

Attachment F

Appeal of Denial of Tentative Subdivision Map Case  
Number WTM18-005

and

Special Use Permit Case Number WSUP18-0005



# WASHOE COUNTY PLANNING COMMISSION Meeting Minutes

## Planning Commission Members

Sarah Chvilicek, Chair  
Larry Chesney, Vice Chair  
James Barnes  
Thomas B. Bruce  
Francine Donshick  
Philip Horan  
Michael W. Lawson  
Trevor Lloyd, Secretary

Tuesday, July 3, 2018  
6:30 p.m.

Washoe County Commission Chambers  
1001 East Ninth Street  
Reno, NV

The Washoe County Planning Commission met in a scheduled session on Tuesday, July 3, 2018, in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

## 1. \*Determination of Quorum

Chair Chvilicek called the meeting to order at 6:32 p.m. The following Commissioners and staff were present:

Commissioners present: Sarah Chvilicek, Chair  
Larry Chesney, Vice Chair  
James Barnes  
Thomas B. Bruce  
Francine Donshick  
Philip Horan  
Michael W. Lawson

Staff present: Trevor Lloyd, Secretary, Planning and Building  
Eva Krause, AICP, Planner, Planning and Building  
Julee Olander, Planner, Planning and Building  
Eric Young, Senior Planner, Planning and Building  
Roger Pelham, MPA, Senior Planner, Planning and Building  
Dwayne E. Smith, Director, Engineering and Capital Projects  
Nathan Edwards, Deputy District Attorney, District Attorney's Office  
Katy Stark, Recording Secretary, Planning and Building  
Donna Fagan, Office Support Specialist, Planning and Building

## 2. \*Pledge of Allegiance

Commissioner Donshick led the pledge to the flag.

## 3. \*Ethics Law Announcement

Deputy District Attorney Edwards provided the ethics procedure for disclosures.

## 4. \*Appeal Procedure

Secretary Lloyd recited the appeal procedure for items heard before the Planning Commission.

## 5. \*Public Comment

Chair Chvilicek opened the Public Comment period.

Tammy Holt-Still she said the water is still there. She said they put up signs on city easements that she had videoed and took pictures of. The signs were taken down. She said she doesn't know who did it. She said community members sent emails to the Planning Commission opposing the development. She said the lake needs to be fixed. She said you cannot change a flood plain. She said City of Reno is also responsible. County and City need to fix this so people aren't in danger anymore. There are a lot of people here at this meeting who has heard her voice.

Vicky Maltman said she purchased near a flood zone. She said if she knew that, she wouldn't have purchased it. She read the Washoe County mission statement. People in Lemmon Valley haven't been in a safe community for some time. The fiscal irresponsibility got us in this situation. The commissioners are thinking only of the money. There is a lack of good planning, lack of planning staff involvement, and the developers haven't been made to do what they are supposed to do. She said we can't just rely on the county staff.

Danny Cleous recited statements from the County area plan. He said we have to fight it all the time. He said someone doesn't want to do their job. He said Lemmon Valley is for the working people. The plan talks about agriculture in Lemmon Valley. The houses around here have been built and fallen apart; they have been destroyed because what has happened lately. He said his house cannot last even 39 years. He said it's not just Lemmon Valley. It's in the south, east, west. Please do the right thing.

Kathleen Eagan thanked the board for their service. She said the staff in city, county, state, and decision makers haven't been making decisions according to plan. Thousands of hours have gone into creating the area plan. She said she serves on the local advisory board; these are the same issues they hear about. She said the board has the voice and vote. People are living in crappy situations from bad decisions made 20 years ago. Prado is a bad deal. The developers can hide, but the board has to face it. You have to say no for the community.

Ron Bell spoke about the mobile homes in Sun Valley. He said 227 notices were sent, and no there were no objections of mobile homes in Sun Valley. The spoke about the master plan with addendum. Planners have to tell people they cannot put a re-build homes on their lot zoned for mobile homes. He spoke about the zoning changes and commercial zoning. He said we need affordable housing. The current commercial spaces haven't even filled up. He said he has been here before; it was appealed 5-0.

Donna Robinson said she is here to say no to Prado. She said she was out of her home for 10 months. She said her property wasn't a completely in the floodplain until the past few years. The developer wants to build up which will flood the other properties. She spoke about roads and infrastructure. People are speeding and running people off the road. There will be a wall and lights around the proposed subdivision. What will happen when the city dwellers don't like the rural lifestyle of the manure and livestock. She said we need to fix the problems before we build. She said she isn't opposed to development, but we need to fix it. There are accidents. There is only one deputy to serve the entire area. They want to put 490 houses out there. It took 20 minutes for an ambulance to arrive when someone had a seizure. Please say no.

Kathy Jeter, 22 year resident of Lemmon Valley, said her house was flooded, and she isn't in

the flood zone. She said in 2017, everyone was there to care for us until we were fixed, but nothing was fixed. She said her home wasn't in a flood zone when it was purchased. Tax payers should be upset. She asked where did the money go. The pumps aren't permanent. The hesco barriers are falling apart. The schools are falling apart; they are old. The roads are falling apart. Fix the problem, and then talk about development. She asked the Commissioners if they have been out there. The standing water stinks. The sandbags are trashed. It used to be beautiful. Lemmon Valley Dr. hasn't been open for over a year. She said they want our way of life back. More people are put in danger. Where is the common sense. She said there are families, human beings out there. Swan Lake needs to be fixed. We cannot keep putting water in it. We deserve to live in our homes safely. We shouldn't be afraid of rain storms. It's more run off. There is no room for runoff.

Leona Galau, Lemmon Valley resident since 1992, said she wasn't flooded in 2017, but was flooded in 2016 during flash flood, and she didn't have flood insurance. She said she enjoys riding her horses, and doesn't want to live in close distance of her neighbors. If Prado goes in, they will complain about horses, her neighbor's goat breeding, and roosters. It used to be a great place to live, but now she gets angry when she enters the valley. She asked how much effluent water is being pumped into Swan Lake. It's full. The County approved building permits. She said we know development happens, but we live on 1-2 acres, not close distant to each neighbor. The water stinks. Septic tanks were floating around. It's like living in a prison. We beg, let the infrastructure get fixed. She said she waited for emergency response for her father. The ambulance route went to the barriers, and they had to re-route around to get to her. Please say no to Prado. It's not just trailers out there, we have \$400K homes out there. Make it safe because it's not.

## **6. Approval of Agenda**

In accordance with the Open Meeting Law, Commissioner Chesney moved to approve the agenda for the July 3, 2018 meeting as written. Commissioner Donshick seconded the motion, which passed unanimously with a vote of seven for, none against.

## **7. Possible Action to Approve May 1, 2018 Draft Minutes and Possible Action to Approve April 26, 2018 Joint Reno Planning Commission and Washoe County Planning Commission Draft Minutes**

Commissioner Chesney moved to approve the minutes for the May 1, 2018, Planning Commission meeting as written. Commissioner Donshick seconded the motion, which passed unanimously with a vote of seven for, none against.

Commissioner Donshick moved to approve the minutes for the April 26, 2018, Joint Reno Planning commission and Washoe County Planning Commission meeting as written. Commissioner Chesney seconded the motion, which passed unanimously with a vote of seven for, none against.

## **8. Public Hearings**

**A. Abandonment Case Number WAB18-0003 (Sievert)** – For hearing, discussion, and possible action to approve the abandonment of the 33-foot wide easements that run along all four sides of both Government Home-sites on lots 85 and 86 of document number 347118. Any approval only applies to the interest Washoe County owns in the easement.

- Owner/Applicant: Kristian and Regina Sievert
- Location: 2600 feet southeast of the intersection of Thomas Creek Road and Arrowcreek Pkwy.

