

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

WEDNESDAY 5:15 P.M. NOVEMBER 12, 1997

PRESENT:

Joanne Bond, Chairman  
Mike Mouliot, Vice Chairman  
Sue Camp, Commissioner  
Jim Galloway, Commissioner  
Jim Shaw, Commissioner

Judi Bailey, County Clerk  
John MacIntyre, County Manager  
Madelyn Shipman, Legal Counsel

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 E. Ninth Street, Reno, Nevada. Following the pledge of allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

97-1110 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the agenda for the November 12, 1997 meeting be approved.

PUBLIC COMMENTS

Robert Metz, Reno resident, stated that he has 21-month-old son that is literally dying inch by inch and the County does not seem to not care and the Judge believes he is God or above God; that he is requesting that the County convene a committee and take a hard look at what is going on; and that we do not need children to be hurt and dying because the Court and Child Protective Services is blind, and there is a problem in the system that needs to be looked at to save our children. He requested that this issue be placed on a future agenda.

MINUTES

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Chairman Bond abstaining as she was absent for the October 14, 1997 meeting, it was ordered that the minutes of the regular meeting of October 14, 1997 be approved.

97-1111 RESOLUTION ACCEPTING STREETS - RAYMOND B. GUERRA PARCEL MAP

Upon recommendation of David Price, County Engineer, through David Roundtree, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Bond be authorized to execute:

RESOLUTION FOR ACCEPTING STREETS PARCEL MAP FOR RAYMOND B. GUERRA, PARCEL MAP NO. 2617, DOCUMENT NO. 1582518, RECORDED JUNE 25, 1992.

WHEREAS, it is a function of the County of Washoe to operate and maintain public roads; and

WHEREAS, certain streets, or portions thereof, were offered for dedication by Parcel Map No. 2617, Document No. 1582518 recorded on June 25, 1992; and

WHEREAS, said offer of dedication was rejected by the Board of County Commissioners because said roads were not constructed to County standards; and

WHEREAS, NRS 278.390 specifically provides that if at the time a final map is approved but the associated streets are rejected, the offer of dedication shall be deemed to remain open and the governing body may by resolution at any later date, and without further action by the subdivider, rescind its action and accept and open the streets for public use; and

WHEREAS, portions of said streets have recently been constructed and now meet current County standards; and

WHEREAS, said streets are necessary for public access; and

WHEREAS, the Board of County Commissioners finds that it is in the best interest of the public to accept said streets.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of the County of Washoe, pursuant to the authority of NRS 278.390, that the streets shown on Exhibit A (Parcel Map 2617) are hereby accepted, and the Department of Public Works is directed to open the roads for public use and maintenance.

BE IT FURTHER RESOLVED, and hereby ordered, that the Washoe County Engineer shall record this resolution in the Office of the Washoe County Recorder.

\* \* \* \* \*

It was noted that approximately .30 mile of new street will be added to the County road system by this action; and that the project is located approximately one mile southeast of the Joy Lake Road/Mt. Rose Highway intersection.

97-1112 BUDGET AMENDMENT - FY 1997/98 - SAFE DRINKING WATER ACT PROGRAM - DISTRICT HEALTH

Upon recommendation of David Rice, District Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that amendments in the amount of \$8,650 in federal funds to the Safe Drinking Water Act (SDWA) Program be approved and the following account changes be authorized:

Account Number	Description	Amount of Increase	Amount of Increase
002-1700-1722G1-4301	Federal Funds	\$8,650.00	
-7001	Base Salaries		\$7,200.00
-7048	Retirement		\$1,350.00
-7050	Medicare		\$ 100.00
	Total Expenditures		\$8,650.00

97-1113 BUDGET AMENDMENT - FY 1997/98 - STATEWIDE WIC MARKETING PROGRAM - DISTRICT HEALTH

Upon recommendation of David Rice, District Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that amendments in the amount of \$25,340 to the FY97/98 Statewide WIC Marketing Program be approved and the following account changes be authorized:

Account Number	Description	Amount of Increase/(Decrease)
----------------	-------------	-------------------------------

002-1700-1707G2-4304	Medicaid	\$25,340.00
-7001	Salaries	\$ 2,895.00
-7003	Overtime	(\$ 1,271.00)
-7048	Retirement	\$ 491.00
-7050	Medicare	\$ 39.00
-7140	Other Professional Services	\$17,511.00
-7357	Printing	\$ 5,000.00
-7364	Registration	(\$ 325.00)
-7620	Travel	\$ 1,000.00
	Total Expenditures	\$25,340.00

97-1114 BUDGET AMENDMENT - FY 1997/98 - STATEWIDE WIC MARKETING AND WIC PROGRAM - DISTRICT HEALTH

Upon recommendation of David Rice, District Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that amendments to the FY97/98 Statewide WIC Marketing and WIC Program be approved and the following account changes be authorized:

Account Number	Description	Amount of Increase	Amount of Increase(Decrease)
002-1700-1707G1-4301	Federal Funds	\$ 7,500.00	
-7001	Salaries		\$ 2,895.00
-7003	Overtime		(\$ 1,273.00)
-7048	Retirement		\$ 491.00
-7050	Medicare		\$ 38.00

-7140	Other Professional Services	\$ 6,524.00
-7357	Printing	(\$ 850.00)
-7364	Registration	(\$ 325.00)
	Total Expenditures	\$ 7,500.00

002-1700-1746G1-4301 Federal Funds (\$43,709.00)

-7001	Salaries	(\$32,156.00)
-7002	Part Time	(\$ 3,177.00)
-7003	Overtime	(\$ 1,310.00)
-7004	Incentive	(\$ 1,790.00)
-7048	Retirement	(\$ 7,996.00)
-7050	Medicare	\$ 1,099.00
-7247	Medical Supplies	(\$ 215.00)
-7250	Office Supplies	(\$ 2,000.00)
-7322	Copy Machine	\$ 2,561.00
-7329	Dues	\$ 100.00
-7364	Registration	\$ 1,175.00
	Total Expenditures	(\$43,709.00)

97-1115 ACCEPTANCE OF HAZARDOUS MATERIAL GRANT - STATE OF NEVADA, EMERGENCY RESPONSE COMMISSION - EMERGENCY MANAGEMENT

Upon recommendation of Press Clewe, Finance Committee Chairman, and Carl Cahill, Chairman, Local Emergency Planning Committee, on

motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the State of Nevada, Emergency Response Commission, Hazardous Material, Training and Equipment grant in the amount of \$22,040 be accepted.

It was noted that no County matching monies nor new staff are required for the grant; that grant accounting principles and procedures are required to track the grant through the process and develop the financial audit trail; and that the Emergency Management Administrator will manage the grant and establish a reporting procedure to certify the monies are used for their intended purpose.

97-1116 ACCEPTANCE OF GRANTS FY97-98 - DIVISION OF AGING SERVICES - REGIONAL TRANSPORTATION COMMISSION - HUMAN SERVICES CONSORTIUM - SENIOR SERVICES

Upon recommendation of Karen Mabry, Director, Senior Services, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the following grant awards for FY97-98 from the Division for Aging Services, Regional Transportation Commission, and Human Services Consortium in the amount of \$944,304 be accepted:

Division for Aging Services			
Washoe County Case Management Program		\$ 75,000.00	
Washoe County Senior Law Program		\$ 74,000.00	
Washoe County Homemaker Program		\$ 30,000.00	
Washoe County Adult Daycare Program		\$ 70,000.00	
Washoe County Senior Nutrition Program		\$489,339.00	
USDA Food and Cash		\$148,355.00	
Human Services Consortium			
Washoe County Case Management, Legal and Daycare Program		\$ 49,110.00	
Regional Transportation Commission			
Gerlach Senior Transportation Program		\$ 8,500.00	
TOTAL		\$944,304.00	

It was further ordered that the establishment of the following specific revenue and expenditure accounts be approved:

REVENUES

Source	Program	Amount	Account
Division for Aging Services	Case Management	\$ 75,000.00	25563G-4301
	Law	\$ 74,000.00	25483G-4301
	Homemaker	\$ 30,000.00	25473G-4301

	Adult Day Health	\$ 70,000.00	25303G-4301
	Nutrition	\$489,339.00	25443G-4301
USDA Consortium	Food and Meal Reimbursement	\$148,355.00	25443G-4301
	Case Management	\$ 9,822.00	25563G-43016
	Legal	\$ 9,822.00	25483G-43016
	Adult Day Health	\$ 29,466.00	25303G-43016
RTC	Gerlach Transportation	\$ 8,500.00	25443G-4348

EXPENDITURES

Division for Aging Services	Case Management	\$ 75,000.00	25563G-7000
	Legal	\$ 74,000.00	25483G-7000
	Homemakers	\$ 30,000.00	25473G-7395
	Adult Day Health	\$ 70,000.00	25303G-7000
	Nutrition	\$489,339.00	25443G-7392
USDA Consortium	Food and Meal Reimbursement	\$148,355.00	25443G-7392
	Case Management	\$ 9,822.00	25563G-7000
	Legal	\$ 9,822.00	25483G-7000
	Adult Day Health	\$ 29,466.00	25303G-7000
RTC	Gerlach	\$ 8,500.00	25443G-7394

97-1117 ACCEPTANCE OF DONATION - RADAR GUN - NORTHERN NEVADA MADD CHAPTER - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the acceptance of a radar gun donated by the Northern Nevada MADD Chapter (Mothers Against Drunk Drivers) be authorized.

97-1118 PURCHASE OF PORTABLE OFFICE SPACE - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the purchase of a Quick Space portable office at a cost of \$4,300 for the Sheriff's Office be approved.

It was noted that this building will be paid for out of the Federal Forfeiture Account (15141D-7849).

97-1119 INTERLOCAL COOPERATIVE AGREEMENT - FY 1998 AND FY 1999 STREET AND HIGHWAY PROGRAM OF PROJECTS (FUEL TAX) - REGIONAL TRANSPORTATION COMMISSION

Upon recommendation of Derek Morse, Engineering Manager, Regional Transportation Commission, on motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, it was ordered that the Interlocal Cooperative Agreement for design, construction engineering, or construction/right-of-way, of specific projects contained in the Regional Transportation Commission's FY 1998 and FY 1999 Street and Highway Programs of Projects (Fuel Tax) be approved and Chairman Bond be authorized to execute on behalf of the Commission.

97-1120 BUDGET AMENDMENT - INTERLOCAL AGREEMENT - MATERNAL AND CHILD HEALTH PROGRAM - HEALTH

Upon recommendation of David Rice, District Health Officer, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following budget amendments and ratification of the Interlocal Agreements for the Department of Social Services and the Department of Juvenile Services for services provided by the District Health Department relative to the Maternal and Child Health Program be approved and Chairman Bond be authorized to execute on behalf of Washoe County.

Account Number	Description	Amount of Increase	Amount of Increase
1700-170503-5156	Reimbursement IVA	\$39,559.00	
1700-170503-7001	Base Salaries		\$28,687.00
-7042	Health Insurance		2,686.00
-7043	Dependent Insurance		2,088.00
-7046	Workmen's Comp		253.00
-7047	Unemployment Comp		50.00
-7048	Retirement		5,379.00
-7050	Medicare		416.00
	TOTAL		\$39,559.00

97-1121 BILL NO. 1177 - AMENDING WCC CHAPTER NO. 5 - MERIT AWARD PROGRAM

Bill No. 1177 entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY CHANGING THE MERIT AWARD PROGRAM TO AN EMPLOYEE RECOGNITION PROGRAM," was introduced by Commissioner Shaw on behalf of the Board as a whole, the title read to the Board, and legal notice for final action of adoption directed.

97-1122 CORRECTION OF FACTUAL ERRORS - 1997/98 AND 1996/97 UNSECURED TAX ROLL - ASSESSOR

Upon recommendation of Thomas Sokol, Assistant Chief Deputy Assessor, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, it was ordered that the following Roll Change Requests correcting factual errors on tax bills already mailed for the 1997/98 and 1996/97 Unsecured Roll, be approved for the reasons indicated thereon and mailed to the property owners, a copy of which is placed on file with the Clerk. It was further ordered that the Orders directing the Treasurer to correct the error(s) be approved and Chairman Bond be authorized to execute on behalf of the Commission.

Action Properties, Inc.

I.D. # 2/155-024

1996/97 Unsecured Roll

Danny L. or Lidia Velez

I.D. # 32/08-465

1997/98 Unsecured Roll

97-1123 RESOLUTION AMENDING REFUNDS OF TAXES - JOHN A. DIFRANCESCO TR., ET AL.) AND JFD COMPANY

John MacIntyre, County Manager, advised that this Resolution is being presented for adoption in order to correct an error made in the tax rate that was applied in calculating the amount of refunds approved by Resolution to John A. Difrancesco Tr., et al. on August 16, 1997 and to JFD Company on August 26, 1997.

On motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Bond be authorized to execute on behalf of Washoe County:

RESOLUTION-A Resolution Amending an August 19, 1997 Resolution Refunding Taxes to John A. Difrancesco Tr., et al. and an August 26, 1997 Resolution Refunding taxes to JFD Company.

WHEREAS, pursuant to NRS 354.240, the Board of County Commissioners of Washoe County approved Resolutions on August 19, 1997, authorizing the refund of 1996-1997 real property taxes to John A. Difrancesco Tr., et al. (Taxpayer) and on August 26, 1997, authorizing the refund of 1996-1997 real property taxes to JFD Company (Taxpayer), because property belonging to John A. Difrancesco Tr., et al., APN 012-272-10, and property belong to JFD Company, APN 011-061-08, each suffered flood damage on January 1, 1997; and

WHEREAS, the August 19, 1997 Resolution stated that the Taxpayer was to be refunded a total of \$3,183.66 on APN 012-272-10 for the 1996-1997 tax year, and the August 26, 1997 Resolution stated that the Taxpayer was to be refunded \$7,381.48 on APN 011-061-08 for the 1996-1997 tax year; and

WHEREAS, the August 19, 1997 Resolution and the August 26, 1997 Resolution each contained an error in that an incorrect tax rate was applied in calculating the amount of each refund; and

WHEREAS, as the Board of Commissioners of Washoe County by Resolutions adopted on August 19, 1997 and on August 26, 1997 has already unanimously approved that refunds be granted to John A. Difrancesco Tr., et al. and to JFD Company, the purpose of this Resolution is to amend the previous Resolutions by changing the amount of the refund to John A. Difrancesco Tr., et al. to the correct figure of \$3,258.12 and changing the amount of the refund to JFD Company to the correct figure of \$7,546.19.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY AS FOLLOWS:

1. The Resolution adopted by the Board of County Commissioners on August 19, 1997 approving a refund to John A. Difrancesco Tr., et al. is hereby amended to reflect that the correct amount of the refund to be given to John A. Difrancesco Tr., et al. is \$3,258.12. That, as the Treasurer of Washoe County has already refunded to John A. Difrancesco Tr., et al. the correct amount of \$3,258.12 by virtue of the authority and direction given in the August 19, 1997 Resolution, the actions of the Treasurer are hereby ratified and confirmed.

2. The Resolution adopted by the Board of County Commissioners on August 26, 1997 approving a refund to JFD Company is hereby amended to reflect that the correct amount of the refund to be given to the Taxpayer is \$7,546.19. That, as the Treasurer of Washoe County has already refunded to JFD Company the correct amount of \$7,546.19 by virtue of the authority and direction given in the August 26, 1997 Resolution, the actions of the Treasurer are hereby ratified and confirmed.

