



# WASHOE COUNTY BOARD OF ADJUSTMENT Meeting Minutes

## Board of Adjustment Members

Lee Lawrence, Chair

Robert F. Wideman, Vice Chair

Kristina Hill

Clay Thomas

Kim Toulouse

William Whitney, Secretary

Thursday, December 4, 2014

1:30 p.m.

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

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The Washoe County Board of Adjustment met in regular session on Thursday, December 4, 2014, in the Washoe County Administrative Complex Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

### 1. \*Determination of Quorum

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

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

Members absent: None

Staff present: William Whitney, Division Director, Planning and Development  
Roger Pelham, Senior Planner, Planning and Development  
Greg Salter, Deputy District Attorney, District Attorney's Office  
Donna Fagan, Recording Secretary  
Kathy Emerson, Administrative Secretary Supervisor

### 2. \*Pledge of Allegiance

Member Toulouse 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 Lawrence closed the public comment period.

## 6. Approval of Agenda

In accordance with the Open Meeting Law, Member Toulouse moved to approve the agenda of December 4, 2014. The motion, seconded by Member Wideman, passed five in favor and none opposed.

Chair Lawrence introduced Clay Thomas, the new Member, representing District 3.

## 7. Planning Items and Public Hearings

### Agenda Item 7.A.

**Administrative Permit Case Number AP14-005 (HealthCap)** – To construct and operate a 36 room inpatient medical facility (Convalescent Services) for patients that have been released from a hospital and require skilled nursing care and long term therapy after an injury. Care Meridian in not a nursing home or a traditional convalescent home.

- Applicant: HealthCap Partners
- Property Owner: Western Alliance Bancorp
- Location: 19900, 19936 and 19940 Thomas Creek Road
- Assessor's Parcel Numbers: 150-012-04, 150-012-05 and 150-012-06
- Parcel Size: ±2.96 acres
- Master Plan Category: Commercial (C)
- Regulatory Zone: General Commercial (GC)
- Area Plan: Southwest Truckee Meadows
- Citizen Advisory Board: South Truckee Meadows/Washoe Valley
- Development Code: Authorized in Article 808, Administrative Permits
- Commission District: 2 – Commissioner Humke
- Section/Township/Range: Section 25, T18N, R19E, 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 Lawrence opened the public hearing; no disclosures were made by members of the Board, at this time. Roger Pelham reviewed his staff report dated November 20, 2014.

Mr. Krmpotic, the applicant's representative, believes they are 100% compliant with the Development Code, has unanimous support of the South Truckee Meadows/ Washoe Valley Citizens Advisory Board (CAB), has no disagreements with the neighboring HOAs, Saddlehorn and Monte Rosa, is compliant with required conditions and has been trying to work on solutions with the north and east neighbors. Several of whom were present. Mr. Krmpotic said that the neighborhoods key concerns were; requesting no traffic on Lake Placid, eliminating headlights pointing to the north, and eliminate cut-through traffic. In order to address those concerns, Mr. Krmpotic submitted a new site plan other than the one submitted with the staff report. He indicated that Lake Placid was a public street and the "facility" would only increase the traffic by 5%. He reoriented the original parking lot on the east side of the property to parking on both

sides of a drive-through. There would only be a right turn entrance into the property from Lake Placid and the employees would only enter from the South.

Chair Lawrence opened public comment.

There was one group representative, for Lake Placid Drive HOA, and six individuals requesting to speak.

Rob Joiner, AICP, representing homeowners along Lake Placid to the north and east, indicated that the neighbors understood that the property was zoned General Commercial (GC) but expected that the main access would be on the south of the property where the gas station and mini mart access are. They don't think there should be access off of Lake Placid. Mr. Joiner stated the neighbors' requests; the building should be flipped from north orientation to south, the main access should be the shared easement to the south and only emergency access should be allowed on Lake Placid. Mr. Joiner also addressed the findings:

1. Consistency – the project is not consistent with the area plan.
2. Improvements – Lake Placid can handle the traffic but is it the proper place and best plan for the neighborhood?
3. Site Suitability – the site is not suitable in design, the building should be flipped. Commercial uses are facing Mt. Rose Hwy.
4. Issuance Not Detrimental – the character of the surrounding area will be adversely impacted with the present design.