- Assessor's Parcel Number: 142-242-11
- Parcel Size: 5 acres
- Master Plan Categories: Suburban and Rural
- Regulatory Zones: Low Density Suburban and General Rural
- Area Plan: Southwest Truckee Meadows
- Citizen Advisory Board: South Truckee Meadows/Washoe Valley
- Development Code: Authorized in Article 806, Vacations and Abandonments of Streets and Easements
- Commission District: 2 – Commissioner Lucey
- Prepared by: Eva Krause, AICP, Planner  
Washoe County Community Services Department  
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No disclosures were made by the Commissioners.

Eva Krause, Washoe County Planner, provided a staff presentation.

Commissioner Bruce asked for the reasons for the specific conditions of approval. Eva Krause said engineering has provided the conditions. For planning, one condition of approval is a requirement with a set timeframe to record the map within two years. He asked why the easements were created. Ms. Krause said they are government lots, and sections were made and sold. When the lots were created by the federal government, they did not know the contours of the site or where the roads would be located.

There was no applicant presentation.

There was no request for Public Comment.

**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 approved Abandonment Case Number WAB18-0003 for Kristian and Regina Sievert, with the conditions included in Exhibit A to this matter, having made all three findings in accordance with Washoe County Code Section 110.806.20, and a fourth finding in accordance with Nevada Revised Statutes 278.480(3):

- 1) Master Plan. The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the Southwest Truckee Meadows Area Plan; and
- 2) No Detriment. The abandonment or vacation does not result in a material injury to the public; and
- 3) Existing Easements. Existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service.
- 4) No longer required for a public purpose (NRS 278.480(3)0. The government patent easement is no longer required for a public purpose.

Commissioner Donshick seconded the motion to approve Abandonment Case Number WAB18-0003. Motion carried unanimously.

**B. Special Use Permit Case Number WSUP18-0010 (Sunol Substation)** – For possible action, hearing, and discussion to approve the construction and operation of a 300 MW substation, a NV Energy switching station, emergency back-up generators, and 120 kV transmission line connections to the NV Energy Pah Rah switching station. The project will also add a 120 kV transmission line from the proposed switching station to the Patrick substation located on the south side of I-80, in Storey County. The project also includes grading in excess of 5,000 cubic yards of material and to modify the landscaping requirements per WCC section 110.412.40(a) by requiring no additional landscaping instead of the 20% landscaping area requirement. The construction of a new sub-station will require a conformance review with the Truckee Meadows Regional Plan for a Project of Regional Significance and will, if approved by the Washoe County Planning Commission, require subsequent action by the Washoe County Board of Commissioners to sponsor an amendment to the Truckee Meadows Regional Plan to identify the location of the new sub-station and transmission line(s) on the Regional Utility Corridor Map of the Truckee Meadows Regional Plan.

- Owner/Applicant: Apple, Inc.
- Location: 21505 Reno Technology Park West
- Assessor's Parcel Numbers: 084-110-20, 084-110-29, 084-191-07
- Parcel Size: 612.51 Acres
- Master Plan Categories: Commercial, Industrial, Rural
- Regulatory Zones: GC, GR, I
- Area Plan: Truckee Canyon
- Citizen Advisory Board: East Truckee Canyon
- Development Code: Authorized in Article 810 & 812
- Commission District: 4 – Commissioner Hartung
- Prepared by: Eva Krause, AICP, Planner  
Washoe County Community Services Department  
Planning and Building Division
- Phone: 775.328.3628
- E-Mail: [ekrause@washoecounty.us](mailto:ekrause@washoecounty.us)

No disclosures were made by the Commissioners.

Eva Krause, Washoe County Planner, provided a staff presentation.

Applicant, Cynthia Albright, representing Apple Inc. provided an overview. The Apple East Campus is built out. She said they are working on West Campus build out. She provided some pictures of the subject site plan, infrastructure, and existing utilities. She spoke about the Pah Rah and Clairemont substations. The Sunol substation will be built in phases. She spoke about mass grading. The substation will be stabilized with re-vegetation. She showed all the conditions of approval; she said she said they agree with the conditions.

There were no requests for public comment.

**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, with the conditions included as Exhibit A and amending condition 1.b. as presented, to this matter, Special Use Permit Case Number WSUP18-0010 for Apple, Inc., having made all five findings in accordance with 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 Truckee Canyon 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 the proposed substation and transmission lines, 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; and
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 Donshick seconded the motion to approve Special Use Permit Case Number WSUP18-0010 for Apple, Inc. The motion carried unanimously.

**C. Development Code Amendment Case Number WDCA18-0002 (Private and Public School Facilities)** – For possible action, hearing and discussion to amend Washoe County Code Chapter 110 (Development Code) within Article 302, *Allowed Uses*, Table 110.302.05.2, Table of Uses (Civic Use Types), specifying that Private Education will be allowed with a board of adjustment special use permit in all regulatory zones except industrial and open space and that Public Education will be allowed in all regulatory zones except industrial and open space with no special use permit required; within Article 304, *Use Classification System*, Section 110.304.20, Civic Use Types, to add to the definition of Education that home schooling of children who live on-site is not a part of this use type and to add sub-definitions of Private Education and Public Education; and for other matters necessarily connected therewith and pertaining thereto.

- Location: County wide
- Development Code: Authorized in Article 818
- Commission District: All Commissioners
- Prepared by: Julee Olander, Planner  
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No disclosures were by the Commissioners.

Julee Olander, Washoe County Planner, provided a staff presentation.

There were no requests for public comment.

**MOTION:** Commissioner Donshick move 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 recommend approval of WDCA18-0002, to amend Washoe County Code Chapter 110 within Articles 302 & 304, *Allowed Uses* and *Use Classification System*; and, to update these sections within Article 302 &

304. Commissioner Donshick further moved to authorize the Chair to sign the resolution contained in Exhibit A on behalf of the Washoe County Planning Commission and to direct staff to present a report of this Commission's recommendation to the Washoe County Board of County Commissioners within 60 days of today's date. This recommendation for approval is based on all of the following four findings in accordance with Washoe County Code Section 110.818.15(e):

1. Consistency with Master Plan. The proposed Development Code amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan;
2. Promotes the Purpose of the Development Code. The proposed Development Code amendment will not adversely impact the public health, safety or welfare, and will promote the original purposes for the Development Code as expressed in Article 918, Adoption of Development Code;
3. Response to Changed Conditions. The proposed Development Code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allow for a more desirable utilization of land within the regulatory zones; and,
4. No Adverse Affects. The proposed Development Code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

Commissioner Chesney seconded motion to recommend approval of WDCA18-0002, as well as seconded the motion to authorize the Chair to sign the resolution contained in Exhibit A and to direct staff to present a report of this Commission's recommendation to the Washoe County Board of County Commissioners within 60 days of today's date. The motion carried unanimously.

**D. Tentative Subdivision Map Case Number WTM18-002 (Prado Ranch North)** – For possible action, hearing, and discussion to approve a tentative map to allow the subdivision of 154.65 acres into a 490 lot common open space development with single family lots ranging in size from 5,500-24,058 square feet. The proposal also requests a reduction of the minimum lot width from 70 feet to 55 feet.

