

Commissioners approve Matley Ranch project

by Scott Neuffer
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Douglas County commissioners signed off on the necessary changes to convert the area in south Gardnerville historically known as the Matley Ranch into a large commercial shopping center.

On Thursday, commissioners voted unanimously to approve the following:

- A master plan amendment changing the land use designation of 37.75 acres of receiving area, 20.15 acres of agriculture and 1.79 acres of public right-of-way to commercial; amending the Minden/Gardnerville and East Valley community plan areas to include the entire site in the town service area; and amending master plan transportation figures to reflect a new location for Pinenut Road as it intersects with the future Muller Parkway.

- A zoning map amendment to change 57.9 acres of agricultural land (19 acre minimum parcel size), 3.67 acres of office commercial and 1.79 acres of public right-of-way to general commercial.

Specific developments for the property were not discussed Thursday, but a conceptual site plan included in the application shows a realigned Pinenut Road swinging out behind roughly 60 acres of commercial land with three large anchor buildings and 10 smaller buildings clustered on the site.

In January, applicant Peri Enterprises, LLC, entered into a development agreement with the county that states the developer will dedicate 6 acres of land for the realignment of Pinenut Road, 5.8 acres for Muller Parkway, and will build approximately 3.75 lane miles of the new roadways within seven years.

The agreement states that "the owner would be required to provide significant public improvements, in lieu of providing transfer development rights."

TDRs were designed to develop receiving areas by conserving ranch land elsewhere in the Valley. In the case of the Peri property, approximately 378 TDRs would otherwise be needed to develop the subject receiving area.

County staff said the development agreement does not constitute approval of the master plan amendment and that realignment of Pinenut Road is necessary to meet state and county requirements when Muller Parkway is built. Collector and arterial roadway intersections must be a quarter mile apart.

County planner Brandy McMahon said the agricultural designation of the site would no longer be suitable once Pinenut is wrapped around. McMahon also pointed out that the Gardnerville Plan for Prosperity designates the Matley Ranch as a commercial gateway for the town.

In March, the town board unanimously approved the same master plan requests, followed by planning commission approval in April.

Project spokesman Rob Anderson said public improvements in the development

agreement will cost the taxpayers essentially nothing.

Vice Chair Dave Brady asked staff if the county had ever taken the approach of trading TDRs for capital improvements. He also asked what would happen in seven years if the roadways were not built.

Deputy District Attorney Cynthia Gregory said the hard zoning would stay in place, but the owners would then be required to purchase the necessary TDRs.

Commissioner Greg Lynn wanted to make sure there was a provision to allow an extension or modification of the development schedule.

"What we're looking for here are infrastructure improvements, or else we wouldn't be talking about this," he said.

During public comment, attorney Mark Forsberg, representing Virginia Ranch owner Sierra Nevada Southwest Enterprises, said he was opposed to the development agreement that substituted infrastructure for TDRs. He said his client had to purchase more than 1,600 TDRs for the Virginia Ranch Specific Plan, and 186 alone for the Walmart property.

"It's unequal treatment without meaningful distinction in circumstances between the developers," he said.

Forsberg said "contract zoning" is not only illegal and unconstitutional, but also calls into question the viability of the TDR program.

In response, Gregory said the development agreement is specifically authorized under state law, and that it was in the board's absolute discretion to determine whether the master plan application met the required findings.

When Brady asked if the county would be setting a precedent, Gregory said each property is unique. She said the driving force behind this particular agreement was the fact that Pinenut Road is incorrectly aligned.

In other business:

- County commissioners unanimously approved a request by the Carson Valley Visitors Authority to use the original \$2 million insurance requirement for the one-year motocross park adjacent to the county fairgrounds. In the initial approval of the track in February, a condition was added to require \$5 million of insurance.

Board chair Mike Olson said he originally recommended the condition not taking into account the hefty cost.

"In his defense, it seemed like a good idea at the time," joked Vice Chair Dave Brady.

- The community development department presented plans to revise the county's windmill ordinance. One proposal is to change the minimum 5-acre requirement to one acre for residential parcels and half an acre for commercial parcels, assuming the structure does not exceed 50 feet in height. The proposal would eliminate the need for a special use permit, but anything over 50 feet would need a minor design review.

The planning commission is slated to discuss the issue 1 p.m. Tuesday.

HAPPY MOTHER'S DAY



Shannon Litz

Bob Cook presents Rosanne Burian with flowers for Mother's Day, and her birthday, on Friday at the Douglas County Senior Center. Members of the Young at Heart Senior Citizens Club delivered about 200 flowers to mothers at the Topaz Community Center, Meals on Wheels clients and at the senior center.

County accepts road accesses

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at the end of the road to accommodate the potential influx.

A collection of roads north of Genoa that are access to trails on federal land were accepted for maintenance by the county on Thursday.

County commissioners voted 4-1, with commissioner Greg Lynn voting nay, to accept dedication and maintenance responsibilities of Centennial Drive, Margery Lane, Snowshoe Lane and Nellie Lane in Genoa.

Snowshoe Lane provides public access to U.S. Forest Service land and Sierra Canyon. Residents on the road questioned the impact on their neighborhood if more hikers are drawn to the area because of the dedication. They said there is little parking

Kerstin Wolle of the Carson Valley Trails Association said they're planning a trailhead in Adams Canyon half a mile north. She said there will be no trailhead or signage at Snowshoe Lane — just an access point.

Community Development Director Mimi Moss said the roads are designated as trails in the master plan. She said the subdivision map of the area shows existing public easements to forest service land.

"They're clearly not private," she said. Moss said the roads were set up as public right-of-way but never officially dedicated. Dedication, she said, will clean up any incongruity in the master plan.

PUBLIC NOTICE

The Sacramento Regional Emergency Food & Shelter Board for Sacramento, Yolo, El Dorado, Placer, and Alpine Counties announces the provisional award of federal funds to supplement emergency food and shelter programs in Alpine County.

Applications are available at <http://www.community-council.org/efsp/rfp.pdf> or at the Community Services Planning Council, 909 - 12th Street, Suite 200, Sacramento. Deadline for submittal of applications is 4 P.M. on Monday, May 17, 2010.

Applicants must be: 1) non-profit, 2) have an accounting system and conduct an annual audit, 3) practice non-discrimination, 4) have demonstrated the capability to deliver emergency food and/or shelter programs, and 5) if a voluntary organization, must have a voluntary board.

For further information or to request an application, contact Bob Erlenbusch at 916-447-7063 x335 or at berlenbusch@communitycouncil.org.

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