

Incline Village Crystal Bay Citizens Advisory Board

DRAFT: Approval of these draft minutes, or any changes to the draft minutes, will be reflected in writing in the next meeting minutes and/or in the minutes of any future meeting where changes to these minutes are approved by the CAB.

Minutes of the Incline Village Crystal Bay Citizens Advisory Board meeting held at Incline Village General Improvement District, 893 Southwood Blvd, Incline Village, NV 89451 on July 25, 5:30 P.M.

1. *CALL TO ORDER/ PLEDGE OF ALLEGIANCE - Pete Todoroff called the meeting to order at 5:30 P.M.

2. *ROLL CALL/DETERMINATION OF A QUORUM - Pete Todoroff, Gerry Eick, Tom Cardinale (Alternate for Kevin Lyons), Judy Miller, Andrew Wolfe. A quorum was determined.

Absent: Kevin Lyons, Mike Sullivan

3. *PUBLIC COMMENT -

Steve Hanson said he has been a resident for 28 years; he has lived on College Drive on 21 years. He said he heard about the CAB because of the Incline Creek Estates project. He said College Drive is a sloping curvy street with no sidewalks or shoulders. The drainage is dirt and gulley. He said there are a lot of children that live up there that cross the street to go to the schools. They walk in traffic to get to the high school. He said he spoke to Trevor to see if there were any funds from the Incline Creek Estates project to pay for environmental and safety.

Jean Zambik said she is concerned about the ditches filled in with rock on Oriole. She said they told us our ditch were too deep and dangerous. She said it's a dangerous parking problem. There are no sidewalks and speeding cars. She wants to find out what we can do about that. She said she sees so many close calls with children playing and cars speeding by. She said she lives at 806 Oriole Way.

Richard Baker said he lives in 806 Oriole Way. He spoke about the rock project down Village. He asked why they didn't finish the rock project down to Southwood. He said they filled in the ditches and it's caused more parking problems. You cannot see people pulling out of the complex.

Dr. Andrew Whyman said he is addressing the commissioner. He said this is regarding the senior programs. He said it's come to his attention that the funding for the Incline Senior programs will decrease or stop completely. He said he wanted to give some statistics regarding ridership. He sad we are talking transportation for seniors in this community who can't get around otherwise. We don't have robust senior programs. There are a huge numbers of seniors over 65. There aren't many services for those older than 75. You can't age in place when you don't have sufficient services. The county said they are strapped. \$40m dollar homes are being built and we are sending that money down the hill.

Katy Simon Holland introduced herself. She said she was the Washoe County manger for many years. She said their Bond rating increase during the recession. She teaches at TMCC and UNR and currently teaches innovation. She is concerned with the school district and public confidence. She gave her contact information. She said she is for financial responsibility and other issues that need to be addressed and has been indorsed by several groups. She thanked the board for their services. She said if you are particularly interested in the school district, please let me know.

4. APPROVAL OF THE AGENDA FOR THE MEETING OF JULY 25, 2016 – Gerry Eick moved to approve the agenda for the meeting of **JULY 25, 2016** with the removal of 9a; 9a has been withdrawn from the applicant. Andrew Wolfe seconded the motion to approve the agenda with proposed changes to remove 9a. The motion passed unanimously.

5. APPROVAL OF THE MINUTES OF MARCH 28, 2016 – Gerry Eick made a motion to approve the minutes from the meeting of MARCH 28, 2016 with changes to item #9 – misspelled street name should be Oriole way. Pete Todoroff seconded the motion to approve the minutes with the correction to 'Oriole.' The motion passed unanimously.

6. ELECTION OF OFFICERS

CHAIR: Gerry Eick nominated the Pete Todoroff for chair. Pete seconded. Motion carries unanimously. **Vice chair:** Andre Wolf nominated Gerry Eick for Vice Chair. Tom Cardinale seconded the motion. Motion carries unanimously.

7. *PUBLIC OFFICIAL REPORTS

A. *Washoe County Commissioner - Commissioner Berkbigler may be reached at 775-328-2005 or <u>mberkbigler@washoecounty.us</u>.

