



WASHOE COUNTY

Integrity Communication Service

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STAFF REPORT

BOARD MEETING DATE: June 19, 2018

DATE: April 20, 2018

TO: Board of County Commissioners

FROM: Trevor Lloyd, Planning Manager, Planning and Building Division, Community Services Department, 328-3617, tlloyd@washoecounty.us

THROUGH: Mojra Hauenstein, Architect, AICP Planner, LEED AP, Director of Planning and Building, 328-3619, mahuenstein@washoecounty.us

SUBJECT: Public hearing: Appeal of the Washoe County Board of Adjustment's denial of Variance Case Number WPVAR17-0007 (Izakaya Tahoe). The project includes a variance 1) to reduce the front yard setback along State Line Road from 20 feet to 0 feet; 2) to reduce the front yard setback along State Route 28 from 20 feet to 8 feet and 3) to reduce the side yard setback from 10 feet to 3 feet to allow for a commercial building on a ±2,000 square foot property.

The Board of County Commissioners (Board) may affirm, reverse, or modify the decision of the Board of Adjustment.

The applicant and property owner is Evo Real Estate, Inc. The address is 2 North Lake Avenue in Crystal Bay. The Assessor's Parcel Number is 123-043-01. The Master Plan Category is Commercial (C) and the Regulatory Zone is Tourist Commercial (TC). The project is located within the Tahoe Plan Area and within the Incline Village Crystal Bay Citizen Advisory Board boundary. The variance request comes under WCC Chapter 110, Article 804, Variances. (Commission District 1.)

SUMMARY

The appellant, Evo Real Estate, Inc., applied for a Variance request. That variance request was denied by the Washoe County Board of Adjustment (BOA) on April 5, 2018. The appellant has appealed that denial providing justification to support the second finding (No Detriment) for approval of the Variance request, which was the only finding that the Board of Adjustment was unable to make.

Washoe County Strategic Objective supported by this item: Stewardship of our Community

AGENDA ITEM # _____

PREVIOUS ACTION

On September 25, 2017, the variance was considered by the Incline Village/Crystal Bay Citizen Advisory Board (IVCB CAB). The IVCB CAB took action to recommend approval of the project with a vote of three in favor and none opposed.

On April 5, 2018, the variance was considered, in a public hearing, before the BOA. The BOA took action to deny the variance, with a vote of three in favor and one opposed. Board member Thomas moved for denial, Board member Stanley seconded, and Board member Toulouse opposed.

BACKGROUND

The Washoe County Board of Adjustment denied the proposed variance based on the inability to make all of the findings required by Washoe County Code (WCC) Section 110.804.25; specifically, the BOA was unable to make the second finding for approval of the Variance request [WCC Section 110.804.25(b), and instead made the finding as stated below:

- (b) Detriment. The relief may create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted. The Board specifically identified unresolved concerns relating to pedestrian safety, traffic, parking and snow removal;

Please see the Board of Adjustment staff report, included as Attachment B, for discussion of each of these findings.

The appellant addresses the BOA's concerns regarding pedestrian safety, traffic, parking and snow removal in their appeal dated April 13, 2018 (see Attachment C). Below is a summary of the appellant's responses to these issues:

Pedestrian Safety

The appellants indicate that existing pedestrian conditions are currently in very poor condition. The proposed project includes plans for significant pedestrian improvements near the subject property that will greatly improve pedestrian safety. These improvements include areas of pedestrian refuge at endpoints of the crosswalk; curb gutter and sidewalk; applicable signage, striped bike lane; traffic calming because of increased pedestrian activity and visual indicators and increased site distance with compliant vegetation.

Traffic

The proposed use is not expected to generate appreciable number of unique trips that could affect daily traffic volumes. Also, the appellants will be required to satisfy engineering standards of Washoe County and NDOT. The project proposes public improvements in NDOT right of way and the applicants anticipate a collaborative and iterative approach with NDOT, TRPA and Washoe County.

Parking

The appellants have indicated a multi-modal approach to parking that includes among other things, pedestrian improvements, public transportation access, bicycle parking, shuttle service and valet service. Also the appellants will provide a parking management plan that is consistent with the goals of the Tahoe Regional Planning Agency – Regional Plan Update, specifically involving redevelopment in Town Centers.

