

**PAHRUMP REGIONAL PLANNING COMMISSION  
MINUTES OF THE FEBRUARY 15, 2012 MEETING**

The meeting was called to order at 6:00pm in the Nye County Commissioners Chambers, Pahrump V.

Members in Attendance: Terry Hand                      John Koenig  
   Joseph Goode                      Gregory Hafen II  
   Vicky Parker                      Walt Grudzinski

Members Absent:                      None

Planning Staff:                      Steve Osborne                      Beth Lee

District Attorney's Staff: Charlie Watkins

Building & Safety Staff: None

Public Works Staff: Tim Dahl

Other Attendees: None

Acronyms Used:

ADT	=	Average Daily Traffic
ARC	=	Architectural Review Committee
BLM	=	Bureau of Land Management
BOCC/BOC	=	Board of County Commissioners
CAA	=	Charles Abbott Associates
CUP	=	Conditional Use Permit
DOR	=	Deed of Restrictions
CCO	=	Code Compliance Officer
CC&R	=	Covenants, Conditions & Restrictions
DRC	=	Development Review Committee
FEMA	=	Federal Emergency Management Agency
NBHPS	=	Nevada Bureau of Health Protection Services
NCC	=	Nye County Code
NCSD	=	Nye County School District
NDEP	=	Nevada Division of Environmental Protection
NDWR	=	Nevada Division of Water Resources
NDOT	=	Nevada Department of Transportation
NRS	=	Nevada Revised Statutes
PRPD	=	Pahrump Regional Planning District
PRPC/RPC	=	Pahrump Regional Planning Commission
PTB	=	Pahrump Town Board
PUD	=	Planned Unit Development
USFS	=	United States Forest Service
ROW	=	Right-of-Way
SFR	=	Single-Family Residential
SOB	=	Sexually Oriented Business
TIA	=	Traffic Impact Analysis
TPC	=	Transportation Planning Committee
UBC	=	Uniform Building Code

## **Call to Order**

### Pledge of Allegiance

#### 1. **Approval of Minutes:**

- a. January 11, 2012

Minutes were not available at time of meeting. Continued to the March 14, 2012 meeting.

#### 2. **Approval of / Modifications to the Agenda:** Approval of the Agenda after Considering Requests to Rearrange, Hold or Remove Items.

There were changes or modifications.

Commissioner Grudzinski made a motion to approve the agenda; Commissioner Hafen seconded.

*Roll Call Vote: Parker, yes; Goode, yes; Koenig, yes; Hand, yes; Hafen, yes; Grudzinski, yes; Motion passes 6-0.*

#### 3. **Correspondence and Announcements**

There were none.

#### 4. **Public Comment**

No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a future agenda as an action item. (Three-minute time limit per person and speakers are requested to limit comments to items not on the agenda.)

No comments.

Public Comment closed: 6:03 PM.

#### 5. **Commission Reports:**

- a. BOCC Liaison Report - BOCC Liaison "Butch" Borasky

There was none; Commissioner Borasky was not in attendance.

- b. Pahrump Town Board Liaison Report - PTB Liaison Vicky Parker

There were none.

- c. Capital Improvements Plan Advisory Committee – John Koenig

There were none.

d. APA Luncheon

Luncheon has been postponed to the end of February.

e. Master Plan Steering Committee – Gregory Hafen, II

Commissioner Hafen stated the Master Plan Steering Committee met in January; staff has prepared a new map for review which reduces the number of designation to reduce confusion between master plan designations and zoning districts, to be presented at next Master Plan Steering Committee meeting.

6. **Ex Parte Communications and Conflict of Interest Disclosure Statements**

There were none.

**Parcel Map (PM) and Conditional Use Permit Application(s):**

7. a. **PM-12-0002**: Parcel Map to divide a 3.41 acre parcel into two parcels, one 1.49 acres and the other 2.19 acres, Zoned Village Residential (VR-10) and Master Planned Medium Density Residential, known as Calvada Valley Unit 7, block 25, Lot 200, File Map #36023, located at 1560 Java Avenue, at the corner of Java and Highland Avenue. Village Services Group LLC – Property Owner. Brock Metzka – Applicant/Agent. AP# 38-631-23.
- b. **CU-12-0001**: Conditional Use Permit (CUP) application to allow for an Assisted Living Facility in the Village Residential (VR-10) Zoning District, located at 1560 S. Java Avenue, situated at the intersection of Java and Highland Avenues, further known as Lot 200, Block 25 of Calvada Valley Unit 7. Village Services Group LLC – Property Owner. Brock Metzka Applicant/Agent. AP# 38-631-23.

