

Approved March 13, 2018

The Regular Meeting of the Planning Commission was held on February 13, 2018 in the meeting room of the County Administration Building, 1616 8th Street, Minden, NV, beginning at 1:00 PM. **The minutes below have been transcribed verbatim.**

CALL TO ORDER AND DETERMINATION OF QUORUM

Vice Chairwoman de Knijf speaks:

Good afternoon, I will now call this meeting to order. I see that we have a quorum, so we're all good there and if I could ask Stacy to lead us in the Pledge of Allegiance at this time.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Member Noyes.

PUBLIC COMMENT

Vice Chairwoman de Knijf speaks:

At this time, public comment will be taken on those items it matters within the jurisdiction and control of the Planning Commission including presentations, planning matters and subjects not on the Agenda. Public Comment on specific items agendized for possible action will be taken during consideration of that item. Public comment is limited to three minutes per speaker; the Planning Commission uses timing lights in an effort to ensure that everyone gets to speak for the same amount of time. You will see a green light when you begin and then a yellow light, which indicates that you have 30 seconds left. Once the light goes red, please be seated. Are there any public comments at this time? Please step up to the podium, sign in, state your name for the record and we will hear your comment.

Bruce Kenningham speaks:

My name is Bruce Kenningham, I'm a resident of Minden and I own a property in Belarra Estates, 1630 Olua Street. I commend the Council of Commissioners for what they did with the Master Plan. The question that I have is itself fairly straightforward; the intersection of Olua and County Road I believe will be impacted by any development that occurs on the pastureland that's currently there. My concern is to know what the Commissioners, what the Town of Minden and what the County of Douglas is planning on doing to mitigate the impacts of increased travel, especially since Olua is used as a viable alternative to what County Road, especially during the hours of 0645-0815. I thank you for your time.

Vice Chairwoman de Knijf speaks:

Thank you sir, could you please sign in? Sir? Bruce, would you please sign, would you please sign in? Thank you. Is there any other Public Comment? Seeing none, Public Comment is closed.

APPROVAL OF AGENDA

Vice Chairwoman de Knijf speaks:

At this time, I would like to introduce our two new Planning Commissioners. On the end, we have Kirk Wadler and if you would like to say few words, we would welcome them.

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Kirk Wadler speaks:

Thank you. I look forward to working with everyone here and I thank the people in attendance for their participation. I thank the staff for their good work on the, on the agenda.

Vice Chairwoman de Knijf speaks:

Thank you so much and I would like to reintroduce Brian Oland, who was at our last meeting. I just wanted to welcome him again and you had a few words Brian?

Bryan Oland speaks:

No, I do not, but I look forward to serving the community.

Vice Chairwoman de Knijf speaks:

Thank you very much. At this time, we would like to approve the agenda. If there any changes or corrections to the agenda, I would like to now open it up for Public Comment. If there any Public Comments on the agenda? Seeing none, Public Comment is closed and I will entertain a motion to approve the agenda as it is posted.

Member Noyes speaks:

I move that we approve the Agenda as written.

MOTION to approve agenda; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Stacy Noyes, Commissioner
SECONDER:	Devere Henderson, Commissioner
AYES:	Godecke, Brown, de Knijf, Noyes, Henderson, Oland, Walder

APPROVAL OF MINUTES

Planning Commission - Regular Meeting - Jan 9, 2018 1:00 PM

Vice Chairwoman de Knijf speaks:

I will now entertain a word, we will look at the minutes and these are minutes of the last meeting, the January 9th meeting. Are there any changes or corrections to the minutes?

Member Godecke speaks:

Just a spelling error, I believe on Kathy Hussman, page 10, spelled with a K.

Vice Chairwoman de Knijf speaks:

Thank you, we can make that correction. And also on the vote box on that same page, we did omit Brian Oland's name in the voting and he was an "aye" and I think we have corrected that. Thank you. Are there any other changes or corrections to the minutes? Seeing none, I will open up for Public Comment. Is there any Public Comment on the minutes? Seeing none, I will close Public Comment and bring it back to the Commission for a vote.

Member Henderson speaks:

I make a motion to approve the minutes.

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Vice Chairwoman de Knijf speaks:

Thank you, Devere. Do we have second? Thank you, Jo Etta seconds the approval of the minutes. All in favor? Opposed? And the motion carries unanimously.

MOTION to approve minutes from the Jan. 9, 2018 Planning Commission; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Devere Henderson, Commissioner
SECONDER:	Jo Etta Brown, Commissioner
AYES:	Godecke, Brown, de Knijf, Noyes, Henderson, Oland, Walder

Vice Chairwoman de Knijf speaks:

We will now open it up for election of the Chair and Vice-Chair. Is there any discussion on the election of the Chair and Vice-Chair from the Commissioners?

Member Godecke speaks:

I nominate Anje as Chairwoman for the coming year.

Vice Chairwoman de Knijf speaks:

Frank moves to vote me as the Chair. Do I hear a second? Is there any discussion? All in favor... opposed? Thank you.

MOTION to appoint Anje de Knijf to serve as Chairwoman of the Planning Commission; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Frank Godecke, Commissioner
SECONDER:	Devere Henderson, Commissioner
AYES:	Godecke, Brown, de Knijf, Noyes, Henderson, Oland, Walder

Chairwoman de Knijf speaks:

And I apologize, I was out of turn. I do need to open this up for Public Comment. Is there any Public Comment on the motion to nominate a chair or vice chair? I think we can put both of those on at this time. Seeing none, I will close public comment and I'll open it up for a motion. Devere nominates Jo Etta Brown as Vice-Chair; do I hear a second? Thank you, Frank. All in favor? Opposed? And that carries unanimously. Thank you.

MOTION to appoint Jo Etta Brown as Vice Chairwoman of the Planning Commission; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Devere Henderson, Commissioner
SECONDER:	Frank Godecke, Commissioner
AYES:	Godecke, Brown, de Knijf, Noyes, Henderson, Oland, Walder

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PUBLIC HEARINGS

1. For possible action. Discussion on a request for a Zoning Map Amendment to change the zoning from SFR-1 (Single Family Residential- 1 acre minimum net parcel size) to NC (Neighborhood Commercial), providing for zoning consistency with the existing Commercial Master Plan designation. The parcel is located at 185 Mill Street in Genoa. The property owner is Ronald Bommarito, Trustee of the Ronald D. Bommarito Trust. APN 1319-09-702-026. (DA 18-004). (Heather Ferris)

To review the complete presentation for Item 1, please see the Supplemental Material.

Heather Ferris speaks:

Thank you. Heather Ferris, Douglas County Planning. This request is a little bit different than the others on the agenda today, as this is an inconsistency that's been in existence since the 1996 Master Plan. So, following the adoption of the Master Plan, the property owner applied for and received approval for Zoning Map Amendments for several other properties located just north of this property. Those Zoning Map Amendments were approved, resulting in consistent zoning and land use for those four parcels. The subject parcel, however, was inadvertently left out of the Zoning Map Amendments approved in the late 1990's. And therefore, it still has an inconsistent zoning of SFR-1 with the underlying Commercial Master Plan designation. Douglas County Code and NRS require zoning to be consistent with the underlying Master Plan. Staff is initiating the Zoning Map Amendment as part of the 2016 Master Plan Update in order to correct this long-standing inconsistency. The request is to change the zoning from SFR-1 to Neighborhood Commercial, which would result in zoning consistency with the Master Plan. The existing zoning designations of adjacent properties include Neighborhood Commercial and General Commercial to the north, Single-Family Residential 1-acre minimum to the south and west and Neighborhood Commercial to the east. County Code contains provisions and findings required by the Planning Commission and Board when considering a Zoning Map Amendment. All findings must be made in the affirmative in order to approve such amendment and is outlined in the staff report. Staff believes all applicable findings can be made in the affirmative. Staff has received no comments to date regarding the amendment. With that, staff recommends the Planning Commission forward a recommendation of approval to the Board of Commissioners for Zoning Map Amendment from SFR-1 to Neighborhood Commercial for APN 1319-09-702-026, based on the discussion and conclusions in the staff report and the ability to make the required findings. I'm available for questions.

