



# WASHOE COUNTY PLANNING COMMISSION Meeting Minutes

## Planning Commission Members

James Barnes, Chair  
Sarah Chvilicek, Vice Chair  
Larry Chesney  
Thomas Daly  
Francine Donshick  
Philip Horan  
Greg Prough  
Carl R. Webb, Jr., AICP, Secretary

Tuesday, July 5, 2016  
6:30 p.m.

Washoe County Commission Chambers  
1001 East Ninth Street  
Reno, NV

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The Washoe County Planning Commission met in a scheduled session on Tuesday, July 5, 2016, in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

### 1. \*Determination of Quorum

Chair Barnes called the meeting to order at 6:30 p.m. The following Commissioners and staff were present:

Commissioners present: James Barnes, Chair  
Sarah Chvilicek, Vice Chair  
Larry Chesney  
Thomas Daly  
Francine Donshick  
Philip Horan  
Greg Prough

Staff present: Carl R. Webb, Jr., AICP, Secretary, Planning and Development  
Lora R. Robb, Planner, Planning and Development  
Eva Krause, AICP, Planner, Planning and Development  
Roger Pelham, MPA, Senior Planner, Planning and Development  
Nathan Edwards, Deputy District Attorney, District Attorney's Office  
Katy Stark, Recording Secretary, Planning and Development  
Kathy Emerson, Administrative Secretary Supervisor, Planning and Development

### 2. \*Pledge of Allegiance

Commissioner Prough led the pledge to the flag.

### 3. \*Ethics Law Announcement

Deputy District Attorney Edwards provided the ethics procedure for disclosures.

### 4. \*Appeal Procedure

Secretary Webb recited the appeal procedure for items heard before the Planning Commission. He mentioned that the only appealable items on the agenda for the evening were Public

Hearing Items 9A, 9B, and 9C.

## 5. \*Public Comment

Chair Barnes opened the Public Comment period. There was no public comment.

Mr. Webb requested several moments with the Planning Commission and with previous Commissioner Roger Edwards to take photographs.

## 6. Approval of Agenda

In accordance with the Open Meeting Law, Vice Chair Chvilicek moved to approve the agenda for the July 5, 2016 meeting as written. Commissioner Horan seconded the motion, which passed unanimously with a vote of seven for, none against.

## 7. Approval of June 7, 2016 Draft Minutes

Commissioner Prough moved to approve the minutes for the June 7, 2016 Planning Commission meeting as written. Commissioner Chesney seconded the motion, which passed with a vote of five for (Commissioners Barnes, Chvilicek, Chesney, Daly, and Prough) and two abstentions (Commissioners Horan and Donshick).

## Approval of Washoe County Planning Commission – Reno City Planning Commission May 18, 2016 Joint Meeting Draft Minutes

Vice Chair Chvilicek moved to approve the minutes for the May 18, 2016 Washoe County Planning Commission – Reno City Planning Commission Joint meeting as written. Commissioner Chesney seconded the motion, which passed unanimously with a vote of seven for, none against.

## 8. Consent Item

**A. Possible action to adopt** a resolution initiating an amendment to Washoe County Code Chapter 110, Development Code, Article 916, to update the membership of the Parcel Map Review Committee (PMRC) and to clarify the status of the Design Review Committee as a subcommittee of the Washoe County Planning Commission. Updates to the PMRC would include changing the members and agencies participating in the PMRC, including agency names, clarifying the process for appointing both primary and alternate members to the PMRC, and adding any other changes necessarily connected therewith and pertaining thereto.

- Prepared by: Lora R. Robb, Planner  
Washoe County Community Services Department  
Planning and Development Division
- Phone: 775.328.3627
- E-Mail: [lrobb@washoecounty.us](mailto:lrobb@washoecounty.us)

Chair Barnes asked if any of the Commissioners wanted this item removed from the consent agenda in order to have a full hearing on the item. None of the Commissioners responded.

Mr. Webb provided a brief description of the item.

Commissioner Daly made a motion to approve this item on the consent agenda. Commissioner Donshick seconded the motion, which passed unanimously with a vote of seven for, none against.