Mr. Joiner is requesting to postpone the item so they can continue to work with the applicant on the site plan and add conditions regarding the berming on the north and east.

Todd Lankenau said he has been working with Mr. Krmpotic and they've come to some pretty reasonable compromises but feels there is a better way by flipping the building from north to south and using the shared driveway (see submitted site plan). This would also remove most of the lighting from the north of the property to the south where most of the commercial lighting already exists. He likes the project but would like more time to work with Mr. Krmpotic to refine the details. Member Hill asked Mr. Lankenau if there was adequate parking on his site plan. He said there is adequate parking with less asphalt.

Sidney G. Zeller indicated he lives next to the southeast corner of the proposed property with his backyard facing it. His backyard looks out to Mt Rose and he is concerned that his view will be disturbed. His property is lower than the site property so he is requesting that the building be engineered so as to no disturb his view of the mountains.

Evelyne Emery indicated that she has a clear view of the east side of the site. She doesn't mind the project but would like the applicant to work with the surrounding residents. She is concerned about; the proposed entrance on Lake Placid which she guestimates would add 100 vehicles per day, the safety of the children walking to and from the bus stop, lighting, which would be address with Mr. Lankenau's proposed site plan, and the view.

Norman Kelly indicated he lived across the street and northwest of the property. He doesn't mind the proposal but believes the original proposed plan orients the lights, driveways, parking etc., all on the side facing residences. He believes Mr. Lankenau's proposed site plan addresses all of these concerns. He too, is concerned about the safety of the children due to the increase in traffic on Lake Placid.

Fred Taeubel was not aware of the project until two weeks before the public hearing. He commended Mr. Krmpotic on his communication with the neighbors. He is concerned about the

parking and access from Lake Placid. He would like to continue to work on a suitable plan, for all.

Anna Kelly is in favor of Mr. Lankenau's plan to reverse the orientation of the building, cares about the appearance of the neighborhood and thinks the facility is an excellent idea. She believes an emergency entrance on Lake Placid would be best for the safety of the children and residents.

Mr. Pelham cited Washoe County Development Code Section 110.808.40 (e), Action, in which the Board may take action to approve, approve with conditions, modify, modify with conditions, or deny the administrative permit request.

Member Hill asked if that meant that the Board could vote on Mr. Lankenau's proposed plan or the one contained in the staff report. Deputy District Attorney Greg Salter explained that the Board may require conditions that address what the neighbors consider adverse effects such as traffic, safety, esthetics, etc. So, if the Board believes that some of the suggestions brought forth by the neighbors would do better to minimize the adverse effects, they can suggest to the developer that they might want to consider postponing the item to think more about it and visit again with the neighbors. Or the Board could tell the developer that they were going to approve Mr. Lankenau's proposed plan and deny the developers plan. The Board has been given a range of options on how they want to proceed.

Member Thomas indicated that Mr. Lankenau's proposed site plan was not a true north to south flip of the building but was more of a 90° flip.

Mr. Krmpotic promised that he was also concerned about the neighborhood. He indicated that the one thing that was overlooked was; the architect and developer of the project are specifically trying to create a homelike setting and homelike feel in a General Commercial zone. He thought his group was being very responsible by allocating a very small component of the traffic on Lake Placid. He also indicated that RTC, the County Traffic Engineer, County Planning had no concerns about a burden to traffic being placed on Lake Placid with regard to the project. Mr. Krmpotic went on to say the developer has specifically set the grade 10 feet below grade so the people on the east wouldn't lose their view. They will be using 12 foot high, low intensity lights on the property to address lighting concerns. The property has a north to south legal access through the middle of the property which was created when the parcel was created. There were no restrictions on access. The developer has tried to work with the neighbors' concerns by only allowing a right turn-in off Lake Placid. Mr. Krmpotic is concerned about the children's safety, along with the residents so they agree with the condition to add sidewalks along Lake Placid, where there are none at this time.

Member Toulouse asked Mr. Krmpotic if at this time, he was not willing to consider the proposed site plan as submitted by Mr. Joiner. Mr. Krmpotic said that is correct.

Member Wideman asked if Mr. Krmpotic had seen the proposed site plan submitted by Mr. Lankenau. Mr. Krmpotic said yes, he'd seen it last night. Member Wideman asked if he had reviewed that proposed plan and if it was workable. Mr. Krmpotic said the orientation is a giant deal for the overall impact of the project.

