



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: May 1, 2018

DATE: April 26, 2018
TO: Open Space and Regional Park Commission
FROM: Eric Crump, Operations Division Director
775-328-2182, ECrump@WashoeCounty.us
THROUGH: Dave Solaro, Assistant County Manager
775-328-3624, DSolaro@WashoeCounty.us

SUBJECT: Presentation and discussion on Washoe County park property, 688 White Fir St., Reno, APN # 039-220-21, and possible recommendation to staff on items related to the parcel, including but not limited to, current and future use, improvements, development and future planning.

SUMMARY

Washoe County is the owner of parcel #039-220-21, located at 688 White Fir St., Reno (Vicinity map attached). The parcel, consisting of approximately one acre, along with two other parcels totaling approximately 15 acres were acquired in 1978. Washoe County developed the two parcels totaling 15 acres into Mayberry Park, but did not develop the one acre parcel located at 688 White Fir St.

Tom and Iris Stille are the owners of parcel #039-220-35, located at 7777 White Fir St., Reno, and directly adjacent to Washoe County's one acre parcel. Over the years Mr. and Mrs. Stille have made various improvements to the County's one acre parcel including irrigation, turf, trees, shrubs, trails, electricity, and art displays. Mr. and Mrs. Stille have also utilized the area for various events and programs.

During the March 6, 2018, Washoe County Open Space and Park Commission (Park Commission), staff presented on the items and issues related to the parcel including history of the acquisition, current condition, improvements made by Mr. Stille and non-permitted use by Mr. and Mrs. Stille. The Park Commission recommended to staff:

Option 1.) A recommendation to operate and manage the parcel consistent with the other parks within the Washoe County Park System. Resolution to the following issues would be brought back to the Open Space and Regional Park Commission for final recommendation at a later date:

- Inventory and assessment of all improvements with recommendations for appropriateness
- A plan for the maintenance, operations and irrigation water supply

AGENDA ITEM # _____

- A signage plan
- A plan for the permitting of events and programs on the property

Washoe County Park staff has performed an inventory and assessment of the improvements located on the parcel. The results of the inventory and assessment are attached (Table 1).

Washoe County Park staff met with Mr. and Mrs. Stille on March 27, 2018, to discuss maintenance, irrigation and the continued use of the parcel by Mr. and Mrs. Stille. Mr. and Mrs. Stille verbally proposed that they would continue to maintain and irrigate the landscaping, if the County agreed to allow up to 20 events between Mid-May through Mid-October and events would be permitted until 9:00 p.m.

Washoe County staff has received three letters and numerous emails from nearby residents, all of which had serious concerns and complaints regarding Mr. and Mrs. Stille's use of the property. One of these letters is attached.

Staff seeks recommendations on items related to the parcel, including but not limited to, current and future use, improvements, and future plans.

BACKGROUND

Mr. and Mrs. Stille's improvements and use of the Washoe County property for programs and events associated with their River School Farm dates back many years. Throughout this time, Mr. and Mrs. Stille have maintained all of the improvements including the water and electrical supply. Washoe County Park staff can find no written authorization for use or authorization of any of the improvements made by Mr. and Mrs. Stille.

During this past summer, Washoe County Park Staff received complaints from a nearby neighbor regarding use of the park land by Mr. and Mrs. Stille. Washoe County Park staff and legal counsel from the District Attorney's Office met with Mr. and Mrs. Stille on two occasions, including an onsite visit to discuss the use of the park land.

Mr. and Mrs. Stille did submit a proposed Non-Exclusive Revocable License Agreement for the use of portions of Mayberry Park to Washoe County. Prior to determining the appropriateness of the proposed agreement, Staff wished to discuss and get possible recommendations on several overarching issues related to the property.

