

REGIONAL PLANNING COMMISSION MINUTES

The Humboldt County Regional Planning Commission Meeting was held on Thursday, January 12, 2012 at 5:30PM in the County Meeting room of the Humboldt County Courthouse located at 50 West Fifth Street, Winnemucca, Nevada.

COMMISSIONERS PRESENT

Ray Olsen
Lewis Trout
Vickie Rock
Stephen Nye

Pam Wickkiser
Theresa Mavity
Giovette Cassinelli

COMMISSIONERS ABSENT

STAFF PRESENT

Betty Lawrence
Jennifer Wright

LEGAL COUNSEL

Mike Macdonald

PUBLIC PRESENT

John Milton
Linda Fetters
Tammie Quilici
Ben Garrett

Lorraine Giurlani
Buddy Quilici
Ernest H. Fortmann

Lisa Bennett
Frank Molitor
Stacy White

I. OPENING

Pam called the meeting to order at 5:32PM.

Pam asked if there was anyone who wanted to make public comment. None was offered.

Pam asked if there were any concerns or corrections for the minutes of December 8, 2011. Pam asked for a motion to approve the minutes. Ray motioned to approve the minutes of December 8, second by Theresa. Motion carried unanimously with Giovette abstaining.

Pam asked if there were any requests for postponement of agenda items. Betty indicated there were no postponements, but item "A" under public hearing (UW-11-09) has been withdrawn.

II. CONSENT AGENDA/DISCUSSION & ACTION

Pam read the consent agenda process and the following agenda item:

- A. PW-11-38 A parcel map application submitted by Steve Vicks for Vicks Investment, LLC to divide property located at 830 Fairgrounds Road into 4 lots; assessor's parcel #016-272-36.

Pam asked if there was anybody on the commission that had anything. Seeing none, she

took it out to the public. Seeing none, she brought it back to the commission. Pam asked for a motion, Theresa motioned to approve the item; second by Ray. Motion passed unanimously.

III. PUBLIC HEARING/DISCUSSION & ACTION

Pam read the following agenda items:

B. SP-11-02 A Site Plan Review application submitted by Desert Mountain Surveying as agent for T.G. and M. Elaine Sheppard to construct 11 duplexes and 3 single family dwellings on 3.3 acres of land. The subject property is located on East Fourth Street; assessor's parcel #'s 015-225-15, 015-225-16 & 015-225-18.

Betty stated that she had some correspondence that she received from the Union Pacific Railroad that she would like to read into record. She also stated that she was sending copies around for the commissioners. This is from the Union Pacific Railroad:

Dear Sir or Madam,

Union Pacific Railroad Company a Delaware Corporation is delivering this letter in accordance with the provisions of the above notice. It appears that this project is located near UP ease rail lines. Accordingly, UP wishes to raise the following issues: UP is opposed to residential development near UP's rail lines, residential development near UP rail lines can negatively affect freight rail service and create unintended consequences that are in neither the UP's nor the public's best interest.

New housing and other development will attract more cars and pedestrians to the area's around the UP lines and people may trespass onto the railroads right of way as well. In addition to the obvious safety concerns the UP remains vigilantly aware these factors also have the result that trains may be forced to proceed more slowly because of the residential development and/or to make more frequent emergency stops which makes rail service less effective and efficient. In the event of train slow downs or stoppages, train cars may be forced to block at grade roadway intersections causing traffic disruptions.

UP requests that the city analyze and seek to mitigate the impacts that the project will have on the UP rail service and on vehicular and pedestrian traffic in the project area. So, the city can require appropriate mitigation measures which may include for example; sound walls, setbacks, fences and other barriers. Public education and disclosure, the city should require the developer of the project to install fencing and other buffers between the project and the UP rail line at their expense and maintenance.

UP will appreciate it if the city gives due consideration to the above concerns significant impacts may result with respect to land use, traffic, vehicle related air quality, mechanical odor, pedestrian safety and trespassing noise and vibration. Please give notice to UP of all future developments with respect to the project as follows.

Betty then stated it was submitted by Mr. Jim Smith who is the Manager of Industrial Public Projects with Union Pacific Railroad Company. Betty clarified that it was actually submitted by Gerard Sullivan, but he gave the information to Mr. Smith.