Chair Lawrence asked why the orientation would be a giant deal to the overall project. Mr. Krmpotic said that the building was created to have a residential look and feel. If they reoriented the building, the front door would be facing a gas station which would give the project a commercial type feel. And with the linear parking, it looks like a shopping center. Those are the primary design and operational issues.

Chair Lawrence closed public comment.

Member Wideman disclosed that he received a call from Mr. Krmpotic offering to discuss the project prior to the public hearing. Member Wideman declined to talk and deferred to speak about it in the public forum.

Member Wideman expressed his appreciation for the concern by the residents but suggested, with growth comes change in neighborhoods. It's inevitable. He indicated that the Board could not suggest the use of a proposed plan that has not been addressed by engineers, etc. He commended Mr. Krmpotic for his willingness to work with the surrounding residents to address their concerns. Member Wideman couldn't find a reason to deny the application.

Member Toulouse agreed with Member Wideman's comments.

Mr. Pelham reiterated the changes and which site plan would be voted on as; site plan Attachment A, submitted by Mr. Krmpotic showing a one way entrance off of Lake Placid and a south in/out entrance. Also, the parking would be relocated along the edges of the drive-through. There is also be an added condition 1 (y) which would make the north driveway an entrance only.

Member Wideman moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Board of Adjustment approve Administrative Permit Case Number AP14-005 for HealthCap Partners, having made all five findings in accordance with Washoe County Development Code Section 110.808.25 and including the proposed site amendment as offered today as well as the addition of condition 1 (y). Member Toulouse seconded the motion with 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 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 the Convalescent Services use, 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;

and

SW.2.14. The Community Character as described in the Southwest Truckee Meadows Area Plan character statement can be adequately conserved through mitigation of any identified potential negative impacts.

## Agenda Item 7.B.

**Special Use Permit Case Number SB14-016 (STMWRF Public Service Yard)** – To allow for the construction of a free standing operations building to house operations staff and equipment for the Washoe County Community Services Department.

- Applicant: Bill Wardell, Washoe County Community Services
- Property Owner: Washoe County
- Location: 8455 Alexander Lake Road
- Assessor's Parcel Numbers: 165-011-05 and 165-011-06
- Parcel Size: 49.43 acres and 14.97 acres
- Master Plan Category: Suburban Residential (SR)
- Regulatory Zone: Public – Semi Public Facilities (PSP)
- Area Plan: Southeast Truckee Meadows
- Citizen Advisory Board: South Truckee Meadows/Washoe Valley
- Development Code: Authorized in Article 810, Special Use Permit
- Commission District: 2 – Commissioner Humke
- Section/Township/Range: Section 4, T18N, R20E  
Washoe County, NV
- Staff: Roger D. Pelham, MPA, Senior Planner  
Washoe County Community Services Department  
Division of Planning and Development
- Phone: 775.328.3622
- E-Mail: rpelham@washoecounty.us

Chair Lawrence opened the public hearing; no disclosures were made by members of the Board. Roger Pelham reviewed his staff report dated November 21, 2014.

Bill Wardell, Washoe County Community Services Department – Capital Projects, stated that he agreed with Mr. Pelham's presentation with conditions approval.

Chair Lawrence opened public comment. As there were no requests to speak, Chair Lawrence closed public comment.

Member Toulouse 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 SB14-016 for the Washoe County Community Services Department, having made all five findings in accordance with Washoe County Development Code Section 110.810.30. Member Hill 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 Southeast 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 water reclamation facility, 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.

## 8. Chair and Board Items

- A. \*Report on Previous Board of Adjustment Items.

None

- B. Future Agenda Items and Reports

None

## 9. \*Director's Items

- A. \*Legal Information and Updates

Mr. Whitney welcomed our newest member, Clay Thomas. He also noted we were updating our training material for the new member training which we plan to have in the next couple of months. Mr. Whitney passed out the RTC Pocket Booklet which lays out the long term transportation goals.

## 10. Public Comment

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


## 11. Adjournment

The meeting adjourned at 2:55 p.m.

Respectfully submitted,

  
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Donna Fagan, Recording Secretary

Approved by Board in session on April 2, 2015

  
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William H. Whitney  
Secretary to the Board of Adjustment