Commissioner Marsha Berkbigler gave an update:

Senior services: Commissioner Berbigler said she doesn't know about the senior van. She hasn't heard of any senior services being cut. She said the budget is increasing for senior services this year. They increased meals to 2 meals a day. Volunteer coordinator was hired in 2015 that is responsible for addressing issues up here. She said she hopes they will coordinate with IVGID. She said they merged senior services with social services to be one large department. One positive would allow us more money for senior services. She said several services are coming to this area. The food is just \$16,000 a year. She said she doesn't have a total exact number of what is being put back into this community. Pete said he would like to get that number. She said is isn't aware of the van and that status on that. She said we have interacted with animal services up here; it was being ran by private services and you are paying for them. There is a coalition so that animal service issues are being addressed. She said they will work with IVGID on priorities and goals as it relates to seniors and coordinate that with staff and Kevin Schiller. She said she is speaking to seniors on August 4 and will have information.

Legislation: Legislative session in February 2017. She said some legislation coming out of Vegas is the tax cap - depreciation issue. Clark County is working on not raising the 3% cap, but to adjust it. There is a cap, but now a floor as well. Within this next fiscal year, we will increase .2%. We will see what that concept out of Clark County will look like it. There are 30 bill drafts that relate to Medicinal Marijuana Establishments. 40 bill drafts will have a direct bearing on the county. She would like to have direct dialogue with Pete and Gerry and Susan Herron on communication. We will get that information to you. She said they are putting communication in place.

Medicinal Marijuana Establishments: The MME on Mays Blvd was sold and the state license was sold to another MME owner. Commissioner said she has spoken to the attorney. They have a legal right to open that facility. However, they had 18 months from when that license was issued and they are passed that. Kevin Schiller is working with the legal team. Commissioner Berkbigler said she has spoken to John Redfern to make sure we work together to make sure that that business doesn't come here. Lisa Krasner, Assembly woman, has been active in the marijuana issue. She said they will both be on top of the marijuana issue. They are interested in hosting a community hearing/forum regarding this issue.

Gerry Eick said everyone who attended the last community forum really appreciated it. It was a worthwhile activity. Gerry said he feels it was effective. Commissioner said she is unable to participate in the community forum because she is running for the board.

Andy Whyman said he hope he is wrong about the senior funding. He said as far as MM, there are needs in the state and county. It would be a dereliction of duty. He said it's minor in the grand scheme of things. There are discussions about legalizing marijuana. Commissioner said this topic is at the forefront of all issues. The county is more related to the social costs and social issues. Senior, homeless, social issues related to children, the county is responsible for that too. There are no funds related to MME except for the sales tax for the product. That is the only thing coming back to the county. He asked if we will have recreational marijuana, how will the county afford the consequences. Look at other states and you will see the consequences. Our Sherriff thinks there will be more people in our jail system because there are no laws in place regarding marijuana. He asked how does the law catch up for legalize recreational marijuana. The county isn't focusing too much time, but we are still looking at these issues. There are a lot of issues that are more important, however, we need to address this issue right now.

8. *PUBLIC SAFETY AND COMMUNITY REPORTS/UPDATES

A.*Tahoe Regional Planning Agency (TRPA) – Regional Transportation Plan Update - Tahoe Regional Planning Agency, Associate Transportation Planner, Ms. Morgan Beryl, will give a presentation on the Regional Transportation Plan Update. TRPA is currently updating the plan and it is scheduled to be released for public comment in the fall of 2016. Following her presentation, Ms. Beryl will address questions and concerns from the CAB and the audience. Ms. Beryl may be contacted via email at mberyl@trpa.org or via telephone at (775) 589-5208. For more information about the plan and how to get involved in the process please visit www.linkingtahoe.com. (This item is for information only and no action will be taken by the CAB.)

Morgan Beryl handed out some material: Linking Tahoe Active Transportation Plan Public Transportation Plan Regulatory Document – Public Participation

Morgan reviewed the strategies in the Regional Transportation Plan

- Vision, goals, strategies, performance measures, programs, project lists, cost estimations.
- Program addresses how we will use that money IVGID, nonprofits, school district they can apply for money.
- Cost estimate of how much things will cost and where that money will go. She said they hear priorities from the community; she welcomes feedback.

- Strategies include: Transit service, parking management, financial drivers for local improvement. She said they want input on them.
- 64 miles of trails planned around the basin for major regional bikeways.
- Digital apps with Transit services increased frequency, real time information, close gaps, inter regional routes.
- How do we get people out of their cars and into transits. There needs to be incentives. Be creative and work with government and private.

