



WASHOE COUNTY BOARD OF ADJUSTMENT

DRAFT Meeting Minutes

Board of Adjustment Members

Rob Pierce, Chair

Thursday, February 6, 2025

1:30 p.m.

Don Christensen, Vice Chair

Kathie Julian

Peter Ghishan

Leo A. Horishny

Washoe County Administrative Complex

Northern Nevada Public Health

Conference Room A and B

1001 East Ninth Street, Building B

Reno, NV 89512

Secretary

Trevor Lloyd

and available via

Zoom Webinar

1. Determination of Quorum

Chair Pierce called the meeting to order at 1:30 p.m. The following members and staff were present:

Members Present: Rob Pierce, Chair
Don Christensen, Vice Chair
Kathie Julian (via Zoom)
Peter Ghishan
Leo A. Horishny

Members Absent: None

Staff Present: Chris Bronczyk, Senior Planner, Planning and Building Division
Julee Olander, Planner, Planning and Building Division
Elizabeth Hickman, Deputy District Attorney, District Attorney's Office
Adriana Albarran, Recording Secretary, Planning and Building Division
Brandon Roman, Recording Secretary, Planning and Building Division

2. Pledge of Allegiance

Member Ghishan led the pledge of allegiance.

3. Ethics Law Announcement and Instructions for Providing Public Comment via Zoom/Telephone

Deputy District Attorney Elizabeth Hickman recited the Ethics Law standards and the instructions for providing public comment via Zoom/Telephone.

4. Appeal Procedure

Secretary Trevor Lloyd recited the appeal procedure for items heard before the Board of Adjustment.

5. Public Comment

There was no response to the request for public comment.

6. Approval of the February 6, 2025, Agenda

In accordance with the Open Meeting Law, Member Horishny moved to approve the agenda of February 6, 2025. Member Ghishan seconded the motion, which carried unanimously.

7. Approval of the January 2, 2025, Draft Minutes

Member Julian clarified that, on page five, paragraph 3, Member Ghishan differed from the Board, not Secretary Trevor Lloyd as written.

Member Ghishan moved to approve the minutes of January 2, 2025, as amended by Member Julian. Chair Thomas seconded the motion, which carried unanimously.

8. Public Hearing Items

A. Amendment of Conditions Case Number WAC24-0012 (Summit Christian Church) for WSUP22-0028 – For hearing, discussion, and possible action to approve an amendment of conditions for Special Use Permit Case Number WSUP22-0028 to amend the location of a previously approved 58-foot-high stealth monopole wireless communication facility disguised to resemble a windmill, to be adjacent to a cross tower. Also, to extend the date to obtain an issued building permit by 2 years.

- Applicant: Streamline Engineering
- Property Owner: Summit Christian Church
- Location: 7075 Pyramid Way
- APN: 083-730-13
- Parcel Size: 36.7 acres
- Master Plan: Open Space (OS)
- Regulatory Zone: Public Semi-Public (PSP)
- Area Plan: Spanish Springs
- Development Code: Authorized in Article 810, Special Use Permit and Article 324, Communication Facilities
- Commission District: 4– Commissioner Andriola
- Staff: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3627
- E-mail: jolander@washoecounty.gov

Planner Julee Olander conducted a PowerPoint presentation and reviewed slides with the following titles or descriptions: Request; aerial map; parcel map (2 slides); elevations; photos (2 slides); Evaluation (2 slides); Noticing; Reviewing Agencies & Findings; and Possible Motion. She noted the applicant was available via telephone to answer any questions.

There was no response to the call for public comment.

Member Horishny moved that Amendment of Conditions Case Number WAC24-0012 for Streamline Engineering be approved with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.810.30 and all three findings in accordance with Section 110.324.75, subject to the conditions contained in Exhibit A to the Staff Report: Consistency, Improvements, Site Suitability, Issuance Not Detrimental, and Effect on a Military Installation. Member Ghishan seconded the motion, which carried on a vote of 4 to 1 with Vice Chair Christensen voting nay.

B. Amendment of Conditions Case Number WAC24-0013 (IVGID Bike Park Phase II Grading) for WSUP22-0029 – For hearing, discussion, and possible action to approve an amendment of conditions for Special Use Permit Case Number WSUP22-0029 (IVGID Bike Park Phase II Grading). The amendment of conditions is for a 2-year extension, until January 5, 2027.

