

REGIONAL PLANNING COMMISSION MINUTES

The Humboldt County Regional Planning Commission (RPC) meeting was held on Thursday, June 9, 2016 at 5:30 p.m. in the Meeting Room of the Humboldt County Courthouse located at 50 West Fifth Street, Winnemucca, Nevada.

COMMISSIONERS PRESENT

Brad Bauman
Ken Hladek
Jennifer Legarza
Lewis Trout
Vickie Rock
Jean Kinney

COMMISSIONERS ABSENT

Mike White

STAFF PRESENT

Betty Lawrence
Abel Del Real-Nava

LEGAL COUNSEL

Gabrielle Carr

PUBLIC PRESENT

Tom Bidegary
Lisette Diaz
Alan Means
Yolanda Fernandez
Carolyn Graham
Cesar Ruiz
Kendall Swensen
Malin (name not clear)

Adua Boyle
Silvia Solis
Sharen Means
Katlin Brown
Cesar Mora
Denise Dolphin
Joe Rodney

I. OPENING

A. Chair Rock called the meeting to order and led members and guests in the Pledge of Allegiance.

B. Roll call was taken; there was a quorum present.

C. Public Commentary

Chair Rock called for public comments and hearing none, closed the public comment period.

D. Review, Correction and Approval of Minutes of April 14, 2016

Chair Rock asked if there were any corrections to the May 19, 2016 minutes. Ms. Lawrence stated that Mr. Trout had provided her with some corrections which are reflected in the new set of minutes provided to the commission. Ms. Kinney and Ms. Rock recused themselves from voting on the minutes as neither were at the last meeting. Deputy District Attorney Carr pointed out that they can still vote on the minutes. Chair Rock asked if there were any additional corrections or additions to the minutes. Hearing none she asked for a motion. Mr. Bauman made a motion to approve the minutes. Ms. Legarza seconded the motion which passed unanimously.

E. Requests for Postponement of Agenda Items

Chair Rock asked if there were any requests for postponement of agenda items. Ms. Lawrence stated there were no requests.

II. PUBLIC HEARING - Discussion & Possible Action

- A. RH-16-02** A rezone application submitted by Kent H. Barrett to change the M-1 (Industrial) zoning designation to AG-5 (General Agriculture 5 acre minimum lot size) on property located at 7215 W. Rose Creek Road; assessor's parcel #3537-17-226-007.

Chair asked if Staff had any further information on this application. Ms. Lawrence explained that at one time this property was zoned AG-5. Mr. Barrett is requesting to take the zoning designation back to what it was. The AG-5 zoning is more in line with the current use of the property, which is residential. Chair Rock asked if the commission had any questions. There was clarification that the property is currently being used as a residential use. Chair Rock asked for public comment. Hearing none she brought the item back to the commission. Mr. Trout made a motion to recommend approval of this application to the Humboldt County Commissioners. Mr. Hladek seconded the motion which passed unanimously.

- B. RW-16-03** A zone change application submitted by Doug Miller as Manager of Miller Enterprises to change the R-1-6 MHC (Single family residential 6,000 square foot lot size with a Manufactured Home Overlay) to MHP (Mobile Home Park) on property located at 4395 Grass Valley Road; assessor's parcel #3638-31-277-001.

Chair Rock asked if the Staff had any additional information on this application. Ms. Lawrence gave a brief history of this property. 20+ years ago the Humboldt County Commissioners approved this property to be utilized temporarily as a man camp due to an increase in mining activity and the lack of housing available. The property is currently being utilized as a mobile home park. It is assessed as a mobile home park and advertised as a mobile home park. This application will bring the property into compliance with the Winnemucca Municipal Code. Chair Rock asked if there were any questions from the commission. Mr. Hladek asked about the MHC overlay. Ms. Lawrence explained that is placed on residential parcels to allow older manufactured/mobile homes. Chair Rock asked if there was any public comment. Hearing none she brought the item back to the commission. Mr. Bauman made a motion to recommend approval of this application to the Winnemucca City Council. Ms. Legarza seconded the motion which passed unanimously.