Chairwoman de Knijf speaks:

Thank you; does anyone have questions for Heather?

Member Godecke speaks:

Well, if you were to pull up your map of the Master Plan, when I look at what the current zoning is versus what the Master Plan says, there's about three parcels just that I can see that are inconsistent with their zoning, starting with the Public Facility or Community Facilities up the top. And there's a couple of parcels, if you go to the next slide of zoning, that shows that its Single-Family or Single-Family Estates. And also the parcel directly to the north of the one that were discussing also is inconsistent with the Master Plan zone Commercial. And it's also yellow

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with the Single-Family Estates or whatever, as well. So those three parcels, I mean, since we're hearing this one, why aren't we hearing all the rest of these?

Ms. Ferris speaks:

Staff was approached by this property owner to correct this inconsistency.

Member Godecke speaks:

But you just stated that State Statute said we need to have our zoning consistent with the Master Plan and it would seem to me that you would reach out to the property owners that have inconsistent zoning and say, "Hey, you guys have inconsistent zoning. What we want to do with this"? Either go to change the zone maps or ask them to amend their Master Plan zone.

Mimi Moss speaks:

Madam Chair, if I could respond? Thank you. Mimi Moss, Community Development Director. Sure, so as part of the Master Plan Update process, the five-year update, the direction was to allow property owners to come forward and ask for Master Plan Amendments and zone changes. And so that was sort of our giveaway as part of the update, and Mr. Bommarito had approached staff, probably about four or five years ago, and we told him, "No, wait until this process gets through, gets completed, and we can take your request forward". So we've been talking with him and dealing with them for a number of years. Certainly there might be other properties that are inconsistent with the zoning, is inconsistent with the Master Plan. In those cases, the zoning dictates and whatever is allowed in the zoning district is allowed on the property. And so that the property owner, sometimes they recognize that and they don't really care. And in this case, Mr. Bommarito does care and he wants to have it as Commercial land use or Commercial zoning.

Chairwoman de Knijf speaks:

Thank you. Does anyone have any questions?

Member Henderson speaks:

I do have one question. Commissioner Henderson; these maps, which we have in reference to the Master Plan, are we using the 2011 Master Plan or are we using pieces of the proposed update to the Master Plan? Which maps are we using here? And what that this is not in any way trying to be frivolous, I'm trying really to understand. Looking at the, what is the zoning consistency and with what are we trying to be consistent, in terms of which Master Plan, and which map.

Ms. Ferris speaks:

Commissioner Henderson, I'll take that. As far as the maps are concerned, the maps are an ever-changing document. They can be changed twice a year, as far as the Master Plan goes. Zoning maps can be changed at any time throughout the year. So we're utilizing the most up-to-date maps that we have. However, as far as the document is concerned, all of these that are on the agenda today have been evaluated against the approved 2011 Master Plan with regard to the policies that are in place.

Member Henderson speaks:

So, which maps from which Master Plan are relevant?

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Ms. Ferris speaks:

So again, the maps are changing, ever-changing. They can change multiple times throughout the year, so as a parcel changes its Master Plan or its Zoning designation, we update those maps to make sure that it's consistent with what was approved. So the maps are ever-changing, however, the policy documents are not. So we're evaluating these Zoning Map Amendments today just as we did with the Master Plan Map Amendments in July against the 2011 Master Plan.

Member Henderson speaks:

But does not the map become a manifestation of the policy and therefore part of the policy in and of itself?

Chairwoman de Knijf speaks:

Heather, I think Mimi would like to address some of this.

Ms. Moss speaks:

Thank you Madam Chair. Mimi Moss. So the 2016 Update to the Master Plan has not been adopted by the Board. That's all the documents, all the maps related to the 2016 Update. And so what Heather is explaining, we're following the 2011 Master Plan maps. That's what we're following in this regard, because nothing has changed since 2011. Although as she mentioned, from time to time, people do amend plans, and so for this property, the current land use is Commercial and the zoning is Single-Family Residential. So really then, what you need to be concerned with is the existing land use and existing zoning. And in this case, it's based on the 2011 Zoning and Master Plan. Nothing has changed. The private property owner has not come forward since that time and asked for any change.

Chairwoman de Knijf speaks:

Thank you. Are there any further questions from staff? Seeing none, I will welcome the applicant to come up, if there's an applicant that wishes to speak. Seeing none, I will bring it back to the Planning Commissioners. So we're all good with questions? I will now open this agenda item up for Public Comment. Anyone wishing to speak, please come up to the podium, sign in and state your name. Seeing no public comment, public comment is closed. I will bring it back to the Commission for a motion.

Member Noyes speaks:

I move that we forward a recommendation of approval to the Board of Commissioners for Zoning Map Amendment DA 18-004 from SFR-1 to Neighborhood Commercial for a .15 acre parcel APN 1319-09-702-026, based on the discussion and conclusions in the staff report and the ability to make the required findings.

Chairwoman de Knijf speaks:

Thank you, Stacy. Do I hear a second? Frank, thank you. Any other further discussion before we go for a vote? Seeing none...you have a similar comment, Devere? Alright, so I will ask for a vote to approve this, to recommend approval to the County Commissioners. All in favor? Opposed? Thank you. Motion carries unanimously.

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MOTION to recommend approval to the Board of Commissioners for Zoning Map Amendment DA 18-004 from SFR-1 to Neighborhood Commercial for a .15 acre parcel APN 1319-09-702-026, based on the discussion and conclusions in the staff report and the ability to make the required findings; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Stacy Noyes, Commissioner
SECONDER:	Frank Godecke, Commissioner
AYES:	Godecke, Brown, de Knijf, Noyes, Henderson, Oland, Walder

2. For possible action. Discussion on a request for a Zoning Map Amendment to change the zoning from SFR-1 (Single Family Residential- 1 acre minimum net parcel size) to MFR (Multi-Family Residential), providing for zoning consistency with the Multi-Family Residential Master Plan designation approved by the Board of Commissioners on September 18, 2017. The subject parcel is 2.09 acres and is located at 1691 County Road in Minden. The property owner is Hellwinkel Family, LLC. APN 1320-30-802-008. Development Application (DA) 17-115. (Heather Ferris)

To review the complete presentation for Item 2, please see the Supplemental Material.