- Applicant/Property Owner: Incline Village General Improvement District
- Location: 964 Incline Way
- APN: 127-030-31
- Parcel Size: 18.36 acres
- Master Plan: Incline Village Tourist
- Regulatory Zone: Tahoe, Incline Village Tourist (TA_IVT)
- Area Plan: Tahoe
- Development Code: Authorized in Article 810, Special Use Permits
- Commission District: 1 – Commissioner Hill
- Staff: Chris Bronczyk, Senior Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3612
- E-mail: cbronczyk@washoecounty.gov

It was decided that the Board of Adjustment members did not need a presentation on this matter as the applicant was only seeking a two-year extension.

There was no response to the call for public comment.

Member Horishny moved that Amendment of Conditions Case Number WAC24-0013 for the Incline Village General Improvement District be approved with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.810.30. Chair Pierce seconded the motion, which carried unanimously.

C. Amendment of Conditions Case Number WAC24-0010 (Chocolate Drive) for WADMIN22-0029 – For hearing, discussion, and possible action to approve an amendment of conditions for Administrative Permit Case Number WADMIN22-0029 (Chocolate Drive) to amend the approved administrative permit for a 2-year time extension, to modify an engineering condition, and amend the following: parking, bicycle storage, trash enclosures, common open space locations, and landscaping revisions.

- Applicant: Pedcor Investments
- Property Owner: Chocolate Group, LLC
- Location: 0 Gepford Parkway
- APN: 502-250-09; 502-250-10
- Parcel Size: 45.51 acres; 2.75 acres
- Master Plan: Urban Residential (UR); Rural (R); Open Space (OS)
- Regulatory Zone: Medium Density Urban (MDU); Open Space (OS);
- Area Plan: Sun Valley
- Development Code: Authorized in Article 808, Administrative Permits
- Commission District: 3 – Commissioner Garcia
- Staff: Chris Bronczyk, Senior Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3612
- E-mail: cbronczyk@washoecounty.gov

Senior Planner Chris Bronczyk conducted a PowerPoint presentation and reviewed slides with the following titles: Project Location; Amendment of Conditions Request; Unchanged Items; History; Revised Parking; Added Bicycle Parking; Revised Common Open Space; Revised Landscaping; Layout Comparison; Neighborhood Meeting; and Possible Motion. He mentioned Washoe County updated various housing elements in its Development Code in 2024, including parking and bicycle requirements.

Chris Waechter with Kimley-Horn & Associates conducted a slideshow presentation and reviewed slides with the following titles: Project Location (2 slides); Community Planning; Existing Conditions; Project Request; Project Items Unchanged; Revised Project Changes (3 slides); Proposed Chocolate Drive Site Plan (November 2024); Rendered Plan; Roadway Dedications; Community Benefits (2 slides); and Agency Coordination. He indicated some delay was caused by the applicant working to resolve easement issues.

On the call for public comment, Mr. Mark Neumann felt most applicants who tried to make significant changes at this stage in the process would not be granted extensions. He expressed concern about the flooding this project might cause; the fact the project would provide publicly assisted rentals, not low-income apartments; the potential for charging more for covered parking; and the possibility that taxpayers might have to pay to repair the retaining walls. He felt the applicant should restart the process.

Ms. Heidi Soper, Vice Chair of the Sun Valley Citizen Advisory Board, requested clarification on which portion of Chocolate Drive would be paved.

Via Zoom, Mr. Marco Giordano recommended that the Board of Adjustment not give an extension because not only were many of the changes insubstantial, but he felt the developer was trying to wait for the cost of materials to come down. He urged the Board to notify the Regional Planning Commission that residents did not want this. He thought this project would only benefit new residents, not existing ones.

Member Ghishan asked for clarification on the alignment of Chocolate Drive and the status of easement and right-of-way acquisition. Mr. Waechter confirmed half of Chocolate Drive was owned by several property owners and the other half by the developer. He said Washoe County Engineering contacted every property owner on Chocolate Drive, and based on the responses, the Chocolate Road would be constructed on the developer's 30-foot portion of the road. He expected the road to be a public road dedicated for all area residents.

Mr. Waechter noted the applicant collaborated with Washoe County to figure out how the easements could be used to build a public roadway there. Deputy District Attorney Elizabeth Hickman said a plan was proposed to approve a quiet title action, which was necessary because the property was dedicated to but never accepted by the County.