## 9. Public Hearings

**A. Regulatory Zone Amendment Case Number RZA16-001 (Spanish Springs Associates)** – Hearing, discussion and possible action to adopt a resolution recommending adoption of an amendment to the Spanish Springs Regulatory Zone map. Further, authorize the Chair to sign the resolution on behalf of the Planning Commission and to send the resolution to the Washoe County Board of Commissioners for their action on the proposed amendment. The amendment would change the current regulatory zone on a ±15.5-acre portion of a ±20.5-acre property from Parks and Recreation (PR) to Medium Density Suburban (MDS).

- Applicant/Owner: Spanish Springs Associates LP
- Location: West of Sand Dune Drive, Dromedary Road, and Gator Swamp Park in Spanish Springs (Pyramid Ranch Estates subdivision)
- Assessor's Parcel Number: 532-091-09
- Parcel Size: ±20.5 acres
- Master Plan Category: Suburban Residential
- Current Regulatory Zone: Parks and Recreation
- Proposed Regulatory Zone: Medium Density Suburban
- Area Plan: Spanish Springs
- Citizen Advisory Board: Spanish Springs
- Development Code: Article 821, Amendment of Regulatory Zone
- Commission District: 4 – Commissioner Hartung
- Section/Township/Range: Section 26, T21N, R20E, MDM, Washoe County, NV
- Prepared by: Lora R. Robb, Planner  
Washoe County Community Services Department  
Planning and Development Division
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Mr. Webb provided a brief description of the item.

Chair Barnes called for ethics disclosures and ex-parte communications from Commissioners. There were none.

Chair Barnes opened the public hearing.

Lora Robb presented her staff report, dated June 17, 2016.

Chair Barnes called for an applicant presentation.

Robert Sader spoke as the representative of Applicant Spanish Springs Associates Limited Partnership. The president of their company, Jesse Haw, was present. They were both available to answer questions or field any comments from the public. They agreed with the staff report and had nothing to add.

Chair Barnes called for public comment. There was none.

Chair Barnes called for Commission questions. There were none.

Chair Barnes closed the public hearing.

Chair Barnes called for discussion. There was none. He called for a motion.

Commissioner Prough moved that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Planning Commission recommend adoption of the Regulatory Zone Amendment Case Number RZA16-001 to the Washoe County Board of Commissioners having made all of the following findings in accordance with Washoe County Development Code Section 110.821.15(d). He further moved to certify the resolution and the proposed Regulatory Zone Amendment in RZA16-001 as set forth in this staff report for submission to the Washoe County Board of Commissioners and authorize the chair to sign the resolution on behalf of the Planning Commission.

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.
2. Compatible Land Uses. The proposed amendment will not result in land uses which are incompatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.
3. Response to Change Conditions; more desirable use. The proposed amendment identifies and responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.
4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility and other facilities to accommodate the uses and densities permitted by the proposed amendment.
5. No Adverse Effects. The proposed amendment will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan.
6. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

Commissioner Chesney seconded the motion, which passed unanimously with a vote of seven for, none against.

**B. Tentative Subdivision Map Case Number TM16-004 (Boulder Bay Resort) –** Hearing, discussion, and possible action to approve a tentative subdivision map for an 18 unit common open space condominium development.

**AND**

**Special Use Permit Case Number SB16-005 (Boulder Bay Resort) –** Hearing, discussion, and possible action to approve grading for future development on a property containing slopes in excess of fifteen percent (15%) on twenty percent (20%) or more of the site, with conditions including approval of a Director's modification to allow fill up to 30 feet.

- Applicant: Big Water Investments LLC
- Property Owner: Big Water Investments LLC
- Location: Reservoir Drive and State Route 28, Crystal Bay NV
- Assessor's Parcel Number: 123-071-34
- Parcel Size: 2.77 acres
- Master Plan Category: Suburban Residential
- Regulatory Zone: Medium Density Suburban
- Area Plan: North State Line Community Plan
- Citizen Advisory Board: Incline Village/Crystal Bay
- Development Code: Article 438 Grading Standards  
Article 424 Hillside Development  
Article 408 Common Open Space Development  
Article 608 Tentative Subdivision Maps
- Commission District: 1 – Commissioner Berkbigler
- Section/Township/Range: Section 16, T18N, R19E, MDM,  
Washoe County, NV
- Prepared by: Eva Krause, AICP, Planner  
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Mr. Webb provided a brief description of the item.