- C. UW-12-14** A continuation of the request from Alan Means as Manager of New Vision Development LLC to extend the special use permit period an additional 5 years. Subject property is located at 4360 Rim Rock Road; assessor's parcel #3638-21-400-007.

Chair Rock asked staff if there was any additional information. Ms. Lawrence stated that she has received several comments which she would like to read into record. Ms. Lawrence read correspondence received from Terry Boyle with McClaskey Winnemucca Motels, LLC., Cheryl Offenhauser with Offenhauser Development, Patrick Gray with Century 21, Sonoma Realty, and Alicia G. Johnson with Johnson Law Practice representing Winnemucca Hotels, LLC. Said correspondence is attached to and made a part of these minutes.

Mr. Trout disclosed that he lives in Offenhauser Development. He stated that he does not feel that the fact that he lives in Offenhauser Development will influence his decision on this extension.

Chair Rock asked Mr. Means to approach the commission. Mr. Means responded to perceptions expressed at the May 19, 2016 RPC meeting. One of the comments made was that as a developer he got everything free. It was stated that he did not have to meet the requirements other developers in town have had to meet and that he did not pay the fees other developers are required to pay. Mr. Means stated that he did not request any special favors or concessions from the City of Winnemucca. Mr. Means addressed the comment regarding not having to comply with City regulations as other developers have to. Also, that he offered nothing in return. He stated that he did more of what is required than many contractors/developers have done:

- 2 traffic studies
- 2 hydrological studies
- 1 mile of sewer for over \$400,000
- 30 feet of road
- the extension of Great Basin Avenue to Winnemucca Boulevard
- donated 43 acres to the City of Winnemucca for the recreation program and the Boys and Girls Club
- donated land for the new City well site

Mr. Means indicated that he has been active in this community for over 4 years. He has paid over \$300,000 in property and motel taxes. Mr. Means then addressed the comment about unfair competition with the smaller motels in town. He indicated that the man camp was started when the motels were full. He described the units being rented as an 11' x 11'6" room with a bed, small bathroom, small refrigerator and microwave oven. This is minimal compared to what motels/hotels offer as amenities. Out of the 390 units the average occupancy was 25 rooms per night in 2015; 10.6 rooms per night so far in 2016. He stated that they do not rent to individuals. The rooms are rented in blocks for company employees. Mr. Means stated that he disagreed with the comment that the man camp caused any motels to fail. He said there are many reasons hotels/motels could fail. The overall economy effects many things in a community. Mr. Means indicated that he would be willing to amend the conditions of the SUP to add a limitation of rental blocks of rooms to the mining and construction industry only as well as reducing the number of available rental units to 240. Mr. Means then addressed the question of why the need for the 5 year extension. He explained that he has lender financing due within the 5 years requested, specifically 2018 and 2020. Mr. Means further went on to say that he has been very visible in the community. He has done 3 presentations at the Winnemucca Futures Forums, made 3 or 4 appearances before the RPC, made

2 Chamber of Commerce presentations and has spoken at a Rotary Club meeting.

Chair Rock asked if the commission had any questions for Mr. Means.

Mr. Trout asked about the ultimate plan for the man camp property. He said the original plan would be to phase out the man camp units to storage units. Mr. Means said there are a lot of storage units in the area and did not know if the market would support more storage units. He indicated that he has looked at possible other uses for the property, possibly an extension of the RV park. He said it is difficult to say due to his experience with the Winnemucca and Humboldt County market.

Joe Rodney approached the commission. He indicated that he has lived in Winnemucca quite some time. He has been in the situation with a previous job where minimal temporary housing was necessary. He stated that he thinks the man camp is a good idea.