At the March 6, 2018, Washoe County Open Space and Park Commission, staff presented and discussed several issues associated with the parcel. These issues included:

1. **Appropriateness of improvements made by Mr. and Mrs. Stille** – Mr. and Mrs. Stille have made numerous improvements to the property over time. The improvements include irrigation, turf, trees, landscaping, electricity, trails, and art displays. Staff has performed an inventory and assessment of the improvements, and the results of the inventory are attached (Table 1). It is important to note that the site layout and improvements appear to be in direct support of utilizing the area for events by Mr. and Mrs. Stille. Additionally, Mr. Stille has indicated that the electrical improvements were not permitted with Washoe County or the City of Reno.

- 2. Continued use of the property for events and programs by Mr. and Mrs. Stille** – Mr. and Mrs. Stille are using the property as an extension of the River School Farm. According to their website, www.riverschoolfarm.org, they offer facility rentals for special events, weddings and receptions. Washoe County currently does not have similar type arrangements with any other group or individual(s). Use of park facilities for events and programs is offered through our park permitting system with established fees and insurance requirements. Many of the events offered by Mr. and Mrs. Stille are not typical events permitted in neighborhood or community parks. Wedding and other social events are primarily permitted within our Regional Park system that have been developed specifically to offer the appropriate accommodations for these types of events. These regional parks generally have specific areas that allow for such use, while still providing for public use of other areas of the park. In the case of this property, events and weddings would generally prohibit or at the least discourage use of the property.
- 3. Ramifications of development, improvements and use by Mr. and Mrs. Stille** – Washoe County has processes and requirements in place to partner with individuals, groups or companies to make improvements, maintain, or work on Washoe County public land. These processes and requirements are in place to reduce risk and protect the County and the public. Maintenance or improvements made by individuals, companies or organizations generally require hold-harmless waivers and, depending on scope of work, insurance requirements. Additionally, the work or improvements are approved and oversight is provided by Washoe County. The improvements on this parcel have been made without County involvement, and some improvements have not been properly permitted.

Washoe County also has a permitting process in place for formalized weddings, events and programs. Depending on size and type, these events require security deposits, fees, hold-harmless waivers and insurance requirements, to protect the public land, the County and the park users.
- 4. Future use and plans for the property** – Currently, Washoe County does not have a master plan or any planned development for this parcel. The parcel was originally acquired in 1978 along with two other parcels. The two other parcels have been developed into Mayberry Park. Mayberry Park along with Dorostkar Park, and Ambrose Park offer public river access and various park amenities in the vicinity. In looking at trail connections, the Tahoe Pyramid Bikeway has adopted a route through this area and does not appear to need this parcel for connection. The parcel offers challenges for trail connectivity, as it abuts Union Pacific Railroad Company property at the eastern (downriver) end. The current trail alignment appears to be mostly on an existing public trail easement on private property. Construction of a sustainable trail on the County parcel would be very challenging and not needed. The shape and location of the parcel is also challenging in terms of use and development. A comprehensive property and title search has not been conducted, but an initial search indicates there are no deed restrictions associated with the property.

Washoe County Park staff met with Mr. and Mrs. Stille on March 27, 2018, to discuss maintenance, irrigation and the continued use of the parcel by Mr. and Mrs. Stille. Mr. and Mrs. Stille proposed that they would continue to maintain and irrigate the

landscaping, if the County agreed to allow up to 20 events between Mid-May through Mid-October and events would be permitted until 9:00pm.

Washoe County staff has received three letters and numerous emails from nearby residents, all of which had serious concerns and complaints regarding Mr. and Mrs. Stille's use of the property. The letters and emails indicated many of the same concerns and complaints. These include:

- Constant, late night loud music and drums during spring, summer and fall
- Neighbors can't enjoy sitting outside due to noise levels
- Neighbors have to shut their windows due to noise
- Intoxicated guests walking around and through neighborhood
- One neighbor allegedly sold their home because of noise
- One long-term neighbor thought it was private property
- Concerns over their property values

The Park Commission recommended that the parcel should be operated and managed consistent with the other parks within the Washoe County Park System. Given this parcel is best characterized as a community park, and does not have the same type of improvements or facilities found in our Regional Park system, amplified music, weddings and other large social functions past park hours would generally be prohibited.