Chair Barnes called for disclosures from Commissions, either ethics or ex-parte communications. Commissioner Horan stated that he is a trustee on the Incline Village General Improvement District (IVGID), and the District does make a finding relative to the water usage, etc. He has no part in that, and it does not impact his review of the case. He had a meeting several weeks previously with the general manager of the Biltmore, not in his capacity as a member of the Planning Commission, but as an IVGID trustee. They had a general discussion about the project. He asked no specific questions. At the time he was not aware that the project was coming to the Planning Commission.

Chair Barnes opened the public hearing.

Eva Krause presented her staff report, dated June 14, 2016.

Vice Chair Chvilicek asked about the three towers in one building. She asked how these towers would be joined.

Ms. Krause explained that the parking garage beneath was the base adjoining the three towers.

Regarding grading and the movement of dirt, Commissioner Prough asked if there was any thought given to them working at night, due to the traffic conditions.

Ms. Krause referred the question to the applicant, because she did not believe that a lot of dirt would be moved off the site. It would mostly be moved around the site.

Commissioner Prough asked about the description of these units as air-space condominiums. He asked if the Washoe County Assessor can put taxes on that sort of unit, when it is just air.

Ms. Krause explained that you own the space between the floor, ceiling and four walls. You do not own the ground underneath that air space. Any time you stack a unit on top of another unit, you do not own the ground itself.

Commissioner Prough asked if this was considered fractional ownership.

Ms. Krause replied that it is not fractional ownership; it is still whole ownership.

Commissioner Prough asked if this would be a lease-hold situation, as opposed to a fee simple situation.

DDA Edwards answered that it is not considered a lease-hold interest. It is a considered a fee form of ownership, but you only own the air within the walls.

Commissioner Daly asked about the fire authority in the area and the approximate distance from their station to the site.

Ms. Krause answered North Lake Tahoe Fire Protection District, Mark Regan. She guessed the distance at a mile or two. There is a station in Crystal Bay.

Commissioner Daly asked if Kings Beach is closer.

Ms. Krause answered that Crystal Bay Fire Station is closest.

Commissioner Daly asked if there is an automatic aid agreement between Kings Beach and North Lake Tahoe Fire.

Ms. Krause believed that there is, but was not sure.

Commissioner Daly requested that answer before the Commission resolved this.

Mr. Webb answered that this would be a question for North Lake Tahoe Fire Protection District. Ms. Krause would not be able to get the answer during the night's deliberation.

Commissioner Daly requested clarification regarding the automatic aid agreement when voting on this next month for approving the minutes.

Mr. Webb answered that Ms. Krause could get the information for the entire Planning Commission after the meeting.

Commissioner Horan said that there may or may not be a formal aid agreement, but the fire departments around the lake are clearly very cooperative as far as mutually helping each other. He asked if the building Ms. Krause mentioned was on the property.

Ms. Krause said that it is not on the piece of property. It is two lots up and across the street on the other side of Reservoir Road.

Commissioner Horan mentioned several phases in the process. He mentioned timeshares. These will be full ownership condominiums. He asked if there is a way that these could be converted to timeshares or if they would have to remain condominiums.

Ms. Krause said that they would have to go through a special use permit to be converted to timeshares. There would be another approval process.

Chair Barnes called for an applicant presentation.

Brian Helm explained that the project went through a full TRPA environmental document between the years of 2008 and 2011 and received certification of the full environmental document in April of 2011, which was certified by TRPA by a 13-0 vote. The project itself was approved by TRPA as reviewed under that environmental document in a 12-1 vote and was not appealed. The project has an approved TRPA phasing plan, broken into six phases. This is the third of those phases. The first phase was the Stateline BMP project that was mentioned. That was the 16-acre site-wide BMP retrofit joint project between the California Tahoe Conservancy, Placer County, NDOT, Caltrans, and them. They provided the land and all of the capital necessary to build a basin to be a receiving area of the impervious surface from all of those properties. Then it was viewed to be a nice novel solution to the idea of retrofitting a project that had quite a long phase of development to be able to have a downstream receiving area that would not have to be subsequently torn out as if they would have done retrofit within the site or the project area itself. That was done in 2014. The second phase of the project is the construction of the public park, which is about 4.5 acres on the north side of this exact former Tahoe Mariner parcel. That was commenced in September of 2015 and was stopped at the end of the grading season. This year they are waiting on NDOT to formalize their approval of the encroachment permit, because there is a small seasonal parking lot located off Highway 28, which provides six public parking spaces to access that public park. They anticipate getting the NDOT encroachment permit in the next few weeks, and then they will remobilize and complete that public park this year. The third phase would be these 18 units of condominium. The closest fire department is across the street, right behind the Crystal Bay casino, about 300 to 400 yards away. Prior to intake, both at the TRPA level and through this review process, they went through the project with the fire marshal and received their stamp and signature on their maps prior to submittal for review. They are completely done with construction level of drawings and ready to submit for their building permits, subsequent to any review and approvals.