- Applicant/Property Owner: North Valleys Investment Group LLC
- Location: Adjacent to Lemmon Valley Drive, north of Nectar Street and adjacent to Chickadee Drive and Sand Pit Road
- Assessor's Parcel Numbers: 080-723-01, 080-723-02, 080-723-03, 080-721-03, 080-721-04, & 080-721-05
- Parcel Size: ±154.65
- Master Plan Category: Suburban Residential
- Regulatory Zone: Medium Density Suburban (MDS4-four units per acre)
- Area Plan: North Valleys Area Plan
- Citizen Advisory Board: North Valleys
- Development Code: Article 408, Common Open Space Development and Article 608, Tentative Subdivision Maps
- Commission District: 5 – Commissioner Herman
- Prepared by: Eric Young, Senior Planner and Julee Olander, Planner  
Washoe County Community Services Department  
Planning and Building Division

- Phone: 775-328-3613 (Eric) and 775-328-3627 (Julee)
- E-Mail: [eyoung@washoecounty.us](mailto:eyoung@washoecounty.us) and [jolander@washoecounty.us](mailto:jolander@washoecounty.us)

No disclosures were made by the Commissioners.

Julee Olander, Washoe County Planner, provided a staff presentation.

Commissioner Chesney asked if an environmental study was conducted. Ms. Olander said hydrology, wildlife, and vegetation reports were provided by the applicant. Mr. Lloyd said we aren't allowed to require a full environmental study, but they did provide reports with environmental emphasis.

Commissioner Horan asked if the School District is aware of the other developments proposed in the area. Ms. Olander said she wasn't sure if they are aware; however, the school district included a letter about available capacity with anticipated growth.

Commissioner Donshick asked about the width of roadways. There are issues with traffic and safety. She asked about the timeline for road improvements since the development is proposed to be constructed in stages. Ms. Olander said we don't have a timeframe on road improvement. Commissioner Donshick asked about sewer capacity and plans for more capacity.

The applicant's representative, Stacie Huggins with Wood Rodgers, provided a presentation. She provided the background on Lansing and community involvement. They are invested in this community. She reviewed the zoning, MDS, 4 units to the acre. This North Valleys Area Plan was adopted in 2010. Modifiers have to be considered. She provided site photos taken in June. FEMA published flood zone in southwest corner of the site. She reviewed the site characteristics. 19.8% of the site is currently in the flood zone. She provided project details including the open space, transition between lots, and walking paths. Smaller lots would be in the interior of the subdivision. Street lighting would be installed at the intersections for safety. She spoke about common open space, and density of 3.17 units per acre which is less than what is allowed. It's mixed lot sizes. She said they will be compensating with parks and open space, and not exceeded the overall density. It will not be over 4 units to the acre. Each Village is in accordance of character standards with parks. Existing trails will connect and will be accessible to everyone including horses, bike, and pedestrian. There is 24 acres of open space. Channels are activated and walkable when dry. Parks will have amenities maintained by HOA.

There is a phased approach to development. Drainage and backbone roads will be constructed before any lot is constructed.

Ms. Huggins spoke about traffic and roads. There will be 490 lots which can produce 4,900 ADT. She spoke about connector roads. She said they are working with RTC engineers. The developer will fix Lemmon Drive by elevating; 2 miles will be elevated at the developers cost. This is above and beyond what is required which will benefit the entire area.

Ms. Huggins spoke about Sewer – Reno Stead Wastewater Treatment Plant is currently treating 1.7 mgd. Proposing to forward with diversion of .5 mgd of raw sewage to TMWRF, which will result in treatment of 1.2 mgd, and the capacity is for up to 2 mgd. 110,250 will go to Reno Stead Wastewater Treatment Plant only if/when City of Reno's 'will serve' letter is issued. She said the lake elevation will be impacted by less than .5 inch a year.

She said they plan to mitigate for increased storm runoff due to development. Volume offset on private land on Westside of Lemmon Drive. Based on Master Hydrology analysis, 30,000 cubic yards of fill will be removed from adjacent open space as mitigation for fill within the floodplain.

She said the regional benefits include elevating Lemmon Drive to provide a solution to a problem; extending utility infrastructure; usable open space for community; 300 acres available for flood mitigation within Swan Lake.

Commissioner Lawson asked about information regarding setbacks, designs, rock block, concrete, other materials, and landscape. He said he is concerned with timing of the road construction. The applicant's traffic engineer, Paul Solaegui, said the condition of approval requires evaluation section between Arkansas to Chickadee. If it shows capacity is required, then it would be triggered. The project will provide impact fees for widening in the south within a 10-year timeframe or when the 400<sup>th</sup> lot is built. Commissioner Lawson asked about the 4-lane roadway construction. Mr. Solaegui said it's driven by the need. He doesn't have a precise definition. Commissioner Lawson said he is on a committee for RTC, he is aware of how the process works. He is aware of insufficient funding. He said he is concerned about capacity of existing roadway to handle the traffic. He said we don't agree developers' needs to raise the road, the county needs to address that. We don't mortgage our community to a developer. Mr. Solaegui said the intersections and roads meet the level requirements; it's a matter of allocation of resources. The studies reflect the improvements will be brought onboard when they are needed.

Dwayne Smith, Washoe County Director of Engineering. Lemmon Drive is City of Reno jurisdiction. He said it's important to understand City of Reno and Washoe County collaborate on roadway safety as result of hesco barriers. There is another piece to roadway elevation. Mr. Solaegui is correct; the RTC plan is just a plan, not a strategy. He said they have met with RTC, there are initial work to look at in order to advance those projects and make them priorities and direct funds. We are advancing those discussions for Lemmon Drive improvements. Commissioner Lawson thanked him. He said the road plan is fiscally constrained, and is concerned because we have issues now. He said he is uncomfortable the application doesn't have complete clarity.

Commissioner Bruce said cutting the lot width 70 feet down to 55 feet is a significant reduction. He said he is concerned for those who have to evacuate.

Commissioner Barnes asked Julee about flooding. Ms. Olander said there are conditions for drainage and sewer that have to be mitigated. There are so many conditions because there are so many issues.

Dwayne Smith said in the tentative map stage, a hydrological study is required, and issues are identified and how they will mitigate flood impacts. The developer owns property in Washoe County and City of Reno - proposing volumetric mitigation as a collaborative approach on impacts. The FEMA codes are very clear, and they have to adhere to those codes. Final hydrological report is required with specific details.

Applicant's Hydrology Engineer, Mr. Mark Gookin, Cardno Engineering, said they conducted an analysis that met standards. Analysis of encroachment of floodplain and runoff. He said they used a computer simulation used by Army Corp of Engineers. He said they prepared conditional map revision which requires FEMA approval prior to shovels hitting the ground. We had a huge winter, which requires mitigation to store more volume. He addressed the environmental analysis and endangered species act compliance. He spoke about critical plants impacted.

Commissioner Chesney asked the timeline of construction. Stacy Huggins said there is a lot of infrastructure that has to happen first. The tentative map is good for 4 years. She said within a 4-year timeframe as allowed by tentative map. The roadway has to be elevated prior to recording to final map. He said at the end of the end of the elevated Lemmon Valley, there will still be a choke at the end of the road improvement.

Mr. Smith said staff report under traffic/roadway, item 3.C., there are additional traffic studies for widening which is based on the current traffic level of service up to the 400<sup>th</sup> lot. It's based on the impact. It's the general approach. It's expensive for municipality to maintain infrastructure before it's required. He said the County is responsible for the roadways which are the single most expensive project in Washoe County. He said we don't require development to build roads that aren't needed because they are expensive to maintain; we have to rely on the studies to understand level of service requirements. Traffic studies help to understand the requirements and mitigations. Lemmon Drive belongs to Reno. He said it's a general approach to every municipality for infrastructures. Commissioner Chesney said there are issues out there from other developments. He said he isn't comfortable; this needs to be addressed before it comes to this board. He asked what are the conditions for elevation for Lemmon Drive. Ms. Huggins said in order to move dirt, the CLMR needs to be approved by FEMA.

Commissioner Horan said we have had this same discussion at every meeting since he has been on the board. He said every town, city, and county has an infrastructure issue. He said the requirements for infrastructure are pushed down the road because of funding.