Snow Removal

Onsite snow removal will be managed by use of roof design and selection of roofing materials to hold the snow on the roof and not shed to the project area; Also, the appellants will use landscape areas to store snow generated from the hardscape areas.

Please see the appeal application, included as Attachment C, to this report for a more complete discussion regarding each of these issues.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

It is recommended that the Board of County Commissioners affirm the decision of the Board of Adjustment and uphold the denial of Variance Case Number WPVAR17-0007 (Izakaya Tahoe).

POSSIBLE MOTIONS

Should the Board agree with the Board of Adjustment’s denial of Variance Case Number WPVAR17-0007 (Izakaya Tahoe), staff offers the following motion:

“Move to deny the appeal and affirm the denial of Variance Case Number WPVAR17-0007 (Izakaya Tahoe). The denial is based upon the inability to make the findings required by WCC Section 110.804.25, *Findings*.

Should the Board disagree with the Board of Adjustment’s denial of Variance Case Number WPVAR17-0007 (Izakaya Tahoe), staff offers the following motion:

“Move to approve the appeal and reverse the denial of Variance Case Number WPVAR17-0007 (Izakaya Tahoe). The approval is based on the Board’s ability to make all four of the findings required by WCC Section 110.804.25, *Findings*.

Attachments:

Attachment A: Board of Adjustment Action Order dated 4/9/2018

Attachment B: Board of Adjustment Staff Report dated 3/20/2018

Attachment C: Appeal Application dated 4/18/18

Attachment D: Board of Adjustment Minutes of 4/5/2018

Attachment E: Technical Memorandum

Cc: Appellant: Andrew Ryan, 8889 N. Lake Blvd, Kings Beach, CA 96

Property Owner: Evo Real Estate, Inc., Attn: Brent Norton, 2 N. Lake Avenue, Crystal Bay, NV 89402



WASHOE COUNTY

COMMUNITY SERVICES DEPARTMENT

Planning and Building

1001 EAST 9TH STREET
PO BOX 11130
RENO, NEVADA 89520-0027
PHONE (775) 328-3600
FAX (775) 328.6133

Board of Adjustment Action Order

Variance Case Number W^PVAR17-0007

Decision: Denial without Prejudice

Decision Date: April 5, 2018

Mailing/Filing Date: April 9, 2018

Applicant: Evo Real Estate Inc.

Assigned Planner: Trevor Lloyd, Planning Manager
Washoe County Community Services Department
Planning and Building Division
775.328.3617

Phone: 775.328.3617

E-Mail: tlloyd@washoecounty.us

Variance Case Number W^PVAR17-0007 (Izakaya) - For possible action, hearing, and discussion to approve a variance to 1) reduce the front yard setback along State Line Road from 20 feet to 0 feet; 2) to reduce the front yard setback along State Route 28 from 20 feet to 8 feet and 3) to reduce the side yard setback from 10 feet to 3 feet to allow for a commercial building on a ±2,000 square foot property.

- Property Owner: Evo Real Estate, Inc.
- Location: 2 N. Lake Avenue, Crystal Bay
- APN: 123-043-01
- Parcel Size: ±0.04 Acres (±2,000 square feet)
- Master Plan: Commercial
- Regulatory Zone: Tourist Commercial (TC)
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village/Crystal Bay
- Development Code: Authorized in Article 804
- Commission District: 1 – Commissioner Berkbigler
- Section/Township/Range: Sec 30, T16N, R18E, MDM, Washoe Co, NV

Notice is hereby given that the Washoe County Board of Adjustment denied the above referenced case number based on the inability to make the findings required by Washoe County Code Section 110.804.25:

3. Detriment. The relief may create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted. The Board specifically identified unresolved concerns relating to pedestrian safety, traffic, parking and snow removal;

Anyone wishing to appeal this decision to the Washoe County Board of County Commissioners may do so within 10 calendar days from the Mailing/Filing Date shown on this Action Order. To be informed of the appeal



INTEGRITY



EFFECTIVE
COMMUNICATION

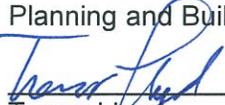


QUALITY
PUBLIC SERVICE

To: Evo Real Estate Inc.
Subject: Variance Case Number WPVAR17-0007
(Izakaya)
Date: April 9, 2018
Page: 2

procedure, call the Planning staff at **775.328.6100**. Appeals must be filed in accordance with Section 110.912.20 of the Washoe County Development Code.