Commissioner Horan said that they did not have a CAB meeting prior to this, but the chairman of the CAB was present. He asked if the CAB chair could speak then, rather than through public comment.

DDA Edwards said that his preference would be public comment. He left the choice to Chair Barnes as a judgment call.

Chair Barnes chose to take the CAB chairman's comments under public comment. He called for public comment.

Pete Todoroff, chairman of the Citizen's Advisory Board in Incline Village/Crystal Bay, brought up concern about the financing of the project. He mentioned that the Cal Neva had the necessary approvals and started doing the work, including tearing down some of the building, but they are now in bankruptcy. That is a historical place back into the 20's when they were bootlegging booze for the Cal Neva. The Biltmore has never been a historical site like that, and they filed for bankruptcy. This concerns the community. They do not want another albatross where they find out that they do not have the necessary money and leave a mess. He also brought up the multi-family units. He said that a timeshare, like the Hyatt has, would be a nightmare on that highway in the summertime. The highway is backed up from Incline to Kings Beach trying to get to the Hyatt, to other hotels, and to see the lake. He does not think that the highway can take another multi-family ownership like a timeshare. His third concern was that they have been waiting for a community plan for several years. He wants to know if this is on the community plan, which they have not seen. He has been the chairman since 2013 and is concerned that he has not seen anything on this project from the Planning Commission, from

the County, or from anyone else on this project – nothing mailed. There has been no notification where they gave comment about this in June, and they did not have a meeting in that time.

John Frankovich spoke as representative of the Stillwater Cove Home Owner's Association, located directly across the street from the Boulder Bay project. They have worked with the developer and owner of the project for some time, including through the approvals of the TRPA on the Boulder Bay project. They have no objection and actually support the project with the understanding that they entered into an agreement on certain mitigation measures to take place during the construction of the project, starting with this phase, to protect the Stillwater Cove. They reduced those to a written agreement, signed by the developer. It has been recorded. One of the terms and conditions of the agreement is that they will present this to various governing bodies as they hear the approval process and request that the governing bodies incorporate these conditions into the approval. The agreement specifically provides that they will submit it. So he asked that it be part of the record. He provided copies of the agreement. He said that they intend to work with the developer going forward to address the terms and conditions of the agreement. They are common things, such as traffic mitigation and noise attenuation, both during the construction and after it is built. It addresses the proposed public park, the staging, and certain other aspects of the project as it proceeds. This was done for the protection of Stillwater Cove. They support the project, subject to the terms of this agreement.

DDA Edwards mentioned that additional copies of the agreement provided by Mr. Frankovich would be placed in the back in case anyone from the public wanted to look at the agreement.

Jim Baum, president of the Stillwater Cove Property Owner's Association, backed up all of their attorney's comments. He represents 48 home owners on 22 acres of prime Tahoe real estate exactly opposite this project. They have approved and supported the project and think they have arrived at a great set of stipulations that will make it good for everyone. Their concern is being nicked and dined, piece worked through. This project is going to build Wellness road, but they are not going to shut down Reservoir Road. They are going to have more of a mess on 28 than the whole project, if it was constructed in total, would present to them. They are concerned about the little piece at a time. Pretty soon they will have a camel, instead of a horse. They are also concerned about the financial aspects of the property. They do not see how you can build and market these 18 condominiums at a fair price for that area and still complete the project financially as just a piece. Maybe it is the whole project as it was originally presented. They hope that the Planning Commission can look at the stipulations. If they can incorporate everything that the TRPA agreed to into this project, then it is going to be worthwhile, better for Crystal Bay, and better for all of them. But piecemeal, it could be a disaster again like the Cal Neva.

