



WASHOE COUNTY PLANNING COMMISSION Meeting Minutes

Planning Commission Members

Sarah Chvilicek, Vice Chair
Francine Donshick, Chair
R. Michael Flick
Daniel Lazzareschi
Kate S. Nelson
Rob Pierce
Patricia Phillips
Secretary
Trevor Lloyd

Tuesday, October 4, 2022
6:00 p.m.

Washoe County Administrative Complex
Commission Chambers
1001 E 9th Street, Building A
Reno, Nevada 89512

and available via
Zoom Webinar

The Washoe County Planning Commission met in a scheduled session on Tuesday, October 4, 2022, in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada and via Zoom teleconference.

The meeting will be televised live and replayed on the Washoe Channel at: <https://www.washoecounty.us/mgrsoff/Communications/wctv-live.php> also on YouTube at: <https://www.youtube.com/user/WashoeCountyTV>

1. *Determination of Quorum

Chair Donshick called the meeting to order at 6:00 p.m. The following Commissioners and staff were present:

Commissioners present: Sarah Chvilicek, Vice Chair
Francine Donshick, Chair
R. Michael Flick
Daniel Lazzareschi
Kate S. Nelson
Rob Pierce
Pat Phillips

Staff present: Chris Bronczyk, Senior Planner, on behalf of Trevor Lloyd, Secretary, Planning and Building
Julee Olander, Planner, Planning and Building
Michael Large, Deputy District Attorney, District Attorney's Office
Adriana Albarran, Office Support Specialist, Planning and Building
Lacey Kerfoot, Recording Secretary, Planning and Building

2. Pledge of Allegiance

Commissioner Pierce led the pledge to the flag.

3. Ethics Law Announcement

Deputy District Attorney Michael Large provided the ethics procedure for disclosures.

4. Appeal Procedure

Senior Planner Chris Bronczyk recited the appeal procedure for items heard before the Planning Commission.

5. General Public Comment and Discussion Thereof

Chair Donshick opened the Public Comment period. There was no response to the request for public comment. The public comment period was closed.

6. Approval of October 4, 2022, Agenda

Chair Donshick noted item 8.B. is being postponed until a future meeting at the applicant's request. She noted the Development Code Amendment WDCA22-0002 (Tahoe Area) has also been postponed to a future meeting.

Commissioner Phillips moved to approve the amended agenda for the October 4, 2022 meeting as written. Commissioner Chvilicek seconded the motion, which passed unanimously with a vote of seven for, none against.

7. Approval of September 6, 2022, Draft Minutes

Commissioner Lazzareschi moved to approve the minutes for the September 6, 2022, Planning Commission meeting as written. Commissioner Nelson seconded the motion, which passed unanimously with a vote of six for, none against; one abstained – Commissioner Flick.

8. Public Hearings

A. Abandonment Case Number WAB22-0011 (Farr Residence) – For hearing, discussion, and possible action to approve an abandonment of Washoe County's interest in 16 feet of a 33 foot-wide government patent easement for access along the northern and eastern sides of the parcel at 1605 Taos Lane (APN 142-260-10).

- Applicant/Property Owner: Jeff & Deanne Farr
- Location: 1605 Taos Lane
- APN: 142-260-10
- Parcel Size: 1.26 acres
- Master Plan: Suburban Residential (SR)
- Regulatory Zone: Low Density Suburban (LDS)
- Area Plan: Southwest Truckee Meadows
- Development Code: Authorized in Article 806, Vacations and Abandonments of Easements or Streets
- Commission District: 2 – Commissioner Lucey
- Staff: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3627
- E-mail: jolander@washoecounty.gov

Planner Julee Olander provided a presentation. Representative Nick Christensen provided a presentation.

Commissioner Nelson disclosed that she knows the applicant personally and has worked on projects with him but doesn't impact her judgement of this item. DDA Large noted there is not

conflict.

