

# LYON COUNTY PLANNING COMMISSION MEETING MINUTES

August 13, 2019

The July meeting of the Lyon County Planning Commission was called to order by Chairwoman Betty Retzer.

1. **Roll Call** – A quorum was established.

Members present: Betty Retzer, Leonard Lake, Tammy Hendrix, John Cassinelli, Mike Hardcastle, Harold Ritter and Audrey Allan. Attending staff present: Rob Pyzel, Planner, Tammy Kinsley, Planner, Shannon Juntunen, Administrative Assistant, and Kerry Page, Planning Technician.

2. **Pledge of Allegiance** - Led by Leonard Lake

3. **Public Participation**- None

4. **Review and Adoption of Agenda**

Commissioner Allan motioned to adopt the agenda as presented. John Cassinelli seconded, motion carries unanimously (7 ayes; 0 nay; 0 abstentions).

5. **Approval of minutes**

Commissioner Allan motioned to approve the minutes of the June 11, 2019 meeting. Leonard Lake seconded, motion carries unanimously (7 ayes, 0 nay, 0 abstentions).

Commissioner Allan motioned to approve the minutes of the July 9, 2019 meeting as amended. Commissioner Hendrix seconded, motion carries unanimously 7 ayes, 0 nay, 0 abstentions)

6. **Presentation and Reading of Miscellaneous Correspondence**

None

7. **Advisory Board Reports**

None

8. **Public Hearing Items**

**8.a. For Possible Action: FREDERICKSON, RICHARD & KATHLEEN – REVERSION TO ACREAGE MAP** - Request to revert two 2.00 total acre parcels, both under common ownership, to a 4.00 total acre parcel, through the Reversion to Acreage Map process; located at 107 Wellington Cut-Off, Wellington, NV (APNs 010-712-11 & 010-712-12) PLZ-19-0041

Planner, Tammy Kinsley, presented staff report. Staff is recommending approval.

The Planning Commission did not have any questions for Staff or the applicant.

Commissioner Ritter motioned to **approve** the request for a Reversion to Acreage Map to revert two (2) 2.00 total acre parcels, both under common ownership, to a 4.00 total acre parcel, based on the recommended findings and subject to the following 8 conditions. Commissioner Allan seconded, motion carries unanimously (7 ayes; 0 nay; 0; abstentions):

1. The applicant shall pay the actual costs for County Engineer plan review and map checking and County Inspector site improvement inspection fees, in accordance with the adopted County fee resolution in effect at the time, and provide proof of payment to the Planning Department prior to map recordation.
2. The applicant shall provide the legal description and deed for the new parcel to record subsequent to the map.

3. The applicant shall make all corrections and correct all errors on the final map, such as the incorrect document number of 1414771 called out at the Saroni Canal Easement.
4. The applicant shall comply with the map requirements as prescribed by NRS 278.490 et seq. and Title 15 of the Lyon County code.
5. Should any public utility easement require abandonment as part of this action, documentation of the release of interest by all affected utility purveyors with interest shall be obtained prior to recording any abandonment or vacation documents.
6. The final map shall be conspicuously marked under the title "The purpose of this map is to 'Revert to Acreage'".
7. Structures placed on this newly created parcel shall adhere to the County's site and setback requirement standards for the RR-2 (Rural Residential, 2 Acre minimum) zoning district. As well as the required distance between all structures, as per the building and fire codes.
8. The applicant shall provide the reversion to acreage map to the Lyon County GIS Coordinator in form and format compatible with the County geographical information system (GIS). The scale of the site plan, improvements, monuments and other items shall be in model space correctly oriented to coordinate system as established by the GIS Coordinator. Cover sheet and standard details need not be included.