Omer Rains lives at 180 Lakeview Avenue, directly across and up the hill from the proposed development. He did not want to speak in opposition to the development. He wanted to make sure that a major existing problem is addressed, which could be potentially exacerbated by the development. Currently if one comes down Reservoir Road and wants to turn left to go to Incline Village during the summer or any weekend, it is virtually impossible. It is not unusual for him to have to wait more than five minutes and then turn right, go three miles to the first roundabout in Kings Beach to come back. There is one lane in each direction on Highway 28. He does not know why a traffic light was not placed there. That road services Wassou, Lakeview, and a lot of the homes that go up Lakeview in order to get to Tuscarora, to Beowawie, to Amagosa, and others. It is also a road that services a water tank, the public park that will go in, and Lookout Point trail. Cars are constantly going up to park at the trailhead. He thinks it is in Boulder Bay's best interest to address the problem. He thinks that good, sound use planning requires that transportation matters of this nature be taken into consideration.

Chair Barnes closed public comment and invited the Commission to ask questions.

Commissioner Chesney asked if a traffic study was done.

Mr. Helm replied that a full traffic study was done by LSC Transportation Consultants as part of the project submittal to TRPA. Fehr & Peters completed the traffic study as part of the full EIS documents. Both traffic studies concluded there was no net increase in traffic. They did look at providing signalization of some of the intersections, and none of them met the statutory requirements necessary for NDOT to consider putting in signals at any of those stops. There has been a full traffic study that was reviewed, peer reviewed, and then adopted and certified as part of the environmental document.

Commissioner Prough asked how long ago the studies were done.

Mr. Helm said that the first study was done in 2007, and the second study concluded in 2011.

Commissioner Prough commented on the significant amount of time that has passed.

Mr. Helm answered that with the TPRA, EIS, and the project approval, they had three years to start the project. It was still valid at the time when they started the project and is still valid within the certified environmental document, as viewed by TRPA.

Commissioner Prough brought up the concerns about sufficient financing to complete the project and about the cost of the units in regards to the property values of the other homeowners. He asked about the square footage of the units and the approximate retail price that will be asked for the units.

Mr. Helm said that financial viability was a very large discussion point within the TRPA approval because of the project on the south shore, which failed. A condition of approval was placed onto the TRPA approval, which was to provide evidence of sufficient financing prior to the commencement of any individual phase, to start and complete the project. They cannot put a shovel into the ground and get an acknowledgement of their TRPA permit. Because it is Lake Tahoe, they have to take a Washoe County permit and match that with an acknowledged TRPA permit. He cannot get the second part of that permit unless he shows up to TRPA with letters of adequate financing, both from an equity and a debt perspective to complete the project. With regards to the margin associated with the project and moving forward, they have completed four pricing studies. They have priced out anywhere between \$650.00 per square foot and \$850.00 per square foot, depending on where you think the market is going, etc. They have done three rounds of construction pricing, at the schematic design level, the detail design level, and they are just now moving into the construction detail level. They will not start a project unless they hit their necessary thresholds for margin associated with both of those. They think that the Nevada address, matched with the coming amenities and the design level, will be successful.

Commissioner Prough asked how many square feet are in a typical unit.

Mr. Helm said they average a little less than 2,000 square feet. There is a mix of two bedrooms, three bedrooms, and four bedrooms. There is absolutely no timeshare approved as part of this project. It is all either hotel or whole ownership.

Commissioner Daly asked if there are any near-term plans by NDOT to make any road improvements on State Route 28 in the vicinity of this facility.

Mr. Helm answered that as part of the project application and part of the project approval, when they get into Phase 4, which he would call the primary portion of the hotel development, where the actual trip generation starts to be taken away, the Biltmore would go away, and then the hotel components would come in. There is a very significant NDOT improvement. The land and the cost of doing it would be paid for by the applicant. It is to extend the center turn lane the entire length of Crystal Bay. It currently terminates just past the middle intersection of the Biltmore. They will take it all the way through Crystal Bay to provide an intermediate turn potential for people coming from Stillwater Cove and from the soon-to-be-replaced Reservoir Road. Reservoir Road will be replaced by Wellness Way at Phase 4 of the project.

Commissioner Daly asked if that was anywhere in the package.

Mr. Helm said that the current package only contemplates Phase 3. Phase 4, which is included in the TRPA approval, has the conditions for that requirement.

Vice Chair Chvilicek addressed counsel. In reference to the document that they had just received for the project mitigation agreement, the item before them that night was a special use permit and a tentative subdivision map. She said that this agreement is an agreement between the applicant and the Stillwater Cove Home Owner's Association and would have no bearing on the project that night.