Tom Bidegary approached the commission. He represents 9-11 of the smaller motels. Mr. Bidegary voiced his concern that the man camp is competing with the smaller motels in terms of transient customers. He pointed out that most of the smaller motels are hurting financially with a couple having been foreclosed on then purchased by other motel owners. There was discussion between Mr. Bidegary and the board members regarding the continuing uncertainty of this market. He did indicate that some of the motels have contracts with some of the mines for housing needs. He stated that once the man camp is no longer needed, Mr. Means would pack up and leave town. Mr. Trout pointed out that in many of Mr. Means' presentations he allowed for phasing to respond to the changing economic conditions.

Carolyn Graham, operations manager for New Vision Development, LLC approached the commission. Chair Rock asked her to give a brief overview of the operation of the man camp. Mr. Trout posed the question of if he were to contact Ms. Graham, as an individual, would she rent him one of the units. Ms. Graham stated that she would not. Chair Rock asked if she were an employee of a construction company and called to discuss renting one of the units while she was in town working would Ms. Graham rent her one of the units. Ms. Graham stated that she would not. She would ask that a representative of the company contact her to set up a contract for the rental of a specified amount of units for a specified amount of time. Ms. Graham indicated that she has had people off the freeway stop to inquire about staying in the units. She said she tells them they are not rented to individuals on a daily basis. She stated she then directs them into Winnemucca where there are several hotels/motels the people can choose from.

Adua Boyle approached the commission. She voiced concerns about the man camp not being utilized as it was originally permitted, a temporary man camp for Hycroft employees. She also questioned the urgency of approving the extension now when there are still questions about the economy.

Mr. Means approached the commission. He was asked how quickly he could reduce the number of units down to 240. He indicated that he did not know. Mr.

Means then addressed the previous comment about his commitment to the community. He stated that he is here to stay as an active member community partner. He has no intention to leave at the end of the SUP.

There was discussion regarding whether additions to the conditions suggested by Mr. Means can be voted on at this meeting. Deputy District Attorney Carr indicated that would be for another meeting where the item was agendaized. There was also discussion on if the commission could approve an extension time less than the 5 years requested. Deputy District Attorney asked for a brief break so that she could refer to the Open Meeting Law. The commission took a brief break.

Deputy District Attorney stated that the Open Meeting Law states specifically that we have to put on the agenda a list of items on which action may be taken as discussed. She said that she believes the commission would be in compliance with the open meeting law if they went for time that was less than the time frame requested. This is a lesser impact to the public.

Chair Rock summarized what she has heard during this discussion. She said it appears there are 3 basic audiences of customers. Those customers who are looking for extended stay facilities; those customers who are more transient that would want a single night, maybe a couple of nights; then there are the corporate construction customers who want to book a number of rooms. She indicated some corporations may not want to pay a lot more, some would be willing to pay a little more for the accommodations they arrange for their employees. There needs to be a range of facilities available within our community to meet all of those demands. She stated there has been an economic downturn that has impacted not just the applicant but the entire industry within the community that provides rooms.

Mr. Trout made a motion that for the following reasons the commission finds that good cause does exist for an extension of some kind regarding the existing man camp facility:

- 1) The ongoing payment of property taxes and hotel/motel taxes to the community paid directly by the man camp property.
- 2) The market focus of Mr. Means and the company operating the man camp that he represents focuses on just the corporate block customer category and does not, based on the description he has given us of their operation as supported by Ms. Graham, does not directly compete with the motels in the community.

Deputy District Attorney Carr made a recommendation that since there is a significant amount of testimony and documentation in the record that would, in addition to what Mr. Trout has indicated, support a finding of good cause. In addition to what his motion includes she would say and any other information in the record that would support the finding of good cause. This way he is not limited just to what he has summarized in his motion. Mr. Trout stated that those two specific points, in and of themselves, justify a finding of good cause. Deputy District Attorney Carr stood by her recommendation explaining that there is a lot more information in the record that from a legal perspective would support a finding of good cause. She said she would broaden the basis for the finding of good cause to include the information provided in the record. Mr. Trout continued his motion stating that the 3rd item will be: Additional information contained in the

existing record also provides additional support for a finding of good cause. Ms. Kinney seconded the motion. Mr. Trout asked for a roll call vote on this motion. The commission voted as follows: Mr. Trout – aye; Mr. Bauman – nay; Ms. Rock – aye; Ms. Legarza – aye; Mr. Hladek – aye; Ms. Kinney aye. The motion passed with a 5 to 1 vote.

