



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: June 5, 2018

DATE: May 30, 2018
TO: Open Space and Regional Park Commission
FROM: Eric Crump, Operations Division Director
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THROUGH: Dave Solaro, Assistant County Manager
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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 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.

At the March 6, 2018, Washoe County Open Space and Park Commission (Park Commission), recommended to operate and manage the parcel consistent with the other parks within the Washoe County Park System. Resolution to the identified issues would be brought back to the Park Commission for final recommendation at a later date

During the May 1, 2018, Park Commission meeting, staff presented on items and provided possible actions for the Park Commission. No action was taken by the Park Commission, but several questions were asked during discussion of the item.

AGENDA ITEM # _____

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

BACKGROUND

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.

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.

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. The Stille's 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.

During the May 1, 2018, Park Commission, staff presented on items and provided possible actions for the Park Commission. No action was taken by the Park Commission, but several questions were asked during discussion of the item. The questions (in bold) followed by Staff's responses are as follows:

What will the cost of maintenance, including cost of bringing irrigation supply to the parcel be? The approximate cost of bringing irrigation supply to the parcel is \$24,800, including trenching, installation, asphalt cut and patch, and expansion of existing irrigation controller. The annual labor cost of maintenance is approximately \$6,000/year.

Will the Truckee Meadows Flood Control Project impact the parcel? Staff has confirmed through review of the plan and contacting Project Staff, that the Flood Project does not have elements that would impact this parcel in the current Plan. The most westerly element of the Flood Project occurs downstream or east of the parcel.

What type of permit, agreement or arrangement did Mr. Stille receive from Washoe County Parks when he first began developing the parcel? Staff has found a Grading Permit that was issued to Mr. Tom Stille & Associates on 9/16/1993 and expired on 3/18/1995. Along with the grading permit, a letter to Gene Sullivan, Washoe County Parks Director, from Thomas A. Stille, dated 8/10/1993; a Facility Group Use Permit Hold Harmless Agreement for "Constructing a Demonstration Garden"; and Landscape

plans were found in the grading permit file. Based on this information, it does appear that there was an agreement between Washoe County Parks Department and Mr. Stille/Interpretive Gardens for constructing a demonstration garden. No other information has been found.

Washoe County staff has received several letters and numerous emails from nearby residents, all of which have concerns and complaints regarding Mr. and Mrs. Stille's use of the property. The letters and emails shared 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

Based on the numerous complaints received from nearby residents, it is Staff's opinion 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. Additionally, it is staff's opinion that the promoting and hosting of social events and weddings by Mr. Stille was likely not the original intent of the agreement.

Based on all of the issues identified above, the complaints received from nearby neighbors, and the information gathered, staff recommends that the parcel be operated and managed similar to the other parks within the Washoe County Park System. Amplified music, 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. The following actions would occur to initiate this change:

1. Washoe County will maintain the parcel consistent with other park parcels.
2. Washoe County will bring irrigation service to the parcel.
3. Washoe County will remove or abandon those items identified as "remove" on the assessment provided during the May 1, 2018 Park Commission meeting. Those items include the Arbor (Mapes), deck, fencing, electrical and signage. Washoe County will also remove the small turf area, but will continue to maintain the existing trees and shrubs.
4. Washoe County will install signage consistent with other parks.
5. Washoe County will survey the site and install a split rail or similar fence along the property between Mr. and Mrs. Stille's property and the park parcel.
6. Washoe County will consider the continued display of the art through a formal agreement or donation, if Mr. and Mrs. Stille are agreeable.

RECOMMENDATION

Staff recommends that the Open Space and Regional Park Commission recommend 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, and Washoe County Parks would initiate the changes enumerated in the background section above.

POSSIBLE MOTION

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

“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, and Washoe County Parks would initiate the changes enumerated in the background section above.”

Zoom to Area...

Basemaps...

Legend Layers



039-220-35

Summits



Parcels



Highways



Local Roads



Railroads

Washoe County Boundary



Water Bodies



Rivers & Creeks



Dry Lakes



Buildings



Airports



University Labels



Shopping Labels



Colleges & Universities



Shopping Malls



Parks



Tribal Lands