97-1124 RESOLUTION - SUPPORT OF POLICY REGARDING BLOCK GRANT FUNDS - HUMAN SERVICE CONSORTIUM

John MacIntyre, County Manager, reviewed background information regarding this item.

Upon recommendation of Mike McMahon, Human Services Coordinator, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Bond be authorized to execute:

RESOLUTION-SUPPORTING THE POLICY TO HAVE BLOCK GRANT FUNDS DIRECTED THROUGH THE WASHOE COUNTY HUMAN SERVICE CONSORTIUM.

WHEREAS, Block Grants provide a unique opportunity to improve a community's system for delivering services. The delivery system can be more effective if the principals and objectives are determined at a level closest to the community. Community control in the planning and delivery of services must afford meaningful participation by community members in developing goals and objectives, priorities, and oversight activities; and

WHEREAS, Utilizing Block Grants at the Community level can enhance the coordination of diverse funding sources; minimize categorical approaches, blend rather than fragment systems of policy, increase funding and service delivery; provide for more accountability, responsibility and authority for programs at a community level; and, provide communities with an adequate and stable source of funding for valued services; and

WHEREAS, In June of 1994, the Cities of Reno and Sparks and Washoe County formed the Washoe County Human Service Consortium to more effectively allocate and invest public funds throughout the region. The Consortium utilizes a citizens advisory board and local planning processes in allocating funds to service providers; and

WHEREAS, Washoe County, a political subdivision of the State of Nevada and Lead Agency for the Washoe County Human Service Consortium, desires a fair and equitable mechanism for disseminating Block Grant funds to local communities; thus enabling them to address their own issues; now, therefore, be it

RESOLVED BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, That, as a matter of policy, they support the dissemination of community and human service Block Grant Funds through the Washoe County Human Services Consortium.

97-1125 CLARIFICATION OF RESIDENCY REQUIREMENT - TRUCKEE RIVER ADVISORY BOARD

John MacIntyre, County Manager, advised that the Board has been provided with copies of the original Resolution creating the Truckee River Advisory Board as well as additional information requested.

Chairman Bond stated that this item is for clarification of the residency requirement for appointment to the Truckee River Advisory Board and is not based on the merits of the applicant, but a decision needs to be made as to whether the Board wants somebody from the unincorporated area of the County to serve on the Advisory Board or whether it does not matter if an appointee's residence is in the city or unincorporated area.

Commissioner Mouliot stated that he does not believe appointees must live in the city or the unincorporated area, as the primary importance is that they care for the Truckee River corridor.

Legal Counsel Shipman clarified that the issue is the Board's interpretation of whether the intent of the language in the Resolution stating that "the collective political entities desire to form a committee composed of 7 members, 2 from Reno, 2 from Sparks, and 3 from Washoe County....." is that an appointee can come from anywhere within the County including the incorporated cities. She further advised that the Board cannot reverse the appointment of Mr. Amundson made by Board action on October 14, 1997 unless its interpretation is that he does not meet the qualifications of the Resolution.

Chairman Bond stated that she would have a hard time interpreting the Resolution to mean unincorporated area only.

Upon inquiry of Commissioner Galloway, Legal Counsel Shipman stated that determination that the provisions of the Resolution do not restrict Mr. Amundson's appointment would not prevent the Board in the future from seeking a balance between various residences in order to assure that different portions of the Truckee River corridor are represented. Commissioner Galloway stated that he does not believe the Resolution prevents Mr. Amundson's appointment to the Advisory Board. The other Commissioners agreed and it was the consensus of the Board that the Resolution language does not prevent appointments from the cities in Washoe County and, therefore, does not prevent Mr. Amundson's appointment.

97-1126 UNBUDGETED CAPITAL OUTLAY - EQUIPMENT PURCHASE - DEPARTMENT OF WATER RESOURCES

John MacIntyre, County Manager, provided background and additional information pursuant to requests made at yesterday's caucus meeting relative to total costs associated with the Department of Water Resources move to a leased building in January, 1998. John Collins, Manager, Utility Services Division, Department of Water Resources, was present to respond to questions of the Board regarding this item.

Following discussion, upon recommendation of John Hester, Acting Director, Department of Water Resources, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that purchase orders for the following items and amounts be authorized:

1. Systems furniture from Haworth, c/o Corporate Express, in the amount of \$198,552.42.
2. Warehouse shelving and warehouse equipment from Industrial Handling Equipment Company in an amount not to exceed \$30,000.
3. A water meter test bench and tank from Western Nevada Supply Company in an amount not to exceed \$15,000.
4. An Engineering Copier from Carl's Blueprinting and Instruments, Inc. in the amount of \$7,495.

5. Miscellaneous furniture needed to accommodate existing and new employees in an amount not to exceed \$20,000.

97-1127 APPEAL - SITE REVIEW CASE NO. SR6-12-97 & PARCEL MAP CASE NOS. PM6-67-97 THROUGH PM6-72-97 (HARRY FRY) - APN'S 17-410-04 & 50-520-10 - COMMUNITY DEVELOPMENT

6:00 p.m. This was the time set in a notice of public hearing dated October 30, 1997 mailed to area property owners by the Department of Community Development to consider the appeal of Art O'Connor on behalf of Al Solari from the Planning Commission's approval of a request to facilitate the division of a +69.91 acre property into 16 parcels of not less than 2.5 acres each through a series of six parcel maps with lot sizes ranging from 2.511 acres to 16.966 acres. Because the project proposes utilizing the A-2 (Second Agricultural) zoning and because the request facilitates second parcel maps on the parcels, a site review is required by the transition policy. The property is located southwest of the intersection of Ravazza Road and Ramona Road and the parcel is designated High Density Rural (HDR) and General Rural (GR) in the South Valleys Area Plan and situated in a portion of Section 3, T17N, R20E, MDM, Washoe County, Nevada (APN 17-410-04 and 50-520-10. Proof was made that due and legal notice had been given.

Mike Boster, Department of Community Development, provided background information and presented viewfoil graphic maps of the subject area. He advised that the appellant is concerned with issues regarding the northern access to the property. Mr. Boster then responded to questions of the Board and advised that the applicant has presented documents to support that he does have proper access, but the appellant disputes what these documents entail; and that all conditions imposed on the project would have to be met before the final map is approved.

Legal Counsel Shipman commented that she understands that the appellant's allegations are that the easement is being overburdened by the number of the lots, and that the road within the northern parcel cannot also serve the southern lot; and that these are not issues for the Board or the District Attorney's Office, but, rather, are issues that ultimately would have to be decided by the Court.

Chairman Bond opened the public hearing and called on those wishing to speak.

Art O'Connor, O. C. Engineering, appellant representing Al Solari, property owner to the north of the applicant's property, stated that their main concern is that the applicant will encumber the Solari property with not only an easement but with improvements that would be required to be removed at a later date. He provided a brief history of the subject land and presented a copy of their proposed tentative map to demonstrate that the applicant's road cuts through the middle of their proposed lots, noting that if this were to happen they would lose as many as six lots. Mr. O'Connor explained that the original purpose of the easement was to provide access to a proposed residence on the northerly 40-acre parcel and was never envisioned to be used to develop a subdivision in that area; that Mr. Fry plowed a new road across the property without permission of Mr. Solari and also constructed a creek crossing on Mr. Solari's property which route he proposes to use to access not only the southern 40 acres, but also the northern parcel; that the northern parcel has its own deeded easement which Mr. Fry proposes to use for a secondary access; that they are concerned that allowing Mr. Fry to cross the Solari property to access both of the parcels will increase traffic across the Solari property and also will result in his client being hit with additional requirements when their tentative map is submitted, such as paving or having to remove or relocate the road; and that if the County approves this request and they end up with those additional requirements and costs when they submit their tentative map, they would be looking to the County for some type of assistance. He further stated that Mr. Fry has already done considerable damage to Mr. Solari's property and they are asking that he not be allowed to continue and the

Board not approve the parcel map on the northern parcel, and that Mr. Fry be required to terminate the Cul-de-sac on the northern parcel in such a manner that it cannot be used to access the southern parcel. He noted that the County red tagged the permit when he advised them of the encumbrance of Mr. Solari's property with an additional easement that was not permitted.

Legal Counsel Shipman stated that the Board is not approving the road or where the road goes; that the maps are subject to a condition that proven access be provided to those parcels before a map can be recorded; and that the issues of the easement are a private action between Mr. Solari and Mr. Fry.

Mr. O'Connor stated that they are concerned that if Mr. Fry's parcel map on the southerly parcel is approved, this type of transgression on Mr. Solari's property will be perpetuated; and that they are asking that, at the very least, one of the conditions direct that Mr. Fry access the southern parcel through the easement he has for the southern parcel, not through an easement he does not have.

A discussion ensued and Mr. O'Connor responded to questions of the Board. Commissioner Galloway asked whether, should the Board approve this request, a condition could be added directing that appropriate County staff be assured that the access point between Mr. Fry's property and Mr. Solari's property is not in substantial dispute before recordation of the final map. Legal Counsel Shipman advised that this could be done.

Steve Peterson, representing Mr. Solari, advised that they have entered into negotiations with Mr. Fry and have tried to work this issue out but have not yet reached a resolution; that Commissioner Galloway made a good suggestion for adding a condition regarding access dispute; that his biggest concern tonight is that Mr. Fry's easement only goes to the northern piece and not the southern piece; and that the easement is explicit in just giving an easement to the first parcel, which issue may have to be settled in court if the matter cannot be worked out with Mr. Fry.

Constantine Atsidis, Ravazza Ranch area resident, stated that he discovered that Mr. Fry did not obtain a permit for a water truck to mitigate the dust created from plowing the road; that the concrete on the culverts is torn up; that no one has checked Mr. Fry's credentials and permits; and that he is not against progress or anyone developing their land, but wants to know what assurances the residents have that before anything is approved, all work will be done according to the rules, regulations, and laws of the area.

Commissioner Bond stated that she could assure that there will be staff oversight and conditions that must be met; that the County did not know Mr. Fry was cutting a road and putting in a culvert, and when they found this out, they stopped it; and that from this point forward staff will scrutinize this process.

Harry Fry, applicant, advised that at the Planning Commission meeting he supplied copies of the permits he had to put in the road in question; that he has two legal easements which was explained and it was Rusty Nash's opinion, as Legal Counsel for the Planning Commission, that all criteria was met and if there was a problem with the placement of the road for access to the other parcels, legal action would have to be filed to settle the matter; that the Deed states that he has a right to construct a road and put it where he needs to if the road is not already existing, and they would have a right to move it at their discretion and provide him with a dedicated road to his property; and that there is a report from engineering and the County's traffic people that says the entire project has a negligible traffic impact. Mr. Fry responded to questions of the Board and advised that the lines of communication are very much open between him and Mr. Peterson, and they are both very optimistic that this issue will be worked out without litigation.

There being no one else wishing to speak, Chairman Bond closed the public hearing.

Following further discussion, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that the appeal be denied, the Planning Commission's action be upheld, and Site Review Case No. SR6-12-97 and Parcel Map Case No.'s PM6-67-97 through PM6-72-97 for Harry Fry be approved subject to the conditions approved by the Planning Commission and one additional condition to the Site Review to address that the access point between Mr. Fry and Mr. Solari's is not in substantial dispute and the engineering details of the project are in accordance with the code and appropriately permitted, as follows:

CONDITIONS FOR SITE REVIEW CASE NO. SR6-12-97 ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES MUST BE PROVIDED TO SATISFY THE CONDITIONS PRIOR TO SUBMITTAL FOR A BUILDING PERMIT, UNLESS OTHERWISE SPECIFIED.

COMPLIANCE WITH THE CONDITIONS OF THIS SITE REVIEW IS THE RESPONSIBILITY OF THE APPLICANT, HIS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST. FAILURE TO COMPLY WITH ANY CONDITIONS IMPOSED IN THE ISSUANCE OF THE SITE REVIEW MAY RESULT IN THE INSTITUTION OF REVOCATION PROCEDURES.

ALL AGREEMENTS, EASEMENTS, OR OTHER DOCUMENTATION REQUIRED BY THESE CONDITIONS SHALL HAVE A COPY FILED WITH THE DEPARTMENT OF COMMUNITY DEVELOPMENT.

THE BOARD OF COUNTY COMMISSIONERS RESERVES THE RIGHT TO REVIEW AND REVISE THE CONDITIONS OF THIS APPROVAL SHOULD THEY DETERMINE THAT A SUBSEQUENT LICENSE OR PERMIT ISSUED BY WASHOE COUNTY VIOLATES THE INTENT OF THIS APPROVAL.

#### GENERAL CONDITIONS

1. The site review shall expire twenty-four (24) months after the date of approval and extension is not allowed by the transition policy. Building permits must be obtained and renewed within the timeframes established by the Washoe County Building and Safety Division to maintain the site review approval.
2. A copy of the Final Order stating conditional approval of this site review shall be attached to all applications for administrative permits issued by Washoe County. Building plans will not be reviewed unless the final order and site plan are attached.
3. A letter from the Parks and Recreation Department regarding trails on the property must be obtained by the applicant prior to final map recordation.
4. In addition to the individual parcel map conditions, no structure shall be built on any of the parcels which would serve to block the scenic views of adjacent property owners.
5. Prior to recordation of all final parcel maps associated with this site review, all disputes regarding the access easement across Mr. Solari's land shall be legally resolved to the satisfaction of the Engineering Division and the Department of Community Development. Upon this resolution, all roadway improvements shall be constructed to the satisfaction of the Engineering Division.

CONDITIONS FOR TENTATIVE PARCEL MAP CASE NO. PM6-67-97 ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES SHALL BE PROVIDED IN AN APPROPRIATE FORM AND AMOUNT, TO THE SATISFACTION OF THE PUBLIC WORKS DEPARTMENT, PRIOR TO FINALIZATION OF THE TENTATIVE PARCEL MAP, UNLESS OTHERWISE STATED.

COMPLIANCE WITH THE CONDITIONS OF THIS TENTATIVE MAP IS THE RESPONSIBILITY OF THE DEVELOPER, ITS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST.

1. The final map shall be in substantial compliance with all plans and documents submitted as part of this tentative map application, and with any amendments imposed by the Planning Commission or the County Commission. All documentation necessary to satisfy the conditions noted below shall accompany the final map when submitted to the County Engineer and the Community Development Department.
2. Place an advisory note on the map: "The Truckee Meadows Fire Protection District and the Nevada Division of Forestry advise property owners that due to the remote location and/or lack of water supply in a fire hydrant delivery system, applicants should consider a residential fire sprinkler system (National Fire Protection Association Standard 13 D). Issuance of a building permit is not contingent on compliance with this advisory note."
3. The following technical corrections and additions shall be shown on the final map to the satisfaction of the County Engineer:
  - a. Add a graphic border around the proposed division.
  - b. Indicate the total area on the map.
  - c. Provide a metes and bounds documented access that favors the applicant.
  - d. Fill in the Surveyors Certificate.
  - e. Indicate that this map is a portion of another map in the Title Block.
  - f. Enlarge the small print on the map.
  - g. Add a bar scale to the map.
  - h. Identify the adjacent property owners.
  - i. Place a note on the final map stating that the natural drainage will not be impeded.
  - j. Use arrows to delineate all distances on the north line of the division.
  - k. Any centerline roadway radius that is smaller than 181 feet except returns is too small for County code and must be changed
4. The applicant shall submit a plan for surface drainage to be reviewed and approved by the County Engineer.
5. The District Health Department's conditions are attached to this staff report. These conditions can be appealed only to the District Board of Health.
6. Water rights in accordance with the South Valleys Area Plan shall be dedicated to Washoe County. The water right must be in good standing with the State Division of Water Resources and shall reflect the point of diversion, place of use and manner of use satisfactory to the Utility Services Division.