Mr. Trout made a motion that an extension of 3 years be granted, from January 1, 2018 thru December 31, 2020. Ms. Kinney seconded the motion. Ms. Rock asked if there was any further discussion. Mr. Hladek asked counsel if he is correct in understanding that the motion they just completed looks to him like UW-12-14 was completed in that motion. Deputy District Attorney Carr explained that there are two parts. Mr. Trout chose to make his motion as the option she suggested. You have to have a finding of good cause to extend, the second part is how far you are extending it. There was discussion regarding the first motion. Chair Rock asked if Mr. Trout would be willing to amend the motion is an extension beyond what is currently approved from January 1, 2018 thru December 31, 2020. Deputy District Attorney Carr suggested that it might be cleaner to say from December 31, 2017 thru December 31, 2020. Mr. Trout said he would accept the change of language. Ms. Kinney seconded the accepted change to the language. Chair Rock asked if there were any further comments. Mr. Trout asked if there were any other members of the commission who had any other issues or concerns that they wanted to express. Mr. Hladek stated that he has a concern that the commission is taking action on themselves base on not what was presented to them but what they think might be appropriate. They found good cause and the request was for five (5) years. He sees nothing that tells him that they do not have a basis for not approving 5 years. He indicated there is no compelling argument, no compelling information, no compelling information in the record that says they should not extend the SOP 5 years. There have been comments relative to competition, there have been comments relative to the overall economic situation but there is nothing that compels him to say that they should not extend it as requested. Chair Rock stated that the only thing that might be the modifier would the volatility of the economy. Mr. Hladek said that this is a business risk that Mr. Means and others have to take. Mr. Hladek pointed out that the Candlewood Suites was developed after the man camp was completed. The Hampton Inn was authorized by this commission, started to proceed then interrupted their plans relative to the economic situation. He stated again that he finds no compelling reason for the commission to change the term (of 5 years). Ms. Kinney voiced a concern that the 5 years is not mandatory. Mr. Means does not have to continue the man camp for 5 years, if the economy were to take a turn for the worse, he could close shop. Chair Rock indicated that both of those statements were correct. Mr. Trout commented on Mr. Hladek's comments stating that he has certain merit with regard to the good findings. No one knows what is going to happen 6 months from now, let alone 3, 4, 5 years from now. Mr. Trout said that he thinks it is prudent on the commission's part to allow a shorter period to consider whether or not an additional extension is needed. He said they are not denying Mr. Means the opportunity to request additional time; he has the right to apply for an extension. Mr. Trout stated he thinks that the shorter term does not adversely affect Mr. Means but provides for an element of review that is important to the community and important to the commission. Mr. Hladek indicated that there is nothing in the record that says lesser time would not impact Mr. Means. Mr. Means has said he would voluntarily reduce the time frame but reducing it to something else

in the record that says it might not adversely affect him. Mr. Hladek's second point is that Mr. Means may need some time to get investors. Mr. Hladek said he believes that the discussion on business decisions and the discussion of the economy of Humboldt County is really outside the scope of this commission. The commission has found that there is reasonable, good cause to extend the time frame for the SUP. Mr. Trout indicated that there is no evidence in the record one way or the other with regard to an adverse effect, there is testimony with regard to a positive effect of a term less than 5 years. Mr. Means has testified that he has financing that comes due in 2018 and 2020. The commission is not impacting that financing and is providing an extension that covers both of those financial obligations. The commission does not deny Mr. Means the right to request an additional extension to be considered at a future date. He does not see that they are creating an adverse effect on Mr. Means and indeed are accommodating his circumstances beyond what he currently has. Mr. Trout stated he thinks that the shorter term is a balance between the two points of view, voting absolutely no versus going to a five (5) year term. He thinks that the three (3) year term gives reasonable accommodation to his situation and provides a reasonable period to assess his options. Mr. Trout continued to explain his reasoning behind the three (3) year extension. Chair Rock asked if the commission was ready to take a vote. Mr. Trout requested a roll call vote. Mr. Trout verified that this is a vote on a 3 year extension from December 31, 2017 thru December 31, 2020. The commission voted as follows: Mr. Trout - aye; Mr. Bauman - nay; Ms. Rock - aye; Ms. Legarza - aye; Mr. Hladek - nay; Ms. Kinney - aye. The motion passed with a 4 to 2 vote.