Commissioner Donshick said safety needs will be stretched. She asked what the average response time is out there. She asked for national standards. She said back in February, Reno City Council expressed concerned with inadequate infrastructure – they requested additional mitigation. The Lemmon Wastewater Reclamation Facility is reaching capacity. The extension to Reno Stead WRRF needs to happen on site. 395 improvements are critical. She wants to know if Reno Council's concerns were addressed by the applicant. Ms. Huggins said they have addressed almost all of those except volume offset on Reno property. The treatment would be constructed by the developer. There are discussions with NDOT regarding traffic issues on 395; it's currently operating at level D. Mr. Solaegui said interstate roadway work hasn't been addressed. He said they have reviewed the traffic on the freeway. In the morning and evening, the freeway is congested. The other way, it moves freely. The findings use averages. There are delays with the predominate direction, but it's expensive and costs would debilitate projects like this. He said it operates within levels of service. There is dissatisfaction in the community due to growth, but it's the regional plan that is the problem.

Commissioner Lawson said he disagrees with Mr. Solaegui. He said we can evaluate it; every 500 cars are a ¼ of a lane. It's a concern in community because it's an impact for those who drive it every day. It needs to be fixed instead of being dismissed. NDOT needs to weigh in on these projects. He asked if there is a mechanism for them to be involved. We need to stop kicking the can down the road. It requires an EIS for improvements in that corridor. We cannot ignore the concerns with this project. Mr. Solaegui said we want to bring legitimate and reasonable projects and growth. He said they coordinate with NDOT and planning; there are opportunities with short term fixes. Because of the EIS process, they cannot commit. We discuss cumulative impacts.

Mr. Smith provided sewer capacity issues clarifications – there is technical work to address sewer capacity issues. Developers are required to pay for onsite collection and conveyance. There is significant growth with increased flows. He said we have been engaged with City of Reno to assess the best approach to minimize cost for treatment and effluent. If all developments were developed at once, there would be an issue. However, they pay for capacity

improvements which are underway. They are responsible. We don't build in sewer capacity or treatment until it's needed. Same applies for roads. If any new development pays for impact road fees which pays for improvements. It is paid with development, not in advance of development.

Chairperson Chvilicek said the tentative map barley meets County requirements. It could have gone above minimum requirement. She asked why wasn't that opportunity taken to meet more than the minimal requirements. Ms. Huggins said it initially began with 500 lot layout without significant common open space. She said they looked to maximize density. She said they heard with concerns at CAB, met with staff, and looked to create something in line with zoning. Some of this is market driven. It will fit with zoning while maintaining open space for flood zone. Chairperson Chvilicek asked where the fill is coming from. Ms. Huggins said it will come from the offset area, other properties which will require a grading permit or special use permit. Mr. Lloyd said if grading exceeds 5,000 cubic yards in Washoe County, it would trigger a special use permit. Ms. Huggins said with the CLMR approval, development is possible in the southeast FEMA flood zone.

#### PUBLIC COMMENT:

Steve Robinson said the Commissioners are aware of road issues. Lemmon Drive is dangerous. He has to take a detour down someone else's street which increases the traffic on their street. 490 lots on 150 acres shoehorned in on 1-2 acre lots; it makes minimum code, but doesn't make sense.

Tammy Holt-Still, Lemmon Valley Swan Lake Recovery Committee, said she wanted to dispel rumor by staff and developer about a wet year. We have many wet years. This year is wet, if not the wettest. They say some of the area isn't in a flood zone, but it's flooded. She showed pictures of flooding. She said she can dispel the hydrology. Lemmon Valley Swan Lake Recovery Committee and Lemmon Valley Flood Recovery Committee received a letter regarding hydrology from Mark Walker, his words were, how can you do anything without accurate information. You have no idea how much is going in. She said sent an email to the Planning Commission members. Tentative map requires approval by NDEP. There is no approval or denial because it hasn't been received by NDEP. Tentative map in the NRS states that you need to have National conservation approval which is the NDEP approval for tentative map. Staff doesn't include it. There is legal standing. You have legal responsibility. Please take it under advisory. It's on the record.

George Still said there is a major project by the same people who did Hepner subdivision where many people got flooded. The area on the map that we are looking at is most is 4920 ft. they want to bring in 1.2 million yards of fill the FEMA floodplain. He asked where is that water going to go. People at 4920 are going to get flooded. He asked how they will connect the 4-lanes to Military Road, there are mobile homes back there.

Dan McCamant spoke about the road connections. There are houses proposed on Chickadee and Deador. It's a closed basin according Audubon and Army Corp of Engineering. He said they drained his well, and he had to buy back his water. The sewer is the same issue. Buy them a sewer plant, and put it back in our front yards. He said he came here for a rural way of life. He wants to raise his son in peace and quiet. He said the North Valleys Community Plan introduction explains it all. The commissioners and government should keep it the way it is with open ditches, horses. Pump the water and take care of sewers.

Marcelle Marlow said she opposes the development and further development until the County can handle a runoff and flooding. We live on a moat. No further development should be allowed.

There is six acres of sage brush and dirt as a park promised by the developer. She said she uses Military Road. It's not safe to drive on Lemmon Drive. She said she has been sand bagging for 4 years but cannot do it anymore because her husband has Parkinson's. Swan Lake is contaminated. We have a lake we cannot use. There is septic contamination in the area. She invited the commissioners to take a drive to see it. She said it's devastating for a year in a half with flooding. Please consider that area including the traffic issues.

Tim Fadda said he has more experiences than anyone. She spoke about 1.2 million yards of fill which would 500 days of trucks to bring in the fill. It will exacerbate the situation. The hydrology report doesn't speak to the runoff into the closed basin off of Peavine. He asked where is the water is going to go. The traffic study was conducted on January 2 – there isn't a lot of traffic happening on January 2nd. This is a smoke and mirror job. Deny this project. Make them do one house per acre.

John Sharp Sinpaga said he moved here 43 year ago with Tim as his neighbor. There were almost no houses. The school bus stopped on Deodar. The air was clean with a country life style. People have livestock. He said he lives on the corner of Matterhorn and Deodar. He said he can't imagine someone moving in who doesn't like the smell of his farm. More people will bring more traffic. It's dangerous coming down Matterhorn. He said he wants to stay there and leave his house to his grandsons, but he won't want it if there are little houses surrounding it. He said his neighbors are flooded. He said he was the chair of Lemmon Valley Advisory Board. He said there was only one road into Lemmon Valley. He worked to get the road paved for two ways, now it's back down to one way. He asked what happens when it get flooded. It takes the emergency services take a long time to get out there. The lake is still flooded. He said we are surrounded by 25 mph zones with people who don't obey the speed limit. Don't allow Prado.

Gary Anderson said when he first moved out there 3 years ago; it took a few minutes to get to Deodar, now it takes 15 minutes. This project will add 880 cars. The desert is our playground. There are dirt bikes, off-road park. These new homes aren't going to want that. They will complain. Keep the open desert. He said he is all for progress, but make the lots 1-2 acre lots. Keep it country lifestyle.

Dan Stanfield said he has lived here for 43 years, and the water has never made it to the dry lake from where he lived. In 1985 when it flooded, it didn't make it there. The surveyors surveyed it when it dried out. It was higher than the drainage ditches on Nectar. No one can clean it out. The developer wants to put in houses, roads, rooftops, that won't absorb the water. The southeast corner is flood zone which will send water to the other side and back up on the east side of Lemmon Drive into everyone's homes. He asked if anyone has considered the design of the project. It looks like cul-de-sacs. He said he worked for county road department for 30 years. Any project with only a few outlets restricts the snowplows for many hours. They will ask to get more snowplows. He said there are about half the amount of snowplows employees from when he worked there. This is a disaster.