DDA Edwards said it has been represented that this is an agreement between the homeowner's association and the developer. If it is in fact such an agreement, it imposes requirements, legal restrictions, and obligations and duties on the parties to the agreement. But that is a matter between them and not a matter that the Planning Commission is bound by or subject to. Were this to be approved with the conditions, or something like the conditions, proposed in the staff report, that would not free the applicant from having to abide by whatever other legal restrictions it has entered into in some other agreement.

Chair Barnes closed the public hearing and called for Commission discussion.

Commissioner Horan feels that any questions he had relative to construction and the phasing of the project were well answered. He would be prepared to support a motion. He asked about the one changed condition mentioned by Ms. Krause.

Mr. Webb and Ms. Krause clarified the changed condition.

Chair Barnes invited Commissioner Horan to make a motion.

Commissioner Prough addressed Commissioner Horan regarding the property values in the Incline area. He felt that this could only improve the property values for the homeowners around there. He wanted Commissioner Horan's opinion, because Commissioner Horan lives in the area.

Commissioner Horan said that he would have no comment as to where that pricing is going to fall. He thinks it should support them.

Commissioner Horan moved that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission approve Tentative Subdivision Map Case Number TM16-004 and Special Use Permit Case Number SB16-005 for Boulder Bay Resort with the conditions of approval included as Exhibit A in the staff report, DELETING Condition 4.a.ii., having made all

ten findings in accordance with Washoe County Code Section 110.608.25 and all five findings in accordance with Washoe County Code Section 110.810.30:

**Tentative Subdivision Map Findings, Washoe County Code Section 110.608.25:**

1. Plan Consistency. That the proposed map is consistent with the Master Plan and any specific plan;
2. Design or Improvement. That the design or improvement of the proposed subdivision is consistent with the Master Plan and any specific plan;
3. Type of Development. That the site is physically suited for the type of development proposed;
4. Availability of Services. That the subdivision will meet the requirements of Article 702, Adequate Public Facilities Management System;
5. Fish or Wildlife. That neither the design of the subdivision nor any proposed improvements is likely to cause substantial environmental damage, or substantial and avoidable injury to any endangered plant, wildlife or their habitat;
6. Public Health. That the design of the subdivision or type of improvement is not likely to cause significant public health problems;
7. Easements. That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision;
8. Access. That the design of the subdivision provides any necessary access to surrounding, adjacent lands and provides appropriate secondary access for emergency vehicles;
9. Dedications. That any land or improvements to be dedicated to the County is consistent with the Master Plan; and
10. Energy. That the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

**Special Use Permit findings, Washoe County Code Section 110.810.30:**

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Tahoe Area Plan.
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven.
3. Site Suitability. That the site is physically suitable for major grading, and for the intensity of such a development.
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or

improvements of adjacent properties; or detrimental to the character of the surrounding area.

5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Commissioner Chesney seconded the motion, which passed unanimously with a vote of seven for, none against.

**C. Tentative Map Case Number TM16-005 (The Ridges at Hunter Creek)** – Hearing, discussion, and possible action to approve the merger and re-subdivision of four parcels totaling 155.01 acres into a 53 lot common open space subdivision.

- Applicant/Owner: Ridges at Hunter Creek LLC. and Ridges Development Inc.
- Location: South of Woodchuck Circle and Hunters Peak Road and West of Hawken Drive
- Assessor's Parcel Numbers: 041-671-01, 041-650-02, 041-662-12 & 41-650-03
- Parcel Size: 155.01 acres
- Master Plan Category: Suburban Residential (SR), Rural Residential (RR) and Rural(R)
- Regulatory Zone: General Rural (GR), Low Density Suburban (LDS) and High Density Rural (HDR)
- Area Plan: Southwest Truckee Meadows Area Plan
- Citizen Advisory Board: West Truckee Meadows
- Development Code: Article 408, Common Open Space Developments; Article 424, Hillside Development; and, Article 608, Tentative Subdivision Maps
- Commission District: 1 – Commissioner Berkbigler
- Section/Township/Range: Section 19 & 30, T19N, R19E, MDM, Washoe County, NV
- Prepared by: Trevor Lloyd, Senior Planner  
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Planning and Development Division
- Phone: 775.328.3620
- E-Mail: [tloyd@washoecounty.us](mailto:tloyd@washoecounty.us)

Mr. Webb provided a brief description of the item.

Chair Barnes called for disclosures of ethics or ex-parte communications. There were none.

Chair Barnes opened the public hearing.