Heather Ferris speaks:

Heather Ferris, Douglas County Planning. As part of the 2016 Update of the Douglas County Master Plan which began in April 2016, the Board of Commissioners allowed property owners to submit streamlined applications for Master Plan Amendments. As part of this process, landowners were also asked to provide the requested zoning for the subject parcels. This Master Plan Amendment request was considered and approved by the Planning Commission and Board on July 19 and September 18, 2017 respectively. This changed the Master Plan from Commercial to Multi-Family Residential. Douglas County Code and NRS (Nevada Revised Statutes) as I noted previously, require the zoning be consistent with the underlying Master Plan. The request for the Zoning Map Amendment is to change zoning from SFR-1 to MFR (Multi-Family Residential) and would result in zoning consistency with the underlying Master Plan of Multi-Family Residential. The existing zoning designations adjacent to the property include Office Commercial to the west, Multi-Family Residential to the north, Single-Family Residential-12,000 square-foot minimum lot size to the east and Multi-Family Residential to the south. The Multi-Family Residential zoning could allow for up to 16 units per acre or in this case, a maximum of 33 units on this 2.09 acre parcel. County Code contains provisions and findings required by the Planning Commission and Board when considering Zoning Map Amendments; all findings must be made in the affirmative in order to approve such an amendment. As outlined in the staff report, staff believes all applicable findings can be made in the affirmative and we have received no comments to date. With that, staff recommends the Planning Commission forward a recommendation of approval to the Board for a Zoning Map Amendment from SFR-1 to MFR based on the discussion and conclusions in the staff report and the ability to make the required findings. I'm available for questions.

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Chairwoman de Knijf speaks:

Thank you. Are there any questions for staff?

Member Henderson speaks:

Commissioner Henderson. I just have one quick question and I'm colorblind yet, I don't think. In the packet, page 34, toward the bottom where it says Staff Response, just above Public Comment, it says that the MFR zoning will help to create a transition between existing Commercial uses to the east and existing Residential uses to the west. Is that backwards or am I misunderstanding?

Ms. Ferris speaks:

No, that is backwards. I apologize.

Chairwoman de Knijf speaks:

I will now ask the applicant to come up, if you have any comments.

Rob Hellwinkel speaks:

Ms. Chairman, members of the Board, my name is Rob Hellwinkel, I'm here with my mother representing the property you see up there on the screen. We've owned it for a number of years. And of course, came before this Board back in 2005 to see the same land use change in zoning that you see in front of you. Of course, at that time, there was a considerably different political climate which the zoning and the land use was denied at that particular time. Then I came back in front of the board with the land use and was approved, along with the recommendation of staff, and I think staff are there approval and recommendation, because as you pointed out, sir, that to the west there's the Tractor Supply and directly behind to the south is Multi-Family and also to the east-northeast, there's also multi-family there, which I personally don't ever see anyone building a single-family residence, which is SFR now. And maybe to alleviate a little bit of concern, again, it was approved by staff but there is a recorded easement at the time where Tractor Supply is now. When that was being developed, it was called the Minden Gateway and part of their reciprocal agreement was instead of the developer having to build a large retaining wall, I waived that in order to have two access points, which the County will control where those go. But as you can see, there to the left, there will be two points, depending upon the condition of approval with the County that does allow for ingress and egress, along with County Road. And then the other one, which I'm unaware of, to the right of me, which is a parcel owned by a longtime family, the Biaggi family, which the gentleman has passed away last year and what their future plans are with the property, I don't have any idea. Anyway, I'm available for any questions.

Chairwoman de Knijf speaks:

Thank you. Are there any questions for Mr. Hellwinkel? Seeing none, thank you so much for your time. I will now open up this agenda item for Public Comment. Seeing none, public comment is closed. I will bring it back to the Commissioners. I will entertain a motion.

Member Brown speaks:

I'd like to make the motion. Recommend that the Planning Commission forward a recommendation of approval to the Board of Commissioners for the Zoning Map Amendment

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DA 17-115 from SFR-1 to MFR for a 2.09 acre parcel APN 1320-30-802-008 based on the discussion and conclusions in the staff report and the ability to meet the required findings.

Chairwoman de Knijf speaks:

Thank you, Jo Etta. Do I hear a second? Devere seconds. All in favor? Opposed? The motion carries unanimously.

MOTION to recommend that the Planning Commission forward a recommendation of approval to the Board of Commissioners for the Zoning Map Amendment DA 17-115 from SFR-1 to MFR for a 2.09 acre parcel APN 1320-30-802-008 based on the discussion and conclusions in the staff report and the ability to meet the required findings; carried

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jo Etta Brown, Commissioner
SECONDER:	Devere Henderson, Commissioner
AYES:	Godecke, Brown, de Knijf, Noyes, Henderson, Oland, Walder

3. For possible action. Discussion on a request for a Zoning Map Amendment to change the zoning from RA-5 (Rural-Agricultural 5 acre minimum) to SFR-2 (Single Family Residential- 2 acre minimum net parcel size), providing for zoning consistency with the Single Family Estates master plan designation approved by the Board of Commissioners on December 7, 2017. The subject parcels are located approximately 450 feet north of the intersection of Fremont Street and Kiss Lane on both the east and west sides of East Valley Road in Minden. The property owner is Bently Family Ltd Partnership. APN's 1320-11-001-035 and -036 (DA 17-117). (Heather Ferris)

To review the complete presentation, please see the Supplemental Materials.

Heather Ferris speaks:

Heather Ferris again, for the record. This is a request from another property owner that took advantage of the opportunity to submit a streamlined application for Master Plan Amendment. As noted in my earlier presentation, participating landowners were also asked to provide the requested zoning for the subject parcels. On July 18, 2018, the Planning Commission forwarded a recommendation of approval to the Board of Commissioners for Master Plan Amendment request from Rural Residential to Single-Family Estates. The Board first heard this matter at their September 18, 2017 meeting and denied the request, citing concerns with the increased density and resulting increase in individual wells and septic systems. Subsequently, the applicant requested a rehearing, which was granted by the Board and on December 7, 2017 the Board reheard the request and approved the Master Plan Amendment from Rural Residential to Single-Family Estates. Douglas County Code and NRS (Nevada Revised Statutes) require zoning to be consistent with the underlying Master Plan. This request as a Zoning Map Amendment from RA-5 to SFR-2 and would result in zoning consistency with the underlying Single-Family Estates Master Plan. The subject parcels are currently vacant; the larger parcel is used for agricultural purposes. The existing zoning designations adjacent to the properties include A-19 to the west and south, SFR-2 to the north and RA-5 to the east. Potential increase in density for this change would be a maximum of seven lots, excuse me, a maximum of seven lots in the RA-5 condition to a maximum of 18 lots in the SFR-2 zoning. County Code contains provisions and findings required by the Planning Commission and Board when considering a Zoning Map Amendment.

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All findings must be made in the affirmative in order to approve such an amendment as outlined in the staff report. Staff believes all applicable findings can be made in the affirmative. Staff has received, I believe, four written comments, which have been provided to you as Supplemental Correspondence and Off-site Concerns with Increased Density and Impacts to Wells. As part of your Supplemental Correspondence, you have an email from Commissioner Henderson regarding the wells that have been deepened in the area and staff has been working with our GIS staff and we were able to, they were able to throw together this map. It shows in green the subject parcel and in red and purple are the wells in the area that have been deepened. So, water supply is something that would be evaluated at the time that a project comes forward. And in addition to that, the State has permitting authority on wells; the County does not. So with that, staff recommends the Planning Commission forward a recommendation of approval to the Board of Commissioners for the Zoning Map Amendment DA 17-117 from RA-5 to SFR-2, for two parcels totaling 36.87 acres, based on the discussions and conclusions in the staff report and the ability to make the required findings. I'm available for questions.