Washoe County Community Services Department
Planning and Building Division



Trevor Lloyd
Secretary to the Board of Adjustment

TL/TL/df

Owner: Evo Real Estate Inc.
Attn: Michael Lerch
703 Champagne Rd
Incline Village, NV 89451

Applicant: Evo Real Estate Inc.
Attn: Brent Norton
bn@evofund.com

Representative: PRDEI
Attn: Andrew Ryan
Andrew@prdei.com

Representative: Studio Terpeluk
Attn: Michelle
michelle@studioterpeluk.com

Action Order xc: Nathan Edwards, District Attorney's Office; Keirsten Beck, Assessor's Office; Cori Burke, Assessor's Office; Leo Vesely, Engineering and Capital Projects; Tahoe Regional Planning Agency, Post Office Box 5310, Stateline, NV 89449-5310; North Lake Tahoe Fire Protection District; 866 Oriole Way, Incline Village, NV 89451-9439; Incline Village/Crystal Bay Citizen Advisory Board; Incline Village General Improvement District, 893 Southwood Boulevard, Incline Village, NV 89451; Nevada Division of Forestry, 885 Eastlake Boulevard, Carson City, NV 89701; Nevada State Lands, Rex Harold, 901 South Stewart Street, Suite 5003, Carson City, NV 89701-5246; Nevada Department of Transportation



Board of Adjustment Staff Report

Meeting Date: April 5, 2018

Agenda Item: 9A

VARIANCE CASE NUMBER: WPVAR17-0007 (Izakaya Tahoe)

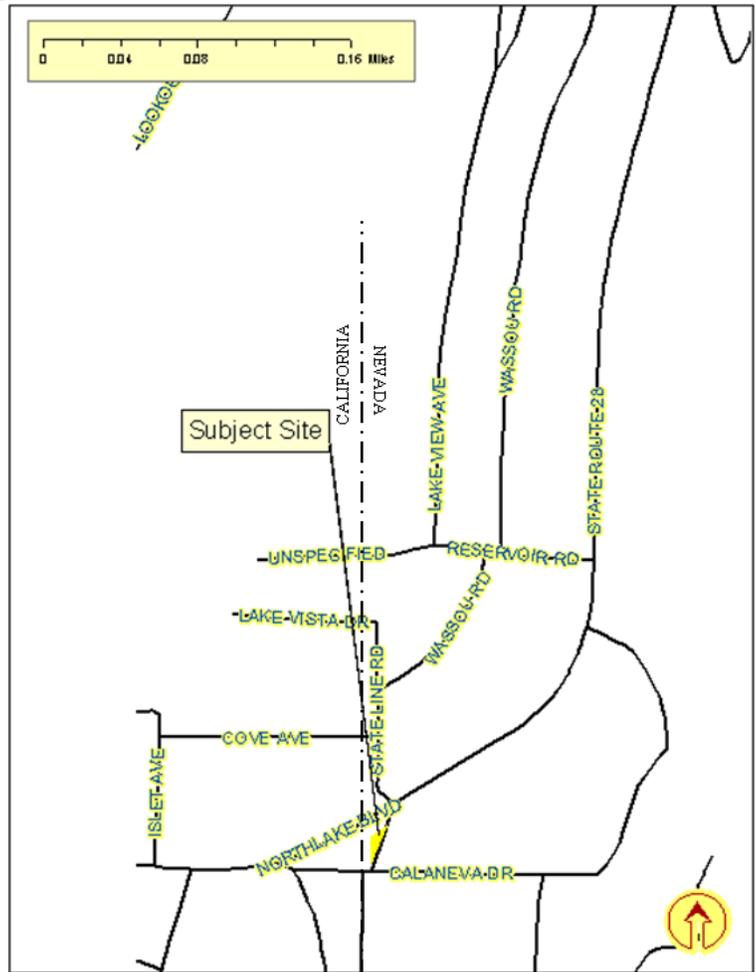
BRIEF SUMMARY OF REQUEST: Reduce the front and side yard setbacks

STAFF PLANNER: Planner's Name: Trevor Lloyd, Planning Manager
Phone Number: 775.328.3617
E-mail: tlloyd@washoecounty.us

CASE DESCRIPTION

For possible action, hearing, and discussion to approve a variance to 1) reduce the front yard setback along State Line Road from 20 feet to 0 feet; 2) to reduce the front yard setback along State Route 28 from 20 feet to 8 feet and 3) to reduce the side yard setback from 10 feet to 3 feet to allow for a commercial building on a ±2,000 square foot property.