Based on the numerous complaints received from nearby residents, it is clear to staff that permitting late night weddings and social functions is not an appropriate use of the parcel. Mr. and Mrs. Stille's proposal to permit up to 20 events between mid-May and mid-October would be the equivalent of an event almost every weekend for 20 weeks.

Based on the comments received from nearby neighbors, and the issues identified above, staff recommends resolution through two possible options. The options are:

Option 1: Should Washoe County remain the property owner, staff recommends that the parcel be operated and managed similar to the other parks within the Washoe County Park System. Weddings and social functions would not be permitted by Washoe County. Other requests for use from Mr. and Mrs. Stille or others would be handled on a case-by case basis through the existing park permitting system.

Washoe County park staff would further evaluate the cost-benefit of the parcel related to maintenance costs and public benefit to determine if Washoe County should maintain the park as it is or make changes.

Option 2: Given the availability of adequate public access to the river and park amenities in the vicinity of the property, coupled with the challenges associated with development and use based on the size, location and layout of the parcel, Washoe County could deem the property surplus and sell the property as allowed under Nevada Revised Statutes.

RECOMMENDATION

Staff recommends that the Open Space and Regional Park Commission consider both options and provide staff with:

Option 1) A recommendation that the parcel be operated and managed similar to the other parks within the Washoe County Park System. Weddings and social functions would not be permitted by Washoe County. Other requests for use from Mr. and Mrs. Stille or others would be handled on a case-by case basis through the existing park permitting system.

Washoe County park staff would further evaluate the cost-benefit of the parcel related to maintenance costs and public benefit to determine if Washoe County should maintain the park as it is or make changes.

Or,

Option 2) A recommendation to Staff to perform preliminary property research to determine if the property can be deemed surplus, and bring a report back to the Open Space and Regional Park Commission for possible recommendation to the Board of County Commissioners.

POSSIBLE MOTION

Should the Board agree with the staff recommendation, a possible motion would be:

Option 1:

“Move to recommend to Park staff that Washoe County parcel # 039-220-21 be operated and managed similar to the other parks within the Washoe County Park System. Weddings and social functions would not be permitted by Washoe County. Other requests for use from Mr. and Mrs. Stille or others would be handled on a case-by case basis through the existing park permitting system.

Washoe County park staff would further evaluate the cost-benefit of the parcel related to maintenance costs and public benefit to determine if Washoe County should maintain the park as it is or make changes.”

Or

Option 2:

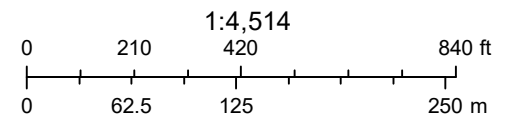
“Move to recommend Staff perform preliminary property research to determine if the property can be deemed surplus, and bring a report back to the Open Space and Regional Park Commission for possible recommendation to the Board of County Commissioners.

Vicinity Map



February 28, 2018

Washoe County Parcel # 039-220-21



Washoe County
Washoe County GIS

This information for illustrative purposes only. Not to be used for boundary resolution or location and not intended to be used for measurement, calculation, or delineation.