Chairwoman de Knijf speaks:

Thank you. Are there any questions?

Member Henderson speaks:

First of all, thank you very much Heather; appreciate the effort here. Is there any way the panel here, that is, the Board of Commissioners of the Planning Commission I should say, have an excellent map. Appreciate that. It shows very clearly the concentration of the wells that have been deepened with regard to the vicinity of the parcels that are in question. Is there any way that you can enlarge that everybody can see that? It's very difficult. Okay, anymore? So that's a fairly strong concentration within the vicinity, close vicinity of these parcels of wells that have had to be deepened. And I believe all of those are in the Johnson Lane community; some little bit further south are East Valley that've also been impacted by the lowering of the water table in the GIS (Geographic Information system) study that was done in 2007 predicting substantial drops of in the water level in the East Valley area and in the east Johnson Lane area, SE Johnson Lane area, compared to the to the rest of the Douglas Valley. Is that a fair assessment of what the situation here is?

Heather Ferris speaks:

I believe that's what the map depicts. I believe that's what the USGS (United States Geological Survey) study indicated, yes. Again, we're not the permitting authority when it comes to wells.

Member Henderson speaks:

No, and I appreciate that you, we're not; the County is not the permitting authority. This is just evidence from the State database of wells to be deepened in the recent decade or so. Have you done any assessment of what the difference in the water consumption would be for two-acre lots which would be 18 versus five-acre lots?

Heather Ferris speaks:

No, staff has not done that assessment.

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Member Henderson speaks:

Okay, if I could, please? If you are considering that, incidentally the County's approved residential equivalent, daily equivalent, for water consumption is 1225 gallons a day; for 18 lots that equates to 22,050 gallons a day which is the equivalent of approximately 24.745 acre-feet per year. If we look at the five-acres, that seven lots that you mentioned, that is 8575 gallons a day, which is in comparison to the 24 acre-feet, almost 25 acre-feet per year, 9.62 acre-feet per year. So that's a substantial difference in water consumption in an area that's already been shown to have a rapid depletion and as you mentioned, our cooperation with the US Geologic Survey to what's the impact potentially over the long term is. If we could go back to your map there, a couple maps back please, and this comment is being made with regard to the concern of her consistency in zoning. Madam Chairman, if I could use my pointer, my laser pointer? Along this side, hope I can reach that far, over here, this is, what is this, this is five-acre residential, correct? And these are two, so in the interest of consistency, it would be feasible to either be consistent with this zoning here, with these two parcels under consideration, or consistent with these zonings for these two partial considerations. So it seems we can achieve consistency of the zoning either way. Given that then, one would suggest that we consider probably that water becomes a very important driving factor in the determination of how this is going to be zoned. There is also an issue in terms of precedent regarding Receiving Areas, with, as I understand it, there, this is a Receiving Area, potential Receiving Area. And here, is that true? So the case is then that in terms of consistency, if this were to be zoned for two-acre, then as this your applications for developing these receiving areas, the argument would probably be made that to maintain consistency we need to also have these be two-acre parcels. Whereas...

Chairwoman de Knijf speaks:

Excuse me, Devere; we are not discussing parcels other than the two parcels that are under consideration right now. Excuse me? We are not discussing other parcels. We are only discussing Master Plan consistency with the two parcels.

Member Henderson speaks:

I understand that and I'm not arguing for or against. All I'm saying is it the propensity is for consistency and if we zone these for two acres, then as these are developed, to maintain consistency, there's going to be an argument that those would be two, as opposed to five acres.

Chairwoman de Knijf speaks:

And each Master Plan Amendment or revision of zoning is a separate and discrete item and it does not, is not predicated upon approval of other amendments or other considerations. So it doesn't necessarily follow that we're going to go ahead and make the other parcels two-acre parcels because we did this parcel. It's all separate, okay? And let's just stay with the two parcels that we're on right now. Thank you.

Member Henderson speaks:

Okay, so the only thing that we can consider in terms of consistency are the parcels around here already been...

Chairwoman de Knijf speaks:

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Actually, what we're determining consistency with right now is the Master Plan consistency. And as we look on page 56 of our board packets, we will see that the Master Plan calls for those to be single-family residences and that would make it consistent. Our change of the zoning would make it consistent with the Master Plan. Do you have anything further, Mimi?

Mimi Moss, Community Development Director, speaks:

Madam Chair, if I can add, based on the comments by Commissioner Henderson, certainly there's a concern with the amount of wells being re-drilled to capture sufficient water for existing lots that are in the East Valley area. And this is in East Valley community, not the Johnson Lane community. Certainly they, actually its part of that. I'm sorry. The USGS, the Policy 2.1 talks about in the Johnson Lane community identifying and mitigating impacts to water quality and quantity. Certainly we've had issues in the Johnson Lane community regarding nitrate, areas of high concentrations of nitrate and so that's a concern regarding water quality in that area. As Heather mentioned, the State dictates the water, the water wells and if that is approved, each new lot has to dedicate 2.02 acre-feet per parcel when a parcel is divided. That's a requirement in the County Code and as well as the State. Now the actual usage may be less than that but that is the requirement to have sufficient water for that residential use. So I just want to put that on the record, that there is a limit of acre-feet of water per each new lot when it's on a well and also that it's dictated by the State in terms of sufficient water rights to serve that. If there is not sufficient water rights to serve those new parcels, then the County would not recommend approval of those parcel liens and the question is where's the nearest community water system? In this case, there is not one within 2000 feet, therefore, would not connect to a community system. The discussion on the Receiving Area, although it's not a part of this request, that Receiving Area is limited to a certain density in the Master Plan at one unit per acre and so that will have to move forward at some point in the future if the owner elects to bring that forward. So I just want to put that on the record as well.

Chairwoman de Knijf speaks:

Thank you for that clarification. Do we have any additional comments or questions from the Commissioners? Frank?

Member Godecke speaks:

Just a point of clarification. Currently in Douglas County, I believe there are two closed basins by according to the State of Nevada Division of Water Resources, that being Ruhenstroth, I think is one and Fish Springs being the other. I don't think they, as far as I know, I don't think they've designated the East Valley is a closed basin, meaning that the basically the water can be transferred from the west side over to the east side at this point in time. Is that correct?

Ms. Moss speaks:

That is correct; it is not considered a closed basin, although when you talk to the State, they don't use the term closed any longer. They use another term and I'm not sure what that is but you're correct. In in terms of Fish Springs, I wasn't aware of Ruhenstroth being a closed basin as well.

Chairwoman de Knijf speaks:

Thank you. Any other questions? Devere?

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Member Henderson speaks:

I believe that this map information is with regard to basin 105, if I could have some clarification here on page 51 of the packet, it says the parcels immediately west of the subject parcels are currently used for agriculture; however, they have a Receiving Area Master Plan, which could result in higher density at some point in the future. Then the sentences, "the parcels immediately east and south of the subject property have a Master Plan, excuse me, Master Plan designation of Rural Residential and range from approximately 5 to 10 acres in size. This zoning map reflects a logical extension of rural development patterns within Johnson Lane". When I read that, in terms of consistency, once again it seems to me that the case can be made that a logical extension of these areas that were just mentioned in this sentence of 5 to 10 acres of size, would be a designation of the subject parcels for also 5 acres,

Ms. Ferris speaks:

I would just like to point out to the Commission that the underlying Master Plan is now Single-Family Estates. That was determined when the Board approved that on December 7th. The two zoning that are consistent with that underlying Master Plan is either SFR-1 or SFR-2.