**8.b. For Possible Action: SINGH, HARJIT / BHULLAR, BALKAR – ZONE CHANGE-** Request to change the zoning from C-2 (General Commercial) to CMU-S (Commercial Mixed Use-Suburban) on two (2) adjoining parcels totaling 1.58 acres; located at 215 East Highway 50 and 165 Douglas Street, Dayton, NV (APNs 06-063-01 & 06-063-02) PLZ-19-0039

Planner, Tammy Kinsley, presented the staff report. Staff is recommending approval, stating the zone change will bring the property into compliance with the Master Plan.

Commissioner Hendrix, asked staff what the allowable uses are within the proposed zoning district. Planner, Tammy Kinsley, stated there is an allowable sliding scale ratio of 30% commercial to 70% Residential, with a maximum of 16 units per acre in the Commercial Mixed Use zoning district. Planner, Rob Pyzel, referred to Title 15 zoning tables, summarizing the allowable uses.

Commissioner Allan asked staff if there were specific development standards, staff responded that there were, again referring to Title 15.

Applicant's representative, Brian Matthews, summarized applicants request for zone change.

Chairwoman, Betty Retzer, asked staff about small triangle piece of property next to the proposed parcel, she also expressed concerns about flooding. The applicant's representative replied that the County owns the small piece of property Commissioner Retzer was referring to and in regards to flooding, development standards and process will address possible flooding issues.

Commissioner Allan motioned to **recommend approval** of the request for a zone change changing the zoning from C-2 (General Commercial) to CMU-S (Commercial Mixed Use-Suburban) on APNs 06-063-01 & 06-063-02, based on the following findings. John Cassinelli seconded, motion carries unanimously (7 ayes; 0 nay; 0; abstentions):

- A. That the proposed amendment is consistent with the policies embodied in the adopted master plan and the underlying land use designation contained in the land use plan;
- B. That the proposed amendment will not be inconsistent with the adequate public facilities policies contained in this title;
- C. That the proposed amendment is compatible with the actual or master planned adjacent uses.

For the following four (4) items related to Schaller Development, Chairwoman, Betty Retzer stated she was a stake holder and recused herself from any discussion on these items. Vice Chairman, Mike Hardcastle, replaced Ms. Retzer and continued with the meeting.

Commissioner Ritter made a motion to hear public hearing Items 8.c. through 8.f. together and vote on them separately. Audrey Allan seconded, motions carries with a majority vote (6 ayes, 0 nays, 1 recusal, Commissioner Retzer)

**8.c. For Possible Action: SCHALLER DEVELOPMENT – MASTER PLAN AMENDMENT TO CHANGE THE CHARACTER DISTRICT DESIGNATION** - Request to amend the 2010 County-Wide Master Plan Character District from Rural to Suburban for the Desert Wells Preserve, a proposed development on approximately 491.19 acres; located South of Hwy 50 East between Caroline Way and Blackhawk Road, Stagecoach (APNs 15-365-01; 15-365-02; 15-365-03; 15-365-04; 15-371-05; 15-371-06; 15-371-07; 15-371-08; 15-451-01) PLZ-18-0020

**8.d. For Possible Action: SCHALLER DEVELOPMENT - SPECIFIC PLAN** - Request for adoption of a Specific Plan for the Desert Wells Preserve on approximately 491.19 acres to allow 1,275 residential dwelling units, mixed use on approximately 95.67 acres, commercial on approximately 30.00 acres, public facility on approximately 10.00 acres, and open space on approximately 57.89 acres and establish minimum development standards for the entire project; all located South of Hwy 50 East between Caroline Way and Blackhawk Road, Stagecoach (APNs 15-365-01; 15-365-02; 15-365-03; 15-365-04; 15-371-05; 15-371-06; 15-371-07; 15-371-08; 15-451-01) PLZ-18-0021