Danny Cleous said in the master plan, it talks about future growth and minimizing negative impacts on nearby communities. Open space, wildlife, blend with existing, scenic, is part of the North Valley character plan. He said now you want to bring the city into the county. Those projects have sidewalks. We don't have sidewalks; don't have lights at our intersections. It's dark. Growth will begin to impact landscape. This is the language of the master plan. I don't think would you like that in your neighborhood in Silver Knolls. He said he has property in Silver Knoll, but not if this continues. We don't need or want it. Listen to the people. The county doesn't listen to the people anymore. He spoke about pollution, police, and schools. No one talks about pollution. When there isn't any wind, the pollution sits in the valley. 1.2 million yards

of silt fill is not buildable. Look at the US reports on building on silt. The developer will not accommodate that dirt.

Michael Coli said he is opposed to this project. He said he understands that development has to happen, zoning was changed in 2010, but it doesn't fit the neighborhood. Traffic, water, sewer has been addressed but need to be fixed first. After 400<sup>th</sup> house is built, they will conduct a new study. He asked what happens when the 399 house is built and housing bubble bursts. He said he isn't opposed to development but we don't need this now; please deny.

Katie Beltrando said she loves the vibrant culture of the area. If health and safety would be marginalized by the county, we would have reconsidered. He said she agrees with fellow neighbors statements. The impact analysis should be conducted for hydrology, traffic, noise, visual resources, social economics, and rural way of life. Please don't approve as currently proposed.

Carolyn Sasek said this development and others defy the spirit of one house per acre. There are more than 3 lots per acre. She said her father was an engineer. She said it's not a small project. She read the EIRs. She said they live on 60 acres in Lemmon valley with neighbors with 40 acres, and some with 1 or two acres. No one wants anything that resembles this congestion. The barriers need to be addressed. It's irresponsible to put infrastructure on the developer. 395 have accidents. They have approved development in area next to elementary school. The road has a B rating now, but will be D rating. That is not fair to kids. The school has maxed capacity. Look at overall impact. The silt factor is real. Please judge carefully.

Julie Stone said her concerns have been addressed. She said she lived in Lemmon Valley before it was considered a floodplain. She said she lived in Damonte Ranch and moved away to avoid development like this. She said she wants to enjoy her way of life. The developer missed the mark. We are still living in water. You may be tired of hearing it, but we are tired of living in it. She asked what is going to happen with all that water when he raises the houses. All that water has to go somewhere. We are in a high desert. We usually don't have enough water, and what is going to happen in 40 years.

Denise Ross showed pictures on the overhead. She asked if the proposed development fits in with the current homes. She showed pictures from June 30 of where the retention and detention basins will be which is underwater. More homes are not needed. You will destroy property values. She spoke about school letter by Prado, the enrollment numbers haven't been updated since October 2017. It doesn't reflect new or pending developments. Prado will bring preschool up to 109% base capacity. She spoke about the enrollment base capacity in the schools. The school district response is to implement track and sessions. There have been no immediate solutions. Your yes vote will hurt our children. She said she deserves an apology from Mr. Lansing.

Pat Ceccarelli asked what if we have another wet winter; what if the water comes down Peavine into the lake. Our road cannot take another wet winter. It's dissolving the road and barriers. The infrastructure is important to us. There was a driver who was speeding who bumped the back of her daughter's horse trailer.

Sue Mueller, a 23 year teacher at Lemmon Valley Elementary, said the school is 53 years old. The only reason we are under capacity is because the 5 and 6 grades were sent to O'Brien school. We are now pre-k through 5<sup>th</sup> grade. She said they have reach capacity with additional buildings. Kindergartners are in the process earning money for new playground equipment. She said the Prado Ranch Developers can help with playground and other fixes. She expressed her concerns about busing, parent pick-up, traffic and the sewer treatment plant. She said she use

to ride the bikes to the school when her kids were young. This project is not in the best interest of the rural community. It doesn't fit the lifestyle of our community. Pra-Don't.

Hector Campos said we need your help. He said he worked hard for his property and he wants to save it. Please consider what has been said.

Albert Campos said Lemmon Valley is his childhood. He said Lemmon Valley made him the way he is. He loves Lemmon Valley so much; he bought a house next to his father. He wants to follow that pattern and raise his kids. Lemmon Valley is not the place for this development.

Jessica Campso said she would like to raise her kids in Lemmon Valley. She said they have horses. She asked why would a development for 500 families to have the same quality of life, but the current residents are losing it. This is stopping the quality of life. She said the horses had to get saved during the flooding. It wasn't a long time ago that the moratorium was lifted in Lemmon Valley. Development is good, but not when there are issues. Fix the issues, and then consider development.

Robert Ross said he grew up in Lemmon Valley. We aren't ready for this. We need to focus on infrastructure. This development would bring 5,000 trips daily. He asked how is the equipment going to get out there. They will have to use Military Road and residential roads. He said he wants the opportunity to grow up and grow old in Lemmon Valley. Let's do this right.

Carl Young spoke about flooding. He said one man had to put a house on wheels to escape it. He said he moved out there for isolation. He has chickens and turkeys. You don't get that connectedness or lifestyle with smaller lots.

Tyler Rodriguez said three minutes isn't long enough to say what he wants to say. He said he was raised out there. His grandfather built houses out there. He said his grandfather would be upset about this. We need the levee to be built. We don't need this development.

Rick Snow said if there is a fire, you have one way out in the front and one way in the back of Lemmon Valley. There will be loss of life. Roads need to be expanded. They have been on the books to be expanded. The staff presentation stated the development meets the master plan. They don't meet the standard and requirements. It's not in compliance. You are upholding you're promise when you approved the master plan. it's not appropriate. Lots are not compliant.

Pam Becker said she use to live in Lemmon Valley. She use to live on Idaho, but can't drive that way now. She said she understands progress, but this will bring more congestion and trouble. Law enforcement and fire cannot respond. They will have a hard time. There are not enough resources. Emergency vehicles cannot turn around in those developments.

Casey Meaden said she is totally against the Prado development. She emailed her thoughts to the Commissioners.

Donna Robinson said law enforcement would be stretched. She wants the environmental reports for the City of Reno. There will be an increase of crime and fatalities. She said there have been many accidents and many more accidents after the flood. She asked how a canal can be built when it's covered with water. She said the gravel pathways aren't appropriate for horses' hoofs. She spoke about traffic. Please, no to Prado.

Brittney Fry said she purchased her home in 2011 from the Bay Area. She said newcomers and city-folk put regulations on the original rural residents. She said it took a long time for the ambulance to get to her house when her daughter was sick. She said the agencies argue over

the jurisdictions. She said they are impacted by the floods. She has livestock, and they smell. She said she refuses to give up her way of life. She wanted the country living close to town. Please remember who you represented. We want a quiet, rural neighborhood.

Richard Fripp said he doesn't support Prado Ranch. He said he escaped the city life and doesn't want to be encroached upon. The water will be pushed to his house and neighbors. Lemmon Drive isn't open when it rains. The freeways cannot handle it. He this is why he moved away from California. Please say no.

Carli Fripp said she opposes the Prado development. She said she is use to space. This development threatens our way of life. She said we were threatened by feces filled waters. We shouldn't be discussing this. Our schools are at or over capacity. She said she might have to bus her kids to charter schools. This development doesn't belong here. There is enough built development. It's irresponsible. They are in a floodplain while others are still under water.