Mr. Steve Osborne referred to the staff report. This is a parcel map to create 2 parcels; a 1.49-acre parcel containing the existing day care facility; second parcel 2.19-acres for the proposed assisted living facility. The facility is proposed to be 77 unit, 2 story, 50,000 square foot facility (1<sup>st</sup> floor 27,000 sq ft, 2<sup>nd</sup> floor 23,000 sq ft); proposed parking is adequate and meets code. Site development plan has been submitted and is under review by Planning and Public Works.

Subject property is zoned VR-10 which allows Assisted Living facilities with the approval of a conditional use permit. Staff finds this to be an appropriate location and staff is recommending approval.

Commissioner Hand asked if this CUP had been approved previously, but it expired.

Mr. Steve Osborne stated that is correct. In 2008 there was a CUP approved for a similar facility, however, there was a 3 year time limit and the property was not

developed within the 3 years, so the approval expired. This is basically to reinstate the previous approval.

Commissioner Hand asked if a parcel map was proposed in when originally submitted?

Mr. Steve Osborne stated a parcel map was not submitted.

Commissioner Grudzinski stated under CUP findings regarding hazardous or disturbing use for existing or future neighboring uses, understands this will be good for the community, but voiced a concern about a 77-bed facility creating a disturbance to surrounding, existing neighborhood. He also expressed his concerns with the increased traffic and traffic flow to the neighborhood.

Mr. Steve Osborne stated that Standard Condition Of Approval #17 should be stricken; this project will connect to and be serviced by UICN therefore water rights transfer is not required.

Brock Metzka, applicant/agent, addressed traffic flow; there will be 13 – 15 employees with two trips each day, figured between 50 and 60 max travel trips per day. Occupants will be alzhiemer's patients and they won't be driving. Most of the traffic will be from the daycare, which he also owns. Also looking at acquiring additional parcels to continue project in the future.

Commissioner Grudzinski stated his concern is that while the residents won't be driving they will probably have visitors; that is his concern.

Commissioner Parker has had experience with several assisted living facilities in Pahrump, and they don't receive that many visitors; doesn't believe parking and traffic will be much of a problem.

Mr. Tim Dahl stated within the submitted site development plan the engineer has provided an estimate of 50 ADTs. Mr. Dahl further discussed how traffic estimates are determined.

Commissioner Koenig asked the applicant about the portion going to Grant Street, will this be an exit or crash gate?

Mr. Metzka stated that would be a crash gate, because that will be primarily used for drainage and will have fire access.

Mr. Metzka stated funding is in place and ready to start project next month.

Commissioner Hafen asked the applicant if he has read all of the conditions of approval and these are acceptable to him.

Mr. Metzka stated he has read them and he accepts them.

**Public Comment**

There was none.

Public comment closed 6:15 PM.

Mr. Metzka stated there is a large demand for this type of service in the Pahrump Valley. This facility will be run by one of the best companies in the country; planning on opening within 9 full months from permit.

Commissioner Koenig made a motion to approve both applications, striking condition of approval #17. Commissioner Parker seconded.

***Roll Call Vote: Grudzinski, yes; Hafen, yes; Hand, yes; Koenig, yes; Goode, yes; Parker, yes; Motion Passes 6-0.***

8. **PM-12-0001**: Parcel Map (PM) application to allow the Merger and Resubdivision of six (6) parcels with a total acreage of 251.94 acres into two parcels, one 218.27 acres and the other 33.67 acres for property Zoned Specific Plan (SP), to adjust boundaries between the golf course and future Planning Area 7 and to incorporate the common elements along Mt. Falls Parkway into the golf course parcel. Located within the Mountain Falls development along Mountain Falls Blvd at various locations, described as Parcel #6, 15 & 15A of File Map #16505, Parcel #1 of File Map #679609, Common Element 9 of File Map #482651, Mountain Falls Phase #1 and Parcel #1 of File Map #719540 and known as the golf course. Mountain Falls LLC and Mountain Falls Golf Course LLC – Property Owners/Applicants. Taney Engineering – Agent. AP#'s 45-021-12, 45-021-13, 45-021-17, 45-021-46, 45-021-51 & 45-021-60

Ms. Beth Lee referred to the staff report. This application is to consolidate Planning Area 7, which is in the interior of the golf course and make it 1 parcel where it is currently divided into many residential lots. This map will also have the golf course absorb the common element along the east side of the golf course. Staff is recommending approval.