- 7. The applicant shall submit a letter from a PLS certifying that the roadway improvements are within the documented access and do not exceed a 14% gradient.
- 8. Street improvements are required as part of the proposed parceling. Prior to final map approval, the applicant shall provide construction drawings, including profile grades, street cross-sections, culvert locations, and drainage patterns. The plans shall include sufficient drainage improvements to provide for runoff. An asphalt roadway shall be constructed. Upon approval of the aforementioned construction drawings, the improvements shall be constructed or a bond or letter of credit for 120% of the estimated cost shall be submitted to Washoe County to insure the completion of the proposed plans. If the latter option is chosen, the applicant shall enter into a Parcel Map Improvement Agreement with the County prior to final map approval.
- 9. Because the Cul-de-sac length exceeds 1500 feet and/or the ADT exceeds 300, the applicant shall provide recorded documentation for an emergency access road and shall construct the emergency access road in accordance with County Code.
- 10. Development on slopes over 15% are subject to the requirements of Article 424 (Hillside Development) of the Washoe County Development Code. No building pads or roads may be located on slopes greater than 25%.
- 11. Any new street names must be approved by the Washoe County Street Naming Committee. Applicant shall submit a "Request to Reserve Street Names" application prior to recordation of the final map.
- 12. All conditions of Site Review Case No. SR6-12-97 must be met prior to recordation of a final map.
- 13. The final map shall contain the following jurat: This final map is in substantial compliance with the tentative map, PM6-67-97, and all conditions of approval have been met. Therefore, this parcel map is approved on this \_\_\_day of \_\_\_\_\_199\_.

CONDITIONS FOR TENTATIVE PARCEL MAP CASE NO. PM6-68-97 ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES SHALL BE PROVIDED IN AN APPROPRIATE FORM AND AMOUNT, TO THE SATISFACTION OF THE PUBLIC WORKS DEPARTMENT, PRIOR TO FINALIZATION OF THE TENTATIVE PARCEL MAP, UNLESS OTHERWISE STATED.

COMPLIANCE WITH THE CONDITIONS OF THIS TENTATIVE MAP IS THE RESPONSIBILITY OF THE DEVELOPER, ITS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST.

- 1. The final map shall be in substantial compliance with all plans and documents submitted as part of this tentative map application, and with any amendments imposed by the Planning Commission or the County Commission. All documentation necessary to satisfy the conditions noted below shall accompany the final map when submitted to the County Engineer and the Community Development Department.
- 2. Place an advisory note on the map: "The Truckee Meadows Fire Protection District and the Nevada Division of Forestry advise property owners that due to the remote location and/or lack of water supply in a fire hydrant delivery system, applicants should consider a residential fire sprinkler system (National Fire Protection Association Standard 13 D). Issuance of a building permit is not contingent on compliance with this advisory note."

3. The following technical corrections and additions shall be shown on the final map to the satisfaction of the County Engineer:
  - a. Add a graphic border around the proposed division.
  - b. Indicate the total area on the map.
  - c. Provide documented access that favors the applicant.
  - d. Fill in the Surveyors Certificate.
  - e. Indicate that this map is a portion of another map in the Title Block.
  - f. Enlarge the small print on the map.
  - g. Add a bar scale to the map.
  - h. Identify the adjacent property owners.
  - i. Place a note on the final map stating that the natural drainage will not be impeded.
  - j. Identify overall distances to the center of the road with arrows.
4. The applicant shall submit a plan for surface drainage to be reviewed and approved by the County Engineer.
5. The District Health Department's conditions are attached to this staff report. These conditions can be appealed only to the District Board of Health.
6. Water rights in accordance with the South Valleys Area Plan shall be dedicated to Washoe County. The water right must be in good standing with the State Division of Water Resources and shall reflect the point of diversion, place of use and manner of use satisfactory to the Utility Services Division.
7. The applicant shall submit a letter from a PLS certifying that the roadway improvements are within the documented access and do not exceed a 14% gradient.
8. Street improvements are required as part of the proposed parceling. Prior to final map approval, the applicant shall provide construction drawings, including profile grades, street cross-sections, culvert locations, and drainage patterns. The plans shall include sufficient drainage improvements to provide for runoff. An asphalt roadway shall be constructed. Upon approval of the aforementioned construction drawings, the improvements shall be constructed or a bond or letter of credit for 120% of the estimated cost shall be submitted to Washoe County to insure the completion of the proposed plans. If the latter option is chosen, the applicant shall enter into a Parcel Map Improvement Agreement with the County prior to final map approval.
9. Development on slopes over 15% are subject to the requirements of Article 424 (Hillside Development) of the Washoe County Development Code. No building pads or roads may be located on slopes greater than 25%.
10. All conditions of Site Review Case No. SR6-12-97 must be met prior to recordation of a final map.
11. The final map shall contain the following jurat: This final map is in substantial compliance with the tentative map, PM6-68-97, and all conditions of approval have been met. Therefore, this parcel map is approved on this \_\_\_ day of \_\_\_\_\_ 199\_.

CONDITIONS FOR TENTATIVE PARCEL MAP CASE NO. PM6-69-97 ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES SHALL BE PROVIDED IN AN APPROPRIATE FORM AND AMOUNT, TO THE SATISFACTION OF THE PUBLIC WORKS DEPARTMENT, PRIOR TO FINALIZATION OF THE TENTATIVE PARCEL MAP, UNLESS OTHERWISE STATED. COMPLIANCE WITH THE CONDITIONS OF THIS TENTATIVE MAP IS THE RESPONSIBILITY OF THE DEVELOPER, ITS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST.

1. The final map shall be in substantial compliance with all plans and documents submitted as part of this tentative map application, and with any amendments imposed by the Planning Commission or the County Commission. All documentation necessary to satisfy the conditions noted below shall accompany the final map when submitted to the County Engineer and the Community Development Department.
2. Place an advisory note on the map: "The Truckee Meadows Fire Protection District and the Nevada Division of Forestry advise property owners that due to the remote location and/or lack of water supply in a fire hydrant delivery system, applicants should consider a residential fire sprinkler system (National Fire Protection Association Standard 13 D). Issuance of a building permit is not contingent on compliance with this advisory note."
3. The following technical corrections and additions shall be shown on the final map to the satisfaction of the County Engineer:
  - a. Add a graphic border around the proposed division.
  - b. Indicate the total area on the map.
  - c. Provide documented access that favors the applicant.
  - d. Fill in the Surveyors Certificate.
  - e. Indicate that this map is a portion of another map in the Title Block.
  - f. Enlarge the small print on the map.
  - g. Add a bar scale to the map.
  - h. Identify the adjacent property owners.
  - i. Place a note on the final map stating that the natural drainage will not be impeded.
  - j. The 87.32 foot distance on the southerly line of Parcel 4 is incorrect.
4. The applicant shall submit a plan for surface drainage to be reviewed and approved by the County Engineer.
5. The District Health Department's conditions are attached to this staff report. These conditions can be appealed only to the District Board of Health.
6. Water rights in accordance with the South Valleys Area Plan shall be dedicated to Washoe County. The water right must be in good standing with the State Division of Water Resources and shall reflect the point of diversion, place of use and manner of use satisfactory to the Utility Services Division.
7. The applicant shall submit a letter from a PLS certifying that the roadway improvements are within the documented access and do not exceed a 14% gradient.

8. Street improvements are required as part of the proposed parceling. Prior to final map approval, the applicant shall provide construction drawings, including profile grades, street cross-sections, culvert locations, and drainage patterns. The plans shall include sufficient drainage improvements to provide for runoff. An asphalt roadway shall be constructed. Upon approval of the aforementioned construction drawings, the improvements shall be constructed or a bond or letter of credit for 120% of the estimated cost shall be submitted to Washoe County to insure the completion of the proposed plans. If the latter option is chosen, the applicant shall enter into a Parcel Map Improvement Agreement with the County prior to final map approval.

9. Development on slopes over 15% are subject to the requirements of Article 424 (Hillside Development) of the Washoe County Development Code. No building pads or roads may be located on slopes greater than 25%.

10. All conditions of Site Review Case No. SR6-12-97 must be met prior to recordation of a final map.

11. The final map shall contain the following jurat: This final map is in substantial compliance with the tentative map, PM6-69-97, and all conditions of approval have been met. Therefore, this parcel map is approved on this \_\_\_day of \_\_\_\_\_199\_.

CONDITIONS FOR TENTATIVE PARCEL MAP CASE NO. PM6-70-97 ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES SHALL BE PROVIDED IN AN APPROPRIATE FORM AND AMOUNT, TO THE SATISFACTION OF THE PUBLIC WORKS DEPARTMENT, PRIOR TO FINALIZATION OF THE TENTATIVE PARCEL MAP, UNLESS OTHERWISE STATED.

COMPLIANCE WITH THE CONDITIONS OF THIS TENTATIVE MAP IS THE RESPONSIBILITY OF THE DEVELOPER, ITS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST.

1. The final map shall be in substantial compliance with all plans and documents submitted as part of this tentative map application, and with any amendments imposed by the Planning Commission or the County Commission. All documentation necessary to satisfy the conditions noted below shall accompany the final map when submitted to the County Engineer and the Community Development Department.

2. Place an advisory note on the map: "The Truckee Meadows Fire Protection District and the Nevada Division of Forestry advise property owners that due to the remote location and/or lack of water supply in a fire hydrant delivery system, applicants should consider a residential fire sprinkler system (National Fire Protection Association Standard 13 D). Issuance of a building permit is not contingent on compliance with this advisory note."

3. The following technical corrections and additions shall be shown on the final map to the satisfaction of the County Engineer:

- a. Add a graphic border around the proposed division.
- b. Indicate the total area on the map.
- c. Provide documented access that favors the applicant.
- d. Fill in the Surveyors Certificate.
- e. Indicate that this map is a portion of another map in the Title Block.
- f. Enlarge the small print on the map.

- g. Add a bar scale to the map.
  - h. Identify the adjacent property owners.
  - i. Place a note on the final map stating that the natural drainage will not be impeded.
4. The applicant shall submit a plan for surface drainage to be reviewed and approved by the County Engineer.
  5. The District Health Department's conditions are attached to this staff report. These conditions can be appealed only to the District Board of Health.
  6. Water rights in accordance with the South Valleys Area Plan shall be dedicated to Washoe County. The water right must be in good standing with the State Division of Water Resources and shall reflect the point of diversion, place of use and manner of use satisfactory to the Utility Services Division.
  7. The applicant shall submit a letter from a PLS certifying that the roadway improvements are within the documented access and do not exceed a 14% gradient.
  8. Street improvements are required as part of the proposed parceling. Prior to final map approval, the applicant shall provide construction drawings, including profile grades, street cross-sections, culvert locations, and drainage patterns. The plans shall include sufficient drainage improvements to provide for runoff. An asphalt roadway shall be constructed. Upon approval of the aforementioned construction drawings, the improvements shall be constructed or a bond or letter of credit for 120% of the estimated cost shall be submitted to Washoe County to insure the completion of the proposed plans. If the latter option is chosen, the applicant shall enter into a Parcel Map Improvement Agreement with the County prior to final map approval.
  9. Development on slopes over 15% are subject to the requirements of Article 424 (Hillside Development) of the Washoe County Development Code. No building pads or roads may be located on slopes greater than 25%.
  10. All conditions of Site Review Case No. SR6-12-97 must be met prior to recordation of a final map.
  11. The final map shall contain the following jurat: This final map is in substantial compliance with the tentative map, PM6-70-97, and all conditions of approval have been met. Therefore, this parcel map is approved on this \_\_\_ day of \_\_\_\_\_ 199\_.

CONDITIONS FOR TENTATIVE PARCEL MAP CASE NO. PM6-71-97 ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES SHALL BE PROVIDED IN AN APPROPRIATE FORM AND AMOUNT, TO THE SATISFACTION OF THE PUBLIC WORKS DEPARTMENT, PRIOR TO FINALIZATION OF THE TENTATIVE PARCEL MAP, UNLESS OTHERWISE STATED.

COMPLIANCE WITH THE CONDITIONS OF THIS TENTATIVE MAP IS THE RESPONSIBILITY OF THE DEVELOPER, ITS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST.

1. The final map shall be in substantial compliance with all plans and documents submitted as part of this tentative map application, and with any amendments imposed by the Planning Commission or the County Commission. All documentation necessary to satisfy the conditions noted

below shall accompany the final map when submitted to the County Engineer and the Community Development Department.

2. Place an advisory note on the map: "The Truckee Meadows Fire Protection District and the Nevada Division of Forestry advise property owners that due to the remote location and/or lack of water supply in a fire hydrant delivery system, applicants should consider a residential fire sprinkler system (National Fire Protection Association Standard 13 D). Issuance of a building permit is not contingent on compliance with this advisory note."
3. The following technical corrections and additions shall be shown on the final map to the satisfaction of the County Engineer:
  - a. Add a graphic border around the proposed division.
  - b. Indicate the total area on the map.
  - c. Provide documented access that favors the applicant.
  - d. Fill in the Surveyors Certificate.
  - e. Indicate that this map is a portion of another map in the Title Block.
  - f. Enlarge the small print on the map.
  - g. Add a bar scale to the map.
  - h. Identify the adjacent property owners.
  - i. Identify the radius point on the Cul-de-sac.
  - j. Place a note on the final map stating that the natural drainage will not be impeded.
4. The applicant shall submit a plan for surface drainage to be reviewed and approved by the County Engineer.
5. The District Health Department's conditions are attached to this staff report. These conditions can be appealed only to the District Board of Health.
6. Water rights in accordance with the South Valleys Area Plan shall be dedicated to Washoe County. The water right must be in good standing with the State Division of Water Resources and shall reflect the point of diversion, place of use and manner of use satisfactory to the Utility Services Division.
7. The applicant shall submit a letter from a PLS certifying that the roadway improvements are within the documented access and do not exceed a 14% gradient.
8. Street improvements are required as part of the proposed parceling. Prior to final map approval, the applicant shall provide construction drawings, including profile grades, street cross-sections, culvert locations, and drainage patterns. The plans shall include sufficient drainage improvements to provide for runoff. An asphalt roadway shall be constructed. Upon approval of the aforementioned construction drawings, the improvements shall be constructed or a bond or letter of credit for 120% of the estimated cost shall be submitted to Washoe County to insure the completion of the proposed plans. If the latter option is chosen, the applicant shall enter into a Parcel Map Improvement Agreement with the County prior to final map approval.

9. The significant ridgeline in the southeast corner of the original parcel shown on the Open Space Plan should not be used for building pads or roads. No building pads or roads may be located on slopes greater than 25%. Development on slopes over 15% are subject to the requirements of Article 424 (Hillside Development) of the Washoe County Development Code.