Kim Richardson says she lives across from proposed community. It's irresponsible to approve a 55 foot width lot while her lot is 150 foot wide. The master plan, NRS 278, determines if the current infrastructure meets the needs. It's the law that things need to be in place. Ethical principles serve public interests with policy and action to serve the community. This is not in the best interest of our community. The Sheriff office will stretch their resources. She expressed her concern with safety. Prado has 150 acres, 102 are designated for homes, 48 are boarder homes of 1/3 acre, and then you have 86 acres for 442 homes, which is .2 acres per lot which are nowhere near the 46,000 sq foot of her lot size. She spoke about fire and evacuation; Arkansas only has two roads in and out of her neighborhood. The third road has been closed since February 2017. It's a health and safety issue.

Russell Richardson said he echoes what has been said. Make the development match. The perimeter can only be one story, and the interior houses can be two story.

Douglas Souza said he has lived in North Valleys for 25 years. He said we are out of water; we get water from three valleys over. The schools are full. The roads are full and deteriorating. The fire department is tapped and voluntary. He said he is pro growth, but don't shoehorn it in a pristine neighborhood. He said it's inevitable that growth will happen. It's just a matter of time.

Diana Bushey said she was born at St. Mary's when Plumb Lane was still a dirt road. She has seen Reno grow when roads were built first, and thought and planning was put into the growth. She said her house is underwater along with 10 other houses. The water has receded. All the new roads proposed will end up to the same place, on 395.

Gladice Estrada said she has flooded three times. She said we have elected officials who we voted for and we trusted them, and hope they can be here for us. She said they have had a lot of power outages. It's hard for NV energy to get out there to get them fixed. She said she had to get rid of her animals after the last flood. The Prado Ranch will hurt the community. She said one of her kids had to move to O'Brien do to capacity. Development should be done out of necessity, not greed. We live out there for the way of life. We help each other out. We want Lemmon Valley, not midtown.

Kathy Jeter thanked the commissioners who toured the area to see the conditions. Please use empathy. We are residents. Things need to be fixed and then consider building and developing

Leona Galau said she enjoys moonlight horse rides under the stars. She said the hesco barriers are a temporary fix, and the only thing keeping the water out of your home. It will rain again. The big red pumps move the water from one side to the other. The engineers said the drainage is

adequate. It doesn't drain. It's not adequate. All the water will flow down the hill to Swan Lake. She said they put in a dry well with gravel, and there is still water. The ground is saturated. It's not safe, healthy, or secure. We know there will be development, but fix it first.

Paula Povilaitis spoke about leadership. She said many of the houses she looked at when she bought 5 years ago are now flooded. We need to restore what has gone badly. We moved here because we had a small community. She chooses not to live in manicured communities. The future is not to expand into small manicured subdivision. If this is Prado 'north' that means there can be a Prado south, west, east. It sets a precedent. We want to keep a rural concept. This will not help us.

Vicky Maltman said these commissioners have a better understanding than the county commissioners. The County Commissioners said millennials don't want to own land, but you have heard some tonight who own land out here. They want to force more on us to live in cookie cutter houses. The County and Reno collaborate to screw these people. We are more intelligent than the elected officials.

Rob Sheets said Lemmon Valley Road is City of Reno. No wonder the City of Reno passed it along. We leap frog Lemmon Drive through planned development. There is new development on Military Road. Water runs off the dry flood plain. We are driving through a flood plain while discussing developments. It doesn't make sense at all.

Nancy Sheets said she has seen changes and they are unacceptable. Please say no to this development. It's putting a city in rural developments. You are asking to mix two mentalities – Hatfield and McCoy. City people have no patience for horse people.

Will Roberts, Lansing Companies, native Nevadan, said he grew up in the largest county in the state. He said he respects the rural lifestyle. He got pushed out by growth. We didn't create the problem out there; we want to create a solution. No one wants density. He wants the neighbors' time to explain to them since the flood, the technical things behind the scenes, financial commitments, response times, safety, and plan to raise Lemmon Valley. We are talking about regional solution by moving water to new basins. He said he is asking for healthy conversation with neighborhoods. We would like to compromise. We need to put in a development that is sustainable. The development will have a 30 foot buffer. He wanted to put on record the request for healthy discussion and answer questions. He said they donated an elementary site.

Brooke Riedd said everything that has been said is important and cannot be forgotten. She said there are two detours. It's just the beginning. There are two thousand lots, not 490. That's 4,000 cars on the road. They talk about adding lights. They will need to add traffic stops. We don't need lights. No means no.

Tony Lorezzo said roads and flooding has been stated a lot. He spoke about the parks being managed by HOA. It was mentioned that the parks are going to be for everyone. He said the HOA will not want people who don't pay the HOA fee to use the park. They donate land that cannot be built upon. They donate school sites to a district who cannot afford it.

Jonathan Mathew said he lives in Verdi. Moyea Leer estate was broken into smaller estates in Verdi. It changed the character. He said he has experienced the Garson fire. These people have experienced flooding. They have PTSD from the flooding. They are suffering. They are under attack. But we also need development. Please help them first, and then build respecting their rural lifestyle.

**MOTION:** Commissioner Bruce 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 deny Tentative Subdivision Map Case Number WTM18-002 for North Valleys Investment Group LLC, having not made all ten findings in accordance with Washoe County Code Section 110.608.25:

- 1) Plan Consistency. That the proposed map is inconsistent with the Master Plan and any specific plan;
- 2) Design or Improvement. That the design or improvement of the proposed subdivision with requested lot width variance is inconsistent with the Master Plan and any specific plan; and will cause significant health problems until the Swan Lake.
- 3) Availability of Services. That the subdivision does not meet the requirements of Article 702, Adequate Public Facilities Management System;
- 4) Public Health. That the design of the subdivision or type of improvement is not likely to cause significant public health problems until flooding of the Swan Lake flooding is fully resolved.
- 5) Access. That the design of the subdivision fails to provide any necessary access to surrounding, adjacent lands and provides appropriate secondary access for emergency vehicles;

Commissioner Lawson seconded the motion to deny Tentative Subdivision Map Case Number WTM18-002.

Commissioner Horan said we heard a lot of public comment; it reinforced the comments made by the Commissioners. Commissioner Chvilicek said there needs to be a reasoned approach. We cannot keep building in Lemmon Valley without fixing it. She said she was part of the CAB when they wrote the area plan. The area plans take precedent over all other plans. Commissioner Chesney said we know development will occur, but this is poor timing. He said there are too many unmitigated issues. It's not the developers fault. There has been poorly regulated development in City of Reno going on for too long.

**Motion carried unanimously.**

**E. Tentative Subdivision Map Case Number WTM18-005 (Autumn Wood Phase 2) –** For possible action, hearing, and discussion to approve a tentative subdivision map for a 17-lot, common open space, single-family residential subdivision. The maximum allowable residential density in the zone is 3 dwellings to the acre. The applicant is proposing 2.91 dwellings to the acre. The request also includes reducing the required side yard setbacks from 8 feet to 0 feet on one side of each lot to allow for a shared common wall as this project is proposed to be a townhome development.

**AND**

**Special Use Permit Case Number WSUP18-0005 (Jeppson Lane Storm Water Detention Basin) –** For possible action, hearing, and discussion to approve a special use permit for Major Grading of approximately 5.83 acres and approximately 28,000 cubic yards of excavation, part of which is within the Sensitive Stream Zone Buffer Area of Whites Creek. The grading is proposed for construction of off-site storm water detention improvements in association with the Autumn Wood residential subdivision.

