



WASHOE COUNTY BOARD OF ADJUSTMENT Meeting Minutes

Board of Adjustment Members

Kim Toulouse, Chair
Lee Lawrence, Vice Chair
Kristina Hill
Robert F. Wideman
Vacant
William Whitney, Secretary

Thursday, August 7, 2014
1:30 p.m.

Washoe County Administrative Complex
Commission Chambers
1001 East Ninth Street
Reno, NV

The Washoe County Board of Adjustment met in regular session on Thursday, August 7, 2014, in the Washoe County Administrative Complex Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

1. *Determination of Quorum

Chair Toulouse called the meeting to order at 1:32 p.m. The following members and staff were present:

Members present: Kim Toulouse, Chair
Lee Lawrence, Vice Chair
Kristina Hill
Robert Wideman

Members absent: None; one vacancy

Staff present: William Whitney, Division Director, Planning and Development
Sandra Monsalvè, AICP, Senior Planner, Planning and Development
Roger Pelham, Senior Planner, Planning and Development
Greg Salter, Deputy District Attorney, District Attorney's Office
Sara DeLozier, Office Support Specialist
Donna Fagan, Recording Secretary

Chair Toulouse introduced Kristina Hill, new Board member.

2. *Pledge of Allegiance

Member Wideman led the pledge to the flag.

3. *Ethics Law Announcement

Deputy District Attorney Salter recited the Ethics Law standards.

4. *Appeal Procedure

Mr. Whitney recited the appeal procedure for items heard before the Board of Adjustment.

5. *Public Comment

As there was no one wishing to speak, Chair Toulouse closed the public comment period.

6. Approval of Agenda

In accordance with the Open Meeting Law, Member Wideman moved to approve the agenda of August 7, 2014. The motion, seconded by Member Hill, passed four in favor and none opposed.

7. Approval of June 5, 2014 Minutes

Member Lawrence moved to approve the minutes of June 5, 2014 as written. The motion was seconded by Member Wideman and Chair Toulouse at the same time and passed four in favor, none opposed

8. Planning Items and Public Hearings

Agenda Item 8.A.

PUBLIC HEARING: Administrative Permit Case Number AP14-004 (Incline Village Fine Art Festival) (continued from June 5, 2014 agenda) – To approve an administrative permit and outdoor community event business license for the Incline Village Fine Art Festival, an outdoor art display event to be held at Preston Field in Incline Village, Nevada on August 15, 16, and 17, 2014. The proposed event will be held between the hours of 10:00 a.m. and 5:00 p.m. (Friday through Sunday). The event will consist of approximately 50 artists, three food booths, acoustic entertainment (no amplification or stages), and possible wine tasting. Each artist will set up their own 10' x 10' canopy in which to display their original art work. Primary parking is proposed on-site utilizing the existing parking for Preston Field. Event organizers estimate that approximately 50 participants and a maximum of 500 spectators will take part in the event during any one day of the three-day event period. Based on the testimony and evidence presented at the hearing, to include the report of reviewing agencies, the Board of Adjustment may approve the issuance of the administrative permit and business license with conditions, or deny the application.

- Applicant: West Coast Artists Corporation, Ronda Mills-Beck
- Property Owner: Incline Village General Improvement District
- Location: 700 Tahoe Blvd
Incline Village, NV 89451
- Assessor's Parcel Number: 124-032-33
- Parcel Size: 5.09 acres
- Master Plan Category: Rural (R)
- Regulatory Zone: Parks and Recreation (PR)
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village/Crystal Bay
- Development Code: Authorized in Article 310, Temporary Uses and Structures, and Washoe County Code Chapter 25, Business License Ordinance
- Commission District: 1 –Commissioner Berkbigler
- Section/Township/Range: Within Section 16, T16N, R18E, MDM, Washoe County, NV
- Staff: Chad Giesinger, AICP, Senior Planner
Washoe County Community Services Department
Planning and Development Division
- Phone: 775-328-3626

- E-mail: cgiesinger@washoecounty.us

This application was withdrawn. Mr. Whitney informed the Board that the applicant had reduced the estimated number of attendees from 500 to less than 250 which changes the requirement from a Special Use Permit to an Administrative Review of an Outdoor Community Events License. There have been arrangements made for additional parking near the area along with a shuttle to and from an off-site parking area, addressing the Board's original parking concern.

Agenda Item 8.B.

PUBLIC HEARING: Special Use Permit Case Number SB14-008 (Truckee Meadows Water Authority) – To establish a public service yard.