10. All conditions of Site Review Case No. SR6-12-97 must be met prior to recordation of a final map.

11. The final map shall contain the following jurat: This final map is in substantial compliance with the tentative map, PM6-71-97, and all conditions of approval have been met. Therefore, this parcel map is approved on this \_\_\_day of \_\_\_\_\_ 199\_.

CONDITIONS FOR TENTATIVE PARCEL MAP CASE NO. PM6-72-97 ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES SHALL BE PROVIDED IN AN APPROPRIATE FORM AND AMOUNT, TO THE SATISFACTION OF THE PUBLIC WORKS DEPARTMENT, PRIOR TO FINALIZATION OF THE TENTATIVE PARCEL MAP, UNLESS OTHERWISE STATED.

COMPLIANCE WITH THE CONDITIONS OF THIS TENTATIVE MAP IS THE RESPONSIBILITY OF THE DEVELOPER, ITS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST.

1. The final map shall be in substantial compliance with all plans and documents submitted as part of this tentative map application, and with any amendments imposed by the Planning Commission or the County Commission. All documentation necessary to satisfy the conditions noted below shall accompany the final map when submitted to the County Engineer and the Community Development Department.

2. Place an advisory note on the map: "The Truckee Meadows Fire Protection District and the Nevada Division of Forestry advise property owners that due to the remote location and/or lack of water supply in a fire hydrant delivery system, applicants should consider a residential fire sprinkler system (National Fire Protection Association Standard 13 D). Issuance of a building permit is not contingent on compliance with this advisory note."

3. The following technical corrections and additions shall be shown on the final map to the satisfaction of the County Engineer:

- a. Add a graphic border around the proposed division.
- b. Indicate the total area on the map.
- c. Provide documented access that favors the applicant.
- d. Fill in the Surveyors Certificate.
- e. Indicate that this map is a portion of another map in the Title Block.
- f. Enlarge the small print on the map.
- g. Add a bar scale to the map.
- h. Identify the adjacent property owners.
- i. Use arrows to delineate the segments on the north line of Parcel 2.
- j. Add drainage easements for surface drainage.
- k. Place a note on the final map stating that the natural drainage will not be impeded.

4. The District Health Department's conditions are attached to this staff report. These conditions can be appealed only to the District Board of Health.
5. Water rights in accordance with the South Valleys Area Plan shall be dedicated to Washoe County. The water right must be in good standing with the State Division of Water Resources and shall reflect the point of diversion, place of use and manner of use satisfactory to the Utility Services Division.
6. The applicant shall submit a letter from a PLS certifying that the roadway improvements are within the documented access and do not exceed a 14% gradient.
7. Street improvements are required as part of the proposed parceling. Prior to final map approval, the applicant shall provide construction drawings, including profile grades, street cross-sections, culvert locations, and drainage patterns. The plans shall include sufficient drainage improvements to provide for runoff. An asphalt roadway shall be constructed. Upon approval of the aforementioned construction drawings, the improvements shall be constructed or a bond or letter of credit for 120% of the estimated cost shall be submitted to Washoe County to insure the completion of the proposed plans. If the latter option is chosen, the applicant shall enter into a Parcel Map Improvement Agreement with the County prior to final map approval.
8. The significant ridgeline in the southeast corner of the original parcel shown on the Open Space Plan should not be used for building pads or roads. No building pads or roads may be located on slopes greater than 25%. Development on slopes over 15% are subject to the requirements of Article 424 (Hillside Development) of the Washoe County Development Code.
9. All conditions of Site Review Case No. SR6-12-97 must be met prior to recordation of a final map.
10. The final map shall contain the following jurat: This final map is in substantial compliance with the tentative map, PM6-72-97, and all conditions of approval have been met. Therefore, this parcel map is approved on this \_\_\_day of \_\_\_\_\_199\_.

97- 1128 ABANDONMENT CASE NO. AB8-12-97- CASAZZA RANCH ESTATES (PORTION OF STREET) - APN 44-170-09 - COMMUNITY DEVELOPMENT

7:00 p.m. This was the time set in a Notice of Public Hearing mailed by certified mail to abutting property owners on October 29, 1997 and published in the Reno Gazette-Journal on October 31, 1997, to consider the recommendation of the Washoe County Planning Commission to approve Abandonment Case No. AB8-12-97 for Don Casazza to abandon a portion of Palmira Drive between lots 509 and 510 of the Casazza Ranch Estates subdivision to create a Cul-de-sac. The property is located approximately one-fourth mile east of the intersection of Thomas Creek Road and Palmira Drive, is designated High Density Rural (HDR) in the Southwest Truckee Meadows Area Plan, and is situated in a portion of Section 7, T18N, R20E, MDM, Washoe County, Nevada (APN 44-170-09). Proof was made that due and legal notice had been given.

Dean Diederich, Community Development, provided background information regarding this item and presented a viewfoil graphic map showing the subject area.

Chairman Bond opened the public hearing and called on those wishing to speak.

Jack Peterson, area resident, stated that he represents all the property owners in the Casazza Ranch Estates and also those on Palmira Drive; and that they petitioned for the abandonment and are in agreement with staff and this recommendation. He responded to questions from Commissioner Galloway.

There being no one else wishing to speak, the public hearing was closed.

It being the consensus of the Board that NRS 278.840 is being complied with and that the abandonment of the private easement described in the aforesaid Notice appears to be in the best interest of the public and that no person would be materially injured thereby, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that Abandonment Case No. AB8-12-97 for Don Casazza (Casazza Estates) be approved subject to the following conditions:

1. Prior to recordation of the Resolution and Order of Abandonment, the applicant shall submit legal descriptions to the County Engineer for review and approval. The legal descriptions shall be prepared by a registered professional and shall be for the area of abandonment, the portion of the abandonment reverting to each abutting property owner, and any required replacement easements.
2. The Cul-de-sac shall be constructed to Washoe County Standards and offered for dedication. The Cul-de-sac must have a 50 foot radius with 100 foot diameter, per 1988 Uniform Fire Code Section 10.207(g) and TMFPD Policy #506.12.01.E.
3. The sanitary sewer collection system and necessary easements shall remain and no fences or permanent structures will be constructed within the sanitary sewer easement.
4. The approved improvement drawings for Casazza Estates Unit 5 shall be submitted to the Utility Services Division.
5. If there is a manhole within the area of roadway to be abandoned, an all weather access road shall be constructed to the manhole.
6. Retention of all public utility easements or relocation of all public utility easements to the satisfaction of and at no expense to Washoe County or the existing public utilities which originally accepted and approved said easements as well as any other public utilities now in existence which currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements to said public utilities and the relinquishment by said public utilities of their former easements.
7. The applicant shall comply with all conditions necessary to effect the resolution and Order of Abandonment within two years from the date of the action by the Board of County Commissioners or this conditional abandonment will be null and void.

97-1129 ABANDONMENT CASE NO. AB8-13-97 - DERMODY PROPERTIES/SOUTH MEADOWS PROPERTIES/DERMODY DISTRIBUTION CENTER (SANITARY SEWER EASEMENT) - APN 22-230-30 - COMMUNITY DEVELOPMENT

7:00 p.m. This was the time set in a Notice of Public Hearing mailed by certified mail to abutting property owners on October 29, 1997 and published in the Reno Gazette-Journal on October 31, 1997, to consider the recommendation of the Washoe County Planning Commission to conditionally approve Abandonment Case No. AB8-13-97 for Dermody Properties/South Meadows Properties to abandon a portion of a 15-foot sanitary sewer easement and a portion of a 30-foot sanitary sewer easement. The easements are located within a 710-acre parcel addressed at

1150 Trademark Drive within the Reno City Limits. Because the easements were originally granted to Washoe County, an abandonment by the county is necessary. The parcel is situated in portions of Sections 4, 5, 8, & 9, T18N, R20E, MDM, Washoe County, Nevada (APN 22-230-30). Proof was made that due and legal notice had been given.

Mike Boster, Community Development, provided background information regarding this item and presented a viewfoil graphic map of the subject area.

Chairman Bond opened the public hearing and called on those wishing to speak. There being no response the public hearing was closed.

It being the consensus of the Board that NRS 278.840 is being complied with and that the abandonment of the private easement described in the aforesaid Notice appears to be in the best interest of the public and that no person would be materially injured thereby, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that Abandonment Case No. AB8-13-97 for Dermody Properties/South Meadows Properties/Dermody Distribution Center (Sanitary Sewer Easements) be approved subject to the following conditions:

1. Prior to recordation of the Resolution and Order of Abandonment, the applicant shall submit legal descriptions to the County Engineer for review and approval. The legal descriptions shall be prepared by a registered professional and shall be for the area of abandonment, the portion of the abandonment reverting to each abutting property owner, and any required replacement easements.
2. Retention of all public utility easements or relocation of all public utility easements to the satisfaction of and at no expense to Washoe County or the existing public utilities which originally accepted and approved said easements as well as any other public utilities now in existence which currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements to said public utilities and the relinquishment by said public utilities of their former easements.
3. The applicant shall comply with all conditions necessary to effect the Resolution and Order of Abandonment within two years from the date of the action by the Board of County Commissioners or this conditional abandonment will be null and void.

97-1130 SPECIAL USE PERMIT CASE NO. SPW7-35-97 WITH SITE REVIEW (BOOMTOWN HOTEL CASINO) - APPEAL (APN 38-120-08, 10 AND 14)

7:00 p.m. This was the time set in a notice of public hearing dated October 30, 1997 mailed to affected property owners by the Department of Community Development to consider the appeal of Boomtown Hotel Casino from the Planning Commission's decision to deny Special Use Permit Case No. SPW7-35-97 with Site Review to develop a 2,100 room hotel casino with a maximum height of 224 feet and an associated amusement park on approximately 44.4 acres of several parcels totaling approximately 127.5 acres. Because the project proposes utilizing the RH (Resort Hotel) zoning, a site review is required by the transition policy. The site is located north of I-80 adjacent to the Garson Road interchange. The property is designated Tourist Commercial (TC) in the Verdi Area Plan, and situated in a portion of Section 16, T19N, R18E, MDM, Washoe County, Nevada.

Ron Kilgore, Department of Community Development, provided background information regarding this item and advised that denial of the Boomtown Hotel Casino project by the Planning Commission has been appealed by Boomtown; that during the five-year transition period

established by the County Commission property owners receiving land use designations not comparable to their previous zoning were given the ability to utilize the density and use provisions of that previous zoning. He reviewed issues relative to the Planning Commission hearing regarding this item and cited the following findings that must be made in order to approve the project:

- (1) consistency with the Comprehensive Plan and the applicable area plan,
- (2) adequacy of the infrastructure to support the project,
- (3) site suitability, and
- (4) issuance of the special use permit will not be detrimental to other properties.

Tim Parrott, Chairman and Chief Executive Officer of Boomtown, advised that their vision for Boomtown Territory is for it to be a must see attraction; that Boomtown purchased the majority of its RH zoned holdings in 1976 in anticipation of expansion, and the present resort zoning was approved approximately 19 years ago; that they have spent more than 10 years laying the foundation for the project; that when they publicly introduced their plans in September of last year, they began the process of working with the neighbors to understand their issues and concerns, and dozens of their ideas and suggestions have been incorporated into the plan; that they have undertaken painstaking measures to ensure that the project plan design and architecture will not only co-exist in the area's beautiful environment, but will complement the unique Verdi scenery; and that they know there are and will continue to be concerns, but their goal remains to exist in an environment respectful to all parties, while serving their corporate responsibility to the shareholders and realizing their legal rights as a property owner. He further stated that they believe they have created an elegant design for a quality mountain resort that will be a credit not only to Verdi, but to Northern Nevada and the entire community by using techniques specifically designed to blend the development with its surroundings, such as mountain resort architecture, natural materials, muted colors, soft lighting, etc. He described the project and advised there would be no laser shows, no outside rock concerts, no carnivals, and no explosions. Mr. Parrott advised that the proposed 2100 rooms and 20 floors of height are needed as that room base is essential to the economic viability of the project, and proven industry standards dictate that rooms must be located in close proximity to the core center of gaming and entertainment activity; that all the components are necessary to create the critical mass and mix of amenities if they want to be a must see resort; that he believes bold and exciting projects such as this are desperately needed for the economic vitality of the Truckee Meadows; and that Boomtown Territory will provide a powerful economic boost to Washoe County through job creation, a stream of new tourist dollars, and a much needed increase in tax revenues. Mr. Parrott then conducted a viewfoil presentation of the resort's economics.

Bill Thomas, Summit Engineering Corporation, conducted a viewfoil presentation depicting the characteristics of Verdi, the technical aspects of the planning process, and details of the project. He advised that the project is compatible with the area and consistent with the zoning of the property, the Verdi Area Plan, the County Comprehensive Plan, and the Regional Plan, and meets the findings and standards established for approval of the special use permit. He then discussed issues that have come forth regarding this project including water, wastewater, traffic impacts, exterior lighting, noise, and visual impacts, stating that there will be no adverse impact on water resources in the Verdi Basin; that Boomtown will be extending the Lawton-Verdi Interceptor to the property with the project only consuming 10% of the capacity; that the existing package treatment plant will be eliminated and that, along with the sewer line extension, there will be significant opportunities for improvement of water quality; that Boomtown will reconstruct the Garson Road freeway interchange and widen the Garson Bridge which will provide additional capacity and address existing safety concerns; that Boomtown has committed to using dark facades and no uplighting or

floodlighting of the hotel, and no tracing or running lights; that the existing truck stop lights will be removed and replaced by modern lights; that there have been significant landscape improvements; that they have offered to construct a sound wall along the freeway and install landscaping between the sound wall and the freeway; that extensive noise studies have been commissioned and the conclusion of these studies show that with or without the project, the railroad and the freeway will continue to be the biggest noise sources in Verdi; that they have gone beyond the 65 Idn County standard and used the nationally accepted 50 decibel standard for nighttime noise; that the project has been architecturally designed to reduce its appearance and height and mitigate visual impacts; and that the design of the project is sensitive to the area by preserving a large amount of open space and building up rather than out.

Chairman Bond opened the public hearing and called on those wishing to speak in opposition to the project.

Paulette Flikkema, Verdi resident, presented a petition containing 925 signatures opposing the Boomtown/Hollywood Park expansion because of the direct impact it will have on their lives and community.

Brian McCormack, Verdi resident, stated that assessing this oversized project from the perspective required by the development code will provide the Board the opportunity to deny the project or to attach meaningful conditions that reduce it to an appropriate size compatible with its suburban location, which decision can solidly be based on its failure to meet the required four findings for granting a special use permit.

He further stated that the Board's decision will set a precedent for the County for all future proposed suburban projects. He then discussed issues that they contend were misrepresented in Hollywood Park's appeal document, including traffic impacts, blending in of the structure with the surrounding natural landscape, and the height and mass of the hotel being dictated by a recognized industry standard.