Public Comment:

William Mandeville (Chambers) presented photos to the Commission. He read from a prepared letter. "Dear Commissioners, the applicant's request to abandon 16 feet is a 33-foot easement on Incognito Lane is of great concern to the current property owners not only on Incognito Lane but Taos Lane and Panorama Ridge Court. I sent an e-mail and documentation to the Planning Commission staff on August 18, 2022, outlining the concerns of myself and my neighbors, but I did not receive a response. Of primary concern is that the 16-foot easement abandonment will reduce the ability to construct a standard width road 42 feet per Washoe County engineering's future road. Due to the existing NV Energy anchor line, only 24 feet of roadway will remain. Following are some of the many concerns of restricting the roadway width to 24 feet; it cannot accommodate two lanes and drainage, it makes it difficult for emergency vehicles to access and pass each other, resulting in decreased property values for the eight parcels above this abandonment, it also appears that the East End of the abandonment, will affect an existing shared driveway on Taos Lane. The small triangle cuts into the corner of the shared driveway and the drainage. All of the current owners, including myself, complied with Washoe County planning and building division's instructions to design and build within the building codes, which restrict building on the 33-foot easements on the 30-foot setback. If approved, this will set precedence for other property owners to design projects that their property will not reasonably accommodate. And every property owner will want a 16-foot abandonment. And this will not leave the 42-foot to the county standard road. In 2018, the applicant applied for a variance to build the oversized garage in the 30-foot setback and was denied and withdrew the application. In conclusion, it seems the applicant could easily redesign this garage to fit within the existing building envelope, thereby eliminating the impact on other property owners. That powerline anchor line is on the east side."

H. William Brooks (Chambers), who owns the abutting property, addressed the Commission. Hopefully, you reviewed my September 15, 2022, letter and the previous withdrawn 2018 variance request. I have two immediate concerns pertaining to the impact on neighboring properties. I disagree that this has no impact on me. My concerns are an inadequate staff report regarding roadway access and the impact of a 2.5-story structure on my parcel's view shape. I have received no response from the Engineering Division to my September 16, 2022, voicemail. I was hoping to discuss roadway access, alignment and width to homes on Taos and Incognito Lanes (page 6 of the staff report). We cannot construct roads on the neighboring federal parcels, namely APN 142-250-14. Where will the eventual County roads be constructed? Will they be constructed according to Article 436 street design standards? If so, table 110.436.25.3 calls for a minimum of 42-foot right-of-way. The opposite abutting properties to the applicant, namely the Curtis property and the Galvez property, are not participating in this abandonment. Therefore, page 5 of the staff report, namely the first paragraph of the evaluation assumes these property owners will never avail themselves of the same abandonment opportunity, which if they did, would result in a 34 ft wide roadway, 8 feet less than the 42-foot required by the table, as previously stated.

Discussion by Commission:

Commissioner Lazzareschi said I have a question for the applicant. You've requested the release of the easement on two sides of the parcel on Incognito and Taos. You've stated the reason is to build a garage that is impacted by the current access easement on Incognito. Is there a reason to release the full easement or reduce it on Taos?

Nick Christensen said they are requesting it for future or potential construction that may or may not take place on the property. The easement is currently running through the property

and reduces the square footage of the parcel by about 20%. The intent is that if further construction is needed, we would have the ability to do on that other side of the easement. Based on the previous precedent, we saw that other parcels have done that. That would be the intent.

Commissioner Lazzareschi said that in the site plan drawing there's currently a fence that extends into even the reduced proposed easement on Incognito. He asked whether the intention is for the fence to stay within the easement?

Mr. Christensen said the fence currently there would stay as is unless there was proposed construction once the easement was granted.

Commissioner Chvilicek referenced the site plan (Page 4 of the staff report and Page 9 of the PowerPoint presentation). She asked whether the 33-foot easement is internal to the property? Ms. Olander said yes, in a sense, the pink and yellow are the property owner's property. Commissioner Chvilicek said the request is to reduce these to 17 feet internal to the property. Ms. Olander said that is correct.