**8.e. For Possible Action: SCHALLER DEVELOPMENT – ZONE CHANGE** - Request to change the zoning from RR-5 (Rural Residential-20 ac min); C-2 (General Commercial); and RR-2 (Rural Residential-2 ac min) TO PUD (Desert Wells Preserve Planned Unit Development – Tentative Approval) to allow 551 Single Family Residential lots on approximately 277.4 acres, 724 residential dwelling units associated with 95.67 acres of mixed use development, 30 acres of commercial development, 10 acres of public facility use, and 57.89 acres of open space; all on 491.19 total acres, located South of Hwy 50 East between Caroline Way and Blackhawk Road, Stagecoach (APNs 15-365-01; 15-365-02; 15-365-03; 15-365-04; 15-371-05; 15-371-06; 15-371-07; 15-371-08; 15-451-01) PLZ-18-0022

**8.f. For Possible Action: DESERT WELLS PRESERVE / SCHALLER DEVELOPMENT – MERGER AND RESUBDIVISION INTO A TENTATIVE SUBDIVISION MAP** - Request to combine nine (9) existing parcels totaling 491.19 acres into 551 detached single family residential lots, plus mixed use, commercial, public facility and open space parcels through the Merger and Resubdivision process into a Tentative Subdivision Map for the Desert Wells Preserve Subdivision; located South of Hwy 50 East between Caroline Way and Blackhawk Road, Stagecoach (APNs 15-365-01; 15-365-02; 15-365-03; 15-365-04; 15-371-05; 15-371-06; 15-371-07; 15-371-08; 15-451-01) PLZ-18-0023

Planner, Rob Pyzel, summarized the history of the proposed public hearing items 8.c- 8.f. for Schaller Development, as well as the reason for requesting a continuance. Mr. Pyzel explained staff was not able to complete Staff Reports due to the applicant making last minute revisions to their submitted application requests. He went on to say, staff strongly recommends the Planning Commission move to continue the applications and items for Schaller Development to the next regularly scheduled Planning Commission meeting on September 10, 2019.

Commissioner Lake asked Mr. Pyzel if the Commission was making a motion to continue the applications or if they are making a motion and taking action on the items. Mr. Pyzel stated the Commission could make a motion and take action, however, staff was strongly recommending they make a motion to continue the applications to the next regularly scheduled Planning Commission meeting. Commissioner Hendrix asked if the Commission decides to continue the applications does that mean the public don't get to say their peace. Mr. Pyzel said as long as the vice chair opens it up for Public Comment then everyone will have a chance to express their concerns and comments today, as well as at the September 10, 2019 Planning Commission meeting. He went on to say Staff clarified

at the Stagecoach Advisory Board meeting all public comment received up to date will be included in the packet and staff will take comments up to the morning of the meeting.

Audrey Allan asked if the Commission would be voting on the Master Plan Amendment today. Planner, Rob Pyzel clarified that all four applications will be continued to the September meeting. Commissioner Allan then asked if the Commission could ask questions pertaining to the items. Mr. Pyzel stated he believed they could but recommended continuing to the next meeting.

Commissioner Allan went on to ask if these items had been presented to the Dayton Advisory Board for their feedback since the proposed development will have a huge impact the Dayton area and its facilities, particularly water and sewer. Planner, Rob Pyzel stated that typically, proposed applications are heard before the advisory board in the geographical area the proposed item is located. The applications were brought to the Stagecoach Advisory Board but were not presented to the Dayton Advisory Board. Audrey Allan stated, "Since they are proposing to taking some of the very best from Dayton (water) and shipping the waste back, Dayton should hear it." Audrey Allan requested that Staff get a hold of Dayton Valley Utilities Department Director to come present regarding water availability and waste water capacity. She also requested a topographic map. Staff responded it would be included in the staff report and staff will contact the Lyon County Utilities Director to provide the Commission with some information regarding sewage. She also asked if the Planning Commission could recommend or make it a condition that the applications be presented to the Dayton Advisory Board since this project will have an impact on the Dayton area.

Planner, Rob Pyzel, stated he didn't think that was necessary at this point in time since the applications are simply in the proposed state.