Diane Boone, Verdi resident, advised that she served six years on the Verdi Advisory Board and during that time the Washoe County Commission requested that they create an area plan which process Boomtown participated in; that they were told they were creating a guideline for future growth; and that the residents of the area now ask that the Board honor their plans for growth and acknowledge the distinction between city and county, and urban and rural. She conducted a viewfoil presentation and reviewed key points from the Verdi Area Master Plan and the Truckee Meadows Regional Plan, stating that they argue Boomtown's contention that a 224-foot tall, 600-foot long resort with a 10-story garage and carnival rides would maintain their community appearance. Ms. Boone further argued that the four findings that must be established before the project can be approved cannot be made because (1) the Boomtown proposal disregards the local area plan and the Washoe County Comprehensive Plan relative to height limit and visual qualities, (2) storm drains, golf course water, and hard surface runoff can pollute the Truckee River, no new fire protection or other social infrastructure needs have been provided, and massive demands on the water supply may adversely affect local wells, (3) locating the largest hotel casino in northern Nevada in a rural suburban community is in direct contradiction to the area plan and the current development code of Washoe County, and (4) the noise, light, air and traffic pollution that will be generated by this project could negatively impact both their physical and mental health, and destroy the character of Verdi.

Louis Test, representing Belli Homeowners Association, stated that, although the prior resort hotel zoning allows the type of project that is being proposed, the special use permit was established so that the governing body could make sure that a proposed project is compatible and will not adversely affect the adjoining property owners; and that, should the Board find that a hotel 224 feet in height is appropriate in a community of 3,000 residents, it will be establishing a standard that can be used by this type of project in the future.

Karen Melby, Belli Ranch Estates resident, advised that she is a professional planning consultant, a member of the American Institute of Certified Planners, and has been a planner for 16 years. She provided a viewfoil presentation and discussed issues and concerns relative to the project, advising that their contention is that the size of the project is out of scale for their suburban bedroom community; that traffic impacts have not been adequately mitigated and the proposed plan does not remedy the existing traffic problems at the Boomtown Garson Interchange and will, in fact, only make the situation worse; that their suggestion to minimize the impacts of the Boomtown project would be to require a new interchange located to the West; that intensity comparisons to hotel casinos in downtown Reno are not valid; that Boomtown will generate an estimated population that will more than triple the population of Verdi; and that the Verdi Area Plan demonstrates that Verdi is planned to be a suburban community and Boomtown's project will change the land use patterns for the area.

James Craner, Verdi resident, advised that he is a residency trained and board certified physician specializing in occupational medicine and internal medicine and is commonly called upon to be an expert on noise related cases that involve occupational exposures in the work place as well as environmental exposures and problems. He provided a viewfoil presentation and discussed issues relative to noise and the noise impacts that will result from the proposed Boomtown project. He reviewed the technical aspects of noise and stated that it is not just loudness that affects human perception of noise, but is also frequency and pitch; that Boomtown's simple indoor calculations of noise attenuation are not applicable and the modeling of environmental noise transmission by Boomtown's consultants contain serious technical errors including grossly inaccurate noise sources, inaccurate representation of all noises such as grinding, people screaming, truck traffic, buses, wolves howling, etc. and does not consider noise frequency or apply appropriate high frequency noises. Dr. Craner advised that because they questioned the noise level study conducted by Boomtown they retained the services of a consultant in Las Vegas to conduct sound monitoring at the MGM Grand, a facility they consider to be comparable to Boomtown's project, who determined that the assumptions in the Boomtown study appear to underestimate the potential noise levels that may be found during operations and that residents may be affected at considerable distances from the noise sources. Dr. Craner further stated that it is their contention that Boomtown's facility will generate significant environmental noise that will adversely impact the entire community; that the Boomtown consultant noise modeling study is seriously flawed; that noise simulation conducted scientifically and based on comparable measurements should be done before any permits are considered or approved; and that, should the project be approved, it should contain conditions that state that all major noise sources which impact anybody in the surrounding Verdi community beyond what is already there be completely enclosed, and that sound walls be erected not just in the immediate Belli area but entirely from Exit 2 to Exit 5.

Judy Guitjens, Verdi resident, expressed concerns relative to the size of the project in a suburban village and also discussed lighting impacts.

Carol Payne, Verdi resident, provided additional documentation and a display map of the area. She discussed the existing traffic problems and concerns relative to traffic impacts of the project and stated that proposed traffic mitigation's are inadequate; that traffic is a mess now and adding 30,000 trips a day will create a serious problem; and that a feasibility study needs to be done before proceeding with the project.

Ed Kaufer, Verdi resident, stated that the proposed project could not be considered a world-class resort and will only depress an already depressed gaming market; that the project will require significant infrastructure for fire, police protection, water, sewer, streets, roads, sanitation, and overpasses, and the citizens, as taxpayers, will have to pay for those improvements; and that Boomtown's economics are questionable and seriously flawed. He further stated that, should the Board overturn the Planning Commission's decision and approve the project, the citizens of Verdi request that the Board prevent another Sam's Town fiasco, limit Hollywood Park to one casino and preclude any

further subdivision of the remaining property, hold Hollywood Park to their promise of a world class resort with no more than 500 rooms, limit the building height to 45 feet, require any activity which raises noise in any form to be an inside and enclosed activity, limit overall light pollution to no more than existing light levels, and require appropriate traffic studies and immediate interface with NDOT and federal traffic authorities.

The following Verdi residents also spoke in opposition to the project:

Diane McCormack stated that the aerial map displayed by Boomtown earlier this evening is not an accurate representation of the Verdi area and conveniently eliminated certain areas; Richard Wilcox, who expressed concerns regarding an increase in crime; Frank Collins conducted a viewfoil presentation and discussed issues relative to the lack of water data and the potential negative water impact to the community that would result from the massive water demands from the project; Louise Bayard-de-Volo, representing the Sierra Club, urged the Board to deny the application, and in the event the project was approved suggested the following conditions: (1) preserve actual open space, (2) assure public parking and public access to the river to be coordinated with the County Parks and Recreation Department, and (3) require a detailed analysis of visual impact, wildlife habitats, noise, lighting, air quality, public access, and water and sewer; Kim Toulouse, Mogul resident, discussed concerns relative to traffic problems at the Boomtown/Garson Road interchange and issues relative to the proposed Nature Center, asking whether the wildlife and habitat needs have been adequately addressed; Pierre Bayard-de-Volo stated that from the point of view of the Verdi residents, the Boomtown expansion will be a nuisance and a project of this magnitude clearly does not belong in Verdi; Lawrence Belli, discussed concerns relative to water issues; Sean McDonald requested that the Board reject the project; David Gerhart provided flip charts and discussed issues relative to hotel tower height, traffic, carnival rides, outdoor events, and the gas station proposal and asked the Board to deny the project and send a message to Boomtown that they must work with the residents to assemble a buildable plan that fits with the character of Verdi; Angie Jackson stated that the project would sacrifice the beauty of the Verdi area and would add pollution, noise, traffic, excessive lighting, and danger to the lives of the citizens; Robert Jordan expressed concern about losing his community and sense of community with the massive project that is proposed; Parky May presented a display map to demonstrate visual impacts of the project; John Carrico stated that the project will disrupt and destroy the character of Verdi, which is a tight knit and strong community; John Gojack spoke of issues relative to lowering the death rate of casino workers and customers; and George King asked the Commissioners to carefully consider their constituency and actions.

There was no one else wishing to speak in opposition to the project and Chairman Bond requested that the applicant present its rebuttal at this time.

Garth Dull, MK Centennial, spoke to engineering issues and advised that the Federal Highway Administration (FHWA) and the Nevada Department of Transportation (NDOT) have found their design approach to be solid; that the interchange will be designed to a level of service C, which is acceptable for an interchange such as this; and that the design is typical of many interchanges they have designed and they feel confident that it will operate more safely and efficiently than the current interchange. He reviewed the design plans and noted that the final design has to be approved by NDOT and the FHWA.

Mike Bushelman, Summit Engineer Water Rights Department Manager, advised that the Boomtown corporation owns and has permits for about 1690 acre feet and these rights can definitely satisfy the demands of the project and the expansion; that there will be a conjunctive use of both

groundwater and surface water which is something that is being looked at very favorably throughout our region as an effective use of water; and that they are definitely in compliance with the Regional Water Plan relative to use of water resources.

Jim Buntin, Brown-Buntin Associates, Inc., stated that his environmental noise career began in 1972 and he has been doing consulting work for about 16 years; that they have a duty to provide objective reports for both government and private clients, and the methodology they use for environmental noise studies is consistent with federal guidelines and established noise prediction methodologies and models. He addressed misconceptions presented by the appellants relative to noise and stated that the correlation of loudness with energy is incorrect; that C weighting is not a usual standard for environmental noise and the A weighting used in their study is the standard accepted by the industry, the EPA, the FAA, and the Federal Interagency Committee on Noise, because it has the highest correlation to annoyance and sleep disturbance; that they do not know the details of the data collection done in Las Vegas, etc., such as where the operator was standing, what the meter was set to do, etc.; and that they stand fully behind their report and feel fully confident in their data and conclusions which utilized the techniques available and the descriptors commonly used in environmental noise assessments.

Bill Kimmel, real estate appraiser, stated that analysis of the market in the Reno-Sparks, Lake Tahoe, and Carson City area, found no impact on home values from a visual standpoint, noting that no data for analysis is available in Verdi; and that in almost every instance a golf course produces a definite property benefit.

Mr. Thomas responded to additional issues raised and stated that he does not think this is a precedent setting project as he is not aware of any other projects that have the ability to use RH zoning in the area, and the commercial zoning that comes at the end of the transition process will control future projects; that their height analysis considered physical characteristics of the area, freeway locations, areas with stand-alone casinos, and downtown Reno and Sparks casinos; that Boomtown was part of the area planning process and agreed with the plan because it was their understanding that it would not affect the zoning of their property and that there was a transition process; that approximately 19% of Boomtown's acreage will be covered with buildings and parking areas and more than 80% will remain open space; that the architectural design points out that the area is unique and they have gone to great lengths to develop a design that would fit into the area; and that Boomtown, by its own choice, spent more than a year trying to work with the neighborhood and made many changes.

Chairman Bond requested that those people in support of the project come forward at this time.

Richard Daley, Sparks resident, stated that this is a regional issue and Northern Nevada needs something along these lines to help it compete in the gaming industry that is vital to the State.

Brad Lamkin, McQueen High School student, stated that Boomtown is very good partners in education with McQueen High School and Verdi Elementary School.

Nancy Whinery, Supervisor at Boomtown and a Reno resident, stated that she is concerned for the 1,000 Boomtown employees that may not have jobs if Boomtown is not permitted to grow and increase their customer base; and that there is not a lot of family activities in the area and Boomtown's attempt to add something totally different should be considered.

Andy Bowers, representing Verdi Business Park, stated that, personally, he does not like casinos, but believes a sewer is needed in Verdi and it

will take a large project like this to bring it in; and that Boomtown is making great efforts to bring quality and diversity to their facility and are providing a lot of amenities that are not profitable.

Wally Weise III, stated that he supports the Boomtown project for several business based reasons. He advised that he is extremely involved and aware of the problems of the business climate of Northern Nevada and if things do not continue to grow and expand they die; that Northern Nevada is currently a flat market and the community has a responsibility to respect and embrace the validity of the primary industry of casino and gaming that drives this market; that the project has been sensitively designed and extreme care has been taken to make it as friendly to the environment as possible; that the project needs to be of this stature in order for Boomtown to bring business into this market, and they are within their rights and morally on secure ground to be able to do business; that Northern Nevada is at a turning point and it is absolutely imperative that projects like Boomtown and more events be embraced and understood; and that this area cannot survive by not doing something as a region to give the tourists new and fresh reasons to constantly come here.

Rich Irvine, Verdi resident, echoed Mr. Weise's comments and stated that a growth in the gambling industry will be seen in California within the next two to three years and if the Northern Nevada market does not come up with bold projects, it will not be able to compete. He further stated that he believes property values will improve and he would be delighted to have a major destination resort in Verdi.

Robert Woosley, Verdi resident, advised that he was originally opposed to the project but all the information he requested was readily available from both sides of the issue and his concerns were addressed; that his village is the small trailer park that sits off the I-40 corridor and he and his neighbors in those trailer parks feel that Boomtown is a good idea as they see jobs, clean water, a sewer coming in, greater fire protection capacity, and greater safety.

The following people also spoke in favor of the project: Sal Carson stated that Boomtown Territory will be a boon to the economy and the advantages outweigh the disadvantages; Jan Lear read a written statement from Moya Lear, Verdi resident, in support of the project; Ingrid Nolan, Washoe County resident and Boomtown employee, stated that this is a regional issue and urged the Board to consider the health reasons as the entire area needs clean and healthy water; John Midole, Associated General Contractors, stated that this project is an investment in Northern Nevada and shows confidence, and will hopefully bring quality growth and jobs to the area.

There was no one else wishing to speak in support of the project.

In rebuttal by the opposition, Richard Bullis, Verdi resident, advised that he has been a member of the Verdi Township Citizen Advisory Board for 3.5 years and Chairman for the last two years and has been involved in the proposal from the beginning. He refuted that the zoning has been in place since 1978; that they were told at the time the truck stop was designed that the lighting was state of the art and are now told it will be good for all to get rid of it; that the beautiful rendering of the hotel the applicant presented is false because it does not show the existing 300+ room hotel they are currently building that will remain right next door to the new project, and which does not have architectural continuity and is in direct visual conflict with the new portion; that mathematical averages for the hotel tower do not apply because it is important to consider it in the context of Verdi, noting that in Verdi the tallest building is no more than 45 feet with the sole exception of the approved Boomtown expansion of approximately 110 feet; that Boomtown was granted a special use permit to build their new gas station and have not done the mitigation's they promised the community on that project; and that Boomtown distorts the facts and it is questionable whether they

can be trusted. He further stated that he has heard from hundreds of Verdi residents that do not like this project and from very few that feel that Boomtown has a right to expand. Mr. Bullis discussed issues relative to the findings that must be made to approve the special use permit and asked if the Board believes that the Planning Commission was wrong in not being able to make those findings, that a 2400 room destination resort is consistent with the Regional and Verdi Area Plan, that the Belli Ranch and Blue Heron residents will not be impacted by traffic, that the project is not too intense a development for the Verdi Basin, and that this behemoth will not be significantly detrimental to the citizens of Verdi.

There being no one else wishing to speak, Chairman Bond close the public hearing.

A lengthy discussion commenced and Dean Diederich and Ron Kilgore of Community Development, and applicant and appellant representatives responded to questions of the Board. Mr. Kilgore advised that the conditions of the project address many of the concerns raised; that, should the special use permit be approved, it then goes to the Regional Water Planning Commission for conformance with the Regional Water Plan and then to the Truckee Meadows Regional Planning Commission for a finding on the project of regional significance; that the property in question has always been designated as resort related zoning and the intensity was already anticipated in the adopted plan and is in conformance with the regional plan; and that the reason it is before the Board is because the special use permit requires a determination of the building height.

Mr. Buntin responded to questions relative to sound and noise mitigation.

Tom Gallagher, Summit Engineering, stated that they are not aware of any conditions that have not been fulfilled on the gas station and have a completed Certificate of Occupancy. He responded to several questions regarding issues that were raised by the appellants. Mr. Parrot responded to questions of the Board relative to height and size.