Mr. Trout asked Staff to explain what happens now and what the appeal rights are. Ms. Lawrence explained that if anyone wishes to appeal this decision, they have until 5:00 p.m., June 17, 2016 to submit a letter to the City Clerk to appeal the decision to the Winnemucca City Council.

Chair Rock asked if she could give an update on a meeting she attended. Deputy District Attorney Carr explained that if the item is not agendaized it cannot be talked about at the meeting, this includes under public comment. Mr. Trout asked why the items which previously appeared on the agenda regarding staff and committee reports, etc. Deputy District Attorney Carr explained why these items can no longer appear unless there is a topic to be discussed and possibly acted on. Chair Rock asked that a committee report/update on the Water Resource Plan (Source Water Protection Program) be placed on the July agenda.

IV. PUBLIC COMMENTARY - Discussion & Possible Action

Chair Rock asked if there was any public comment on anything that was not on the agenda. Mr. Rodney approached the commission and stated that he wanted to comment that this is the first official meeting that he has attended in this town. He said that he appreciates that the commission took deep consideration on the vote.

V. ADJOURN - Discussion & Possible Action

Chair Rock adjourned the meeting at 6:54 p.m. until July 14, 2016.



Vickie Rock, Chair

Betty Lawrence

From: jgray64@gmail.com on behalf of Patrick Gray <patrick.gray@century21.com>
Sent: Thursday, June 09, 2016 1:39 PM
To: Betty Lawrence
Subject: New Vision Development LLC Special Use Permit Extension

Hi Betty, Will you please read the following comment into the minutes of tonight's planning commission meeting?

Dear Humboldt Planning Commission:

I was in attendance at the May 19, 2016 meeting where the decision was made to table the discussion and action regarding the Special Use Permit for New Vision Development LLC until this meeting where Alan Means could attend. I am unable to attend tonight, but would like to re-affirm my personal support for the extension of the special use permit for the following reasons.

1. Mr. Means and his companies have invested extensive amount of capital into the economic development of our community including the extension of utilities, roads, and infrastructure along E. Winnemucca Blvd, the development of Great Basin Drive, the donation of land for developing the Boys & Girls Club, and the donation of land for the city water well/tank. Their investment in our community has provided infrastructure improvements that would not have happened within the next twenty years without their investment. E. Winnemucca Blvd is now ready for new businesses.
2. Mr. Means, like other businesses has been forced to weather a severe economic downturn in our economy driven primarily by the failed expansion of the Hycroft Mine in 2013-2015. The layoffs of contractors and permanent employees resulted in an economic pall that has effected everyone.
3. Mr. Means and his family, like the rest of us, has hung in there with our community and continued to invest in and support our economic efforts. The Means' are friends to this community and desire to continue to be into the future. Their companies deserve the opportunity to survive and potentially thrive just an any other valued company in our community.

The economic development efforts started by the Means family on E. Winnemucca Blvd. will provide benefits for our community for very many years to come. As the Chairman of the Humboldt Development Authority (HDA), I also know that attracting investors and developers from outside of our community is extremely difficult. Finding and convincing outside investors for our community was identified as a key strategy of the Winnemucca Futures Project. In our May HDA meeting, the board discussed the extension of this special use permit and the views were very positive towards the Means family and having them continue business in our community. At a time when outside investment dollars are hard to find, it seems imprudent to turn away good citizens like the Means family, their businesses, and their desire to help us grow.