Property Owner: Evo Real Estate, Inc.
Location: 2 N. Lake Avenue, Crystal Bay
APN: 123-043-01
Parcel Size: ±0.04 Acres (±2,000 square feet)
Master Plan: Commercial
Regulatory Zone: Tourist Commercial (TC)
Area Plan: Tahoe
Citizen Advisory Board: Incline Village/Crystal Bay
Development Code: Authorized in Article 804
Commission District: 1 – Commissioner Berkgigler
Section/Township/Range: Sec 30, T16N, R18E, MDM, Washoe Co., NV



STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

POSSIBLE MOTION

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment deny Variance Case Number WPVAR17-0007 for Izakaya Tahoe, being unable to make all of the required finding as required by Washoe County Code Section 110.804.25.

(Motion with Findings on Page 11)

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Engineering and Capital Projects Division MemoExhibit B

Nevada Department of Transportation Memo.....Exhibit C

Incline Village General Improvement (IVGID) MemoExhibit D

Public NoticeExhibit E

Project Application.....Exhibit F

Application Letter.....Exhibit G

Technical Memorandum.....Exhibit H

Site Plans.....Exhibit I

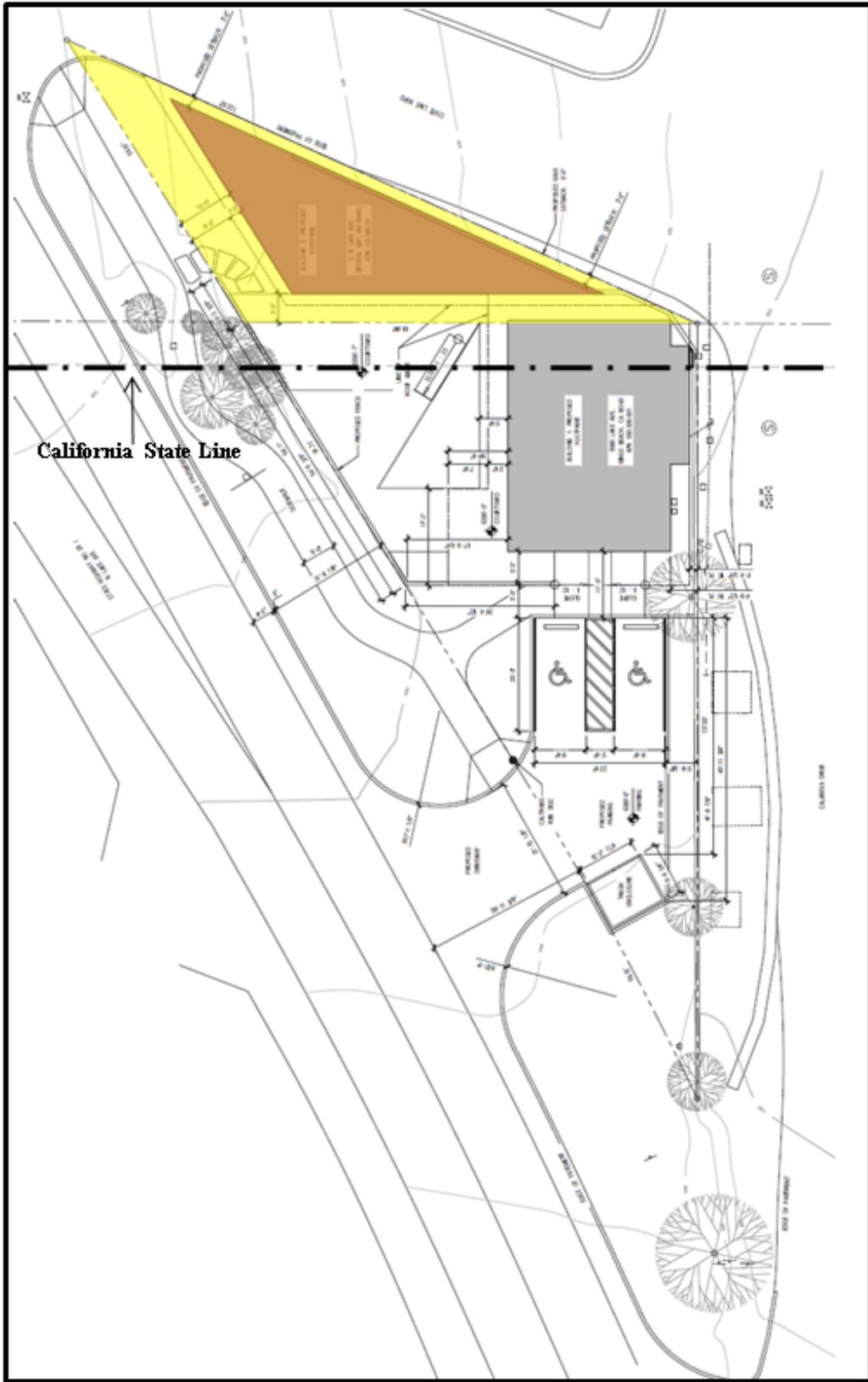
Variance Definition