Chairman Bond stated that she supports the project because these issues have to be looked at on a county-wide and region-wide basis; that she understands the concerns expressed for a project of this sort, but feels that Northern Nevada cannot stand still and everything possible must be done to stay competitive and generate new revenue and new jobs; and that the 2,000 room formula seems to be necessary and Boomtown owns the land and has the proper zoning for the project. She requested that, should the project be approved, monitoring be done by County staff on an ongoing basis and if a noise problem develops, Boomtown be required to figure out some way to mitigate it; that staff be very involved in the lighting process and minimize those impacts as much as possible; that berms contain real landscaping and some kind of watering system so that vegetation survives; that the golf course be a major portion of the first phase of the project; that Boomtown show their generosity and perhaps offer a reduced amount for a year or so to the Verdi residents for use of the golf course and seriously consider building a community center, advising that people in the community should drive this to get something they really want; that the special use permit be for a five-year duration and expire at the end of that time unless there is a very serious and well documented reason for an extension; that the soundwall or any other traffic mitigation's that are identified by NDOT or Boomtown be constructed if it becomes necessary; and that the sewer and water not come from groundwater for the project. She further stated that she will put her faith in NDOT and other traffic experts on the traffic study; and that the substation is going to become more important than ever, advising that she has had a commitment of sorts from the Sheriff that there will be an increased awareness in the Verdi area and a more active involvement in the issue of traffic control and crime prevention, etc.

Commissioner Mouliot agreed with Commissioner Bond's statements and stated that he would also request any assistance Boomtown can provide to tie together the Peavine and Carson Range open space areas, since the County, as well as Boomtown, is drafting a new development code along the Truckee River corridor.

Commissioner Galloway stated that Condition 9 should be clarified that the pedestrian access should include a reasonable amount of public parking; that the 224-foot height should be set forth as a specific condition; that the voluntary offer that the golf course be phased should be set forth as a condition; and that during the first two years of operation, at the direction and on reasonable notice by Washoe County code enforcement, at least twice a year, the applicant pay for sound monitoring.

Commissioner Shaw stated that he would like to see something in writing from the applicants relative to the open space issues, as well as the golf course; and that reports be provided to the Board in reference to the lighting that may have been done in other towns, cities, communities, etc. that will alleviate the concerns about the lighting.

Mr. Kilgore stated that to create effective and enforceable conditions will require consultation with the applicant and other agencies, and requested that, if the special use permit is approved, staff be directed to return on December 16, 1997 with a final list of conditions for the Board's approval.

Having made the required findings, on motion by Commissioner Mouliot, seconded by Commissioner Galloway, which motion duly carried, Chairman Bond ordered that Special Use Permit SPW7-35-97 with Site Review (Boomtown Hotel Casino) be approved subject to the original 33 conditions and additional conditions requested by the Commissioners, with all conditions to be presented to the Board for final approval on December 16, 1997.

97-1131 TENTATIVE SUBDIVISION MAP CASE NO. TM7-13-97 WITH SITE REVIEW (BOOMTOWN OFFICE PARK), SITE REVIEW CASE NO. SR7-21-97 (BOOMTOWN MUSEUM), AND SITE REVIEW CASE NO. SR7-22-97 (BOOMTOWN GAS STATION)

7:00 p.m. This was the time set in a notice of public hearing dated October 30, 1997 mailed to affected property owners by the Department of Community Development to consider the appeal of the Verdi Township Community Coalition, Inc. from the Planning Commission's decision to approve the following:

Tentative Subdivision Map Case No. TM7-13-97 With Site Review (Boomtown Office Park) to create an 8 unit commercial subdivision on + 5.56 acres of two parcels totaling + 140 acres. Because the project proposes utilizing the C-2 (General Commercial) zoning, a site review is required by the transition policy. The site is south of I-80 adjacent to Garson Road interchange. The property is designated Low Density Suburban (LDS) in the Verdi Area Plan, and situated in a portion of Section 16, T19N, R18E, MDM, Washoe County, Nevada. (APN: 38-120-10 and 38-132-25.) Site Review Case No. SR7-21-97 (Boomtown Museum) to develop a wildlife exhibition and interpretive center on + 20.04 acres of a + 86.4 acre parcel. Because the project proposes utilizing the C-2 (General Commercial) zoning, a site review is required by the transition policy. The site is south of I-80 adjacent to the Garson Road interchange. The property is designated Low Density Suburban (LDS) in the Verdi Area Plan, and situated in a portion of Section 16, T19N, R18E, MDM, Washoe County, Nevada. (APN: 38-120-10.)

Site Review Case No. SR7-22-97 (Boomtown Gas Station) - To develop a gas station and convenience store on + 2.68 acres of two parcels

totaling + 140 acres. Because the project proposes utilizing the C-2 (General Commercial) zoning, a site review is required by the transition policy. The site is south of I-80 adjacent to the Garson Road interchange. The property is designated Low Density Suburban (LDS) in the Verdi Area Plan, and situated in a portion of Section 16, T19N, R18E, MDM, Washoe County, Nevada. (APN: 38-120-10 and 38-132-25.)

Ron Kilgore, Department of Community Development, reviewed background information and advised that approval by the Planning Commission of these three items has been appealed by the Verdi Township Community Coalition.

Chairman Bond opened the public hearing and called on those wishing to speak.

A gentleman, representing the appellants, stated that they believe the health, safety, and welfare of people in the Belli and Blue Heron developments will be negatively impacted by any additional development on the south side of I-80 without major changes to the ingress and egress of the area; that traffic is already bad and these projects will make it far worse; that air pollution will be magnified by the slow traffic and animal smells from the proposed wildlife center; that noise will be increased from animals at the center howling and roaring; and that the area is rural with horses, donkeys, and cattle and they do not believe an adequate analysis of the overall impacts and interrelationships of the projects was given to this Board or the Planning Commission.

Debi Horton, Belli Ranch resident, stated that they were under the impression that the golf course would abut their low density suburban properties which seemed compatible with country properties and would provide a much safer buffer to the homes from fire, etc., and now they are asked to contend with a gas station, mini-mart, office buildings, 1100 parking spots of concrete and asphalt, and 12 bears and 12 wolves. She stated that Boomtown's proposed traffic infrastructure will not work for their neighborhood; that they are not interested in the interceptor and later on having Verdi Township become the City of Reno; that wild animals do not belong in the neighborhood; and that there are currently water pressure problems and an interceptor potentially can cause more problems.

Carol Payne, Belli Ranch resident, provided a display map and addressed traffic issues and concerns with one egress and ingress and now to be surrounded by new development. She stated that the traffic issue has not been properly addressed and represents a reckless disregard for their safety.

Karen Melby, AICP, Verdi resident, offered several mitigation points and requested that the office park be restricted to only professional offices and no businesses with loud speakers, loading docks, or outside storage be allowed; that there be substantial landscaping on the berm that buffers the office park; that generally professional offices are day uses and there is no need for excessive lighting; that signage be restricted to building mounted signs and no free standing signs; CC&R's should be developed that require design standards to create a quality development and insure architectural cohesiveness with the office park; and that the maintenance of the public access to public lands near the fire station be maintained. She further requested that there be design standards for the gas station so that development is consistent with the office park; that the commercial use be restricted to the gas station and convenience store with no drive through facilities, no vehicle repairs or auto body shops, etc., and no loud speakers, outside storage, loading docks; and that signage be restricted to one free standing monument sign, and lighting be restricted to illumination of the parking lot and not go beyond the property lines. She expressed concerns relative to exactly what is being approved with regard to the Interpretive Center and the noise and smell of the animals, stating that more detail is needed to explain colors, building materials and lighting, and noted that generally museums are day uses and they would request that lighting be restricted.

Ed Kaufer stated that these projects affect their property values and their lifestyle.

Louise Bayard-de-Volo, Verdi resident, representing the Sierra Club, provided a display map and stated that they are concerned that the road by the current fire station which is shown as part of a regional trail system on the County's open space plan be retained; that they request that Boomtown be required to provide a trailhead and clear public access to the public lands as part of these projects; that a condition be imposed that will assure the continued access of emergency fire fighting equipment to the forests on the south side of I-80; that the project not be approved without the conditions of open space and habitat protection and the Wildlife Division evaluating the impact of the three projects on wildlife habitats; and that a condition be imposed regarding the humane and inoffensive housing and care of the proposed bears and wolves plus setting a limit on the number of animals that can be kept on the premises.

Lawrence Belli offered a solution to solve some of the traffic problem and requested that the County open up the old road into Belli Ranch to the north end of the Washoe park land bridge which is a short space of about 300 years and would tie into the east end of the Belli Ranch Subdivision.

Brian McCormack, Verdi resident, discussed traffic concerns and commented that they could be alleviated by denying the gas station on the south side.

Doris Hannifin, Belli Ranch resident, stated that Boomtown's credibility is in question and hopes every condition imposed by the Board is put in writing; that their rendering of the hotel was misrepresented; that there is no second access under the freeway to get to the south side; and that it is easier and cheaper for people to get to Las Vegas than to Reno and she does not believe people will come to see wolves and bears.

There was no one else wishing to speak in opposition to the proposed projects.

Tim Parrott, Chairman and Chief Executive Officer, Boomtown, stated that they have been working on the alternate access issue mentioned by Mr. Belli and have talked to Sierra Pacific Power Company and have gone through engineering design; that with the first construction on the south side they are prepared to open up the Mogul Bridge and reconnect the road; and that they view that to be a \$1 million investment which they are willing to do.

Bill Thomas, Summit Engineering, provided a viewfoil presentation on the proposed projects. He stated that the primary reason for moving the gas station to the south side of I-80 is that the required changes to the roadway design do not leave room for the gas station where it currently exists; that when they went back to the existing zoning they were forced to redesign the golf course and locate it on the north side; that there is a legally recorded document that gives the U.S. Forest Service permanent access across Boomtown's land; and that it is Sierra Pacific Power Company's intent to use Boomtown's existing water tank on the south side which will improve the water pressure situation for many of the people in the system. He then pointed out the area where the underpass will be widened to mitigate traffic problems.

Dr. Gail Ford, Veterinarian specializing in wildlife medicine and behavior, Executive Director of the Grizzly Discovery Center in West Yellowstone, Montana, and Director of the International Grizzly Fund, a non-profit foundation that sponsors conservation projects dedicated towards preserving the Grizzly, conducted a slide presentation to demonstrate that their habitats are naturalistic and clean, and contain other high quality conditions for the animals. She stated that they want people to appreciate bears and wolves for exactly what they are and go out

of their way to enhance the kind of information the public receives; that bears are not very vocal and communicate primarily by body posture and wolves howl very infrequently; that captive wildlife is a very regulated industry and she worked with over 100 bears in over 20 years and escaping bears is not a problem; that horses, cows, llamas, and native wildlife do not have a natural fear response to predatory animals; and that smells are not a problem because of the cleanliness of the habitat, irrigation, and the standards of excellence the animal caretakers are held to. Ms. Ford then responded to questions of the Board.

Commissioner Galloway responded to comments and restrictions requested by Ms. Melby regarding the office park. A discussion commenced and upon inquiry, Mr. Kilgore stated that many of the concerns expressed are addressed by conditions on the project.

There being no one else wishing to speak, Chairman Bond closed the public hearing.

Mr. Thomas responded to further questions of the Board relative to the Forest Service easement, and the trailhead public access advising that the trailhead includes a small parking area.

Tentative Subdivision Map Case No. TM7-13-97 (Boomtown Office Park) On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that the appeal be denied and the findings and decision of the Planning Commission be upheld and Tentative Subdivision Map Case No. TM7-13-97 (Boomtown Office Park) be approved subject to the following conditions, and the appropriate changes that may be necessary in accordance with Board requests and direction made during the previous hearing (Special Use Permit Case No. SPW7-35-97/Boomtown Hotel Casino) which will be presented on December 16, 1997.

CONDITIONS FOR TENTATIVE SUBDIVISION MAP CASE NO. TM7-13-97 UNLESS OTHERWISE STATED, PRIOR TO FINALIZATION OF ANY PORTION OF THE TENTATIVE SUBDIVISION MAP, ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES TO ENSURE COMPLETION OF THE CONDITIONS MUST BE PROVIDED. THE AGENCY RESPONSIBLE FOR DETERMINING COMPLIANCE WITH A SPECIFIC CONDITION SHALL DETERMINE WHETHER THE CONDITION MUST BE FULLY COMPLETED OR WHETHER THE APPLICANT SHALL BE OFFERED THE OPTION OF PROVIDING FINANCIAL ASSURANCES.

A COPY OF ALL AGREEMENTS, EASEMENTS, OR OTHER DOCUMENTATION REQUIRED BY THESE CONDITIONS SHALL BE FILED WITH THE DEPARTMENT OF PUBLIC WORKS AND/OR THE DEPARTMENT OF COMMUNITY DEVELOPMENT. THE DEVELOPER SHALL MEET WITH THE ENGINEERING DIVISION AND THE DEPARTMENT OF COMMUNITY DEVELOPMENT AT LEAST SIXTY (60) DAYS BEFORE THE ANTICIPATED DATE OF APPROVAL BY THE PLANNING COMMISSION TO REVIEW SCHEDULING, REQUIREMENTS, FINAL CONSTRUCTION DRAWINGS, AND DOCUMENTATION NECESSARY TO ADEQUATELY COMPLY WITH THE CONDITIONS OF APPROVAL AND THE APPLICABLE STATUTES, ORDINANCES, RULES, REGULATIONS, AND POLICIES. NO FINAL MAP WILL BE SCHEDULED FOR A PLANNING COMMISSION MEETING DATE THAT IS LESS THAN SIXTY (60) DAYS FROM THE DATE OF THIS MANDATORY MEETING.

A REQUEST FOR AN EXTENSION OF TIME FOR THE RECORDING OF A FINAL MAP MUST BE SUBMITTED TO THE DEPARTMENT OF COMMUNITY DEVELOPMENT AT LEAST SIXTY (60) DAYS PRIOR TO THE EXPIRATION DATE OF THE TENTATIVE SUBDIVISION MAP. SAID EXPIRATION IS ONE YEAR FROM THE DATE OF APPROVAL OF THE TENTATIVE MAP OR A SUBSEQUENT FINAL MAP BY THE BOARD OF COUNTY COMMISSIONERS OR, WHEN APPLICABLE, BY THE PLANNING COMMISSION. COMPLIANCE WITH THE APPLICABLE STATUTES, ORDINANCES, RULES, REGULATIONS, AND POLICIES AND WITH THE CONDITIONS OF APPROVAL OF THIS TENTATIVE MAP IS THE RESPONSIBILITY OF THE DEVELOPER, ITS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY, AND THEIR SUCCESSORS IN INTEREST.

## GENERAL CONDITIONS

1. Final maps and final construction drawings shall comply with all applicable statutes, ordinances, rules, regulations, and policies in effect at the time of submittal of the tentative map or, if requested by the developer and approved by the applicable agency, those in effect at the time of approval of the final map.
2. Final maps shall be in substantial compliance with all plans and documents submitted with and made part of this tentative map request, as may be amended by action of the final approving authority. Substantial compliance shall be determined by the applicable agency and the Department of Community Development.
3. Conditions, covenants, and restrictions (CC&R's), including any supplemental CC&R's, shall be reviewed, approved, and recorded by the District Attorney's office. The CC&R's shall require all phases and units of the subdivision approved under this tentative map to be subject to the same CC&R's, be under the authority of the same homeowners association, and be under the authority of the same architectural control committee. Said CC&R's shall specifically address maintenance of a unified design theme.
4. A note shall be placed on all grading plans and construction drawings stating:

### NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts, shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

5. The final map shall designate faults that have been active during the Holocene epoch of geological time and the final map shall contain the following note:

### NOTE

No habitable structures shall be located on a fault that has been active during the Holocene epoch of geological time. The Department of Community Development shall be responsible for determining compliance with this condition.