Respectfully submitted,

Patrick Gray
Owner, Century 21 Sonoma Realty

RECEIVED
JUN 09 2016

Regional Planning Dept.

Humboldt County Planning Commission
Humboldt County Courthouse
Winnemucca, NV 89445

RE: UW-12-14 on Agenda of 6/9/2016

It is incredulous to us that a "special use permit continuation of five years" has been "requested" by New Vision Development, LLC.

We, as developers of a recorded subdivision in the City of Winnemucca, have been responsible and duly engaged in contracts guaranteeing payment of permit fees, engineering fees, mapping fees, building inspector fees, final inspection fees and all "required" essentials to a positive neighborhood improvement in the City of Winnemucca. We obtained the necessary financing and bonding insuring the completion as "required". Why are other developers and/or contractors not "required" to completion specifications in the "required" time line? We were never assured we would be able to recover any "required" off-site and overhead costs and/or fees involved.....these "required" expenses continue for many years.

We believe that the same standard of "requirements" be applied to every builder, contractor and developer.

Thank you for your time



Offenhauser Development Co., a Nevada corp. 6-8-2016

Cheryl Offenhauser
Sec-Treas.

RECEIVED

JUN 08 2016

Regional Planning Dept.

UNOFFICIAL

June 7, 2016

Humboldt County Reginal Planning Commission
Humboldt County Courthouse
Winnemucca Nevada

RECEIVED

JUN 08 2016

Regional Planning Dept.

Re: The Extension of special use permit UW-12-14

I'm sorry I couldn't be in attendance for your June 9th, 2016 meeting. As discussed with you at the last meeting the current extension on this special use permit goes through December 2017. I don't see the urgency and I hope all questions are adequately answered prior to a decision.

One of the questions I had at the last meeting was, if the activity currently going on at the "man camp" let's call it, was in keeping with or at least in the spirit of the original special use permit. After seeing the original application it seems specifically vague. It simply states "A temporary housing facility to provide housing for up to 600 temporary construction workers" followed by the description of the units and the dates from April 2013 thru June 2015. At the time everyone knew and it was for the planned Allied Nevada development at the Hycroft mine. This purpose is re-iterated in New Vision Developments letter to your board April 29, 2016. I was ok with this purpose when it was brought before the WCVA (a board I served and currently serve on). Knowing it would take some potential revenue from the hotel/motel operators, as the greater good of the completed project was going to be in every operator's interest. As we all know that unfortunately didn't happen. The original plan had the area that is the man camp mini storages by now! The original special use permit was from April 2013 until June 2015, 26 months and an extension for an additional 2 ½ years has already been granted which's nearly 5 years for a facility repeatedly called "temporary" for whatever that means, another 5 years would make it almost 10 years as a temporary facility. The question to the commission is if you were asked in 2012 to approve a temporary facility on wheels in a gravel parking lot that is to offer "employee housing" to whom ever meets their criteria in competition with local hotel/motel and other traditional housing options would you have approved? Because in a sense, that's what extending this special use permit does in effect.

I understand that hind sight is usually 20/20 and the facility is there and what do we do now? In the staff memorandum to the RPC dated May 10, 2016 the staff found "good cause (for the extension) due to the facts in the attached letter" the letter from New Vision dated April 29, 2016. Stating "they never occupied the facility in satisfaction of their lease agreement" although they never occupied the facility I believe they made their lease payments up until their declared bankruptcy March 2015, so if you assume they paid thru February 2015 they were paid 22 of what should have been the 26 payments they could

have expected under the original special use permit. New Vision Development was also able to purchase the housing units out of bankruptcy at what I assume a significant discount to what Allied Nevada paid for the units. I understand things didn't work out as hoped by New Vision I think we're all in that boat to some degree. If the "good cause" the staff finds is because of purported financial loss's I don't believe it's as significant as the letter leads one to believe, the letter is careful to say "we were never able to recoup the costs of **all** the site improvements" not **none** of the site improvements. And should the financial success or lack of after the fact be the good cause to extend this special use permit.

