit the subdivision. She also entertained public comments.

(7:04:49) – Ms. Nietz stated that Lennar Homes was the builder of both Anderson Ranch and Anderson Ranch West properties. She also believed that the Conditional Letter of Map Revision (CLOMR) may change after FEMA completes its review. She also said that the 30-acre parcel would be considered under Title 17.10; however, the remaining 50 acres would not. Richard Nagel recommended “ironclad” guarantees” that the Anderson family would not “walk away” from the project. Heather Koche noted that the fire hazards were not addressed. She also cited congestion in the schools and believed that there were no outlets to leave during fires and was concerned about the safety of the residents. Cary Ingbar agreed with the previous speakers and believed that the intent of Title 17.10 was not being met and wished to see the cultural resources considered separately. She also preferred the one-acre zoning for the homes and called the proposed homes “out of character” and wanted the developer to reduce the number of houses.

(7:18:00) – Ralph Thomas stated that he was worried about “density and defensibility”, especially in case of a fire, and cited an example in Colorado. He also was in favor of conservation easements and not deed restrictions. Betsy Strasburg believed that nothing had changed since the September 22, 2022 meeting. She believed that “borrowing density” should not be allowed and stated that the remaining 50 acres were being excluded from consideration, yet that would cause more traffic in the future. Ms. Strasburg also cited grading issues similar to the other Anderson Ranch project. She urged the Commission to vote against the project. Sue Masiello was opposed to “shuffling density between two parcels.” She also stated that the homes would prevent the sun homes to the west and north. Ms. Masiello was not in favor of having “strangers wander around” on the public access trails and having the ranch house designated as common

open space. She believed that homes east of Ormsby Boulevard were designated as medium density and the ones to its west were zoned as low density, one acre.

(7:27:42) – Mr. French stated that all the adjustments done to date are not substantial and recommended denying the Special Use Permit. An audience member (inaudible name) believed that the project had not offered protection for “cultural, natural, or scenic resources” and had not minimized “road building.” He did not believe that multipurpose pathways and detention basins were “not sufficient usable common open space areas,” adding that nothing had changed since September 22, 2022. Marinka Willig noted that she had “negative experiences with developers” and did not understand why Title 17.10 was being considered for this project “when we [already] got rid of it.” LeAnn Saarem believed that the Board of Supervisors wished to see the project reworked. She noted that the purpose of Title 17.10 was not to transfer density and no precedent had been set for that. Ms. Saarem believed that the ranch house was going to remain a private residence and urged the Commission to deny the Special Use Permit as she was in favor of Single Family One Acre homes.

(7:38:03) – Cathy Valenta Weise believed that the developer believed that Title 17.10 automatically applies to any proposed development and reiterated the statements of a previous commenter who believed that the code offered protection for cultural, natural, and scenic resources. She noted that the purpose of Title 17.10 had not been met by the applicant and cautioned that children and pedestrians were constantly using Ormsby Boulevard. Bob Weise, believed that the developer was creating a parcel with “two separate residential houses on it...there is no open space to be gained from it.” Mr. Weise did not see a guarantee that the ranch house would be preserved either and urged denying the request. Paul Longshore agreed with the previous speakers and was pleased to see that Title 17.10 had been eliminated. Sean Gallagher encouraged respecting the property rights of the Anderson family; however, he believed that it should not come at the expense of the community. He was in favor of the property being developed; however, he wished for the Commission to deny this request and allow them to start over “under the new rule.” Courtney Gallagher believed that the major reason for opposing the project was density and peaceful enjoyment of the neighbors’ properties. There were no additional comments. Chairperson Preston invited Staff and the applicant to respond to the public comments.

(7:55:25) – Mr. Pottéy clarified that the aforementioned public trail was not explicitly stated as public in the application. He recommended calling it a “public access easement” should the Commission approve the request. Mr. Pottéy also explained that the street lights mentioned in the comments were not referenced in the application and noted that the detention basins in the Anderson Ranch project were FEMA approved and were shown on the map. Additionally, he expected minor changes to the CLOMR by FEMA.