- Applicant/Property Owner: Truckee Meadows Water Authority (TMWA)
- Location: 180 Bridge Street, Verdi, NV, approximately 250 feet north of the intersection of Bridge Street and US Highway 40
- Assessor's Parcel Numbers: 038-060-30 and 038-394-06
- Parcel Size: ± 11.31 acres
- Master Plan Designation: Commercial (C)
- Regulatory Zone: Public and Semi-Public Facilities (PSP)
- Area Plan: Verdi
- Citizen Advisory Board: Verdi Township (inactive)
- Commission District: 5 – Commissioner Weber
- Development Code: Authorized in Article 810, Special Use Permits
- Section/Township/Range: Within Sections 8 and 17, T19N, R18E, MDM Washoe County, NV
- Staff: Roger Pelham, MPA, Senior Planner
Washoe County Community Services Department
Planning and Development Division
- Phone: 775-328-3622
- E-mail: rpelham@washoecounty.us

Chair Toulouse opened the public hearing; no disclosures were made by members of the Board. Roger Pelham reviewed his staff report dated July 18, 2014. He indicated no comments or concerns were received.

Chair Toulouse inquired about how much of the land would be developed. Voicing concerns that the mule deer would be driven away if fencing was installed and the vegetation was removed from the sloping portion of the property. Angela Fuss, the applicant's representative, indicated that the property would be cleaned up and a driveway installed. The slope portion was not going to be developed and fencing would only be installed around the area where equipment will be stored, at this time. Chair Toulouse closed public hearing.

Member Wideman moved, that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve Special Use Permit Case Number SB14-008 for the Truckee Meadows Water Authority, having made all five findings in accordance with Washoe County Development Code Section 110.810.30. Member Lawrence seconded the motion which

carried unanimously.

The motion was based on the ability to make all five of the following findings:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Verdi 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 a public service yard, 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.

Agenda Item 8.C.

PUBLIC HEARING: Special Use Permit Case Number SB14-012 (Truckee River Restoration, West McCarran Ranch) – To allow grading for restoration of flood plain including 100,500 cubic yards of excavation and approximately 26 acres of disturbed area.

- Applicant/Property Owner: The Nature Conservancy
1 E. First Street, Suite 1007
Reno, NV 89501
- Location: South of Interstate 80, east of the Mustang Exit,
west of Patrick and adjacent to the Truckee River
- Assessor's Parcel Number: 084-450-02
- Parcel Size: 61.4 Acres
- Master Plan Category: Rural (R)
- Regulatory Zone: General Rural (GR)
- Area Plan: Truckee Canyon
- Citizen Advisory Board: East Truckee Canyon (inactive)
- Development Code: Authorized in Article 810, Special Use Permits;
and Article 438, Grading Standards
- Commission District: 4 – Commissioner Hartung
- Section/Township/Range: T19N R21E, Section 11, MDM
Washoe County, NV
- Staff: Roger Pelham, MPA, Senior Planner
Washoe County Community Services Department
Planning and Development Division
- Phone: 775-328-3622
- E-mail: rpelham@washoecounty.us

Chair Toulouse opened the public hearing; no disclosures were made by members of the Board. Roger Pelham started by addressing the recent move of the Washoe/Storey County boundary line in this area which would reduce Washoe County's jurisdiction to ± 2 acres. Roger went on to review his staff report dated July 15, 2014. As there were no requests to provide testimony, Chair Toulouse closed the public hearing

Member Lawrence moved, that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, to the extent that Washoe County has jurisdiction, the Washoe County Board of Adjustment approve with conditions Special Use Permit Case Number SB14-012 for The Nature Conservancy, having made all five findings in accordance with Washoe County Development Code, Section 110.810.30.

The motion was based on the following findings:

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 grading to facilitate river restoration, 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.

Agenda Item 8.D.

PUBLIC HEARING: Special Use Permit Case Number SB14-013 (Crossbow Court Neighborhood Center) – To construct a $\pm 12,000$ square foot Neighborhood Commercial Center comprised of two separate $\pm 6,000$ square foot buildings on two contiguous parcels, to be located at the northeast corner of Crossbow Court and Arrowcreek Parkway.

- Applicant/Property Owner: Helvetica CTV Crossbow, LLC
Attn: Chad Mestler or Dave Gash
- Professional Consultant: Kenneth Krater, P.E.
- Location: 2500 & 2540 Crossbow Court
Reno, NV 89511
- Assessor's Parcel Numbers: 152-921-01 and 152-921-02
- Parcel Size: $\pm .75$ and ± 1.06 acres
- Master Plan Category: Suburban Residential (SR)
- Regulatory Zone: Low Density Suburban (LDS)
- Area Plan: Southwest Truckee Meadows
- Citizen Advisory Board: South Truckee Meadows/Washoe Valley

- Development Code: Authorized in Article 810, Special Use Permits and Section 110.304.25, Commercial Use Types
- Commission District: 2 – Commissioner Humke
- Section/Township/Range: Portion of SW ¼ Section 24, T18N, R19E, MDM Washoe County, NV
- Staff: Sandra Monsalve, AICP, Senior Planner
Washoe County Community Services Department
Planning and Development Division
- Phone: 775-328-3608
- E-mail: smonsalve@washoecounty.us

Chair Toulouse opened the public hearing; two disclosures were made by the members. Lee Lawrence is an acquaintance of Steve Perez and Robert Wideman used to work with Steve Cohen. Ms. Monsalve reviewed her staff report dated July 25, 2014.

