



# WASHOE COUNTY PLANNING COMMISSION Meeting Minutes

## Planning Commission Members

Larry Chesney, Chair  
Francine Donshick, Vice Chair  
Thomas B. Bruce  
Sarah Chvilicek  
Kate S. Nelson  
Larry Peyton  
Pat Phillips  
Trevor Lloyd, Secretary

Wednesday, November 4, 2020  
6:30 p.m.

Washoe County Commission Chambers  
1001 East Ninth Street  
Reno, NV

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The Washoe County Planning Commission met in a scheduled session on Wednesday, November 4, 2020, in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

No members of the public were allowed in the Commission Chambers due to concerns for public safety resulting from the COVID-19 emergency and pursuant to the Governor of Nevada's Declaration of Emergency Directive 006 Section 1 which suspends the requirement in NRS 241.023(1)(b) that there be a physical location designated for meetings of public bodies where members of the public are permitted to attend and participate. This meeting will be held by teleconference only.

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

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## 1. \*Determination of Quorum

Chair Chesney called the meeting to order at 6:30 p.m. The following Commissioners and staff were present:

Commissioners present: Larry Chesney, Chair  
Francine Donshick, Vice Chair (via Zoom)  
Thomas B. Bruce  
Sarah Chvilicek  
Kate S. Nelson (via Zoom)  
Larry Peyton (via Zoom)  
Pat Phillips

Staff present: Chris Bronczyk, Planner, Planning and Building (via Zoom)  
Roger Pelham, Senior Planner and Acting Secretary, Planning and Building  
Nathan Edwards, Deputy District Attorney, District Attorney's Office (via Zoom)  
Katy Stark, Recording Secretary, Planning and Building  
Johnna Chism, Office Support Specialist, Planning and Building

## 2. \*Pledge of Allegiance

Commissioner Phillips led the pledge of allegiance.

### 3. \*Ethics Law Announcement

Deputy District Attorney Edwards provided the ethics procedure for disclosures.

### 4. \*Appeal Procedure

Roger Pelham, Senior Planner, recited the appeal procedure for items heard before the Planning Commission.

### 5. \*General Public Comment and Discussion Thereof

There were no requests for public comment. Chair Chesney closed the public comment period.

### 6. Approval of Agenda

Roger Pelham announced that due to improper noticing, Items 8A and 8D need to be postponed to a special meeting held on November 16, 2020. In accordance with the Open Meeting Law, Commissioner Chvilicek moved to approve the agenda for the November 4, 2020 Planning Commission meeting with the exception with moving Items 8A and 8D to a special meeting on November 16, 2020. Commissioner Donshick seconded the motion, which passed unanimously with a vote of seven for, none against.

### 7. Approval of October 6, 2020 Draft Minutes

Commissioner Donshick moved to approve the minutes for the October 6, 2020 Planning Commission meeting as written. Commissioner Chvilicek seconded the motion, which passed unanimously with a vote of seven for, none against.

### 8. Planning Items

**A. Amendment of Conditions Case Number WAC20-0002 (Dodge Flat Solar, Major Grading) for Special Use Permit Case Number WSUP17-0021** – For possible action, hearing, and discussion to approve an amendment of Special Use Permit WSUP17-0021, which permitted a 200 megawatt (MW) solar energy center with associated grading. The project site consists of four parcels totaling ±1,616-acres and is classified as a Renewable Energy Production industrial use type. The applicant now seeks an amendment to increase the amount of grading both in volume and in area. The original approval allowed for 310,284 cubic yards of cut material and 308,909 yards of fill material for a total of 619,203 cubic yards of grading. The applicant now seeks approval of approximately 774,295 cubic yards of cut material and approximately 672,645 yards of fill material for a total of approximately 1,446,940 cubic yards of grading. The original approval allowed a change in contour in the land over an area of approximately 155 acres. The applicant now seeks to change the contour of the land over an area of approximately 671 acres. Additional area and volume of grading may be required for construction of storm-water mitigation.

- Applicant: Jesse Marshall
- Property Owner: Dodge Flat Solar LLC
- Location: 2505 State Route 447
- Assessor's Parcel Numbers (Sizes): 079-150-29 (±600-ac.), 079-150-11 (±480-ac.), 079-180-16 (±499-ac.), 079-180-14 (±38-ac.)
- Master Plan Category: Rural
- Regulatory Zone: General Rural
- Area Plan: Truckee Canyon
- Citizen Advisory Board: East Truckee Canyon
- Development Code: Authorized in Articles 808, 810 and 812

- Commission District: 4 – Commissioner Hartung
- Prepared by: Roger Pelham, Senior Planner  
Washoe County Community Services  
Department  
Planning and Building Division
- Phone: 775.328.3622
- E-Mail: [rpelham@washoecounty.us](mailto:rpelham@washoecounty.us)

***Continued to Monday, November 16, 2020, Planning Commission Meeting***

**B. Abandonment Case Number WAB20-0004 (Lipkowitz Abandonment)** – For possible action, hearing, and discussion to approve an abandonment of Washoe County’s interest in the 15’ wide bridle path and utility easement on the eastern portion of the property. The easement in question runs 293’ along the eastern boundary of the property from the property’s northern boundary to its southern boundary. The proposed abandonment also includes 192.5 square feet of the subject easement along the northern boundary of the property beginning with its intersection with the eastern boundary. If approved, the county’s abandoned interest in the easement would be transferred to Matthew and Holly Lipkowitz, owners of the abutting property. And further if approved, authorize the chair to sign an order of abandonment to this effect.