Commissioner Flick asked what was east of the yellow line on the map. Ms. Olander showed a map (Page 6 of the PowerPoint presentation), pointing out that the dashed lines on adjacent parcels are easements. Commissioner Flick said there is 33 feet on one side and 33 feet on another side, for a total of 66 feet. Ms. Olander confirmed. Commissioner Flick indicated that when subtracting what is being requested from the 66 feet, there is still ample room for the Fire Department. Ms. Olander said the gentleman who spoke during public comment mentioned a 42-foot wide roadway. Ms. Olander stated that, at this time, she had not received that information from the Engineering Department. Ms. Olander stated that, at this time, she's not anticipating that the roadways out here will be paved or that curb and gutter will be put in. Engineering is currently satisfied with the width of the road. Commissioner Flick confirmed that the roadway wouldn't be less than that.

Ms. Olander indicated that the Fire Department requires 20 feet. Currently, the roadway is 20 feet. Ms. Olander said you can see landscaping along the eastern corridor of this property and also along the northern property, which is in the easement. The only part of the property that's not landscaped or a fence on this property, and really with all the other properties, is where the roadway is. The roadway takes approximately 20 feet currently and that's what will remain. If you were to go out there, you wouldn't see any change until they build the garage. The garage will be two-stories, which is allowed. The structure cannot be more than 35 feet.

Commissioner Flick asked whether it was possible for the building itself to be made smaller to fit within the confines of the easements. Ms. Olander said yes. Chair Donshick and Commissioner Chvilicek pointed out that making the structure smaller is not what is before the Commission and is not part of their discussion.

Chair Donshick asked for clarification, regarding a shared driveway that someone mentioned. Ms. Olander said that she is not aware of a shared driveway. There is a driveway into this property and a driveway into the property to the North. The driveways share alignment. Chair Donshick asked for clarification that the easement, if approved, wouldn't impact the driveway to the North, because the driveways are internal, not external. Ms. Olander confirmed. Chair Donshick also stated for the record that Truckee Meadows Fire Protected District (TMFPD) had no issue with this. Ms. Olander said TMFPD needs 20-foot and they have that now. Chair Donshick asked whether these are dirt roads. Ms. Olander confirmed that they are dirt roads.

Commissioner Nelson asked whether these roads are considered private roads or County roads? Ms. Olander said they're easements. After speaking with Engineering, her understanding is that because they are easements, they are not officially considered County

roads. They are all open to the public and the County does not maintain them. Commission Nelson asked whether the County maintains the roads, snow plowing or grading. Ms. Olander said no. Commissioner Nelson asked if there are plans to pave them. Ms. Olander said she was not given any impression from Engineering that these roads would be paved.

Chair Donshick asked whether this goes back to the original government easements. When the government sold this property, the original easements were in case they were needed for infrastructure or road building. Ms. Olander said that is correct. Chair Donshick stated that the thought at this time is that those areas won't need that, so if an abandonment was asked for, it's something that can be looked at. Ms. Olander said that all the County is abandoning is their interest in the roadway. If requesting abandonment of utility easements, the property owner would need to do that with the individual utility companies.

Commissioner Phillips referenced a map (Page 4 of the staff report and Page 9 of the PowerPoint presentation) and stated that the map shows that 17 feet will be left, but the Fire Department needs 20. Ms. Olander clarified that this is only on this parcel. There are 33 feet on the adjacent parcel. So, there's plenty of room. So even if the other property came in and asked for the same thing, there'd be 17 and 17. So we've got plenty.

Commissioner Pierce said I don't see where abandoning this easement would cause any issues out on the main road. I think this is all internal. So, this shouldn't affect anything for the neighbor's access or anything like that.

MOTION: Commissioner Pierce 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 Abandonment Case Number WAB22-0011 for Jeff & Deanne Farr, with the conditions included as Exhibit A to this matter, having made all three findings in accordance with Washoe County Code Section 110.806.20:

- (a) 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; and**
- (b) No Detriment. The abandonment or vacation does not result in a material injury to the public; and**
- (c) Existing Easements. Existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service.**

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

B. Tentative Subdivision Map Case Number WTM21-013 and Special Use Permit Case Number WSUP22-0010 (Lakeside Custom Lot Subdivision) – For hearing, discussion, and possible action to approve:

1. A tentative subdivision map to divide one parcel of 72.8 acres into 24 lots, with lot sizes ranging from 2.01 to 10.29 acres.
2. A special use permit for major grading: the proposal exceeds the major grading threshold and will result in ± 8.31 acres of disturbance including $\pm 20,004$ CY of cut material and $\pm 16,583$ CY of fill material; a roadway that traverses a slope of 30% or greater; construction of earthen structures greater than 4- $\frac{1}{2}$ feet high; and grading in the Critical Stream Zone, which is subject to all requirements of Article 418, Significant Hydrologic Resources. The applicant is also requesting a variance of the development code standards found in WCC 110.438.45(c), that finish grading shall not vary from the natural slope by more than ten (10) feet in elevation, in order to construct earthen structures and a driveway.