6. The developer shall be required to participate in any applicable General Improvement District or Special Assessment District formed by Washoe County. The applicable division of the Department of Public Works shall be responsible for determining compliance with this condition.
7. Prior to acceptance of public improvements and release of any financial assurances, the developer shall furnish to the Utility Division and/or Engineering Division a complete set of reproducible 'as built' construction drawings prepared by a civil engineer registered in the State of Nevada.
8. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted to the County Engineer for approval prior to finalization of any portion of the tentative map. Grading shall comply with best management practices and shall include

detailed plans for grading and drainage on each lot, erosion control, slope stabilization and mosquito abatement. Placement or disposal of any excavated material shall be indicated on the grading plan.

9. All open space shall be identified as common area on the final map. A note on the final map shall indicate that all common areas shall be privately maintained and perpetually funded by the homeowners Association. The County Engineer shall be responsible for determining compliance with this condition. The maintenance of the common areas shall also be addressed in the CC&R's to the satisfaction of the District Attorney's Office.

10. Prior to recordation of the affected final map, existing parcel lines shall be relocated through a boundary line adjustment or eliminated through a reversion to acreage, so they do not conflict with the proposed subdivision. The County Engineer shall be responsible for determining compliance with this condition.

11. The developer and all successors shall direct any potential purchaser of the site to meet with the Department of Community Development to review conditions of approval prior to the final sale of the site. Any subsequent purchasers of the site shall notify the Department of Community Development of the name, address, telephone number, and contact person of the new purchaser within 30 days of the final sale.

**STREETS AND TRAFFIC**

12. All roadway improvements necessary (including but not limited to, curb, gutter, sidewalk, signing and striping, driveway access, and street lighting) to serve the project shall be designed and constructed to county standards and specifications and/or financial assurances in an appropriate form and amount shall be provided. The County Engineer shall be responsible for determining compliance with this condition

13. For the Boomtown Road extension, Mortensen Circle, and Grizzly Drive the minimum face of curb to face of curb width shall be 40 feet. A traffic report shall be submitted for the Boomtown Office Park, the Museum, and the Gas Station which includes ADT's at buildout for these projects. Street width will be increased if indicated by the report. The report shall also include recommendations for driveway widths, curb radius for truck traffic and storage lanes as needed.

14. The roadway structural section shall be a minimum of 4 inches of asphalt over 6 inches of base. A geotechnical analysis/report shall be performed if a thicker section of pavement is required based on estimated truck loadings at buildout and a 20 year design life.

15. Street names shall be reviewed and approved by the Regional Street Naming Coordinator.

**DRAINAGE**

16. The conditional approval of this tentative map shall not be construed as final approval of the drainage facilities shown on the tentative map. Final approval of the drainage facilities will occur during the final map review and will be based upon the final hydrology report.

17. Prior to finalization of the first final map, a master hydrology/hydraulic report and a master storm drainage plan shall be submitted to the County Engineer for approval.

18. Prior to the finalization of any portion of the tentative map, a final, detailed hydrology/hydraulic report for that unit shall be submitted to the County Engineer. All storm drainage improvements necessary to serve the project shall be designed and constructed to County standards and specifications and/or financial assurances in an appropriate form and amount shall be provided. The County Engineer shall be responsible for determining compliance with this condition.

19. Any increase in stormwater runoff resulting from the development and based upon the 10-year storm shall be detained on site. The County Engineer shall be responsible for determining compliance with this condition.

20. The 100-year floodplain boundaries and flood elevations shall appear on each final map. If the floodplain boundary has been changed by a Federal Emergency Management Agency (FEMA) Conditional Letter of Map Amendment or Conditional Letter of Map Revision, the date of that letter and a note to that effect shall appear on the final map. The County Engineer shall be responsible for determining compliance with this condition. Grading or building permits shall not be issued for areas currently shown as "A" zones on the FEMA floodplain maps until a Letter of Map Amendment or Revision is submitted or until conformance with Washoe County flood construction standards is determined by the County Engineer.

21. Standard reinforced concrete headwalls or other approved alternatives shall be placed on the inlet and outlet of all drainage structures, and grouted rock rip-rap shall be used to prevent erosion at the inlets and outlets of all pipe culverts to the satisfaction of the District Health Department and the Engineering Division.

22. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage from the site to the satisfaction of the Engineering Division.

23. For all subdivisions larger than five acres, the developer shall obtain a Stormwater Discharge Permit from the Nevada Division of Environmental Protection (NDEP), and a copy of said permit shall be submitted to the County Engineer prior to construction. The Stormwater Pollution Prevention Plan, as approved by NDEP, shall be included with the construction improvement drawings.

24. A subdrain system shall be installed a minimum of one foot behind the back face of any median curb to intercept drainage from the median landscaping. The system shall be tied to the storm drain system or an acceptable alternative drainage system. The County Engineer shall be responsible for determining compliance with this condition.

#### WATER AND WASTEWATER

25. A letter from the water purveyor must be submitted to his division indicating the amount of water rights necessary to serve this project. Water rights in the specified amount shall be dedicated to Washoe County in accordance with Article 422. These rights will be subsequently leased to the water purveyor for use on this project.

26. The developer shall provide a minimum financial contribution and/or construction of a portion of the Lawton/Verdi Interceptor based on the ratio of the development's peak flow potential to the peak flow capacity of the Interceptor. Any excess financial contribution may be recaptured by the County and refunded to the landowners over the next 10 years to the satisfaction of the Board of County Commissioners.

27. Improvement drawings shall be in compliance with Washoe County Design Standards. The developer shall submit plans and specifications for the sanitary sewer collection system within the boundaries of the project to the Utility Division for review and approval prior to issuance of any building permit. Construction of any sewer facilities shall be inspected by the Utility Division.
28. The sanitary sewer collection system and necessary easements shall be offered for dedication to Washoe County prior to issuance of a Certificate of Occupancy.
29. The developer shall construct and/or provide the financial assurances for the construction of the sanitary sewer collection facilities. The financial assurances must be in a form and amount accepted by the Utility Services Division prior to issuance of any building permit.
30. If infrastructure such as any pump stations and interceptors, treatment and disposal facilities, are necessary to supply sewer service to the project the developer will be responsible to fund the design and construction. However, actual design will be the responsibility of the Utility Services Division. Prior to initiation of design the developer shall pay the estimated design costs to Washoe County. The Utility Services Division may either, provide such design in house, or select an outside consultant. When an outside consultant is to be selected, the Utility Services Division and the developer shall jointly select the consultant.
31. Funding of over sizing the design and infrastructure to accommodate future development as determined by accepted engineering calculations, shall be the responsibility of Washoe County. Washoe County shall either participate monetarily at the time of design and/or shall credit an appropriate number of service hook ups to the developer.
32. Sewer connection fees for commercial development will be determined upon fixture unit counts. The applicant's engineer or architect shall submit a fixture unit count for waste fixtures per the most recent edition of the Uniform Plumbing Code. These fees shall be paid prior to the issuance of a sewer will serve letter.
33. A sanitary sewer report shall be prepared by the applicant's registered engineer which addresses:
- a. the estimated sewage flows generated by this project,
  - b. projected sewage flows from potential or existing development within tributary areas,
  - c. the impact on capacity of existing infrastructure,
  - d. proposed collection line sizes, alignment on the on site and off site, and maximum velocities, for the entire project. This must be approved by the Utility Services Division prior to project approval.
34. Retention or relocation of all public and private easements to the satisfaction of and at no expense to Washoe County or the existing public utilities or private parties which originally accepted and approved said easements as well as any other public utilities which currently utilize said easements is required. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements and the relinquishment of the easements being replaced.
35. Prior to issuance of any building permit other than for grading or infrastructure, the applicant shall construct a road and trailhead providing access to the Forest Service Property to the south. Construction shall be to Forest Service standards. The Department of Development Review shall determine compliance with this condition.

## FIRE PROTECTION

36. The plans submitted with a building permit application shall show evidence of compliance with the recommendations of the Nevada Division of Forestry. Those concerns are fire flows, fire hydrant number and location, access, sequential phasing of firebreaks during development, permanent firebreaks, minimum defensible space, use of fire resistant construction and/or roof material, sprinklering of structures, and spark arrestors in chimneys. Access and fire flows concerns shall be addressed prior to the introduction of any combustible materials to the site. The Nevada Division of Forestry shall be responsible for determining compliance with this condition.

37. The developer shall enter into talks with the Nevada Division of Forestry for any other requirements, such as, a fire station site, manpower and equipment needs, or for coordination with other developments that have similar requirements.

## LANDSCAPING/ARCHITECTURAL DESIGN

38. Prior to any ground disturbing activity or finalization of a final map, the developer shall submit a landscaping/architectural design plan to the Department of Community Development for review and approval by the Design Review Committee. Said plan shall address, but not be limited to: type and color of building material, general architectural design, fencing, landscaping material (if plant material: type, size at time of planting, maturation size at full growth, period of time between planting and full growth), landscaping location, landscaping irrigation system, and financial assurances that landscaping will be planted and maintained. The DRC shall specifically address the adequacy and effectiveness of methods chosen to buffer the project from adjacent residential areas to the east.

39. That area between the project site and Old Town Road, and the area immediately to the south of the project, areas within the parcel, but outside the subdivision boundary, shall be landscaped to buffer the project from adjacent residential uses. Provisions for the maintenance of this landscaping shall be made to the satisfaction of the Department of Community Development.

40. As measured by the Uniform Building Code, no structure may exceed a height of 35 feet. Signage shall be of the monument type and shall not exceed 6 feet in height.

41. A certification letter or series of letters by a landscape architect registered in the State of Nevada shall be submitted to the Department of Community Development. The letter(s) shall certify that all applicable landscaping provisions of Articles 408, 410, and 412 of the Development Code have been met. Any landscaping plans and the letter shall be wet-stamped. The letter shall indicate any provisions of the code that the Director of Community Development has waived.

42. As part of the building plan review process, the applicant shall present evidence of compliance with the recommendations of the RTC regarding transit facilities, a park and ride lot, and an employer trip reduction program. Compliance with this condition shall be determined by the Department of Community Development.

Site Review Case No. SR7-21-97 (Boomtown Museum)

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that the appeal be

denied and the findings and decision of the Planning Commission be upheld and Site Review Case No. SR7-21-97 (Boomtown Museum) be approved subject to the following conditions, and the appropriate changes that may be necessary in accordance with Board requests and direction made during the previous hearing (Special Use Permit Case No. SPW7-35-97/Boomtown Hotel Casino) which will be presented to the Board on December 16, 1997.

CONDITIONS FOR SITE REVIEW PERMIT CASE NO. SR7-21-97 UNLESS OTHERWISE SPECIFIED, ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES MUST BE PROVIDED TO SATISFY THE CONDITIONS PRIOR TO SUBMITTAL FOR A BUILDING PERMIT. THE AGENCY RESPONSIBLE FOR DETERMINING COMPLIANCE WITH A SPECIFIC CONDITION SHALL DETERMINE WHETHER THE CONDITION MUST BE FULLY COMPLETED OR WHETHER THE APPLICANT SHALL BE OFFERED THE OPTION OF PROVIDING FINANCIAL ASSURANCES. ALL AGREEMENTS, EASEMENTS, OR OTHER DOCUMENTATION REQUIRED BY THESE CONDITIONS SHALL HAVE A COPY FILED WITH THE COUNTY ENGINEER AND THE DEPARTMENT OF COMMUNITY DEVELOPMENT.

COMPLIANCE WITH THE CONDITIONS OF THIS SPECIAL USE PERMIT IS THE RESPONSIBILITY OF THE APPLICANT, HIS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST. FAILURE TO COMPLY WITH ANY CONDITIONS IMPOSED IN THE ISSUANCE OF THE SPECIAL USE PERMIT MAY RESULT IN THE INSTITUTION OF REVOCATION PROCEDURES.

WASHOE COUNTY RESERVES THE RIGHT TO REVIEW AND REVISE THE CONDITIONS OF THIS APPROVAL SHOULD THEY DETERMINE THAT A SUBSEQUENT LICENSE OR PERMIT ISSUED BY WASHOE COUNTY VIOLATES THE INTENT OF THIS APPROVAL.

GENERAL CONDITIONS

1. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Department of Community Development shall be responsible for determining compliance with this condition.
2. A copy of the Final Order stating conditional approval of this special use permit shall be attached to all applications for administrative permits issued by Washoe County.
3. Prior to the issuance of any administrative permit issued by Washoe County, the applicant shall remove all off-premise signs (billboards) from the project site (APN: 38-120-10) and place a restrictive covenant on the property that prohibits the further erection of off-premise signs, with Washoe County made a party to the covenant. The District Attorney's Office and the Department of Community Development shall be responsible for determining compliance with this condition.
4. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts, shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

5. Prior to any ground-disturbing activity, the applicant shall submit a landscaping/architectural design plan to the Department of Community Development for review and approval by the Design Review Committee. Said plan shall address, but not be limited to: general architectural design, type and color of building materials, signage, exterior lighting, fencing, trash enclosures, landscaping material (if plant material: type, size at time of planting, maturation size at full growth, period of time between planting and full growth), landscaping location, landscaping irrigation system, and financial assurances that landscaping will be planted and maintained.
6. Final maps and final construction drawings shall comply with all applicable statutes, ordinances, rules, regulations, and policies in effect at the time of submittal.
7. Prior to acceptance of public improvements and release of any financial assurances, the developer shall furnish to the Utility Division and/or Engineering Division a complete set of reproducible 'as built' construction drawings prepared by a civil engineer registered in the State of Nevada.
8. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted to the County Engineer for approval prior to finalization of any portion of the tentative map. Grading shall comply with best management practices and shall include detailed plans for grading and drainage on each lot, erosion control, slope stabilization and mosquito abatement. Placement or disposal of any excavated material shall be indicated on the grading plan.
9. All roadway improvements necessary (including but not limited to, curb, gutter, sidewalk, signing and striping, driveway access, and street lighting) to serve the project shall be designed and constructed to county standards and specifications and/or financial assurances in an appropriate form and amount shall be provided. The County Engineer shall be responsible for determining compliance with this condition.
10. For the Boomtown Road extension, Mortensen Circle, and Grizzly Drive the minimum face of curb to face of curb width shall be 40 feet. A traffic report shall be submitted for the Boomtown Office Park, the Museum, and the Gas Station which includes ADT's at buildout for these projects prior to issuance of any building permit. Street width will be increased if indicated by the report. The report shall also include recommendations for driveway widths, curb radius for truck traffic and storage lanes as needed.
11. The roadway structural section shall be a minimum of 4 inches of asphalt over 6 inches of base. A geotechnical analysis/report shall be performed if a thicker section of pavement is required based on estimated truck loadings at buildout and a 20 year design life.
12. Street names shall be reviewed and approved by the Regional Street Naming Coordinator.
13. A master hydrology/hydraulic report and a master storm drainage plan shall be submitted to the County engineer for approval.
14. All storm drainage improvements necessary to serve the project shall be designed and constructed to County standards and specifications and/or financial assurances in an appropriate form and amount shall be provided. The County Engineer shall be responsible for determining compliance with this condition.
15. Any increase in stormwater runoff resulting from the development and based upon the 10-year storm shall be detained on site. The County

Engineer shall be responsible for determining compliance with this condition.