Senior Licensed Engineer Janelle Thomas pointed out traffic and roadway condition u, located on page 5 of the agenda packet, explaining the history of the easement situation. She noted there was a spelling error, and should the Board approve the item, the motion should say "quiet title action", not "quite title action". Once that action were finalized, there would be a formal dedication of the right-of-way, and improvements would need to be complete before any certificates of occupancy were issued. Mr. Waechter added that the quiet title was approved and recorded the prior day.

Member Julian asked whether the areas in front of existing residents' properties would be paved, and if not, how the driveways to those properties would look. Ms. Thomas replied the road would be on the developer's property, but the pavement would be extended to each of the adjacent homes. The developer would need to obtain rights of entry from each property owner to perform those improvements, but the intent was to require connections to the public roadway.

Member Julian inquired whether the proposed sidewalks would extend all the way to the elementary school. Ms. Thomas believed the applicant was required to work with the Safe Routes to School coordinator to complete the task, but the conditions for approval only required work along Chocolate Drive. Secretary Trevor Lloyd added that the County Engineer would be responsible for ensuring compliance with condition r, the one addressing the walkway.

Member Horishny wondered how far from the existing Chocolate Drive the new roadway would be located. Ms. Thomas acknowledged that this was an unusual area. The initial idea was for the developer to work with property owners on a solution, but those efforts were unsuccessful. That was why construction needed to take place within their legal boundaries. A typical traffic lane was 12 feet, she explained, so 30 feet would be roughly 2.5 lanes of traffic.

Chair Pierce thought the request, which was prompted by passage of the affordable home package, was appropriate, and he supported the project.

Member Ghishan moved that Amendment of Conditions Case Number WAC24-0010 for Pedcor Investments be approved with the conditions included as Exhibit A to this matter with substitution of the term "quiet title action" for "quite title action", having made all five findings in accordance with Washoe County Code Section 110.808.25. Chair Pierce seconded the motion, which carried unanimously.

D. Special Use Permit Case Number WSUP24-0019 (Chocolate Drive Major Grading) – For hearing, discussion, and possible action to approve a special use permit for major grading associated with the construction of a multi-family development. The total grading proposed is 98,389 cubic yards of cuts and 96,701 cubic yards of fill, with a net remainder of 1,638 cubic yards which will be balanced on site. The total area of disturbance is 23.87 acres.

- Applicant: Pedcor Investments
- Property Owner: Chocolate Group, LLC
- Location: 0 Gepford Parkway
- APN: 502-250-09; 502-250-10
- Parcel Size: 45.51 acres; 2.75 acres
- Master Plan: Urban Residential (UR); Rural (R); Open Space (OS)
- Regulatory Zone: Medium Density Urban (MDU); Open Space (OS);
- Area Plan: Sun Valley
- Development Code: Authorized in Article 808, Administrative Permits
- Commission District: 3 – Commissioner Garcia
- Staff: Chris Bronczyk, Senior Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3612
- E-mail: cbronczyk@washoecounty.gov

Senior Planner Chris Bronczyk conducted a PowerPoint presentation and reviewed slides with the following titles: Project Location; Request; Previous Special Use Permit (2 slides); Site Plan; Cut/Fill Map; Drainage; Retaining Walls; Neighborhood Meeting; Findings; and Possible Motion.

Chris Waechter with Kimley-Horn & Associates conducted a slideshow presentation and reviewed slides with the following titles: Project Request; Project Items Unchanged; Proposed Chocolate Drive Site Plan (Nov 2024); Proposed Grading; Proposed Earthwork; Revised Project Changes; and Community Benefits (Drainage) (2 slides).

In response to Vice Chair Christensen's query, Mr. Bronczyk confirmed the four detention basins would be maintained by the developer. Vice Chair Christensen said he would approve the project but hoped Washoe County would take on a more active role with maintenance in the future. The Vice Chair inquired about the sufficiency of the developer to fund maintenance issues. Craig Maraschky with Pedcor Investments assured the Vice Chair that they would maintain the property for at least the 30-year compliance period. He presumed the County would reach out if the site were not maintained properly. He offered to provide the Board with the amount in replacement reserves that would become available once that figure was known.

Member Julian asked about a schedule of maintenance for the drainage improvements and any accountability measures that could be taken. Senior Licensed Engineer Janelle Thomas highlighted condition 2.c, requiring an operations and maintenance manual setting forth the frequency at which infrastructure components needed to be maintained as well as the equipment that would be used to do so. That document would also be given to any property management association so they could contract that work out. She added that the County did not require that document to be publicly recorded.