- Applicant: 8900 Lakeside, LLC
- Property Owner: Gordon Real Estates, LLC
- Location: 8900 Lakeside Drive
- APN: 041-130-58
- Parcel Size: 72.8 acres
- Master Plan: Rural Residential (RR)
- Regulatory Zone: 16% (11.65 acres) Medium Density Rural (MDR), 78% (56.78 acres) High Density Rural (HDR) & 6% (4.37 acres) General Rural (GR)
- Area Plan: Southwest
- Development Code: Authorized in Article 418, Significant Hydrologic Resources; Article 438, Grading Standards; and Article 608, Tentative Subdivision Maps
- Commission District: 2 – Commissioner Lucey
- Staff: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3627
- E-mail: jolander@washoecounty.gov

Chair Donshick indicated that this item was being continued at the request of the applicant and that public comment would be opened since the item was agendized. DDA Large asked that the applicant put the request for continuance on record. Applicant Representative Dave Snelgrove stated that the applicant is requesting a continuance of this item, time certain, to the November 1, 2022 Planning Commission meeting.

Recording Secretary Adriana Albarran read out the names of those registered to give public comment: Pete Lazetck, Elizabeth Brady ConBoy, Nancy Flanigan, Bo Sanders, Bryn Klitzke, Rhonda Shafer, Mary Sanders. None of the individuals were present in Chambers. With no response to the call for public comment, Chair Donshick closed the public comment period.

C. Development Code Amendment Case Number WDCA22-0002 (Article 220 (Tahoe Area), Section 110.220.145 (Incline Village Commercial Regulatory Zone Special Area 1)) – For hearing, discussion and possible action to approve a resolution to amend Washoe County Code Chapter 110 (Development Code), Article 220 (Tahoe Area), Section 110.220.145 (Incline Village Commercial Regulatory Zone Special Area 1) to add single family dwellings, limited to air space condominiums, as an allowed use in Incline Village Commercial Regulatory Zone Special Area 1; and all matters necessarily connected therewith and pertaining thereto.

The Planning Commission may recommend approval of the proposed ordinance as submitted, recommend approval with modifications based on input and discussion at the public hearing, or recommend denial. If approval is recommended, the Planning Commission is asked to authorize the Chair to sign a resolution to that effect.

- Applicant: Feldman Thiel LLP
- Property Owner: Pal Cap FFIF 1 Tahoe LLC
- Location: Incline Village Commercial – Special Area 1
- APN: All parcels within Incline Village Commercial – Special Area 1

- Master Plan: Incline Village Commercial – Special Area 1
- Regulatory Zone: Incline Village Commercial – Special Area 1
- Area Plan: Tahoe
- Development Code: Authorized in Article 818, Amendment of Development Code
- Commission District: 1 – Commissioner Hill
- Staff: Courtney Weiche, Senior Planner
Washoe County Community Services Department
Planning and Build
- Phone: 775.328.3608
- E-mail: cweiche@washoecounty.gov
- Applicant: Feldman Thiel LLP

Chair Donshick indicated that, as agendized, this item has been postponed to a future meeting.

9. Chair and Commission Items

A. Future agenda items

None

B. Requests for information from staff

None

10. Director's and Legal Counsel's Items

A. Report on previous Planning Commission items

None

B. Legal information and updates

None

11. *General Public Comment and Discussion Thereof

There was no response to the call for public comment.

12. Adjournment

With no further business scheduled before the Planning Commission, the meeting adjourned at 6:30 p.m.

Respectfully submitted by Misty Moga, Independent Contractor.

Approved by Commission in session on November 1, 2022

Trevor Lloyd

Trevor Lloyd
Secretary to the Planning Commission