She reviewed the 'Complete streets' initiative -

- Lakeshore and SR 28 concepts.
- Busy intersections.
- Areas that need improvement.
- High visibility crosswalk, beacon, medians island.
- Working with Washoe County, NDOT, etc.
- Building a bike path on SR 28

New technology -

- Planning and prepare for self driving cars, electric bike paths aligning our regulations in the basin.
- Pedestrian activated beacon to increase safety

Building partnerships -

- Tahoe Transportation District to create corridor plan.
- Corridor work: working with agency partners and community groups/meetings and Regional Transportation Plan.
- Future Funding opportunities to pool money to enhancing infrastructure. Coordinating efforts and funds in the future.
- Take our online survey: www.linkingtahoe.com/input
- She asked the public What are your priorities? Please provide feedback
- Sign up for the Transportation e-newsletters to get updates

Karen Fink: <u>kfink@trpa.org</u> Linkingtahoe.com 775-589-5204

Discussion:

- Andy Wolfe asked about the work focused on state highways versus county roads. He said during public comment, the man had concerns with the county road sidewalks on College Blvd. Morgan said the Active Transportation Plan is the appropriate plan for his issue. These modal issues are rolled into one regional plan. Amendments are made every two years. She said we can identify this issue and include it in the next amendment. She said we need to look at hot spots and make sure data is in line. The services have different collision data. The safety plan would look at that data. Qualitative data would be taken into account.
- Gerry asked who the responsible contact for the active transportation plan is it TRPA or another agency. Morgan showed a list of the agencies and what they are responsible for. She said she is a good point of contact.
- Pete Todoroff asked about the parking issues on Oriole. Pete asked about the bus shelter Morgan said they put him in contact with those responsible for that shelter. She said she will include that information into their shelter plan. It's the local jurisdiction responsibility to build it.
- Morgan said as far as the parking she wants to coordinate with the local Sherriff and Washoe County engineers
 for signage and enforcement. TRPA can get involved if they are illegally parking on dirt that creates an
 environmental issue.
- Tom Cardinale asked about the speed limit by Sand Harbor. Morgan said the NDOT is responsible for setting that speed. The community has a voice, but its set by the DOT. Signs are less effective than changing the road design. Visual complexity in the road design slow drivers. SR 28 corridor management plan may help deal with the speed in that area.
- Richard Baker said he spoke with the Sherriff and it's been an issue for years on Oriole way. The parking is an issue and an accident is waiting to happen.
- Dwayne Smith, Washoe County Engineer roadways, shoulders, water quality impacts play into that. He said
 parking is a challenge in this area. It creates a lake clarity challenge. Water quality projects are the solution. The
 clarity is impacted by the fine sediment that run into the lake. Infiltration galleries and ditches are designed and
 maintained by Washoe County to prevent them from getting into the lake. He said we reach out to the community
 and work with partners NDP and NDOT.
- Morgan said there are options to prevent people from parking in an area. Parking analysis.

- Aaron Vanderpool said he understands the water quality issues. He said the problem on Oriole is filled the ditch, but it created other issues such as parking. He said people are collecting cars and compacting the soil and increasing runoff.
- Wayne Ford said he notices Preston Field is a community center where kids and adults spend time there, but there is no way to walk there. There is a roundabout with sidewalks to go nowhere. He asked how do we connect a pathway to that field. He said when you walk that corner from the roundabout and you have no room to walk and have to walk on the opposite side of the rail. Morgan encouraged him to look at the active project list. She said unfortunately, their role stops; she said they provide funding and grants for designing, but people have to work on the projects to get them done. TRPA doesn't build bike paths but rely on partners those paths. That's local funds. She encouraged talking to your county or local agency and encourage them to apply for grants to design and build paths. Wayne said he wanted to know about priorities for the beginning and the end of town.
- Andrew Whyman said the vehicle traffic is worse than ever before. Morgan said we are seeing increased visitation. Andy said he said he would charge cars a fortune and put in a free public transportation. He said he is tired of these conversations. He said the road noise is deafening on Lakeshore Blvd.