16. Standard reinforced concrete headwalls or other approved alternatives shall be placed on the inlet and outlet of all drainage structures, and grouted rock rip-rap shall be used to prevent erosion at the inlets and outlets of all pipe culverts to the satisfaction of the District Health Department and the Engineering Division.

17. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage from the site to the satisfaction of the Engineering Division.

18. For all projects larger than five acres, the developer shall obtain a Stormwater Discharge Permit from the Nevada Division of Environmental Protection (NDEP), and a copy of said permit shall be submitted to the County Engineer prior to construction. The Stormwater Pollution Prevention Plan, as approved by NDEP, shall be included with the construction improvement drawings.

19. A letter from the water purveyor must be submitted to his division indicating the amount of water rights necessary to serve this project. Water rights in the specified amount shall be dedicated to Washoe County in accordance with Article 422. These rights will be subsequently leased to the water purveyor for use on this project.

20. The developer shall provide a minimum financial contribution and/or construction of a portion of the Lawton/Verdi Interceptor based on the ratio of the development's peak flow potential to the peak flow capacity of the Interceptor. Any excess financial contribution may be recaptured by the County and refunded to the landowners over the next 10 years to the satisfaction of the Board of County Commissioners.

21. Improvement drawings shall be in compliance with Washoe County Design Standards. The developer shall submit plans and specifications for the sanitary sewer collection system within the boundaries of the project to the Utility Division for review and approval prior to issuance of any building permit. Construction of any sewer facilities shall be inspected by the Utility Division.

22. The sanitary sewer collection system and necessary easements shall be offered for dedication to Washoe County prior to issuance of a Certificate of Occupancy.

23. The developer shall construct and/or provide the financial assurances for the construction of the sanitary sewer collection facilities. The financial assurances must be in a form and amount accepted by the Utility Services Division prior to issuance of any building permit.

24. If infrastructure such as any pump stations and interceptors, treatment and disposal facilities, are necessary to supply sewer service to the project the developer will be responsible to fund the design and construction. However, actual design will be the responsibility of the Utility Services Division. Prior to initiation of design the developer shall pay the estimated design costs to Washoe County. The Utility Services Division may either, provide such design in house, or select an outside consultant. When an outside consultant is to be selected, the Utility Services Division and the developer shall jointly select the consultant.

25. Funding of over sizing the design and infrastructure to accommodate future development as determined by accepted engineering calculations, shall be the responsibility of Washoe County. Washoe County shall either participate monetarily at the time of design and/or shall

credit an appropriate number of service hook ups to the developer.

26. Sewer connection fees for commercial development will be determined upon fixture unit counts. The applicant's engineer or architect shall submit a fixture unit count for waste fixtures per the most recent edition of the Uniform Plumbing Code. These fees shall be paid prior to the issuance of a sewer will serve letter.

27. A sanitary sewer report shall be prepared by the applicant's registered engineer which addresses:

- a. the estimated sewage flows generated by this project,
- b. projected sewage flows from potential or existing development within tributary areas,
- c. the impact on capacity of existing infrastructure,
- d. proposed collection line sizes, alignment on the on site and off site, and maximum velocities, for the entire project. This must be approved by the Utility Services Division prior to project approval.

28. Retention or relocation of all public and private easements to the satisfaction of and at no expense to Washoe County or the existing public utilities or private parties which originally accepted and approved said easements as well as any other public utilities which currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements and the relinquishment of the easements being replaced.

29. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with the Department of Community Development to review conditions of approval prior to the final sale of the site and/or the special use permit. Any subsequent purchaser/operator of the site and/or the special use permit shall notify the Department of Community Development of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.

30. As part of the building plan review process, the applicant shall present evidence of compliance with the recommendations of the RTC regarding transit facilities, a park and ride lot, and an employer trip reduction program. Compliance with this condition shall be determined by the Department of Community Development.

Site Review Case No. SR7-22-97 (Boomtown Gas Station)

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that the appeal be denied and the findings and decision of the Planning Commission be upheld and Site Review Case No. SR7-22-97 (Boomtown Gas Station) be approved subject to the following conditions, and the appropriate changes that may be necessary in accordance with Board requests and direction made during the previous hearing (Special Use Permit Case No. SPW7-35-97/Boomtown Hotel Casino) which will be presented to the Board on December 16, 1997.

CONDITIONS FOR SITE REVIEW CASE NO. SR7-22-97 UNLESS OTHERWISE SPECIFIED, ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES MUST BE PROVIDED TO SATISFY THE CONDITIONS PRIOR TO SUBMITTAL FOR A BUILDING PERMIT. THE AGENCY RESPONSIBLE FOR DETERMINING COMPLIANCE WITH A SPECIFIC CONDITION SHALL DETERMINE WHETHER THE CONDITION MUST BE FULLY COMPLETED OR WHETHER THE

APPLICANT SHALL BE OFFERED THE OPTION OF PROVIDING FINANCIAL ASSURANCES. ALL AGREEMENTS, EASEMENTS, OR OTHER DOCUMENTATION REQUIRED BY THESE CONDITIONS SHALL HAVE A COPY FILED WITH THE COUNTY ENGINEER AND THE DEPARTMENT OF DEVELOPMENT REVIEW.

COMPLIANCE WITH THE CONDITIONS OF THIS SPECIAL USE PERMIT IS THE RESPONSIBILITY OF THE APPLICANT, HIS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST. FAILURE TO COMPLY WITH ANY CONDITIONS IMPOSED IN THE ISSUANCE OF THE SPECIAL USE PERMIT MAY RESULT IN THE INSTITUTION OF REVOCATION PROCEDURES.

WASHOE COUNTY RESERVES THE RIGHT TO REVIEW AND REVISE THE CONDITIONS OF THIS APPROVAL SHOULD THEY DETERMINE THAT A SUBSEQUENT LICENSE OR PERMIT ISSUED BY WASHOE COUNTY VIOLATES THE INTENT OF THIS APPROVAL.

GENERAL CONDITIONS

1. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Department of Community Development shall be responsible for determining compliance with this condition.
2. A copy of the Final Order stating conditional approval of this special use permit shall be attached to all applications for administrative permits issued by Washoe County.
3. Prior to the issuance of any administrative permit issued by Washoe County, the applicant shall remove all off-premise signs (billboards) from the project site (APN: 38-120-10) and place a restrictive covenant on the property that prohibits the further erection of off-premise signs, with Washoe County made a party to the covenant. The District Attorney's Office and the Department of Community Development shall be responsible for determining compliance with this condition.
4. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts, shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

5. Prior to any ground-disturbing activity, the applicant shall submit a landscaping/architectural design plan to the Department of Community Development for review and approval by the Design Review Committee. Said plan shall address, but not be limited to: general architectural design, type and color of building materials, signage, exterior lighting, fencing, trash enclosures, landscaping material (if plant material: type, size at time of planting, maturation size at full growth, period of time between planting and full growth), landscaping location, landscaping irrigation system, and financial assurances that landscaping will be planted and maintained.
6. Final maps and final construction drawings shall comply with all applicable statutes, ordinances, rules, regulations, and policies in effect at the time of submittal.

7. Prior to acceptance of public improvements and release of any financial assurances, the developer shall furnish to the Utility Division and/or Engineering Division a complete set of reproducible 'as built' construction drawings prepared by a civil engineer registered in the State of Nevada.
8. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted to the County Engineer for approval prior to finalization of any portion of the tentative map. Grading shall comply with best management practices and shall include detailed plans for grading and drainage on each lot, erosion control, slope stabilization and mosquito abatement. Placement or disposal of any excavated material shall be indicated on the grading plan.
9. All roadway improvements necessary (including but not limited to, curb, gutter, sidewalk, signing and striping, driveway access, and street lighting) to serve the project shall be designed and constructed to county standards and specifications and/or financial assurances in an appropriate form and amount shall be provided. The County Engineer shall be responsible for determining compliance with this condition.
10. For the Boomtown Road extension, Mortensen Circle, and Grizzly Drive the minimum face of curb to face of curb width shall be 40 feet. A traffic report shall be submitted for the Boomtown Office Park, the Museum, and the Gas Station which includes ADT's at buildout for these projects prior to issuance of any building permit. Street width will be increased if indicated by the report. The report shall also include recommendations for driveway widths, curb radius for truck traffic and storage lanes as needed.
11. The roadway structural section shall be a minimum of 4 inches of asphalt over 6 inches of base. A geotechnical analysis/report shall be performed if a thicker section of pavement is required based on estimated truck loadings at buildout and a 20 year design life.
12. Street names shall be reviewed and approved by the Regional Street Naming Coordinator.
13. A master hydrology/hydraulic report and a master storm drainage plan shall be submitted to the County engineer for approval.
14. All storm drainage improvements necessary to serve the project shall be designed and constructed to County standards and specifications and/or financial assurances in an appropriate form and amount shall be provided. The County Engineer shall be responsible for determining compliance with this condition.
15. Any increase in stormwater runoff resulting from the development and based upon the 10-year storm shall be detained on site. The County Engineer shall be responsible for determining compliance with this condition.
16. Standard reinforced concrete headwalls or other approved alternatives shall be placed on the inlet and outlet of all drainage structures, and grouted rock rip-rap shall be used to prevent erosion at the inlets and outlets of all pipe culverts to the satisfaction of the District Health Department and the Engineering Division.
17. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage from the site to the satisfaction of the Engineering Division.
18. For all projects larger than five acres, the developer shall obtain a Stormwater Discharge Permit from the Nevada Division of Environmental

Protection (NDEP), and a copy of said permit shall be submitted to the County Engineer prior to construction. The Stormwater Pollution Prevention Plan, as approved by NDEP, shall be included with the construction improvement drawings.

19. A letter from the water purveyor must be submitted to his division indicating the amount of water rights necessary to serve this project. Water rights in the specified amount shall be dedicated to Washoe County in accordance with Article 422. These rights will be subsequently leased to the water purveyor for use on this project.

20. The developer shall provide a minimum financial contribution and/or construction of a portion of the Lawton/Verdi Interceptor based on the ratio of the development's peak flow potential to the peak flow capacity of the Interceptor. Any excess financial contribution may be recaptured by the County and refunded to the landowners over the next 10 years to the satisfaction of the Board of County Commissioners.

21. Improvement drawings shall be in compliance with Washoe County Design Standards. The developer shall submit plans and specifications for the sanitary sewer collection system within the boundaries of the project to the Utility Division for review and approval prior to issuance of any building permit. Construction of any sewer facilities shall be inspected by the Utility Division.

22. The sanitary sewer collection system and necessary easements shall be offered for dedication to Washoe County prior to issuance of a Certificate of Occupancy.

23. The developer shall construct and/or provide the financial assurances for the construction of the sanitary sewer collection facilities. The financial assurances must be in a form and amount accepted by the Utility Services Division prior to issuance of any building permit.

24. If infrastructure such as any pump stations and interceptors, treatment and disposal facilities, are necessary to supply sewer service to the project the developer will be responsible to fund the design and construction. However, actual design will be the responsibility of the Utility Services Division. Prior to initiation of design the developer shall pay the estimated design costs to Washoe County. The Utility Services Division may either, provide such design in house, or select an outside consultant. When an outside consultant is to be selected, the Utility Services Division and the developer shall jointly select the consultant.

25. Funding of over sizing the design and infrastructure to accommodate future development as determined by accepted engineering calculations, shall be the responsibility of Washoe County. Washoe County shall either participate monetarily at the time of design and/or shall credit an appropriate number of service hook ups to the developer.

26. Sewer connection fees for commercial development will be determined upon fixture unit counts. The applicant's engineer or architect shall submit a fixture unit count for waste fixtures per the most recent edition of the Uniform Plumbing Code. These fees shall be paid prior to the issuance of a sewer will serve letter.

27. A sanitary sewer report shall be prepared by the applicant's registered engineer which addresses:

- a. the estimated sewage flows generated by this project,
- b. projected sewage flows from potential or existing development within tributary areas,

c. the impact on capacity of existing infrastructure,  
d. proposed collection line sizes, alignment on the on site and off site, and maximum velocities, for the entire project. This must be approved by the Utility Services Division prior to project approval.

28. Retention or relocation of all public and private easements to the satisfaction of and at no expense to Washoe County or the existing public utilities or private parties which originally accepted and approved said easements as well as any other public utilities which currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements and the relinquishment of the easements being replaced.

29. Uses authorized by this Site Plan Review for the .705 acres shown as future commercial shall be limited to landscaping, additional parking, and a picnic area.

30. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with the Department of Community Development to review conditions of approval prior to the final sale of the site and/or the special use permit. Any subsequent purchaser/operator of the site and/or the special use permit shall notify the Department of Community Development of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.

31. As part of the building plan review process, the applicant shall present evidence of compliance with the recommendations of the RTC regarding transit facilities, a park and ride lot, and an employer trip reduction program. Compliance with this condition shall be determined by the Department of Community Development.

97-1132 BILL NO. 1173 - ORDINANCE NO. 998 - AMENDING WCC CHAPTER 70 - SNOW REMOVAL

7:00 p.m. This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on October 30, 1997, to consider the second reading and adoption of Bill No. 1173. Proof was made that due and legal notice had been given.

Legal Counsel Shipman advised that there were minor corrections and changes between the first and second readings which are not substantial and can be considered clerical, and the second reading can go forward.

Chairman Bond opened the public hearing and called on those wishing to speak. There being no response the public hearing was closed.

On motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that Ordinance No. 998, Bill No. 1173, entitled "AN ORDINANCE AMENDING CHAPTER 70 OF THE WASHOE COUNTY CODE PROVIDING FOR SNOW REMOVAL AND OTHER MATTERS PROPERLY RELATED THERETO", be approved, adopted, and published in accordance with NRS 244.100.

97-1133 BILL NO. 1175 - ORDINANCE NO. 1000 - CREATING DISTRICT NO. 24 (GROUNDWATER REMEDIATION)

7:00 p.m. This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on October 30, 1997, to consider the second reading and adoption of Bill No. 1175. Proof was made that due and legal notice had been given.

Chairman Bond opened the public hearing and called on those wishing to speak. There being no response the public hearing was closed.

On motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that Ordinance No. 1000, Bill No. 1175, entitled "AN ORDINANCE CREATING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION); ORDERING A PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE COLLECTION OF THE COST THEREOF; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF", be approved, adopted, and published in accordance with NRS 244.100.

COMMISSIONERS'/MANAGER'S COMMENTS

Chairman Bond commented that she would encourage staff to provide the Board with a more comprehensive way of dealing with issues such as the Utility Division having to present a separate figure for furniture and then another figure coming from the MIS department for fiber optics and computers, etc. so that the Board would have a total package showing all components, etc. County Manager John MacIntyre advised that staff was very attentive to the Chairman's comments regarding this issue at Monday's caucus meeting and directions in this regard have already been issued.

\* \* \* \* \*

There being no further business to come before the Board, the meeting adjourned at 1:20 a.m., Thursday, November 13, 1997.

JOANNE BOND, Chairman  
Washoe County Commission

ATTEST: JUDI BAILEY, County Clerk