Member Henderson speaks:

So, I'm trying to understand where we're sitting here discussing this. What you're telling me is it sounds like it's already been determined.

Ms. Ferris speaks:

The Master Plan has been determined. There are two zonings that are consistent with that Master Plan. The zoning that this particular property owner has elected to move forward with is SFR-2.

Member Henderson speaks:

What's the other one?

Ms. Ferris speaks:

The other one is SFR-1, which is a higher density.

Member Henderson speaks:

But our Single-Family Residential-5 is not an option?

Ms. Ferris speaks:

It is not consistent with the underlying Master Plan of Single-Family Estates.

Member Henderson speaks:

And that's the 2011 Master Plan?

Ms. Ferris speaks:

Yes.

Chairwoman de Knijf speaks:

Are there any other questions from the commissioners? Thank you. Seeing none, we will welcome the applicant up to the podium.

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Carlo Luri speaks:

Good afternoon, Commissioners. Carlo Luri, representing Bently Family Partnership, so, thank you very much for the opportunity to be heard. I'll start my testimony by just reiterating the fact that the underlying land use has been changed and so the options to us were to proceed with one-acre zoning or two-acre zoning on that parcel and we chose the lesser density, the two-acre residential, which would allow for development on the parcel. So we'll start with that, just repeating what's already been said. We take very seriously the issue of water and this is a large agricultural concern as well and also water quality and those were concerns that were brought up at the Board of County Commissioners. As far as water goes, Bently is, I don't think I'm speaking out of turn by saying we're probably the largest private holder of water rights in Douglas County. So there's certainly no shortage of water rights to be transferred to those parcels. As far as septic goes, and I did not see this in the packet, but this was testimony that was brought forth to the Planning, to the Board of County Commissioners, we were able to obtain from the North County Sewer Plant a map of their future sewer connections and were able to show that that area is planned for future service, which would mitigate any nitrate concerns from septic's being put in that area. And so we anticipate that that area will be served by septic in the future. So, setting those concerns about water quality and water availability aside, the reason we made this request is it's about fairness. So you can see that there is a roadway easement, actually that's a roadway dedication through the middle of that property, okay? If you go out there right now, there is no road; it's just dirt. That is the East Valley Road alignment that was requested of us by the County Manager back, I believe, in 2004. And we have correspondence with the County Manager at the time where we granted that roadway right-of-way at no charge to the County and I believe in order to realign East Valley, we gave up close to 12 acres of developable land. In the agreement with the County Manager at the time, was that we would be made whole on the lost development rights. The calculations are a little complex because there's part of that roadway lies in SFR-2, part of it lies in an RA-5, what was previously RA-5, and part of it lies in Receiving Area. But I can tell you that in exchange for the additional, talking about another, I think 11 parcels, we gave up a lot more than 11 parcels of development rights we gave that roadway easement. That roadway would not be there if it wasn't for the generosity of the Bentley family, who offered that road to the County. Trying to develop the remaining parcels as five acres would be near impossible and at that point the land would just remain vacant. So that would mean that the East Valley Road would not get built and would have to get built at the taxpayers' expense. So in all, I think there is consistency with the zoning to the north; there is receiving area to the west of that parcel and to the south of that parcel which has a maximum density of one development unit per acre. At this time, we don't have any plans for those parcels because they are currently in agricultural production. So I think that is the crux of our argument. I'd be happy to answer any questions.

Chairwoman de Knijf speaks:

Thank you. Commissioners, do you have any questions?

Member Henderson speaks:

I drove out there and looked at it and it's kind of fascinating here what you're saying in terms of this is basically, I believe, a minor connector, well paved. This road and extension of this along here's all dirt, this is dirt. Probably a mile further north, if you go up Fremont Street there's a

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gully wash, a storm wash, there's a bridge over it. If you go up this side over here, there's a concrete dip after the road becomes asphalted. So I'd be curious, it's not related to the zoning here, but which you brought it out that this is clearly well paved good two-lane road and this is not even a backwards treatment. I have one other question, if I could. Heather if you could go back please to the aerial map; that's it there. I looked around out here and I couldn't see any sign of the well for either of these two parcels of these two irrigated areas here. Where does, what's the source of the water for that you been using to irrigate these this parcel here?

Mr. Luri speaks:

Well, I didn't come here prepared to discuss those topics but there are several water wells on the site, on the Bently site, to provide irrigation to all of its...

Member Henderson speaks:

Okay, I just was wondering. The reason I'm asking is I was curious is to over what distance from down here near the river pumping the water had to be done in order to irrigate these two sites of when this picture was taken were not under cultivation is for the rest of the area. Thank you, I appreciate your answer.

Chairwoman de Knijf speaks:

Again, we're just talking about the two parcels in question, so I think we're getting into the weeds there. Let's just bring it back to this particular subject. Thank you.

Member Henderson speaks:

I was referring to that one question.

Chairwoman de Knijf speaks:

Does anyone have any other questions? Jo Etta?

Vice Chairwoman Brown speaks:

I have a question about the road. Who will maintain the road? Is the County or Bently?

Mr. Luri speaks:

So the road is, I'm sorry, can you be more specific as to what part of the road.

Vice Chairwoman Brown speaks:

The part that goes through the two partials

Mr. Luri speaks:

Okay, I just wanted to make sure. So right now, that is a road, a right-of-way dedication. So that land was transferred to County ownership; Bently does not own the white stripe where the road is. So I can't speculate but if those parcels were to come forward with the development application, I think it would be within the County's right to discuss with the developer the construction of roads to those two parcels. Again, this is just speculation at this time. Nothing's been brought forward yet to the County. At that point, the roadway would be built to County standards if it goes forward and then would be turned over to the County and would be a County

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road. Again, Bently doesn't own the land under the parcel that you see where the right-of-way is; that was deeded over to the County in agreement with, I believe, under Dan Hollar.

Chairwoman de Knijf speaks:

I have a question for Mimi. Is there a plan to construct that bypass or that diversion there by the County?

Ms. Moss speaks:

The current Master Plan does show this alignment of East Valley Road through the property. There is no capital project identified to pave the section of the roadway for East Valley, not at this time.

Chairwoman de Knijf speaks:

Are there any more questions from the Commissioners? Seeing none; thank you. Also, if there any in Public Comment, Carlo, if there any comments that you would like to address, you are welcome to connect up to the podium after Public Comment is over. Thank you. I will now open it up for Public Comment. Please come to the podium, sign in and state your name for the record. Hello, could you please sign in and state your name for the record?

PUBLIC COMMENT

Mary Collier speaks:

Thank you. I've lived here for 40 years and I did deepen my well last year. I'm in favor at this parcel being gone ahead if the water, did you say, it wasn't clear about how the water... Is Bently going to supply all the water for all those parcels?

Chairwoman de Knijf speaks:

Excuse me, could you please speak to the Commission and the applicant could come back later and answer your questions.