B. *Washoe County Community Services Department (CSD) Planning and Development Division – Tahoe Area Plan Update- Washoe County CSD, Planning and Development Director Mr. Bill Whitney and Planner, Ms. Eva Krause will give an update regarding the Tahoe Area Plan. Following the discussion, CSD staff will address questions and concerns from the CAB and the audience. For more information please contact Community Services, Planning and Development at 775-328-6100 or via email at planning@washoecounty.us To view the Tahoe Area Plan please visit www.washoecounty.us/csd/planning_and_development/master-planzoning/files/tahoe_area_plan_2015.pdf (This item is for information only and no action will be taken by the CAB.)

Bill Whitney, Planning and Development for Washoe County Eva Krause is the designated Tahoe Planner

- Bill Whitney said he attended the May community forum where they spoke about the area plan. He said back in May they were taking the slow approach to the Tahoe area plan so we could see what was happening with the Regional Plan and lawsuits and it's still not a done deal. He said they wanted to watch other jurisdictions on how they were conforming to the Regional Plan. He said we wanted to learn from their experience.
- He said Eva has been working on the table of equivalence with little setbacks and some progress. He she broke her arm. The visitors will be gone and before the snow falls is a good time to roll out that draft for public review. He said he is here to give an update and take questions. Updates: Transportation and trails are a big part of the plan, including the shared use path from Incline to Sand Harbor. Trail guide has been released and printed.
- Eva Krause, Washoe County Planner said Washoe County is looking to doing the plan similar to Placer County planning; however, they have a different funding source. The Tahoe plan includes the north State line community plan, Ponderosa Ranch plan, and Incline business plan. There are special areas 1, 2, 3. She said the Tahoe Family center had to get a special permit for their daycare because of the plan. TRPA calls things differently than Washoe County. She said she will then look into policies and goals in the fall and do one master plan for the entire Tahoe area.
- Gerry Eick said at the community meeting there was interest expressed for the plan but without a true signal for where lines are going to be drawn with terms, definitions and boundaries, in an area that needs a plan. It could take two years. There is a big concern this will take longer. There are still unknowns. It's stifling for planning and progress. He asked if we can we get a concrete calendar that people can have confidence for when it will be executed. Eva said TRPA have set block plans for community center for mixed use, height. She said once we get the plans done, we can add it to our community plan. It's a matter of what we can transfer into downtown. Ponderosa wasn't included in the town center. The plan is excluding IVGID lands.
- Wayne Ford asked about the Orbit Station. He asked where they stand in the plan. Eva said they aren't a special
 area. They have General Commercial use on that property. TRPA had list of uses on that property and we have a
 list of uses for general commercial; only those things that overlap on that list they can do. All those property were
 commercial and re-development to be residential, but orbit station didn't want to. They have a short list of uses
 because they aren't in the town center and they are general commercial.
- Andy Wolfe asked if there is a concrete schedule. He said there are a lot of antiquated buildings. We are behind all other jurisdictions. The TRPA plan is years old. N body can plan to assemble coverage or long range planning if they want to take advance of height benefits. We are frozen in time and waiting. If someone showed up with millions to develop a new block, what entitlements can they have.
- Bill Whitney said the sheet that was passed out in May has a schedule which is still good. You can use that; we
 are still using that. Andy said there are buildings dating back to the 1960, but can't sell if the buyer doesn't knows
 what their land use enlistments are for the future might be regardless if they are real or imagined. Eva said TRPA
 codes said we can do certain goals. Cap on development rights; you have to transfer development rights. If you
 bought and tore it down, you can put 1.5 houses in there. She said she is skeptical of that. It says you can create
 the density, but where are you going to get those rights. Old hotels can be transferred into the town centers. She

asked how we meet these goals and policies. She said you can develop under old plans but you won't get density and height. No increase in coverage.