**Public Comment;** Lyon County Community members;

Patricia Fox, Gary Handzel, Diane Handzel, Amanda Brinnand, Barney Wadley, Ron Kennedy, Jerry Culwell, Ron Kennedy, Michelle Austin, Barbara Espinoza, Gregory Faria, Mike Arkell, each expressed concerns with water, septic/sewage capacity, increased traffic, crime, insufficient supportive services, drainage and flooding issues of surrounding parcels. Some of those residents read their written statements for the record.

Harold Ritter motioned to **continue** the request for Schaller Development for a Master Plan Amendment to change the Character District from Rural to Suburban (APNs 15-365-01; 15-365-02; 15-365-03; 15-365-04; 15-371-05; 15-371-06; 15-371-07; 15-371-08; 15-451-01). Audrey Allan seconded, the motion carries by super majority (6 ayes; 0 nay; 1 recusal, Commissioner Retzer):

Harold Ritter motioned to **continue** the request for Schaller Development for a Specific Plan for the Desert Wells Preserve (APNs 15-365-01; 15-365-02; 15-365-03; 15-365-04; 15-371-05; 15-371-06; 15-371-07; 15-371-08; 15-451-01). Audrey Allan seconded, the motion carries by majority (6 ayes; 0 nay; 1 recusal, Commissioner Retzer):

Harold Ritter motioned to **continue** the request for Schaller Development for a Zone Change from RR-5 (Rural Residential-20 ac min); C-2 (General Commercial); and RR-2 (Rural Residential-2 ac min) to PUD (Desert Wells Preserve Planned Unit Development) (APNs 15-365-01; 15-365-02; 15-365-03; 15-365-04; 15-371-05; 15-371-06; 15-371-07; 15-371-08; 15-451-01). Audrey Allan seconded, the motion carries by majority (6 ayes; 0 nay; 1 recusal, Commissioner Retzer):

Harold Ritter motioned to **continue** the request for Schaller Development for a Merger and Resubdivision into a Tentative Subdivision Map (APNs 15-365-01; 15-365-02; 15-365-03; 15-365-04; 15-371-05; 15-371-06; 15-371-07; 15-371-08; 15-451-01). Audrey Allan seconded, the motion carries by majority (6 ayes; 0 nay; 1 recusal, Commissioner Retzer):

**Chairwoman, Betty Retzer, rejoined the meeting and called the Lyon County Public Lands Managements Advisory Board to order.**

**RECESS TO CONVENE AS THE LYON COUNTY PUBLIC LANDS MANAGEMENT ADVISORY BOARD**

**9. Public Participation**

None

**10. Action Items**

None

**11. Board Member Comments**

None

**12. Future Agenda Items**

None

**13. Public Participation**

None

**ADJOURN TO RECONVENE AS THE LYON COUNTY PLANNING COMMISSION**

**14. Staff Comments and Commissioner Comments-**

**14.a.** Planner, Rob Pyzel, updated the Commission on Planning applications heard by the Board of County Commissioners at the June 20, 2019 meeting. Application for Ozark Materials to use methanol was approved.

The second item was an item proposed by a County Commissioner to amend Title 15, by removing the NR (Neighborhood Residential) zoning district, thereby eliminating the opportunity to develop 4,500 sq. ft. lots, which was not approved. Staff and the County Manager were in favor of the denial as it would have removed the ability to have single family detached homes less than 9, 000 sq. ft., including a multi-family housing option, in turn limiting affordable housing options. Discussion followed regarding lots size, location, property values, benefits of smaller lots, transition from more dense to less dense parcels and the need for affordable housing options.

**14.b. For Discussion:** North Dayton Valley Area Drainage Master Plan Meeting schedule.

Rob Pyzel went over public meeting schedule and asked if any Commissioners plan to attend. He stated if more than three Commissioners are planning to attend he needs to know as it would create a quorum and the county may have to notify the public.

**Public Participation**

None

**Adjournment**

At approximately 11:17 a.m. it was unanimously motioned, the meeting be adjourned.

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Betty Retzer, Chairperson

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Shannon Juntunen, Administrative Assistant