Steve Dumovich of Taney Engineering, Agent, stated this map is cleaning up some parcel lines that William Lyon Homes wanted cleaned up. William Lyon Homes has read the conditions of approval and have no objections.

**Public Comment**

There were none.

Public comment closed 6:21 PM.

Commissioner Hafen motioned to approve the parcel map. Commissioner Koenig seconded.

***Roll Call Vote: Parker, yes; Goode, yes; Koenig, yes; ; Hand, yes; Hafen, yes; Grudzinski yes; Motion Passes 6-0.***

9. **Kellogg/Jane/Quarterhorse Area Study:** Discussion, deliberation and possible decision to direct staff to initiate zone change(s) and/or other land use procedures pertaining to 32 parcels in the Kellogg/Jane/Quarterhorse area of the Pahrump Regional Planning District.

Ms. Beth Lee referred to the staff report. Staff reviewed the subject area. Several properties developed with single family residences. Parcel sizes range from 1 acre to 20 acres, referred to spreadsheet in back up for specific parcels and their sizes. There are no subdivision plans on file for this area. There is a grandfathered business on one of the properties. Staff recommends moving forward with a master plan amendment and zone change on these properties to change them to RE-1 Zoning.

Commissioner Hafen asked staff if we saw any horses in the area during our review.

Ms. Lee stated there were none observed at the time of the review. There are residents that want to bring horses on to their property.

Commissioner Hafen clarified that under the current zoning they would not be allowed to have horses or livestock on these properties.

Ms. Lee stated that is correct. Under the current zoning the most they could have is 5 dogs.

Commissioner Hafen asked if the master plan amendment and zone change went forward, it would have no affect on the existing grandfathered business.

Ms. Lee stated that is correct.

Commissioner Hand verified the grandfathered business is the property with all the quanset huts in the aerial photo.

Ms. Lee stated that is correct.

Commissioner Hafen made a motion to direct staff to bring forward a Master Plan amendment and Zone Change for the subject study area from VR-20 Zone to the RE-1 Zoning District. Commissioner Koenig seconded.

***Roll Call Vote: Parker, yes; Goode, yes; Koenig, yes; ; Hand, yes; Hafen, yes; Grudzinski yes; Motion Passes 6-0.***

10. **VR-20 Rezoning Study:** Discussion, deliberation and possible decision to direct staff to initiate zone changes pertaining to 604 parcels zoned VR-20 and which are one acre in size or larger located within the Pahrump Regional Planning District.

Mr. Steve Osborne reviewed the map supplied in the back up. Staff looked at all the 1-acre parcels and larger zoned VR-20, totaling 604 parcels. Staff suggested separating this into the proposed 4 quadrants, which would take about 4 months to complete.

Commissioner Hand stated the northeast quadrant seems pretty red, and asked if that will that be a problem for staff to handle that large an area.

Mr. Steve Osborne stated no it wouldn't pose a problem for staff. Most of it's contained in one area.

Commissioner Hand didn't want to overload staff.

Commissioner Hand asked about the southeast quadrant, didn't the RPC already see the Hafen Ranch Road/Santovito Street area.

Mr. Osborne stated yes and that would be coming back before the RPC at the March meeting. He also pointed out the area to the west of the Artesia subdivision was heard under a study tonight and that would be coming back before the RPC prior to the quadrant hearing.

Commissioner Koenig suggested separating the quadrant into Harris Farm Road to the north; Harris Farm Road south the Basin; Basin south to Gamebird; and then south of Gamebird.

Commissioner Hand asked if the quadrants were divided by Highway 160 and Highway 372.

Mr. Osborne stated that the quadrants are divided by Blagg Road and Basin Avenue, which are the centerlines for Pahrump. He also stated that is how we have divided the quadrants in the past.

Commissioner Parker reiterated that is how the quadrants have been divided in the past.

Commissioner Koenig stated that makes the northeast quadrant huge.