Ms. Collier speaks:

That wasn't clear. I wasn't sure what Bentley is going to do. Maybe this is off the subject, but doesn't Pahrump have twice or three times as many wells as what we do? Isn't all the wells down at Pahrump? We're concerned with wells here but couldn't legislature do something about the wells in Pahrump and stop all the well drilling down there. Then we would have enough water and wouldn't have to deepen all of our wells. So maybe, and one more thing, maybe rainy and some of the awful lot of real estate agents that keep pushing this beautiful area up here, it is just constant. So why would the real estate people keep pushing all the people to come up here, which there is an influx. That might be a discussion to that thought. My comments.

Chairwoman de Knijf speaks:

Thank you. Could you please state your name for the record, into the microphone?

Ms. Collier speaks:

Collier, first name Mary.

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Chairwoman de Knijf speaks:

Is there any more Public Comment at this time? Seeing none, Public Comment is closed. If the applicant would like to address any concerns that came up during Public Comment, please feel free.

Mr. Luri speaks:

Again, Carlo Luri, representing Bently Family Limited Partnership, just in response to the comments, I'd like to say that Bently family has sufficient water rights to support the development of this parcel.

Chairwoman de Knijf speaks:

Thank you. I will bring it back to the Commission. I will entertain a motion.

Member Henderson speaks:

Madam Chairman, I move that the request for Zoning Map Amendment from RA-5 (Rural Agricultural 5-acre minimum parcel net size) to SFR-2 (Single-Family Residential 2-acre minimum net parcel size) for Bently Family Partnership APN's 1320-11-001-035 and -036 (DA 17-117) be denied and that to maintain zoning consistency with parcels immediately east and south of the subject property that have Master Plan designation of Rural Residential and range in size from approximately 5-10 acres in size, a logical extension of rural development patterns within the Johnson Lane community and to support Master Plan goals of sustainable growth compatible with existing and projected declining water quantity and quality levels in the Johnson Lane and East Valley communities, that the subject parcels be zoned consistent with zoning of the parcels immediately to the east and south as Rural Residential five minimum net parcel size.

Chairwoman de Knijf speaks:

The recommendation, what you could do, is just state your recommendation as it is printed here on page 48 without any additional comment. So, what you could say is that you recommend denial to the Board of Commissioners and then go forward with that. Thank you. And what we will do is do discussion after the motion and the second and then we can put our reasons on the record. Thank you. Would you like to rephrase that?

Member Henderson speaks:

I move that the request for Zoning Map Amendment from RA-5 to SFR-2 net parcel size for Bently Family Limited Partnership APN's 1320-11-001-035 and -036 (DA 17-117) be denied.

Chairwoman de Knijf speaks:

Do I hear a second? Seeing no second, what do I do now? I'm the new chair. So I will entertain another motion. Frank?

Member Godecke speaks:

I move that we recommend approval for the to the Board of Commissioners for Zoning Map Amendment to change zoning for RA-5 (Rural Agricultural 5-acre minimum) to SFR-2 (Single-Family Residential 2-acre minimum net parcel size) providing for zoning consistency with Single-Family Estates Master Plan designation on the subject parcels of APN 1320-11- 001-035-036 for the property owner of Bently Family Limited Partnership.

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Chairwoman de Knijf speaks:

Thank you. Do I hear a second? Jo Etta seconds and we will bring it back to the Commissioners for discussion. Is there any discussion? Seeing none, I will entertain a vote. All in favor? Opposed? Thank you. With one nay, the motion carries.

MOTION to recommend approval for the to the Board of Commissioners for Zoning Map Amendment to change zoning for RA-5 (Rural Agricultural 5-acre minimum) to SFR-2 (Single-Family Residential 2-acre minimum net parcel size) providing for zoning consistency with Single-Family Estates Master Plan designation on the subject parcels of APN 1320-11- 001-035-036 for the property owner of Bently Family Limited Partnership; carried.

RESULT:	DENIED [6 TO 1]
MOVER:	Frank Godecke, Commissioner
SECONDER:	Jo Etta Brown, Commissioner
AYES:	Godecke, Brown, Knijf, Noyes, Oland, Walder
NAYS:	Henderson

Vice Chairwoman Brown speaks:

Madam Chair, may we have a break?

Chairwoman de Knijf speaks:

Of course, we will take a generous 10 minute break and we will see you all back.

4. For possible action. Discussion on a request for a Zoning Map Amendment from NC (Neighborhood Commercial) and A-19 (Agriculture-19 acre minimum parcel size) with a PD (Planned Development) Overlay zone to SFR-8,000 (Single Family Residential - 8,000 square foot minimum net parcel size) providing for zoning consistency with the Single Family Residential master plan designation approved by the Board of Commissioners on September 18, 2017. The subject parcel is 9.22 acres in size and is located at 1280 Dresslerville Road, Gardnerville Ranchos. The property owner is Bently Family Limited Partnership. (APN 1220-09-302-006). Development Application (DA) 17-098. (Louis Cariola)

To review the complete presentation for Item 4, please see the Supplemental Material.

Louis Cariola speaks:

For the record, Louis Cariola, Douglas County Planning; the subject site, like Heather's previous presentations, took advantage of the streamlined Master Plan Amendment process in 2016. This action is to bring the property into consistent zoning with the underlying Master plan. Subject site, oh I might mention, all three of my presentations don't have North arrows; the top of the map is north. The property is located at the northeast corner of Dresslerville Road and Centerville Lane, with New Systems tucked in the corner there, if you can see that. The existing Master Plan designation is Single-Family Residential. Something missing here is, it's also got Receiving Area in zoning. I'm moving to the next slide too quickly; I apologize, my first presentation and I'm trying to get the nerves out. Existing zoning is Neighborhood Commercial and Ag-19; missing from this slide is a PD (Planned Development) overlay. This zoning change would eliminate the PD overlay, as well as replace the zoning with SFR-8000. To the east is the

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Cedar Creek residential subdivision, also SFR-8000. We're looking at Ag-19 lands of the north, the Silver Ranch subdivision to the south and across Dresslerville Road and over to the west, we're looking at more General Commercial land. Douglas County Code requires that all findings for Zoning Map Amendments are made in the affirmative; staff has been able to make those findings and does recommend that the Planning Commission forward a recommendation of approval to the Board of Commissioners for Zoning Map Amendment from Neighborhood Commercial and Ag-19 with the PD overlay to SFR-8000, based on the discussion and conclusions in the staff report and the ability to make the required findings. We did receive one comment after your packets were put together. It was returned anonymously and I do believe it was printed for your viewing. It essentially just stated some concern about continued development on behalf of the author and I am available for questions.

Chairwoman de Knijf speaks:

Thank you. Are there any questions from the Commissioners? Seeing none, I will open it up to the applicant.

Carlo Luri speaks:

Good afternoon again, Carlo Luri representing Bently Family Limited Partnership. So I think this one's fairly self-explanatory. The proposed zoning is consistent with the underlying land use. It was previously zoned Receiving Area so the parcel could have had much higher density. We are not always looking develop to the highest density possible. We think it's consistent with the adjoining properties and we think it'll create a nice neighborhood for some more affordable housing for the community.

Chairwoman de Knijf speaks:

Thank you. Commissioners, do you have any questions for the applicant? No questions? Thank you so much. I will now open it up for Public Comment. Seeing no Public Comment, Public Comment is now closed. I will bring it back to the Commissioners for a motion. Devere?

Member Henderson speaks:

I have to make sure I'm reading from the right place. I move that we accept the staff recommendation to the Planning Commission and that the Planning Commission forward a recommendation of approval to the Board of Commissioners for Zoning Map Amendment DA 17-098 from NC (November Charlie) and A-19/PD to SFR-8000 for a 9.22 acre parcel, based on the discussion and conclusion in this staff report and the ability to make the required findings.