- Applicant/Property Owner: Matthew and Holly Lipkowitz
- Location: 185 E. Laramie Drive
- Assessor’s Parcel Number: 050-045-11
- Parcel Size: 0.935 Acres
- Master Plan Category: Suburban Residential (SR)
- Regulatory Zone: Low Density Suburban (LDS)
- Area Plan: South Valleys
- Citizen Advisory Board: South Truckee Meadows / Washoe Valley
- Development Code: Authorized in Article 806, Vacations and Abandonments of Streets and Easements
- Commission District: 2 – Commissioner Lucey
- Prepared by: Chris Bronczyk, Planner  
Washoe County Community Services Department  
Planning and Building Division
- Phone: 775.328.3612
- E-Mail: [cbronczyk@washoecounty.us](mailto:cbronczyk@washoecounty.us)

Chair Chesney opened the public hearing. He called for Commissioner disclosures. There were no disclosures.

Chris Bronczyk, Washoe County Planner, provided a staff presentation.

In response to Chair Chesney’s inquiry, Mr. Bronczyk stated this easement doesn’t have any drainage associated with it. It’s just utility/bridle path easement.

Matt Lipkowitz, applicant, provided a PowerPoint presentation.

There were no requests for public comment. Chair Chesney closed the public comment period.

**MOTION:** Commissioner Chvilicek moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the

Washoe County Planning Commission approve, with the conditions included as Exhibit A to this matter, Abandonment Case Number WAB20-0004 for Matthew and Holly Lipkowitz having made all three findings in accordance with Washoe County Code Section 110.806.20.

1. Master Plan. The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the South Valleys Area Plan; and
2. No Detriment. The abandonment or vacation does not result in a material injury to the public; and
3. Existing Easements. Existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service.

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

**C. Tentative Subdivision Map Case Number WTM20-003 (Grandview Terrace)** – For possible action, hearing, and discussion to approve a tentative map for an 18-lot common open space residential subdivision on 6.86 acres. This proposed subdivision also includes major grading in the following amounts: 9,600 cubic yards of grading, with up to 12,000 cubic yards of import. It also allows reductions in lot sizes and building setbacks. The proposed setbacks for front are 20' to garage, 10' to building; 5' side yard setbacks; and 15' rear yard setbacks. Lots will range from a minimum of 6,122 square feet, to a maximum lot size of 15,242 square feet, with an average lot size of 8,471 square feet.

**AND**

**Variance Case Number WPVAR20-0005 (Grandview Terrace)** – Also for possible action, hearing, and discussion to approve variances from Washoe County Code (WCC) Section 110.438.45 (b); to allow fill to differ from the natural or existing grade by more than 48 inches within the yard setbacks; from WCC Section 110.438.45(c) to allow the finished grade to vary from the natural slope by more than 10 feet in elevation (maximum of 15 feet); and from WCC 110.438.45(e) to allow retaining walls within the side and rear yard setbacks to exceed 4.5 feet in height (maximum of 10 feet).

- Applicant/Property Owner: Doug Barker, Todd Scrima
- Location: 100 Malcolm Avenue, 145 Heindel Road, and 230 Medgar Avenue
- Assessor's Parcel Numbers: 570-263-13; 082-262-19; 082-262-21
- Parcel Sizes: 2.59 acres; 0.72 acres; 3.55 acres
- Master Plan Category: Suburban Residential (SR)
- Regulatory Zone: Medium Density Suburban (MDS)(3du/1 acre)
- Area Plan: North Valleys
- Citizen Advisory Board: North Valleys
- Development Code: Authorized in Article 408, Common Open Space Development; Article 424, Hillside Development; Article 608, Tentative Subdivision Maps; Article 804, Variances
- Commission District: 5 – Commissioner Herman
- Prepared by: Chris Bronczyk, Planner  
Washoe County Community Services Department  
Planning and Building Division

- Phone: 775.328.3612
- E-Mail: [cbronczyk@washoecounty.us](mailto:cbronczyk@washoecounty.us)

Chair Chesney opened the public hearing. He called for Commissioner disclosures. There were no disclosures.

Chris Bronczyk, Washoe County Planner, provided a staff presentation.

Derek Kirkland, applicant representative, provided a PowerPoint presentation.

Commissioner Chvilicek stated she drives by that area and it's blighted. She added this would be an improvement, and it would raise the caliber in the area. Chair Chesney stated he is familiar with the area and agreed with Commissioner Chvilicek.

Commissioner Donshick said RTC had issues with the development. She stated RTC noted it doesn't meet their access standards. She read the exhibit recommendations by RTC. Mr. Bronczyk said that is a recommendation in which Washoe County cannot enforce RTC standards. He said staff reviewed their recommendation and didn't see anything detrimental.