Table 1
Mayberry Park APN 039-220-21 Assessment

Yellow - safety or appropriateness issues

Green - ok

Improvement	Safety Issues	Appropriate	Permit	Remove	Notes
Turf	no	yes	N/A	no	
Arbor	yes	yes	N/A	no	Posts should be set in concrete to shore up the structure. Bailing wire needs to be removed and the wood screws should be recessed.
Arbor (Mapes)	yes	yes	N/A	yes	The portion of the structure that is on Washoe County property is a retaining wall built with earthen material and old Mapes building materials. Any pieces that are loose and can be easily removed should be removed. Replace with pavers or large river rock boulders that are stable.
Deck	yes	no	needed	yes	The deck is along the banks of the river, in the flood plain. An NDEP permit would be needed to shore up the footing along the river bank.
Art #1 (tree)	yes	yes	N/A	no	The safety issue is related to the electrical connection, extension cord coming out of the bottom and plugged into outlet next to the base of the tree. Base needs to be improved, no loose pieces.
Art #2 (yard bird)	no	yes	N/A	no	
Art #3 (cranky bird)	no	yes	N/A	no	
Art #4 (solo dancer)	no	yes	N/A	no	
Art #5 (bird tree pose)	no	yes	N/A	no	
Trails/paths	no	yes	N/A	no	
Fence	yes	no	N/A	yes	The chicken wire needs to be removed and replaced with a rabbit wire that is more stable. All posts need to be consistent. Either t-posts with rabbit wire or posts set in concrete and a decorative material such as split rail should be used, as is consistent with other decorative fencing in Washoe County Parks.
Water	yes	yes	N/A	no	There is access to some spickets that should either be converted to a freezeless faucet bib that can be locked or a quick coupler.
Electrical	yes	no	needed	yes	There is conduit out of the ground attached to some posts that are not stable and secure. Several strings of lights are hung on posts/stakes that remain in place. Some of these posts are tree limbs attached to a t-post. The non-structural elements should be removed. The light strings should be removed after each event.
Landscaping	no	yes	N/A	no	
Signage	no	no	N/A	yes	The signage on this property should be Washoe County signage, as consistent with other parks. The current signage, while inviting visitors to enter, does not indicate that it is a part of Mayberry Park or Washoe County.

Crump, Eric S

From: patcampbell123456 <patcampbell123456@gmail.com>
Sent: Wednesday, April 18, 2018 10:40 AM
To: Crump, Eric S; Wallace-Barnum Colleen
Cc: PAIGE STEVENSON; Catherine McEntire; karen craig; Lindsay Craig; wildflowervillage; Carolyn/Bob Norman; Robert Skinner; Pam And Kelly; Dave DeRosa; Pat Stitser; Marshall Stevenson
Subject: Subject: To the Members of Washoe County Regarding The River School and its Occupation of a County Park and Its Consistent Disregard of Its Neighbors With Noise, Drugs, Alcohol, Drugged Guests, Roosters and Chickens

I have lived at 6990 Aspen Glen since 1990.

In the first years I lived there, Kathy and Tom Stille operated with consideration of their neighbors.

In the last 20 years however, the River School has ceased to be even a little considerate.

We have called about the decible level of the music and parties which went over the Truckee River directly to the home of the McEntires who at one time had a new born child. Subsequently, they have moved.

Despite many complaints, the noise continued and the River School refused to accommodate any of the many requests made by the neighbors. Tom did come by one evening in a disoriented condition attempting to gain the blessing of my husband, Chuck Cozzi. Chuck was less than impressed.

My last walk to the park next to the River School was many years ago when I was taking guests to the park. As we went over the foot bridge a drunken and drugged young man asked for more cigarettes and drugs. I avoid the bridge and the park now and were surprised by your recent meeting which we were not advised of.

Needless to say, I am objecting strongly to your approval allowing the River School to continue using the park and do not understand why they hardly ever had permits for their events.

I have had chickens and it was my understanding roosters are not allowed in residential neighborhoods. It is my understanding there have been problems in the past where Tom threatened a neighbor saying he would kill her dog if she let it out and run free. (At the time her husband was dying of cancer and Tom allowed his chickens (roosters and hens) to free range. This neighbor also moved and the home has sold twice and been rented twice.

Consideration is a foundation of good neighborhoods. Obviously high turnover is not a result of a peaceful neighborhood.

Regretfully, I strongly oppose the continued use of the park by the River School and hope their continued use of their land will meet the requirements of Washoe County.

Thank you for listening. Please feel free to use this correspondence in any way you choose.