The purpose of a Variance is to provide a means of altering the requirements in specific instances where the strict application of those requirements would deprive a property of privileges enjoyed by other properties with the identical regulatory zone because of special features or constraints unique to the property involved; and to provide for a procedure whereby such alterations might be permitted by further restricting or conditioning the project so as to mitigate or eliminate possible adverse impacts. If the Board of Adjustment grants an approval of the Variance, that approval is subject to Conditions of Approval. Conditions of Approval are requirements that need to be completed during different stages of the proposed project. Those stages are typically:

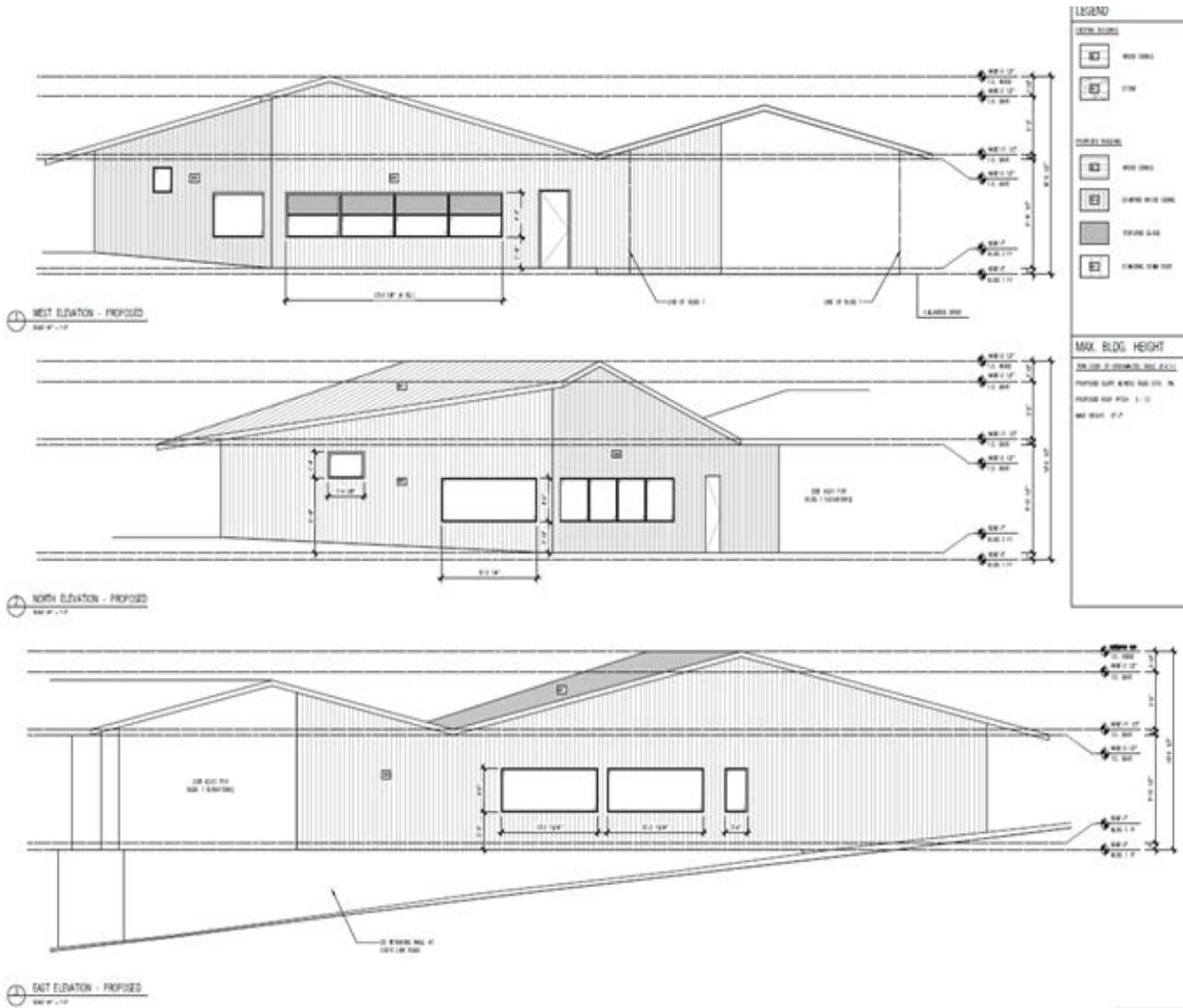
- Prior to permit issuance (i.e., a grading permit, a building permit, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy on a structure.
- Prior to the issuance of a business license or other permits/licenses.
- Some Conditions of Approval are referred to as “Operational Conditions.” These conditions must be continually complied with for the life of the business or project.