Betty passed around an e-mail with comments from Steve West that was received on January 3 after the first request for review of the site plan. Since then, Mr. Sheppard has submitted a revised site plan and the first two concerns of Mr. West do not pertain to the new site plan. Lewis thinks the letter from the UP deserves to be considered. Stephen questioned the need for a fence to stop immediate access to the railroad. Lewis stated that the representative of the owner may want to comment on this in terms of possible safety measures and possible sound mitigation that they might consider for the project. Stephen said he is not looking at sound mitigation. If you move next to a railroad you're going to get noise. Stephen thinks a fence would prevent children immediate access to the tracks. Mr. Milton stated that in the site plan there is a note that there's to be a chain link fence entirely around the property. There will be no access to the UP right-of-way. Lewis asked if there would be a gate in that fence along the UP right-of-way in case someone needed access to the right-of-way through the streets on this property. Mr. Milton and Lewis discussed access and John said it could be coordinated with the UP. Mr. Milton also stated that they have access near the school. Stephen asked how many duplexes Mr. Sheppard intends to build. Mr. Milton said that there will be eleven duplexes and three single family dwellings. He mentioned the original concept and then realized that he brought the original plans, not the new plans. He said that with the original concept the homes were being built on top of the drain. He said that Mr. Sheppard and Mr. West had a few meetings about it and they decided to make a change and dropped one of the duplexes. It will also require that they go to the city for a variance for setbacks. Mr. Milton said that there is circular pattern for the streets plus six off street parking places that were not on the first plan and will probably extend them to nine. Mr. Milton stated that all the property to the south belongs to the school district and that this plan would probably be the least obtrusive plan that could be placed on this property that is residential. Stephen asked how long the border is of this property. Mr. Milton said it's 272 feet along the railroad right-of-way. Ray asked if that area was already fenced and Mr. Milton said it's fenced along fourth street along the school district and there's a cross fence between. Lewis asked Mr. Milton if he would be opposed to adding a couple conditions of approval to the current approval list; one being a fire lane on one side of each street for emergency access, limiting on street parking to only one side of each street. Lewis asked if there would be any objection to adding that requirement. Mr. Milton said there wouldn't be. The other issue has to do with the location at the southwest corner of the property where the street narrows to 19'. Lewis asked if Mr. Milton and his client would object to a condition that would be as follows: developer should contact Humboldt County School District superintendent as to obtaining approximately 9' wide right-of-way to allow continuation of the full width (28 foot) street along the southwest boundary. Mr. Milton said that he and Mr. Sheppard have discussed going to the school district but they wanted to have something in hand first to show them what their plan is. Lewis asked Pam if the RPC could add those two conditions as conditions of approval for the project. Pam asked if anyone else had more questions. Ray asked about access to the storm drain that runs underneath the property. Mr. Milton

said they have an easement so they can go in anywhere they want and access the storm drain. He also said that the storm drain is probably 10-12 feet deep and it's five foot in diameter and concrete pipe. Pam asked if there were anymore questions. Pam asked if the public had any further comments on this topic. Lorraine Giurlani approached the table. She asked about the size of the storm drain and if there was any intention of increasing that to 84 inches or some other dimension. Lewis responded by saying that he asked Mr. West that question and at this time the answer is no. He also stated that many years ago this was an open ditch and various pipes have been installed over time to collect the water. Mrs. Giurlani asked where the grate is located. Mr. Milton stated that it was east of the railroad tracks. Mrs. Giurlani asked how far up town the drainage pipe extends. Pam asked if anyone else in the public had any comments or questions and brought it back to the board for a motion. Lewis addressed madam chairman asking for approval of SP-11-02 with the addition of condition #14 and adding condition 15. Second by Ray. Motion passed unanimously. Betty asked Mr. Trout for a copy of the conditions.

Pam read the following agenda item:

C. RH-11-02 A rezone application submitted by Robert & Tammie Quilici to change the zoning from RR-13MH (Rural Ranchette-13,000 sf minimum lot size with a Mobile Home Overlay) to R-3 (Multiple-Family Residential) on property located at 4205 & 4205 ½ Center Street; assessor's parcel #'s 010-361-20 & 010-361-29.

Pam asked the board if they had any comments. Lewis stated that he had visited this property. He noted that the buildings and existing single family mobile home are all located on parcel 20. Lewis asked Mr. Quilici if he wants to keep the shop buildings on parcel 20 and if so should the board be looking at only rezoning parcel 29. Mr. Quilici approached the table. He agreed that parcel 29 could be rezoned. Lewis explained to the board that parcel 29 was the smaller of the two and explained where it was located. Betty passed pictures of the existing buildings around to the board. Lewis explained the two different shops and examples of the contents. Theresa said she also drove by this property and said she would second what Lewis said. Vickie asked how many apartments Mr. Quilici is thinking about building. Mr. Quilici said he's thinking about eight units. Vickie questioned if there is a sewer system in the area. Mr. Quilici stated that he's installed a sewer line from the larger building on parcel 20 and there are clean outs and the mobile home connects into that sewer line. Vickie inquired if a well would be drilled and Mr. Quilici said there are water boxes to serve other property owners. Stephen asked about how many units and Mr. Quilici replied eight. He said that he was going to do a two story unit as it is less expensive to build a two story than a single story. Pam asked if anyone else had more questions. Ray asked if there was any reason the board should ask Mr. Quilici to amend the original application for this rezone. Mr. Quilici said that he applied to rezone both parcels because of the utilities. Lewis asked Mr. Quilici if he preferred to have both parcels rezoned and Mr. Quilici agreed. Pam asked if anyone else had any questions and brought it back to the board. Lewis motioned to approve RH-11-02, second by Theresa. Motion passed unanimously. Betty told Mr. Quilici that this will now be set for public hearing with the County Commissioners at their first meeting in February.