Member Julian wondered who at the County neighbors should reach out to with complaints. Ms. Thomas indicated those neighbors should reach out to the property manager or homeowners association of the developer with any concerns, as they would be responsible for maintenance. If no response was received, complaints could then be lodged with Code Enforcement. Secretary Trevor Lloyd acknowledged this would not be a typical code enforcement matter, but in such a situation the County would seek voluntary compliance of all conditions of approval.

Mr. Maraschky reiterated they wanted to be good neighbors, and they intended to make right any drainage or other maintenance concerns. Mr. Waechter confirmed there would be a full-time on-site property manager monitoring the status of the development and any issues associated with it.

On the call for public comment, Ms. Alexis Raj was called but was not present to speak.

Mr. Mark Neumann indicated most Sun Valley residents needed to maintain their own ditches, and he was skeptical that the developer would keep up with maintenance, especially given the increased runoff. He felt the term "homeowners association" should be removed because this was an apartment complex. He pointed out the project was initially denied by the Planning Commission, but the Board of County Commissioners granted the appeal.

Ms. Veronia Cortés, a new member of the Sun Valley Citizen Advisory Board (CAB) stated residents were not ready for this project because there were other ongoing projects happening with culverts. She stated there were faults in that area, and the developer should expect things to move. She thought more infrastructure was needed in the area before approval of this project. She wished investors would come to CAB meetings to gather community input. This project, she felt, would not be helpful.

Via Zoom, Mr. Marco Giordano sought clarification on the direction of the proposed drainage. Chair Pierce notified the speaker that they were not permitted to answer his question. Mr. Giordano wondered who would ensure that the maintenance systems met certain compliance requirements since the system would be on private property.

Member Julian asked that the speaker's questions be addressed. Ms. Thomas explained that Engineering staff would review the hydrology and hydraulic analyses required to be included with the application to determine compliance with both Code standards and the Truckee Meadows Regional Drainage Manual. The drainage system would be inspected during construction, and following construction the responsibility for maintenance would transfer to the property owners. She said the proposed detention basins would need to ensure that post-construction flows did not exceed current flows.

If the public roadway were to become inundated, she continued, the County would likely approach the developer to confirm they were properly maintaining their stormwater infrastructure. She confirmed that anything outside the developer's project area would be handled by the Roads Department.

Chair Pierce asked about Ms. Thomas' opinion of the proposed drainage facilities. Ms. Thomas replied the application was very preliminary at this point, but the conditions of approval laid out the requirements to provide more detailed drainage proposals. Chair Pierce opined Washoe County typically did sufficient due diligence for projects of this size.

Member Horishny asked about paving beyond the boundaries of this project. Ms. Thomas replied the developer would need to provide intersection improvements at all junctures crossed by Chocolate Drive within the scope of the project. The 5th Avenue/ Chocolate Drive intersection would be improved, but anything north of 5th Avenue was outside the scope of the project. She indicated the road was expected to be dedicated to Washoe County, making the County responsibility for the paved portion of the road. However, the unpaved portion was not dedicated to the County. Mr. Bronczyk added that the Gepford Drive intersection would tie into the paved portion of the project, but Gepford Drive itself would not be paved as part of it.

Chair Pierce thought this project was essential to providing more affordable housing.

Member Horishny moved that Special Use Permit Case Number WSUP24-0019 for Pedcor Investments be approved with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.810.30: Consistency, Improvements, Site Suitability, Issuance Not Detrimental, and Effect on a Military Installation. Vice Chair Christensen seconded the motion, which carried unanimously.

9. Chair and Board Items

A. Future Agenda Items

There were no items.

B. Requests for Information from Staff

There were no requests.

10. Director's and Legal Counsel's Items

A. Report on Previous Board of Adjustment Items

There was nothing to report.

B. Legal Information and Updates

There were no updates.

11. Public Comment

Mr. Mark Neumann pointed out vehicles would exit the apartment complex at 4th Street and Gepford Drive, but most people did not walk in direct lines to their destinations. He indicated the County would be liable for any accidents occurring in that area.

Via Zoom, Mr. Marco Giordano thought the new road would create a bypass for vehicles wanting to avoid lights on Sun Valley Boulevard, which he felt would not benefit new or existing residents.

12. Adjournment

The meeting adjourned at 3:30 p.m.

Respectfully submitted by Derek Sonderfan, Independent Contractor

Approved by Board in Session on March 6, 2025

Trevor Lloyd
Secretary of the Board of Adjustment