- Applicant/Property Owner: D.R. Horton

- Location: West side of Jeppson Lane, approximately 500 feet north of its intersection with Zolezzi Lane
- Assessor's Parcel Number: 162-010-31
- Parcel Size: ±5.83 acres
- Master Plan Category: Suburban Residential (SR)
- Regulatory Zone: Medium Density Suburban (MDS)
- Area Plan: Southwest Truckee Meadows
- Citizen Advisory Board: South Truckee Meadows/Washoe Valley
- Development Code: Authorized in Articles: 408, Common Open Space Development; 418, Significant Hydrologic Resources; 438 Grading and 608 Tentative Subdivision Maps
- Commission District: 2 – Commissioner Lucey
- Prepared by: Roger Pelham, MPA, Senior Planner  
Washoe County Community Services Department  
Planning and Building Division
- Phone: 775.328.3622
- E-Mail: [rpelham@washoecounty.us](mailto:rpelham@washoecounty.us)

Disclosures: A Commissioner said he drove by the subject property. Chairperson Chvilicek said she spoke with the applicant's representative, and directed the representative to speak with County staff.

Roger Pelham, Washoe County Planner, provided a staff report presentation.

Commissioner Donshick asked if it's standard to reduce the setback to zero feet. He said it's not uncommon. For townhomes, one property line is shared. Its single family attached is the use type.

Commissioner Horan asked about the conditions of approval back in 2006. Mr. Pelham said these dwellings are a development pattern that will be a continuation similar to the adjacent development. The runoff created by previous development will be contained in these retention basins. It's currently vacant land. It's a continuation of something that hasn't started. Approval is in place, but wasn't constructed. Approvals are valid for typically 4 years. Mr. Lloyd said tentative maps were kept alive during the downturn of the recession. There were quite a few of these. It was a common practice. Board of County Commissioners approved them through that process. Commissioner Horan said it seems we would need to start over. Mr. Lloyd said we processed 10 to 12 of these in the downturn.

Commissioner Lawson asked if NRS was followed; there are concerns about that. He would like to speak with Nate about this because of the nature of the extension. He said the master plan was adopted in 2010. Mr. Pelham said the tentative map was approved within accordance of master plan in 2006. It was approved and the findings weren't negated by the change to master plan later in 2010.

Mr. Edwards said development agreements are adopted with accordance of NRS 278.01. He said he remembers when they were adopted with reasons why they were. Municipalities were helping developers from going bankrupt. Development agreement is an ordinance.

Commissioner Horan asked where the closest similar development is to this subject. Mr. Lloyd said Autumn Wood Phase 1 is the closest example but it has a higher density regulatory zone. The nature of most developments in Washoe County is lower density developments; you do not

see a lot of this in the county, but rather in the City. Commissioner Horan said it's uncharacteristic of the area. He asked if the comments submitted by Mr. Freeman were valid.

Chairperson Chvilicek asked about the current character statement. She referenced a portion of the character statement. Mr. Pelham said it's zoned MDS and developed as just less than 3 to the acre at 2.91 to the acre by clustering.

Applicant representative, John Krmpotic, KLS, representing DR Horton Homes, presented a slideshow overview.

Autumn Wood Phase 2 is a continuation; it's an identical product. It defines the neighborhood. The bulk of the neighborhood is established by phase 1 of Autumn Wood. He said this is a continuation product. It's the best we can do for the neighborhood. He said there has been confusion with density. This would be a common open space development. He said we are trying to improve the downstream improvement. He read a portion of the character statement – its perfect development for the area.

Commissioner Bruce asked about Autumn Wood 1. Mr. Krmpotic said it is the exact same product. It's the basis for the neighborhood. Commissioner Bruce said for future reference; this information should be included as background information regarding the character of the current neighborhood. He said it's hard to make out what we have; it's vague.

#### PUBLIC COMMENT:

Whitney Freeman said her concerns were included in the letters submitted. She provided an opposition document for the record. She said she is bolstered by the denial of the last development. MDS has a lot of requirements including lot size which is being ignored. She said the side setback is being eliminated. MDS is limited three to the acre. The detention pond is part of Autumn Wood development that was already development. They changed the plan substantially since it was approved. She spoke about the mobile home park that was cleared out. She showed a subdivision map; the design review committee didn't see the ditch re-direct. This causes potential flooding. The traffic will impact the properties adjacent. They are supposed to mitigate it. If we don't reject, then demand continuation for further consideration.

Debbie Russell said she has seen tremendous growth in Reno. Whites Creek is designated a flood zone by FEMA. She said in the late 90s and early 2000s, there have been major floods in the area. They rebuilt Zolezzi Lane. She said she doesn't understand how they got permission from FEMA. When you urbanize the area, you increase the flood because you take away the natural flow. She spoke about the school which is a drive-in school. You will have major accidents. We don't have a major feed street. Traffic isn't being taken care.

Dave Wurst said he has lived here before the major changes. He spoke about multifamily units on Arrow Parkway; traffic is a concern. It's not character of the neighborhood. Nothing looks like this. It's clustered on one side. Keep to the plan.

Stacy Perez showed a video of Jeppson Lane. She showed her flood insurance. Her lot was sized to 1.49 acre lot, so she cannot have her horses there. She said it doesn't fit with the plan; it's different. This land is where we walk our dogs, not for multiple units.

Mary Levy, Principal of Mountain View Montessori School, said she agrees with the issues. She said she moved there in 1999. The 3:15-3:45 pick up time at the school is frustrating to the neighborhood. 240 kids. It's a rural school. She said this is the Whites Creek corridor. The school adopted the park with the County to trim trees and general upkeep. She said it was there

when it was a mobile park when Autumn Wood went bankrupt and taken over by Zolezzi Properties. It's not in compliance with the area plan. It needs to be suitable to the neighborhood - a beautiful park or other opportunities. She said she doesn't agree with the way it was grandfathered in. She doesn't see how staff made the findings. It will have a long term impact. She said she lives two minutes up the street. She told the Commissioners to look more closely, and consider. If it's not decided tonight, please issue continuance for further discussion.

Dave Keyes said he lives one mile to the west of this property. He said he has tutored at the school. He said this property is very different than the neighborhood of horse properties. He said Zolezzi floods frequently. TMWA put a recharge facility, and they harvest water from Whites Creek in summer to recharge city wells. They don't harvest during flood time due to sediment. At peak flow, the water flows through the neighborhood. He said the 90 degree bend is not possible. He wonders if the peak flow will flow out of the retention basin. He agreed with the traffic jam issues to Montessori school. He said these are duplexes, not single family homes.

Applicant representative, John Krmpotic, said the new plan is conforming to the tentative map and density. He said it was approved development with shared access; he said they want to separate the shared access. He said he hopes the commissioners to go witness the traffic. It only happens when the school gets out. He said the school car pooling is the root of the issue. He said we don't know if they car pool per their conditions. He said we are adding 2% increase in car trips.

Commissioner Horan asked Roger Pelham said he hopes he takes the opportunity to read Ms. Freeman's comments. Mr. Pelham said it allows for clustering. The setbacks are consistent because this is common open space which allows reduction or elimination when density is clustered.

Chairperson Chvilicek said Autumn Wood 1 has 40 units and the one proposed has 16 units. She asked why didn't they take the opportunity to redesign Autumn Wood 1 like what is being proposed Autumn Wood 2. She said it's not identical - phase 2 is less dense, more appealing with shared common space. First phase is a lot of houses with concrete. Mr. Pelham said the zoning allows higher density in the first phase.

Commissioner Chesney asked the applicant why they didn't take the opportunity. It's been around for 12 years; there wasn't anything for seven years. It was priced at 10 per acre, 46 subdivision. Mr. Krmpotic spoke about product differentiation. He said it's a preferred product, townhome, single family attached.

Trevor Lloyd spoke about reduction of lot sizes and setbacks. He read a portion of article 408 regarding the purpose of common open space. He said we are preserving the stream zone. Common open space is the detention basin and stream zone and other areas.