Ken Krater, the professional consultant, spoke about the attempts to mitigate the impact of the development by having two buildings, the flow-through parking lot, building design to fit the area and meeting with Hunsberger Elementary Schools principal and the school district to address possible parking and traffic issues. He also wanted to write up CC&Rs for the tenants to maintain agreements for the upkeep of the property.

Mike Boster, Washoe County School District, voiced concern about traffic and equipment during construction of the Neighborhood Center as there are 794 students at Hunsberger Elementary School.

There were seven individuals who asked to speak and a petition with 131 signatures all in opposition of the project. Donna F. Perez spoke in opposition to the Neighborhood Center. She was concerned with only partial occupancy of the buildings, not enough patrons for the shops and potential vacant buildings would become a “blight” to the neighborhood. Bob Hoffman is opposed to the project. He likes the “land, animals, forest, trees and overall ambiance of the area”. He would like the area to “stay natural”. Howard Buchler likes the “residential integrity” of the neighborhood. He opposes the project due to possible “safety, traffic, noise and crime” issues. He stated that the developer has not given any ideas as to what businesses will occupy the buildings so he asked, “how can we think this is good”. Steven Perez said that previously a fire station was supposed to occupy the property but was opposed because of the increase in traffic in that area, near a school. He is opposed as the Neighborhood Center will be adding traffic. He is also concerned this will “become a blighted area”. Steve Cohen is the parent of a child who previously attended Hunsberger Elementary School and is concerned about the future attendees of the school. He’s concerned about the traffic, mainly the entrance to the Neighborhood Center being directly across from the entrance to the Elementary School. He’s concerned about parking issues during school events as parents will be parking in the Neighborhood Centers parking lot blocking access to the business in the Center. He voiced concern about businesses being viable and sustainable. Bill Kockenmeister voiced his view as “developer vs. residents”. He believes the Neighborhood Center won’t last and “an empty Neighborhood Center is detrimental to the neighborhood”. Leona Kockenmeister took part in gathering the signatures for the petition. She is concerned about the children crossing the street walking to and from school with the increase in traffic. She asks the Board to deny the application. Board members shared their concerns. Member Wideman voiced concerns about the impact to the school children and traffic with the driveways being right across from each other. He was unable to support as he was not able to make Finding Four. Member Lawrence said, “school activities will bomb the Neighborhood Center’s parking lot” and

the school addressing any parking issues with the Center's property manager would cause administrative problems that aren't necessary for the school to have to address. He said he "cannot support" the project. Member Hill said she "supports the surrounding neighbors". She "cannot support" the project. Chair Toulouse voiced the project was "detrimental to the community". He "cannot support" the project. Chair Toulouse closed the public hearing.

Member Wideman moved to deny the motion to approve with conditions. Stating finding number Four had not been met. Member Hill seconded the motion which carried unanimously.

The motion failed due to the Board's inability to make all of the following findings, specifically Finding Four

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Southwest Truckee Meadows 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 a neighborhood center, 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.

9. Chair and Board Items

A. Election of Officers: Board of Adjustment Chair and Vice Chair

Chair Toulouse moved to appoint Lee Lawrence as Chair of the Board of Adjustment and Member Lawrence accepted. The motion was seconded by Member Wideman and passed by a vote of four in favor and none opposed.

Outgoing Chair Toulouse passed the gavel to incoming Chair Lawrence, who thanked the Board.

Member Toulouse moved to appoint Robert Wideman as Vice Chair of the Board of Adjustment and Member Wideman stated he would be honored. The motion was seconded by Member Hill and passed by a vote of four in favor and none opposed.

B. *Report on Previous Board of Adjustment (BOA) Items

None.

C. *Future Agenda Items and Staff Reports

None

10. Director's Items

A. *Legal Information and Updates

Mr. Whitney informed the Board of the recruitment for a District 3 Board member. There have been some inquiries but none are qualified as they don't reside in the unincorporated County. Applications are on the County website

11. Public Comment

As there was no response to the call for public comment, Chair Toulouse closed the public comment period.

12. Adjournment

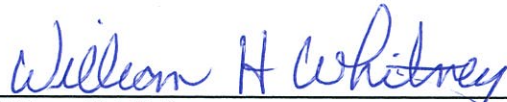
The meeting adjourned at 3:09 p.m.

Respectfully submitted,



Donna Fagan, Recording Secretary

Approved by Board in session on Oct. 2, 2014



William H. Whitney
Secretary to the Board of Adjustment