There were no requests for public comment. Chair Chesney closed the public comment period.

**MOTION:** Commissioner Donshick moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission approve Tentative Subdivision Map Case Number WTM20-003 for Hero Land Holdings, LLC, with the conditions of approval included as Exhibit A for this matter, having all made 10 findings in accordance with Washoe County Code Section 110.608.25.

1. Plan Consistency. That the proposed map is consistent with the Master Plan and any specific plan;
2. Design or Improvement. That the design or improvement of the proposed subdivision is consistent with the Master Plan and any specific plan;
3. Type of Development. That the site is physically suited for the type of development proposed;
4. Availability of Services. That the subdivision will meet the requirements of Article 702, Adequate Public Facilities Management System;
5. Fish or Wildlife. That neither the design of the subdivision nor any proposed improvements is likely to cause substantial environmental damage, or substantial and avoidable injury to any endangered plant, wildlife or their habitat;
6. Public Health. That the design of the subdivision or type of improvement is not likely to cause significant public health problems;
7. Easements. That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision;
8. Access. That the design of the subdivision provides any necessary access to surrounding, adjacent lands and provides appropriate secondary access for emergency vehicles;

9. Dedications. That any land or improvements to be dedicated to the County is consistent with the Master Plan; and
10. Energy. That the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

Commissioner Donshick further moved that the Washoe County Planning Commission approve Variance Case Number WPVAR20-0005 for Hero Land Holdings, LLC, with the Conditions of Approval included as Exhibit A for this matter, having made all five required findings in accordance with Washoe County Development Code Section 110.804.25:

1. Special Circumstances. Because of the special circumstances applicable to the property, including exceptional narrowness, shallowness or shape of the specific piece of property; exceptional topographic conditions; extraordinary and exceptional situation or condition of the property and/or location of surroundings; the strict application of the regulation results in exceptional and undue hardships upon the owner of the property;
2. No Detriment. The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted;
3. No Special Privileges. The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated;
4. Use Authorized. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property;
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Commissioner Donshick made an amendment to her motions to include amendment to the easement (Condition 1.o.). Commissioner Peyton seconded the motion and acknowledged the modification to the motion. The motion passed unanimously, with a vote of seven for, none against.

**D. Tentative Subdivision Map Case Number WTM20-004 (Highland Village)** – For possible action, hearing, and discussion to approve a tentative map to allow the subdivision of two contiguous parcels totaling 54.5 acres into a 215 lot common open space development; and to vary the grading standards in Article 438 to allow slopes greater than 10 feet in height. The proposal also seeks approval to vary the standards of Article 406 by reducing lot sizes and setbacks. The site is located north of Highland Ranch Pkwy. & north of Midnight Drive. By code, the maximum density allowed on the HDS portions of the property is seven dwellings per acre; however, by development agreement number 5053031, approved by the Washoe County Commission on July 14, 2020, the maximum density on the HDS portions of the property is further limited to 4.2 dwellings per acre. This proposal seeks an overall density on the HDS portions of the property of 3.9 dwellings per acre.

- Applicant: Regal Holdings of Nevada LLC
- Property Owner: Charles J. Fornaro et al
- Location: North of Highland Ranch Pkwy. & North of Midnight Drive
- Assessor's Parcel Numbers: 508-020-41 & 43

- Parcel Sizes: 21.0 & 33.5 acres
- Master Plan Categories: Suburban Residential (SR) & Rural (R)
- Regulatory Zones: High Density Suburban (HDS) (51.5 acres) & General Rural (GR) (3 acres)
- Area Plan: Sun Valley
- Citizen Advisory Board: Sun Valley
- Development Code: Article 408, Common Open Space Development and Article 608, Tentative Subdivision Maps
- Commission District: 5 – Commissioner Herman
- Prepared by: Julee Olander, Planner  
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Planning and Building Division
- Phone: 775.328.3627
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***Continued to Monday, November 16, 2020, Planning Commission Meeting***

## **9. Chair and Commission Items**

**\*A.** Future agenda items - None

**\*B.** Requests for information from staff - None

## **10. Director's and Legal Counsel's Items**

**\*A.** Report on previous Planning Commission items - None

**\*B.** Legal information and updates – DDA Edwards updated the Commission on changes. One of the changes included his promotion to Chief in the DA office. He stated the Planning Commission will be getting a new legal counsel, Jennifer Gustafson. He said the transition is underway. This will be one of his last Planning meetings. The Commissioners thanked Nate for all he has done. DDA Edwards thanked the Commissioners.

## **11. \*General Public Comment and Discussion Thereof**

Commissioner Chvilicek wished Chair Chesney a happy birthday.

There were no further requests for public comment. Chair Chesney closed the public comment period.

## **12. Adjournment**

With no further business scheduled before the Planning Commission, the meeting adjourned at 7:32 p.m.

Respectfully submitted by Misty Moga, Independent Contractor.

Approved by Commission in session on January 5, 2021

*Trevor Lloyd*

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Trevor Lloyd  
Secretary to the Planning Commission