I do not believe this special use permit should be extended for a third time, if anything a new application should be submitted and evaluated based on the intended use going forward.

I'm sorry I'm not able to be present for your meeting I think there is a lot to be discussed here. As stated earlier, there's still a year and a half on this special use permit I don't see the urgency in a rushed decision. I would do my best to be available for any future discussions.

Sincerely,

Terry Boyle
McClaskey Winnemucca Motels, LLC

UNOFFICIAL



Johnson Law Practice

June 7, 2016

RECEIVED

JUN 09 2016

Humboldt County Regional Planning Commission
50 West Fifty St., Room 103
Winnemucca, NV 89445

Regional Planning Dept.

RE: New Frontier Temporary Construction Worker Housing Special

Dear Planning Department:

This firm represents Winnemucca Hotels, LLC, the company that owns Candlewood Suites and Holiday Inn Express in Winnemucca, Nevada (hereinafter "Winnemucca Hotels"). Winnemucca Hotels strongly opposes the requested extension of the special use permit for the New Frontier Temporary Construction Worker Housing. The original intent of the special use permit, pursuant to Alan Means' 2012 application, was, "a temporary housing facility to provide housing for up to 600 temporary construction workers in RV units, studio/1 bedroom trailers and 3 bedroom / 3 bath trailers." See Conditional Use/Special Use Permit Application form, dated July 16, 2012. In addition, pursuant to Alan Means' letter dated August 1, 2012, it was his "firm intention" to "convert the area occupied by the temporary housing to mini storage units along with boat and RV storage." See letter to Betty Lawrence, dated August 1, 2012, from Alan Means. The New Frontier temporary construction worker housing was to be just that, temporary and for construction workers and miners. When the need for construction workers and miners subsided, the intent was to convert the housing facility into storage, not an additional five years of lodging. As pointed out in the New Vision Development LLC letter to Winnemucca Regional Planning Department dated April 29, 2016, Allied Nevada Gold Corp. never occupied the facility, and the facility was never used as planned.

Winnemucca Hotels spent \$8.3 million dollars constructing and developing the Candlewood Suites based on the need for lodging in Winnemucca. However, over the last few years, New Frontier Temporary Construction Worker Housing has been targeting ongoing customers of Winnemucca Hotels. For example, Valmy Power Plant has service professionals who visit for a month annually to work at the plant, and those individuals have traditionally stayed at Winnemucca Hotels. However, they have been opting to stay at the New Frontier Temporary Housing facility instead. Accordingly, while New Frontier claims that they are restricting their rentals to "employees of companies working on construction and mining projects in Winnemucca," the reality is that they are targeting customers of Winnemucca Hotels.

The New Frontier Temporary Housing facility has created a drop in demand in lodging in the Winnemucca area, which has impacted Winnemucca Hotels. In essence, New Vision Development, LLC is asking to be treated as a lodging facility without having to go through the same permitting process and code requirements that Winnemucca Hotels and other lodging facilities were subjected to. For example, Winnemucca Hotels was required to install

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The New Frontier Temporary Housing facility has created a drop in demand in lodging in the Winnemucca area, which has impacted Winnemucca Hotels. In essence, New Vision Development, LLC is asking to be treated as a lodging facility without having to go through the same permitting process and code requirements that Winnemucca Hotels and other lodging facilities were subjected to. For example, Winnemucca Hotels was required to install an asphalt parking lot and meet all fire and safety requirements under the Humboldt County Code and Winnemucca Municipal Code. This temporary facility in no way meets those requirements for lodging under the code. Accordingly, Winnemucca Hotels respectfully requests that the request for extension of the special use permit by New Vision Development, LLC be denied.

Sincerely,


ALICIA G. JOHNSON

cc: client

UNOFFICIAL