Mr. Steve Osborne stated that is correct in terms of number of parcels and land area, but the subject properties are contained in smaller areas and reviewed how the public hearing notices would be handled.

Commissioner Hand asked staff if they were happy with the proposed quadrant division as presented.

Mr. Steve Osborne stated we are.

Commissioner Grudzinski verified we are doing this to bring this in line with the land.

Mr. Steve Osborne stated that is correct. These parcels are zoned VR-20 but they are all 1-acre in size or larger. This is just to make it consistent with the existing parcel sizes.

Commissioner Koenig made a motion to direct staff to direct staff to initiate Zone Changes pertaining to the 604 parcels zoned VR-20 which are 1 acre in size within the Pahrump Regional Planning district to break it up by zones/quadrants as indicated on the map. Commissioner Grudzinski seconded.

*Roll Call Vote: Parker, yes; Goode, yes; Koenig, yes; ; Hand, yes; Hafen, yes; Grudzinski yes; Motion Passes 6-0.*

11. **Discussion and Direction Concerning Items for Future Meetings/Workshops; Set Date, Location and Time of Future Pahrump Regional Planning Commission Meetings.**

Next meeting will be March 14, 2012.

Commissioner Hand wanted to clear up the RPC scheduling. RPC meetings fall on the second Wednesday of the month, unless the first of the month falls on a Wednesday, then the RPC meeting falls on the third Wednesday of the month.

Commissioner Koenig stated the meeting falls on the Wednesday in the week after the BOCC meeting.

Commissioner Hand asked Mr. Steve Osborne to discuss checklists for applicants.

Mr. Steve Osborne stated there have been discussions recently about standard conditions with Zone Change or Conditional Use Permit applications. There was a legal opinion distributed from the DA's office, stating there's nothing wrong with having the conditions of approval but they're not required. We can come up with a list to notify the applicant at time of application so they are aware of what might be required of them to do. Also would have them sign that they've received them, read and understand them.

Commissioner Hand asked if we are talking about standard conditions.

Mr. Steve Osborne stated that's correct. If there were special conditions those would be listed in the staff report. The standard conditions of approval are basically reiterations of existing code.



Commissioner Hand asked if that would do away with applicants stating they didn't know what they were required to do, because they would sign an acknowledgement at time of applications, correct?

Mr. Steve Osborne stated that is correct. They are also notified of these potential requirements earlier than the staff report.

Commissioner Koenig stated he felt applicants should be notified of these requirements as early as possible. By the time the applicants get before the RPC, the conditions of approval take them by surprise.

Commissioner Hafen asked if we currently use something like a checklist at pre-development meetings.

Mr. Steve Osborne stated we do have those meetings and they are typically a more detailed review of the proposed project, usually after the RPC meeting and closer to pulling building permits.

Commissioner Hafen stated this would be similar to that only taking it a step further to let them know we have codes you may want to look at.

Mr. Tim Dahl stated these conditions were put in here to give the applicant a head's-up or a chance to see what they're expected to comply with. He supports getting this information out to the applicant as quickly as possible. Not sure this will eliminate them saying they don't know anything about conditions of approval.

Commissioner Hand stated if we go over it with them it makes it hard to say they didn't know about these conditions of approval.

Commissioner Koenig stated applicants come before the RPC and we ask if they have read the conditions of approval, then they'll say yes, but they haven't. They just want to get through the meeting process so they can get approved and get out of here and get on with what they want to do. Planning should go through these with them as soon as they come to the front counter. The acknowledgement they sign should be part of the staff report/back-up.

Commissioner Grudzinski stated he feels we are doing a service to the applicant and supporting Public Works on this to get the information to the applicants early.

Commissioner Hafen made a motion to direct staff to bring forward a checklist of items applicants may or may not be required to do prior to applicants paying and submitting an application. Commissioner Koenig seconded.

***Roll Call Vote: Grudzinski yes; Hafen, yes; Hand, yes; Koenig, yes; Goode, yes; Parker, yes; Motion Passes 6-0.***

12. **Adjournment**

Meeting adjourned at 6:45 pm.

Approved Date:

Attest:



\_\_\_\_\_  
Terry Hand, Chairman  
Pahrump Regional Planning Commission



\_\_\_\_\_  
Gregory T. Hafen II, Secretary/Clerk  
Pahrump Regional Planning Commission