(7:58:06) – Mr. Forsberg expected the 9.46 acres to be kept open, except for the existing structures (the ranch house and a few barn-like structures) and one additional residence, not greater than 5,000 square feet. Discussion ensued regarding the lower 50 acres and Mr. Forsberg explained to Chairperson Preston that “it’s currently zoned Single Family 12,000...and we’re moving that density from the 50-acre parcel and including it in the 30-acre parcel.” He also noted that they would have “the same net number of houses [132] as the current zoning permits.” Mr. Krahn was informed by Ms. Manzo that the Master Plan

designations for the property have the same alignment.” She clarified that the northern portion is low-density residential (up to three dwelling units per acre) and the lower portion is medium-density residential (three to eight dwelling units per acre). Commissioner Perry clarified to the public commenters that this application was submitted prior to the elimination of Title 17.10, and it would be the last. He informed the applicant that the changes made clarified things better and met some of the item 6 criteria. Commissioner Perry called the open space “stranded in a bunch of narrow trails” adding that he could make that finding. Additionally, he believed that the cultural resources offer was “too unresolved” and not part of this parcel and stated he would vote against the project with the recommendation that future plans should be done with a Planned Unit Development (PUD).

(8:09:42) – Commissioner Borders thanked Ms. Manzo and Staff for their hard work, the applicant for being responsive, and the public for their thoughtfulness and their well-thought-out comments. He believed that the project was still unfinished and that he could not make Findings No. 6. He preferred to have seen it as an 80-acre project. Commissioner Loyd also thanked the applicant for addressing the emergency access for the south lot; however, she did not feel that Finding No. had been met and had issues with applying the density to the north lot with no plans for the south lot. Commissioner DeChristopher thanked Staff for their being helpful, the applicants for addressing the findings, and the public for their comments. She also did not believe that Finding No. 6 had been. She praised the process and encouraged ongoing conversation. Commissioner Krahn was appreciative of the presentation by the applicant and Staff and read the following excerpt from the Board of Supervisor’s November 3, 2022 meeting minutes:

Mayor Bagwell reiterated her recommendation to return the proposed revision to the Planning Commission and noted that “they work extremely hard to get to a ‘yes’,” adding that their role is to ensure it’s “a good project.” Commissioner Krahn noted that it would be difficult to get to a “yes” at this time, especially with Finding No. 6. He also believed that contrary to public comment that “nothing has changed,” the applicant had brought forward several improvements. Commissioner Killgore called the public comments “most impressive performance yet” and stated he would vote against the project because Finding No. 6 could not be met and agreed with the previous comments. Chairperson Preston noted her familiarity with the property and believed that it would be difficult to approve the top acreage without the lower one and added that she could not make Finding No. 6 as well. She also entertained a motion.

(8:19:07) – Commissioner Perry moved to recommend denial of Tentative Subdivision Map SUB-2022-0374 to the Board of Supervisors based on the inability to make Finding No. 6. The motion was seconded by Commissioner Borders.

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

7. STAFF REPORTS (NON-ACTION ITEMS)

- DIRECTOR'S REPORT TO THE COMMISSION

Incorporated below.

- FUTURE AGENDA ITEMS

(4:45:32) – Ms. Sullivan explained that four Special Use Permits, three of which were related to the Carson City Airport, would be agendized for the next meeting. She announced the Growth Management Commission would meet on May 31, 2023 as well, adding that the Title 18 public hearing must take place by July 2023. She recommended an early start next month for a Title 18 discussion. Chairperson Preston requested public outreach explaining the role of the Growth Management Commission and the upcoming meeting. Vice Chair Loyd requested receiving information such as the School District’s level of service and recommended having department heads present to answer the questions posed by members of the public. Commissioner DeChristopher requested a discussion on water quality.

- COMMISSIONER REPORTS/COMMENTS

(4:52:38) – Chairperson Preston recessed the meeting until 5 p.m.

8. PUBLIC COMMENT

(8:20:25) – Chairperson Preston entertained public comments. Ms. Ingbar inquired when the item would be heard by the Board of Supervisors and Ms. Manzo believed it might be agendized for the second week of May 2023. Ms. Gallagher thanked the Commission for their consideration and thoughtfulness.

9. FOR POSSIBLE ACTION: ADJOURNMENT

(8:21:31) – Chairperson Preston adjourned the meeting at 8:21 p.m.

The Minutes of the April 26, 2023 Carson City Planning Commission meeting are so approved this 31st day of May, 2023.