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July 13, 2007

Pat Whitten
County Manager
STOREY COUNTY PLANNING COMMISSION
26 S. B Street
Virginia City, NV 89440

HAND DELIVERED

RE: 2007-049 Master Plan Amendment
2007-050 Zone Change
Virginia Highlands, LLC (Cordevista Project)

Dear Mr. Whitten, County Planning Commission Members and Storey County Staff:

This office has been retained by Virginia Highlands, LLC to review the above matter for the Applicant.

Cordevista has consistently stated, based on a thorough review of the Storey County Master Plan, that it is in compliance with the Master Plan stated goals and objectives. Since Cordevista is in compliance, there is no need for a Master Plan Amendment application. By this letter, we request that the application for a Master Plan Amendment be deemed unnecessary.

The Master Plan has always called for mixed-use development (including residential) in the area proposed for Cordevista. The property was zoned forestry (the county's "holding" zoning) at the time of the master plan approval in 1994. An SUP was granted for special industrial use to accommodate the then landowner on the same property. In 1999 the zoning was changed from Forestry to "I-S"- Special Industrial in conjunction with litigation that was occurring at that time with the property and the then land owner. Cordevista requests that Storey County abide by its original Master Plan.

A review of the Storey County Master Plan will indicate that Cordevista meets all of the goals and objectives in the Master Plan that are relevant to its project. The following is a list of the points in the Master Plan that illustrate how Cordevista complies.

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CHAPTER 1 - EXECUTIVE SUMMARY

Chapter 1 - 1.0: "The purpose of this Master Plan is to provide goals and objectives for the development of Storey County."

Chapter 1 - 1.1 - 3rd paragraph: "Although there is a considerable amount of developable land in the interior of the county, the mountainous terrain and lack of adequate road networks have combined to restrict development."

Chapter 1 - 1.2 - 1st paragraph: "The Board of County Commissioners is prepared to geographically redefine these zoning districts with the assistance of this document."

Chapter 1 - 1.2 - 2nd paragraph: "A further goal of this Master Plan is derived essentially from a desire to preserve and improve the present quality of life in Storey County, to resist changes detrimental to the historic integrity of the Virginia City area, to define geographic growth areas, and to direct growth in all parts of the county."

Chapter 1 - 1.2 - 5th paragraph: "A master plan is...a guide to development. It sets forth a view of the future, a direction for development growth and a guide for community action."

Chapter 1 - 1.2 - 7th paragraph: "In fact, once a master plan is officially adopted, non-conformity with the master plan is ample reason for rejecting an amendment to the zoning ordinance. In short, the zoning ordinance expresses more closely what is. The master plan expresses what should be."

Chapter 2 – Goal 1: "Anticipate populations changes and the level of county provided services needed to accommodate the change."

Chapter 3 – Goal 1: "Enhance diversification of economic opportunities within the county."

Chapter 4 - Goal 1: "Encourage that adequate housing is provided for all residents of the county through zoning and planning."

Chapter 5 – Goal 1: "Ensure that present and future county residents have adequate water supply meeting safe drinking standards." (Cordevista assistance with water to the Virginia City Highlands area)

Chapter 6 – Goal 2: “Provide adequate park and recreation facilities for all residents of the county.”

Chapter 6 – Goal 6: “Support efforts to provide Storey County students with superior education opportunities.”

Chapter 8 – Goal 3: “Protect the petroglyphs from vandalism.”

Chapter 9 - Goal 3: “Provide for the orderly development of the largest undeveloped area in the county - north and east of Virginia City and the south of the Truckee River.”

Chapter 9 – Objective 3.1: “Working with regional economic development authorities, private land owners and state government agencies, initiate a study of the resources of this area and its potential for residential, industrial, recreational, or other types of development. Such a study would lead to orderly and desirable development, enhance the natural amenities of the area and increase county tax revenues.”

Virginia Highlands – Goal 2: “Minimize county financial jeopardy related to the issuance of building permits on properties without adequate water resources.”

River District – Goal 2: “Eliminate congestion resulting from truck traffic on Canyon Way at Rainbow Bend.”

River District – Goal 5: “Design zoning districts to allow for a mix in land use development.”

CHAPTER 4 – HOUSING

4.2 Housing Demand: “To a large extent local government officials can influence the type of housing development within their jurisdiction. Policy decisions regarding the type of housing units desired must be considered in light of the following issues:

1. Future population and economic growth in the county.
2. Future population and economic growth in the surrounding counties.

4.3 Growth Prospects: “Currently no future growth prospects have been identified in Storey County that would accelerate the County’s population growth beyond the expected rate. Industrial growth along Highway 50 and Interstate 80, and in-

migration from Washoe County, Carson City, and the State of California could increase the rate of population growth over the forecasts prepared by the State Demographer. Furthermore, as Washoe County and Carson City continue to grow, Storey County will play a larger role as a bedroom community. As a result the total number of housing unit demand may well exceed 648. One of the major constraints to growth is the availability of water.

4.5 Land Inventory: "The ability of Storey County to accommodate future growth is dependent upon available land suited for residential development."

10: Vacant Unknown: "Under Storey County Code these parcels are zoned (F) Forestry and approved for one single family dwelling with the approval of a Special Use Permit."

"Much of the Vacant Unknown land is intended for residential use. Converting parcels of land from Vacant Unknown to Vacant Single Family will depend upon access to the land, water availability, suitability of the land for development, and required services. Future consideration should be made for households who earn relatively low wages by designing additional parcels of land for the development of multi-residential housing units. Based upon the availability of vacant land and accessibility, future growth can be expected to be limited to the four communities. However, there is a large amount of land in the north-central section of the county, which is in private ownership and has considerable development potential." (This is Cordevista)

CHAPTER 9 – LAND USES

9.1.5 – The Great Interior: "To the southwest of Lockwood (between Lockwood and Hidden Valley on the east side of Truckee Meadows) is an area of rolling hills which could be residentially developed in the future. Access from Lagomarsino Canyon would need to be provided and any planned projects would probably require the importation of water. While development in this area us probably beyond the time frame of the present plan, county officials should be aware of the area's development potential."

In summary, Cordevista' application for zone change complies with the Master Plan because the original intent for the property was mixed use/residential. Therefore, Storey County's request for that Cordevista to obtain an amendment to the master plan is not appropriate or warranted.

The "down zoning" request from "I-S"- Special Industrial zoning to mixed-use zoning should be the only application to be reviewed by the Planning Commission.

Pat Whitten
County Manager
STOREY COUNTY PLANNING COMMISSION
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If you have any questions, please feel free to contact me.

Sincerely,

PREZANT & MOLLATH

By 

Stephen C. Mollath, Esq.

SCM/ja

cc: Mark Amodei, Esq.
Storey County Clerk
Virginia Highlands, LLC

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