Commissioner Lawson said he is concerned for the 90 degree bend as potential flooding west of the junction. Robert, Civil Engineer, addressed his concern. There are two arms - the creek and Zolezzi. In the 1996, report shows overland flow of those two arms during 100 year flow. He said conditions on tentative map are to allow flow across the property. He said that is the reason why we have the channel to capture sheet flow, channel the water into the detention basin, and have a gradual release into the creek during 100 year flow. It doesn't affect the west properties at all.

**MOTION:** Commissioner Lawson 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 deny, Tentative Subdivision Map

Case Number WTM18-005 for DR Horton, having not made all ten findings in accordance with Washoe County Code Section 110.608.25 and having addressed the special review considerations as required by Washoe County Code Section 110.418.30:

- 1) **Plan Consistency.** That the proposed map is not consistent with the Master Plan and any specific plan; tentative map was approved before master plan was adopted.

Commissioner Bruce seconded the motion to deny Tentative Subdivision Map Case Number WTM18-005. The motion carried unanimously.

Discussion: Commissioner Horan agreed with Commissioner Lawson that it is not consistent with the master plan. He said he is uncomfortable with the fact that we are calling it a continuation. DDA Edwards said he wanted clarification on the record regarding the movement; this tentative map is being requested to be approved under the current master plan; the prior master plan is not before you tonight. Commissioner Lawson amended his motion and clarified that he does not find it consistent with the master plan as it exists today.

Commissioner Lawson amended his motion to include: Commissioner Lawson moved to deny. After giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission deny, Special Use Permit Case Number WSUP18-0005 (Jeppson Lane Storm Water Detention Basin) having not made all five findings as it's inconsistent with the master plan. Commissioner Bruce seconded the motion to deny. Motion carried unanimously.

**F. Report on Master Plan Amendment Case Number WMPA18-0001 (Sun Valley Area Plan)** – For possible action, hearing and discussion to amend the Washoe County Master Plan, Volume 2, Sun Valley Area Plan, at Policy SUN.1.2 to remove the sentence, "New single family detached residential, including mobile homes, will not be allowed within the DCMA." If approved and subsequently found in conformance with the Truckee Meadows Regional Plan by the regional planning authorities, the Sun Valley Area Plan would no longer prohibit new single family detached residential units in the Sun Valley DCMA. Because this is a possible amendment to the master plan, approval must be by resolution supported by a 2/3 vote of the entire planning commission membership.

**AND**

**Report on Development Code Amendment Case Number WDCA18-0001 (Sun Valley Area Plan Modifiers)** – For possible action, hearing, and discussion to amend to Chapter 110 of the Washoe County Code (WCC) at 110.218.35(a) to remove "Neighborhood Commercial / Office" zoning from the areas in which mobile homes and manufactured homes are prohibited to be placed within the Sun Valley area. If approved, placement of mobile homes and manufactured homes within these zones would instead be subject to the general placement rules found in Table 110.302.05.1, which allows them with a board of adjustment special use permit.

- Applicant: Washoe County Planning and Building Division
- Location: Downtown Character Management Area (DCMA) of Sun Valley
- Master Plan Category: Commercial
- Regulatory Zone: Neighborhood Commercial
- Area Plan: Sun Valley

- Citizen Advisory Board: Sun Valley
- Development Code: Authorized in Article 818, Amendment of Development Code and Article 820, Amendment of Master Plan
- Commission District: 3 and 5, Commissioners Jung and Herman
- Prepared by: Roger Pelham, MPA, Senior Planner  
Washoe County Community Services Department  
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Nathan Edwards said the previous item had a 60 day statutory deadline and needed to be heard. This item doesn't have a statutory deadline. He said this item has already been denied by this commission, and voted by county commission. Mr. Lloyd said per code, there isn't a timeframe. He recommended hearing public comment.

**MOTION: Commissioner Donshick moved to table item 8.F. Report on Development Code Amendment Case Number WDCA18-0001 (Sun Valley Area Plan Modifiers). Commissioner Chesney seconded the motion to table item 8.F. The motion carried unanimously.**

#### PUBLIC COMMENT:

Ron Bell, Appellant, said staff doesn't want to go through this. All of this was done in 2010 without proper notice. He said Roger said the mix use of residential and commercial didn't mean to take property rights away. He said according to findings, per page 8 of staff report, states the conditions were not made, but they were made and commented on by planners. Give us our properties back. He said he is paying \$650 a month. He showed the pictures of the results of commercial. He showed a map of his lot – power, water, mail, a block from Sun Valley blvd. He gave examples of what his home can be, but his setbacks don't allow for it. All these people cannot build.

Commissioner Bruce spoke about item 3.04 of Rules and Procedures.

Christina Donbovari said she is in agreement of his request. She said she is a real estate investor, and current regulation interferes with property rights. She said she meets with people who are zone commercial. These are not desired commercial properties due to lack of visibility. She doesn't think anyone will want to open business on those lots. She said people are living in mobile homes that are dating back to the 60s. They are struggling because they cannot put new homes on those lots. We need affordable housing. His request should be granted. It's a great opportunity.

#### 9. Chair and Commission Items

##### A. For possible action and discussion to elect officers, chair, and vice chair

**MOTION FOR CHAIR: Commissioner Chesney moved to nominate Commissioner Chvilicek for a second year as Chairperson. Commissioner Donshick seconded the motion to nominate Chvilicek as Chair person. Motion carried unanimously.**

**MOTION FOR VICE CHAIR: Commissioner Horan moved to nominate Commissioner Chesney as Vice Chair. Commissioner Donshick seconded the motion to nominate Commissioner Chesney as Vice Chair for a second year. Motion carried unanimously.**

**\*B. Future agenda items** – Commissioner Bruce formally requested, for August 7 meeting possible for action/discussion/adoption, pursuant NRS 278.050, parenthetical 2, amendment to Planning Commission Rules, Policy and Procedures. Despite the cancellation to June 5, 2018, there is nothing in Rules, Policy and Procedures that addresses the cancellation of regular monthly meetings. He questions the legitimacy of complete cancellation of the Planning Commissions monthly meetings. He believes the cancellation contravenes NRS 278.050, parenthetical 1, and Washoe County Ordinance 110.912.05 parenthetical G, parenthetical 1. He requests the Planning Commission Secretary provide each Commissioner a printed copy of at least the: Commissioner Rules, Policy and Procedures; NRS 287.050, 278.012, 278.013, 278.016. NRS preliminary chapter general provision 0.25, Washoe County Ordinance chapter 110.912.10 parenthetical i. Washoe County Ordinance 110.912.05, WC 110.912.10 to be provided as soon as possible so each commission they can consider the direction of the necessary amendment to commission rule, policy, and procedures. Mr. Lloyd said he can provide it.

**\*C. Requests for information from staff** – Commissioner Lawson said he would like information from legal counsel in respect to the authority of the Board of County Commissioners' to extension timeframe of tentative maps when that is the function of the planning commission. He also requested the legal counsel to investigate agreements that are made by BCC under NRS 278.0205, discussing timeframes for allowed extending tentative map. He said he doesn't believe they have been consistent with that NRS. There is a discrepancy with county code and NRS.

#### **10. Director's and Legal Counsel's Items**

**\*A.** Report on previous Planning Commission items – Mr. Lloyd said the Board of County Commissioners directed staff to amend the Warm Springs Area Plan.

**\*B** Legal information and updates – There were no legal updates.

#### **11. \*General Public Comment**

There was no request for public comment.

#### **12. Adjournment – The meeting adjourned at 12:07 a.m. on July 4, 2018.**

Respectfully submitted,

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Katy Stark, Recording Secretary

Approved by Commission in session on August 7, 2018.

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Trevor Lloyd  
Secretary to the Planning Commission