Roger Pelham presented Trevor Lloyd's staff report, dated June 14, 2016.

Commissioner Horan mentioned a comment by Truckee Meadows Fire. He asked Mr. Pelham if this would enhance or decrease the fire dangers out there.

Mr. Pelham said that the fire department believed that they had sufficient capabilities to provide appropriate protection for the area.

Commissioner Horan was curious about the School District's condition. He said it was the first time they had done anything like that as far as making sure that buyers are notified that their kids may be bused 40 miles in order to go to school.

Mr. Pelham said that it is becoming far more common. That comment has been seen on a number of occasions. Most of those applications probably went to the Board of Adjustment, rather than the Planning Commission. There are potential overcrowding issues in some areas.

Vice Chair Chvilicek asked Mr. Pelham to address Park Planner Dennis Troy's question requesting an easement for access for a pedestrian bridge.

Mr. Pelham asked Vice Chair Chvilicek to address her question to the applicant.

Melissa Lindell with Wood Rodgers provided the applicant presentation. Rebecca Dixon and David Geddes were with her in the audience, representing the applicant. She mentioned that they came before the Planning Commission six months ago with a master plan amendment and zone change. This is the follow up step. With the master plan amendment and zone change, they had a neighborhood meeting and notified all of the members in the surrounding area as well. They promised that when they came back to the map they would do that as well. So they had a neighborhood meeting, in addition to the Citizen's Advisory Board meeting. They had a few comments, but they worked them out with the neighbors. They worked closely with Community Development staff to work out where the lots should and should not be and to work on the conditions. They are in agreement with all of the conditions. They are anticipating that it will be gated, but they left an option on the table for public streets. There are several conditions that they would have to comply with if that is the case. In terms of fire, with the development of the project, there will be a number of fire hydrants in there. The closest fire station is on West 4th Street. It will be defensible space, so she thinks they will get a little more fire protection in there with homes, fire hydrants and access for fire engines to get in and have a water source. Regarding the easement for the Parks Department, there is the trailhead in there right now. She understands that crossing the drainage is a little tough. The County wants to have the opportunity to work with the owners on an easement. They are certainly agreeable to that and to all of the conditions.

Vice Chair Chvilicek asked if they will work with County Parks to work in the easement for the access to the trailhead. She also referenced the closest fire station on 4th Street and said that it is under the automatic aid agreement jurisdiction.

Ms. Lindell affirmed that they would work with Parks. Regarding fire, she said that it is under the jurisdiction of Truckee Meadows. She understands that it would come under the automatic aid agreement. The City fire station and the County fire station are about the same distance from the site.

Commissioner Daly asked if Ms. Lindell anticipated, based on lot size and sales projections, whether any of these houses would exceed 5,000 square feet.

Ms. Lindell said that they may, and if they do, then they would fall under the sprinkler requirement.

Commissioner Daly stated for the record that the closest fire station is the City of Reno, based on testimony from Chief Cochran at an earlier meeting. The good news is that both departments would respond. The bad news is that the agreement expires in June.

Chair Barnes opened public comment.

Linda Heiss is a resident in the immediate vicinity of the development. She is not opposed to the development, but she had some concerns. She is a member of the CAB, and she brought up her concerns at the CAB meeting. The CAB made a motion to bring these concerns to the Commission at this meeting. She said that two speakers have said that there were no concerns raised and they were all handled at the meetings. She said that is not the case. One of her concerns was the incremental approval of the project. It was brought to the CAB as a 29-unit project in the fall. Now in the spring, they hear it is a 53-unit, so there are an additional 24. This is on top of the 16 that are already approved, so they are really up to 69. Individually, when looking at 29, 24, 16, the impact does not seem great. When you look at 16 in a pocket, such as this neighborhood, it is. There is one street to access the development, which is Plateau. The estimated 500 additional trips a day will all take place on Plateau. A large section of Plateau is very narrow with no sidewalks and many kids riding bikes, people walking their dogs, runners, and bicyclists. It is a very populated road in terms of pedestrian traffic. When they hear that there is no impact from 500 additional trips, it is a little bit frustrating, because she believes there is. It is already somewhat dangerous to walk down that street with the traffic they have. In addition, the noticing is frustrating. Looking at the map they had, 500 feet from that development is largely undeveloped land. They hit 32 houses. She believes you should notice at least as many houses as you are building. A lot of people had not heard of this project.