Chairwoman de Knijf speaks:

Do I hear a second? Thank you; Kirk seconds. Is there just further discussion? All those in favor? Opposed? The motion carries unanimously.

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MOTION to recommend approval to the Board of Commissioners for Zoning Map Amendment DA 17-098 from NC (November Charlie) and A-19/PD to SFR-8000 for a 9.22 acre parcel, based on the discussion and conclusion in this staff report and the ability to make the required findings; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Devere Henderson, Commissioner
SECONDER:	Kirk Walder, Commissioner
AYES:	Godecke, Brown, de Knijf, Noyes, Henderson, Oland, Walder

5. For possible action. Discussion on a request for a Zoning Map Amendment to change the zoning from SFR-1 (Single Family Residential- 1 acre minimum net parcel size) to SFR-1/2 (Single Family Residential – one-half acre minimum net parcel size) providing for zoning consistency with the Single Family Residential master plan designation approved by the Board of Commissioners on September 18, 2017. The subject parcel is 5.43 acres in size and is located at 1291 Centerville Lane, Gardnerville Ranchos. The property owner is Holstein Farms LLC. APN 1220-09-401-001. Development Application (DA) 17-097. (Louis Cariola)

To review the complete presentation for Item 5, please see the Supplemental Material.

Louis Cariola speaks:

Once again, Louis Cariola, Douglas County Planning; one item I liked to point out is there was a small typo on page 85 of your packets. The initial request, the introduction of the action, incorrectly states that the existing zoning Single-Family Residential-1/2 acre minimum net parcel size; it should read 1-acre parcel size. The abbreviation is correct; it's just the language in the parentheses. The site is located just a few hundred feet from the previous site to the west and south of Centerville Lane, approximately 7.22 acres, I'm sorry, 5.43 acres surrounded by Single-Family Residential and Community Facilities to the east and Single-Family Estates to the west. Again, the Silver Ranch subdivision is to the south, Ag land to the north and Commercial to northeast across Centerville Lane. The current zoning as previously stated is SFR-1 and the proposed zoning is to double that allowed density to SFR-1/2. The density below, incidentally, in the Silver Ranch is SFR-12,000 so I did receive a couple phone calls, didn't actually document them but I believe neighbors had some concerns about the limit of the density here. Of course, just doing the math, with 1/2 acre parcels we would be looking at a maximum of 10, based on just the allowed density. Maybe a little over 10, but of course they will have to lose some land for access roads, landscape etc. So I'm not sure if any of those members of the public are here today. We, of course, have not received any development plans at this point, so we're not able to answer any questions about what the owner's intent for development is yet. Once again, Douglas County Code does require that we make all findings in the affirmative; staff has been able to make those findings and recommends of the Planning Commission for recommendation of approval to the Board of Commissioners for Zoning Map Amendment from SFR-1 SFR-1/2, based on the discussion and conclusions in the staff report and ability to make those findings. I am available for questions.

Chairwoman de Knijf speaks:

Thank you. Stacy?

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Member Noyes speaks:

So, I'm going to couch this question under the fact of a so many new people in the room, that you can refresh their memory. So as you pointed out, if you go to the little map of the proposed zoning, current zoning versus proposed zoning, the light orange that you said was SFR-12,000, that density is higher density than what's proposed in the subject parcel, correct? So then it is sort of like a logical transition area from the larger estates to the left, I guess that would be west, to do that, to step down in sizes before you get down to the...

Mr. Cariola speaks:

Staff certainly agrees with that.

Chairwoman de Knijf speaks:

Are there any other questions? Thank you, Louis. I welcome you being new with me. We're both nervous. Is the applicant here to make a statement? Thank you.

Jeremy Hutchings speaks:

Jeremy Hutchings, RO Anderson Engineering, on behalf of the applicant; I don't really have anything. Everything is pretty straightforward. I think Louis did a great job. And I'm happy to answer questions.

Chairwoman de Knijf speaks:

Commissioners, are there any questions for the applicant? Seeing none, thank you so much. I will now open it up for Public Comment. Please step up to the podium, sign in and state your name for the record.

PUBLIC COMMENT

Thomas Segorski speaks:

My name is Thomas Segorski, I am resident across the street on Drayton, just south of that property and I am not in favor of going to ½-acre parcels. I think it should remain 1-acre parcels like all the homes to the west of that current parcel that are already developed. And you've already allowed the parcel to the east of that to be much higher density than originally intended in the zoning plan, as well as you just approve the Bently property diagonally across the they're just now approved to go to higher density. So I know why you need so many more high density places. Stress the need for water in the area. Certainly, I think there's enough real estate demands in terms of new properties so that that property, existing property with 1 acre, should be easily sellable and maintain the same profit for the developers and the sellers' property. That's my opinion.

Chairwoman de Knijf speaks:

Thank you. Is there any further Public Comment? Seeing none, I will bring it back to the Commissioners. Yes, Mimi?

Mimi Moss, Community Development Director, speaks:

Madam Chair, in response to the Public Comment, I just want to bring to the attention of the Planning Commission that this is within an Urban Service Boundary. It is within the

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Gardnerville Ranchos area; it will be served by community sewer and water and they will have to go through that process, in terms of having sufficient water and septic capacity to handle that. So that's the next stage of this zoning consistency if approved. But we also had response from the Gardnerville Ranchos General Improvement District saying that they could serve this property as well.

Chairwoman de Knijf speaks:

Thank you. I will entertain a motion. Kirk?

Member Walder speaks:

I move that the Planning Commission forward a recommendation of approval to the Board of Commissioners for Zoning Map Amendment DA 17-097 from SFR-1 to SFR-1/2 for a 5.43 acre parcel, based on the discussions and conclusions in the staff report and the ability to make the required findings.

Chairwoman de Knijf speaks:

Do I hear a second? Stacy, thank you. Is there any further discussion? If not, all in favor? Opposed? The motion carries unanimously.

MOTION to recommend approval to the Board of Commissioners for Zoning Map Amendment DA 17-097 from SFR-1 to SFR-1/2 for a 5.43 acre parcel, based on the discussions and conclusions in the staff report and the ability to make the required findings; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kirk Walder, Commissioner
SECONDER:	Stacy Noyes, Commissioner
AYES:	Godecke, Brown, Knijf, Noyes, Henderson, Oland, Walder

6. For possible action. Discussion on a request for a Zoning Map Amendment to change the zoning from TC (Tourist Commercial) to SFR-1/2 (Single Family Residential – one-half acre minimum net parcel size) providing for zoning consistency with the Single Family Residential master plan designation approved by the Board of Commissioners on September 18, 2017. The four subject parcels are each approximately 0.44 acres in size and located south of Sandy Bowers Avenue between Genoa Street and Eureka Street in the Topaz Planning Area. The property owner is Gordon Gregory, Gregory Family Trust. APNs 1022-29-310-001, -002, -003, and -004. Development Application (DA) 17-099. (Louis Cariola)

To review the complete presentation for Item 6, please see the Supplemental Material.