- Bill said instead of getting input from you and the community, we have been listening to those interested in developing to get mixed use to make sure it works and profitable and redevelopment can happen.
- Pete said now that you have these areas identified, can you go through the particular plan to identify what the plan needs. Eva said she wants to do it all as one plan. Tourist commercial will be same as Stateline. General commercial will be the same. All policy for all areas. Simplify the plan instead of having 4 separate plans in one overall plan. She said South shore doesn't have a plan. Placer County is doing a whole area so it's the same. Washoe County wanted to have the same rules for the entire area. Bill said simplify for those private sectors looking to do business. He said they are working on it.
- Gerry Eick asked about review and response process. Bill Whitney said they would want as much public input. A workshop would give opportunity for input. Gerry said Saturday workshops are well attended.
- Tom said he is concerned. If you increase density and height, you will reduce cars. We have to live with a blanket plan. He asked who will run trolleys in this area if we eliminate vehicle access or bike access. He said he doesn't care for the blanket plan for south shore. Eva said Placer County is doing it different than South shore; she said they are following the Placer County plan. She said in the fall they will be getting public input; how can we make this work.
- Morgan said she wanted to bring attention to 'on their way' grant signage master plan. It isn't the area plan, but it will help to implement and update for better way finding and signage. The county has been doing a lot of work as well. Other parts of the plans are getting done.
- Peter Morris said people are concerned this is happening 'to' us instead of 'with' us. He said concerned about public outreach in our own destiny. Laissez-faire attitude; it would be good if there were hard and fast dates. When it will be done and what is the plan. He wants to know the forum for communication and feedback.
- Bill Whitney said there is a schedule. He said there has been a gap between public workshops with good input. He said the public input process will be in the fall. You can review and give feedback.
- Margaret Martini she said we have an active local paper and citizenry. She would like a tentative schedule. If you publish the schedule, via our local paper, it would be beneficial to everyone.
- Wayne Ford thanked Bill for their hard work. He said he noticed the community forums, those who owned key properties and businesses weren't in attendance at the forums. They are the key players in what is going on. If they aren't here in the fall, many people leave for the season, they need to make plans to be here. If you get them to be engaged, they will be supportive. Wayne said he knows several people who own key properties but leave for the winter. Gerry said if you go past September 30, you should give a remote access for participation. Bill said there are people with ideas for redevelopment. Gerry said they can pull out the notes from 2007. He said it's not all bad; there has been some work done. People are baulking because they don't know what the rules are. It would be better sooner than later so people can plan. If density and height can't be changed, what there are limitations, options or alternatives. People are unsure. This creates a stall in re-development.

9. DEVELOPMENT PROJECTS – The project description is provided below with links to the application or you may visit the Planning and Development Division website and select the Application Submittals page: http://www.washoecounty.us/comdev/da/da_index.htm.

A. Variance Case Number VA16-004 – This item has been withdrawn. Washoe County changed the code MDS to accessory dwelling. TRPA said they have regulation that you can't do under 1 acre. TRPA regulations overruled it. It cannot happen in the Tahoe area.

B. Variance Case Number VA16-004 (Powers Residence) – Request community feedback, discussion and possible action to approve a Variance to reduce the front yard setback from 20 feet to 0 feet and to reduce the south side yard setback from 8 feet to 0 feet and the north side yard setback from 8 feet to 4 feet. (This item is for possible action by the CAB.)

- Applicant: Ken Brown
- Property Owner: John Powers III
- Location: 1707 State Route 28, South of Incline Village
- Assessor's Parcel Number(s): 130-331-02
- Staff: Trevor Lloyd, 775-328-3620, <u>tlloyd@washoecounty.us</u>
- Reviewing body: This case is tentatively scheduled to be heard by the Board of Adjustment August 4, 2016
- Kurt Brown and his father Mr. Brown spoke about the property located at 1707 SR 28. The Application is for a Variance for the southern property line to be moved to 0 feet setback, and the north line to 4 ft set back. The zero foot setback is for the stairs encroachment into the property line. It's a hard site to build on. The existing house will be taken down. The new house will be built on the angle to the property line. He showed the current footprint.

He said the proposed house would increase the space between the homes. He said they would rotate the property and cleanup the shoreline including a boathouse and BBQ pad. All will be brought within the footprint of the home to improve the look of the shoreline and esthetic nature of the shoreline. Street parking would moved off the street and into the garage.