Chair Barnes called for Commission questions.

Vice Chair Chvilicek asked the applicant to address the total number of units.

Ms. Lindell showed the current project area with the 53 lots that were the subject of the master plan amendment and zone change about six months ago. Prior to that time, there were 53 lots approved in the area, and only 30 of them were recorded. The rest expired. They brought in a lot more property, totaling 155 acres. The 29 or so had expired. This project, the 53 plus the existing lots that are already lotted out but not sold, do not meet the thresholds for traffic report. They did work with Clara Lawson in County traffic engineering to analyze the road systems. All of the roads are well under capacity. Plateau, Mayberry, and Woodchuck are under capacity according to County staff people.

Chair Barnes closed the public hearing and called for Commission discussion. There was no discussion.

Chair Barnes called for a motion.

Commissioner Chesney moved that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission approve Tentative Subdivision Map Case Number TM16-005 for The Ridges at Hunter Creek Phase II with the conditions of approval included as Exhibit A in the staff report for this item, having made all ten findings in accordance with Washoe County Development Code Section 110.608.25:

1. Plan Consistency. That the proposed map is consistent with the Master Plan and any specific plan;
2. Design or Improvement. That the design or improvement of the proposed subdivision is consistent with the Master Plan and any specific plan;
3. Type of Development. That the site is physically suited for the type of development proposed;

4. Availability of Services. That the subdivision will meet the requirements of Article 702, Adequate Public Facilities Management System;
5. Fish or Wildlife. That neither the design of the subdivision nor any proposed improvements is likely to cause substantial environmental damage, or substantial and avoidable injury to any endangered plant, wildlife or their habitat;
6. Public Health. That the design of the subdivision or type of improvement is not likely to cause significant public health problems;
7. Easements. That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision;
8. Access. That the design of the subdivision provides any necessary access to surrounding, adjacent lands and provides appropriate secondary access for emergency vehicles;
9. Dedications. That any land or improvements to be dedicated to the County is consistent with the Master Plan; and
10. Energy. That the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

Mr. Webb mentioned three changes to conditions and asked Mr. Pelham to review those changes.

Mr. Pelham indicated the three changes: to change the name in 2(j) to NV Energy, to delete 2(q), and to change the word “constructed” to “designed” in 2(aa).

Commissioner Chesney confirmed that he altered his motion to include the condition changes.

Commissioner Horan seconded the motion as amended, which passed unanimously with a vote of seven for, none against.

## **10. Chair and Commission Items**

### **\*A. Future agenda items**

Commissioner Daly requested a three-dimensional topographical map of Steamboat Hills, an area that will be subject to a future application for development. He would like to know from staff what, if any, impact there is on the Forest Area Plan as a result of the recently adopted Mount Rose Scenic Corridor Management Plan. Thirdly he wants to know from the Truckee Meadows Fire Protection District and Washoe County what updates are pending to the Washoe County Wildfire Hazard Map for the Mount Rose Corridor.

Vice Chair Chvilicek asked for a timeline on updates to Area Plans.

### **\*B. Requests for information from staff**

Mr. Webb indicated that several of the previous requests might fall under Item 10B. They will each be handled either as information or as agenda items.

**C. Discussion and possible action to elect officers, chair, and vice chair**

Chair Barnes noted that the Planning Commissions' Rules and Regulations provide that a chairman can serve two terms. He expressed that he enjoys being the chairman and would be happy to serve a second term. He called for any discussion or possible action.

Commissioner Prough moved to keep James Barnes as chairman and Sarah Chvilicek as vice chair.

Commissioner Horan seconded the motion, which was approved unanimously with a vote of seven for, none against.

**11. Director's and Legal Counsel's Items**

**\*A. Report on previous Planning Commission items**

Mr. Webb stated that Development Code Amendment Case Number DCA16-002, which was the accessory structure by Planner Kelly Mullin, is due for a first reading before the Board of County Commissioners (the Board) on July 26, 2016 and a second reading and possible adoption by the Board on August 9, 2016.

**\*B Legal information and updates**

None

**12. \*General Public Comment**

None

**13. Adjournment**

With no further business scheduled before the Planning Commission, the meeting adjourned at 8:03 p.m.

Respectfully submitted,

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Katy Stark, Recording Secretary

Approved by Commission in session on August 2, 2016.

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Carl R. Webb, Jr., AICP  
Secretary to the Planning Commission