

# KMS sale in jeopardy; county-TRPA involved

By Kathryn Reed

STATELINE – The conversion of Kingsbury Middle School into affordable housing is in jeopardy because the county has not completed the area plan that encompasses the site and the allowable number of vehicle miles has been drastically reduced per Tahoe Regional Planning Agency rules.

**Patrick Taylor in July** entered into an agreement with Douglas County School District to purchase the 22-plus acre site with 36,000-square-feet of space for \$3.25 million, which included paying half the utilities – \$25,000 – for a year.

At this week's board meeting the four who attended (Ross Chichester, Neal Freitas and Cindy Trigg were absent) deliberated for some time about what to do with the due diligence period ending the following day, Oct. 12. All four had to agree for any motion to pass. Ultimately they agreed to extend the period one month to Nov. 16, one day after their next meeting.

But based on how slow government works in the basin, there is no way all of the issues will be resolved in that time period.

“For the Kingsbury Middle School site, TRPA previously determined that the vehicle miles traveled was limited to 286. This is based on TRPA code provisions that deal with previous uses. Since the school had been closed for over 60 months, the higher vehicle trips originally associated with the school use was no longer recognized by TRPA,” Mimi Moss, director of Douglas County Community Development, told *Lake Tahoe News*. “Any increase in the VMT will now require a change to the area plan, including additional environmental study and traffic analysis.”



The halls of Kingsbury Middle School have been vacant for eight years. Photo/LTN

At the school meeting Oct. 11, Superintendent Teri White said the allowable VMT was 1,500 when KMS was open. The school site has been sitting empty since students left at the end of the 2007-08 school year.

Because there was a 1½ year delay by the county in submitting the area plan to TRPA some of the technical data needs updating. The Tahoe Douglas Area Plan was most recently sent to TRPA on Aug. 24, with TRPA sending it back to the county with comments on Sept. 23. The county is working to address the bi-state regulatory agency's concerns.

Ascent Environmental is the consultant helping the county with the planning document.

A sticking point between the county, school district and KMS buyer is who will pay for all the necessary studies to move the project forward.

"The county is in discussions with our environmental consultant regarding additional timelines, costs, and area plan changes based on our recent discussions with the school district. Ultimately, the new buyer would be responsible for the cost," Moss said.

Traditionally the county would pay for the environmental review of the area plan as a whole and the developer would pay for the analysis of impacts associated with his project. The traffic analysis is also necessary because the property use is changing from a school to housing.

Taylor told the DCSD board he isn't going to put another penny into the project (he put up a \$15,000 deposit) until the VMT issue is resolved.

Board member Teri Jamin, who was once the head planner for the city of South Lake Tahoe, advocated for extending the due diligence period two months if a non-refundable deposit could be secured from Taylor so he would have some skin in the game.

Board member Robbe Lehmann said, "If they want to buy it, it should be as is."

Board member Tom Moore said, "We are gambling to a certain extent because we don't know how it would change in value based on the perception of zoning."

The district is paying about \$5,000 a month for the upkeep of the site, which includes utilities.

Taylor is the first person to come forward with an offer on the site. That is what has some board members nervous, is that it will sit vacant for another eight years. But some board members are reluctant for the district to expend money when the zoning and VMT issues are not their problem.

Vehicle miles traveled, while always an issue in Tahoe, has been getting more attention of late with projects inside and

outside the basin.

At the July meeting of the Regional Plan Implementation Committee of the Tahoe Regional Planning Agency there was a lengthy discussion about the topic. VMT for the TRPA has more to deal with air and water quality than congestion. But it's gridlock that impacts drivers – locals and tourists.

"We can't build road capacity therefore the only thing we can do then is restrict car use," RPIC member Bill Yeates said.

There was talk of needing to think outside the box as well as work on basics like offsite parking and a reliable transit system.

That discussion will affect the KMS site if and when the affordable housing project goes before the TRPA.