- Tom Cardinale spoke about the narrow sides. The existing is 3 feet on property line. Increase that gap to 7 feet.
- Gerry said you will create a visual corridor right off of the bear box, parallel, instead of an angle. He asked if you have received feedback from neighbors in regards to structure in relationship to the neighbor or slight line. Kurt said no. He just received the neighbors' phone number but they need to coordinate with the neighbors.
- Eva Krause said this is Trevor's case, and he notified the neighbors and they are aware of this. Gerry said it's a good idea; we talked about other development in that area that tried to square up with garage and it's consistent with other lot. It's very crowded in that area. It's equality important that the neighbors are in acceptance of this. Kurt said we will meet with them to show them. The current owner bought the property from the neighbors. They will address this with the other neighbors.
- Andy Wolfe said he received email from neighbor that was sent to him and Trevor Lloyd. For the record, Andy read the letter. John and Elaine Miller on the northside of the subject property: Primary concern is privacy issue with the rotation. The rotation of the property will allow the balcony to give view into the Miller's master bedroom. Andy asked the Browns to address this issue.
- Mr. Brown said the rotation will prevent any sight sideways. There will be walls to obscure them. That was the goal of the wing walls. It will open up the view corridor. He said they want to make sure the other neighbor have access down to the doc.
- Andy Wolfe said the current variance is from the 1930s. Kurt said we want to correct it. It is 0 setback as is. Andy asked how much lot area is consumed by the back shoreline. Mr. Brown said that is the reason why we are pushing back the east property line. He showed on the map.
- Mr. Brown said they are working with TRPA. The intent is to create open space, and a line sight from the street.
- Tom asked about the line sight from the balcony. Mr. Brown said they are staggered. All balconies have wings on them. It will be one story above. Kurt said the owner said the primary use of the balconies are more for cleaning his windows.
- Gerry said this is the standard for the area; this project is consistent with the other properties. Meets the community standard and there is a need. Gerry said he is concerned with immediate neighbors' comfort. You have to give an ear to immediate neighbors. Pete said they just got the Miller's email last minute.
- Margaret Martini asked about the height. Kurt said its 5 stories from the lake. It's sub terrain. She asked if TRPA is ok and does it fit within the Scenic Corridor.
- Jeff, one of the neighbors, in the last parcel, 4 neighbors away said this isn't consistent with the neighborhood. It's different than the neighborhood. He said when the Finnie's took their house down and re-built, they met the 8 foot setback. Their existing house flooded and they tore it down. They built a house within the setback. If you tear it down, meet the setbacks. He asked why grant the variance if you are rebuilding it. It's 5 story of glass that faces the lake. 35 feet height is a TRPA height restriction. Mr. Brown said it's below the grade line where they measure from. Kurt said its 42 feet from the existing grade.

MOTION: Andy Wolfe moved to recommends approval. Judy Miller seconded the motion. The motion carries unanimously.

Discussion: Andy said the findings can be met. It's unbuildable without a variance. We are here making recommendation on a setback variance, and not anything else. Judy said we have had other variance cases for setbacks. Some of the cases we agreed on the variance because of the hardships; because of the slope of the lot or the size of the lot, it's a valid single family lot. A public member asked the clarification on sq footage – Mr. Brown said sq footage goes up because of stories, but the footprint is the same.

10. *CHAIRMAN/BOARD MEMBER ITEMS/NEXT AGENDA ITEMS - This item is limited to announcements by CAB members and topics/issues posed for future workshops/agendas. (This item is for information only and no action will be taken by the CAB).

- Judy Miller said received communication from a resident on Knotty Pine about an issue with a household with boxes and materials in front yard; she said she would like to discuss the code ordinances and enforcement. If a violation is photographed and officer goes out there, the inspector clears out the violation with owner. It's not being effective. Gerry Eick said we need to have community development to come out to discuss their methodology on enforcement. Andy said it would be nice to receive education regarding citation and enforcement. Gerry said this topic came out in May as well.
- Tom Cardinale wants the College Avenue issues of safety with sidewalk and crosswalks be addressed with the Commissioner and County Roads.

11. *PUBLIC COMMENT -

Richard Baker said he requests a follow up regarding the issues on Oriole way.

Aaron Vanderpool said there is a lot of noise on Lakeshore. He said it's concerned about noise pollution. There is increased noise with cars and exhausted. He said he understands it happens with increased transportation and density. He said he found out about TRPA noise ordinances. They will do a monitoring of every 5 years. He said it's a quality of life issue. He said the boats are getting louder and he is being woken up by the noise.

ADJOURNMENT – Meeting adjourned at 7:47

Number of CAB members present: 5	Number of Public Present: 35	Presence of Elected Officials: 1
Number of staff present: 4		
Submitted By: Misty Moga		