Louis Cariola speaks:

Again, Louis Cariola, Douglas County Planning; something I hope is not going to be repeated is, I have another mistake in your packet. This time, two of the maps on pages 109 and 110, the labeling is reversed, so the proposed zoning map in 109 should be labeled Master Plan Designation and on 110, the Master Plan Designation actually represents the Proposed Zoning. The maps in the presentation will, however, be correct. These parcels are vacant and like all the others you've heard of today and considered, were part of that Master Plan Amendment streamlined process. Last year they were changed to Single-Family Residential from Commercial

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in the Master Plan. Here we see the current zoning Tourist Commercial, of course, not compatible with the Single-Family Residential Master Plan designation and the proposal is for SFR-1/2. You'll see in the staff report that these parcels individually are .44 acres so the total here is 1.76. Without a sewer provider in this area, they are required to meet 1-acre density for single-family homes, so the property owner is already agreed, I believe it's on page 103 of your staff report, has made it clear that they're going to take advantage of NDEPs (Nevada Department of Environmental Protection) allowance to include ½ of the adjacent right-of-ways and parcel sizes to then meet to take 2.88-acre double parcels and meet the 1-acre requirements. So the proposed density here will only be two homes. I've heard a number of concerns today with people being concerned about increased density; this of course, was zoned Tourist Commercial, which has the potential for much more intensive land use. So this would be moving in the opposite direction. I'd like to think that would be welcome by the public and the Commissioners.

Chairwoman de Knijf speaks:
Thank you. Oh, you're not done?

Mr. Cariola speaks:
I was just doing a little ad-libbing. Based on the Douglas County Code requirement of findings, staff has been able to make those findings and recommends that the Board recommended forward a recommendation of approval to the Board of Commissioners for Zoning Map Amendment for the four parcels totaling 1.76 acres, from Tourist Commercial to Single-Family Residential 1/2 acre minimum parcel size. I'm available for questions.

Chairwoman de Knijf speaks:
Thank you. Devere?

Member Henderson speaks:
Good job there; appreciate the humor. Well done. So down there, they require 1-acre because of the existing and forecast sewage and water requirements, correct? And the owner is only wanting to create 1-acre parcels. So I did the math and said if your roads 22 feet wide, you got it made here. What is the motivation for making this a half-acre instead of 1 acre, when that's what the owner needs or what the applicant needs and that's what's supported by the requirement for 1-acre lots for wells? Help me understand why we're trying to do a ½ -acre instead of 1 acre when one acre is all that the applicant asked for and 1-acre is the minimum size in order for them to have a well down there.

Mr. Cariola speaks:
So I wasn't here during the submittal and approval process for the Master Plan Update. The applicant's property owners have to propose a zoning consistency when they or, they did propose a zoning consistency when they went to the Master Plan Update. The surrounding zoning is all SFR-1/2, so in order to maintain consistency with surrounding zoning, as you can see to the northeast and south, that they proposed SFR-1/2.

Member Henderson speaks:
So it's just consistency again?

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Mr. Cariola speaks:

Correct. Although in this case, you do make a solid point that the density will be the same as if they had proposed SFR-1.

Chairwoman de Knijf speaks:

Thank you. Mimi?

Mimi Moss, Community Development Director, speaks:

And also too, Madam Chair, if they were to ask for SFR-1, they could not meet the minimum parcel size of 1-acre. They would have to eliminate one of the parcels today.

Member Henderson speaks:

But with what he just said and I did the math, under the Environmental Protection Agency, you can count the roadway and so they got .09 miles of 5280, so they have 472 ft.² or linear feet and with 22 foot roadway, they have enough to get the two acres. So they do have enough for two 1-acre parcels under that rule.

Ms. Moss speaks:

That is correct for a combined septic and private well but they don't have the minimum size for 1-acre zoning. If they were to combine the two parcels, they would have less than 1-acre and we can't create a zoning district that's nonconforming to the parcel sizes and that's what's dictating here.

Member Henderson speaks:

Okay, I appreciate your patience. So you have two different rules effectively. Thank you.

Chairwoman de Knijf speaks:

Thank you, Devere. And just to refresh the Commissioners memory, please wait for a verbal acknowledgement from the Chair to speak. Thank you. Are there any other questions for staff? Seeing none, is the applicant wanting to make a presentation? Thank you.

Bob James, applicant, speaks:

My name is Bob James, I signed in just earlier. I am an in-law representing the Gregory family. I think the staff has done an excellent job on putting everything together in this whole process and I just like to offer myself to answer any questions that you might have.

Chairwoman de Knijf speaks:

Thank you. Are there any questions from the Commissioners for the applicant? Seeing none, thank you very much. I will now open it up for Public Comment. Seeing no Public Comment, Public Comment is closed. I will bring it back to the Commissioners for a motion. Devere?

Member Henderson speaks:

Madam Chairman, I move that we accept the staff recommendation that the Planning Commission forward a recommendation of approval to the Board of Commissioners for a Zoning Map Amendment DA 17-009 from TC (Tourist Commercial) to SFR-1/2 for four parcels

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totaling 1.76 acres, based on the discussion and conclusions in this staff report and the ability to make the required findings.

Chairwoman de Knijf speaks:

Thank you. Do I hear a second? Jo Etta is seconding. And I'll open it up for discussion. Stacy?

Member Brown speaks:

I have a question on the motion. I thought I heard you say DA 17-009, when it should be DA 17-099.

Chairwoman de Knijf speaks:

Thank you.

Member Henderson speaks:

I'm sorry. Do I need to read it again? No? Okay.

Chairwoman de Knijf speaks:

The correction has been noted. And Stacy?

Member Noyes speaks:

That was all I wanted to discuss was the correction to the motion.

Chairwoman de Knijf speaks:

I just have to be really clear this, there were four parcels and what we're doing is making two 1-acre parcels, in size, right? two ½ -acre parcels? four ½ -acre parcels? I'm sorry, that's what I meant.

Mr. Cariola speaks:

Madam Chair, there is no proposal to merge parcels through this action; we're only changing the zoning. But I simply pointed out only because it would seem counterintuitive to look at .44 acre parcels while we're zoning them ½ -acre.

Chairwoman de Knijf speaks:

Of course. Thank you. Is there any other discussion? No? Let me take my foot out of my mouth then and we can vote. All in favor? Opposed? The motion carries unanimously.

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MOTION to recommend that the Planning Commission forward a recommendation of approval to the Board of Commissioners for a Zoning Map Amendment DA 17-099 from TC (Tourist Commercial) to SFR-1/2 for four parcels totaling 1.76 acres, based on the discussion and conclusions in this staff report and the ability to make the required findings; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Devere Henderson, Commissioner
SECONDER:	Jo Etta Brown, Commissioner
AYES:	Godecke, Brown, Knijf, Noyes, Henderson, Oland, Walder

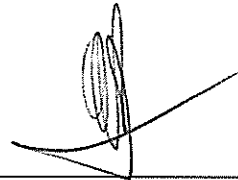
ADJOURNMENT

Chairwoman de Knijf speaks:

This concludes our business for today and I adjourn the meeting.

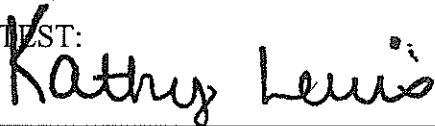
Meeting adjourned at 2:45pm.

Respectfully submitted:



Anje de Knijf, Chairwoman
Douglas County Planning Commission

ATTEST:



Kathy Lewis, Clerk-Treasurer

by Kathleen Schmidt
Deputy Clerk