Pam read the following agenda item:

D. SN-11-09 Official decision on clarification of Eden Valley Road (from Morrison to the Humboldt River Bridge) to the east and Stanford Street (from Morrison to Sibbald Avenue) to the west as adopted by the Humboldt County Commissioners in October 1996 through Resolution #10-21-96.

Betty stated that this item is coming back to the board because it was tabled at the November 10, 2011 meeting for further investigation. A copy of the minutes from that meeting are included in your packets to remind you of the discussion. Public hearing notices were also sent out and comments were not received nor from the Regional Street Naming Committee. Mr. Garrett is here from the Road Department. Mike Macdonald stated that an issue at the previous meeting was action taken by the County Commissioners years ago and what action that was and whether that action precluded the planning commission from acting on this item pursuant to the Regional Street naming Committee manual. The resolution that the County Commission adopted wasn't specific to just this road. It was a document that listed roads or streets throughout the county. It designated where each street started and ended. The procedure for the name change or possible name change is by following our Regional Street Naming Commission manual and the decision that comes from this board. There was discussion between Lewis and Mr. Macdonald in regards to the RPC modifying the procedure in the street naming manual and it's within the jurisdiction of the RPC. Lewis said there are two parcels at the intersection of Morrison and Eden Valley Road and questioned if it was within the RPC's jurisdiction to allow those two parcels to remain with the Stanford address and to start Eden Valley Road beyond those two properties. Mr. Macdonald said that there is a big sweeping turn and if it was more of a 90 degree turn that would be a logical place to change the street name. Ray commented that the standard has been set by the County Commission and we're to follow the standard. Lisa Bennett, Postmaster and property owner from Golconda approached the table. Lisa brought a map to show the RPC and voiced her concerns regarding the street name. Lewis asked Mr. Garrett from the road department to come to the table. Mike Macdonald said that this is not a unique situation. There have been countless individuals within the city and county that have had to change their street names. Lisa Bennett is speaking (inaudible). Lewis asked Lisa to summarize her concerns and route them to the planning department for the district attorney. Ray said that Lisa has stated her case and it's public record. There is talk between Lewis and Lisa regarding the procedure of renaming a street. Lisa stated that this has been done before in 1996. Mike Macdonald said that the RPC is trying to make a correction. There was discussion amongst Lewis, Betty and Mr. Macdonald regarding proper procedure. Ernest Fortmann approached the table and voiced his concerns (inaudible). Mr. Macdonald explained that we are following procedure to clarify the name of the road in question. Stephen said he worked in the Golconda area and would like to abstain. Lewis asked Mr. Macdonald if there is an appeal process. Mr. Macdonald wasn't sure if there was an appeal process and Betty said there was not. Pam asked if there were any more comments from the public. Seeing none she brought it back to the board and called for a motion. Lewis motioned to approve recommendation for SN-11-09, second by Ray. Motion passed unanimously.

IV. COMMISSION/STAFF/LEGAL COMMENTS/COMMITTEE REPORTS-Discussion & Action

Pam confirmed the master plan review for Golconda and Valmy area is scheduled for January 26, 2012. Betty confirmed that the RPC has use of the community hall in Golconda and agenda's and flyers have been sent out. The RPC is scheduled to leave Winnemucca at 5:15.

Pam read the following item:

V. CORRESPONDENCE/BUDGET/PERSONNEL-Discussion

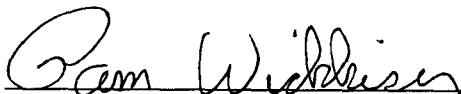
Lewis said there are some decisions that require staff assistance. The general appeal ordinance and the other is for the staff to work on and bring back to the board an R-2 ordinance for the county. Mr. Macdonald said that January 30, 2012 is the County Commissioners retreat. He will make sure the appeals procedure as well as the R-2 ordinance for the county is brought to the table. Lewis also mentioned a code enforcement officer. Lewis also mentioned the two person planning department. He thinks we need to revisit the issue of renaming the Senior Planning Technician to Planning Director. Lewis mentioned possible rezoning of the checkerboard. Mr. Macdonald commented that there was an order from the district court regarding the conditional use permit. There still is on-going litigation as it relates to the civil rights actions against Humboldt County and the Commissioners individually. That litigation wasn't completely resolved with that and he's willing to answer any questions privately with each Regional Planning Commissioner.

Pam asked if there was any further discussion.

VI. PUBLIC COMMENTARY

There were no public guests present.

Pam adjourned the meeting at 7:50 PM until 5:30 PM February 9, 2012.



Pam Wickkiser, Chairperson