The Conditions of Approval for Variance Case Number WPVAR17-0007 are attached to this staff report and if granted approval, will be included with the Action Order.

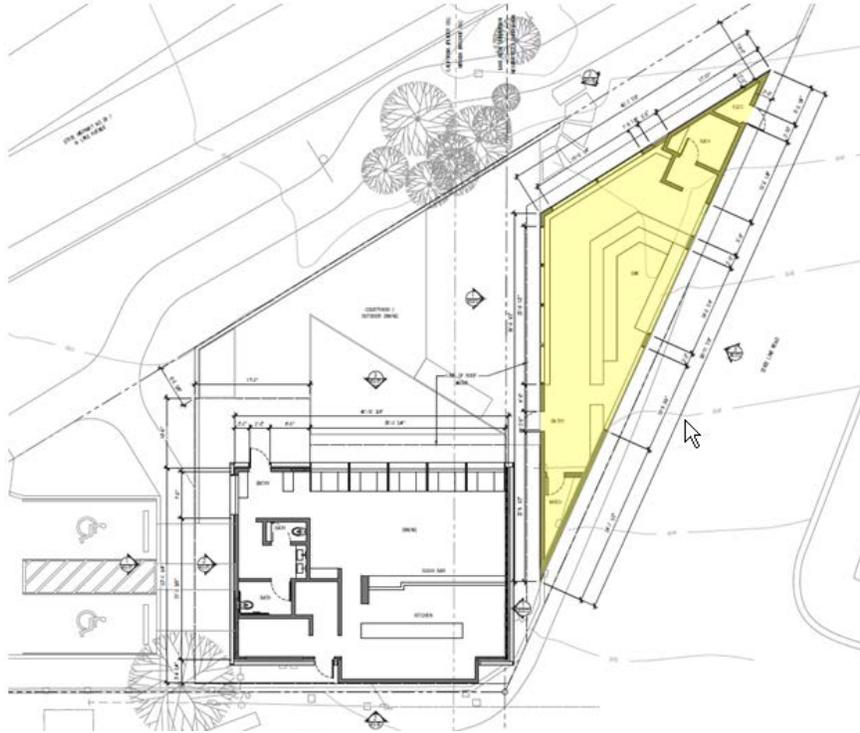
The subject property has a regulatory zone designation of Tourist Commercial (TC) and is in the Tahoe Area Plan. The applicant is asking for the variance to construct an eating/drinking establishment on a very small ($\pm 2,000$ s.f.) and oddly shaped. The proposed development is a commercial use type and is classified as an eating and drinking establishment, full service, under WCC Table 110.302.05.3. The proposed facility is an allowed use in the TC regulatory zone.



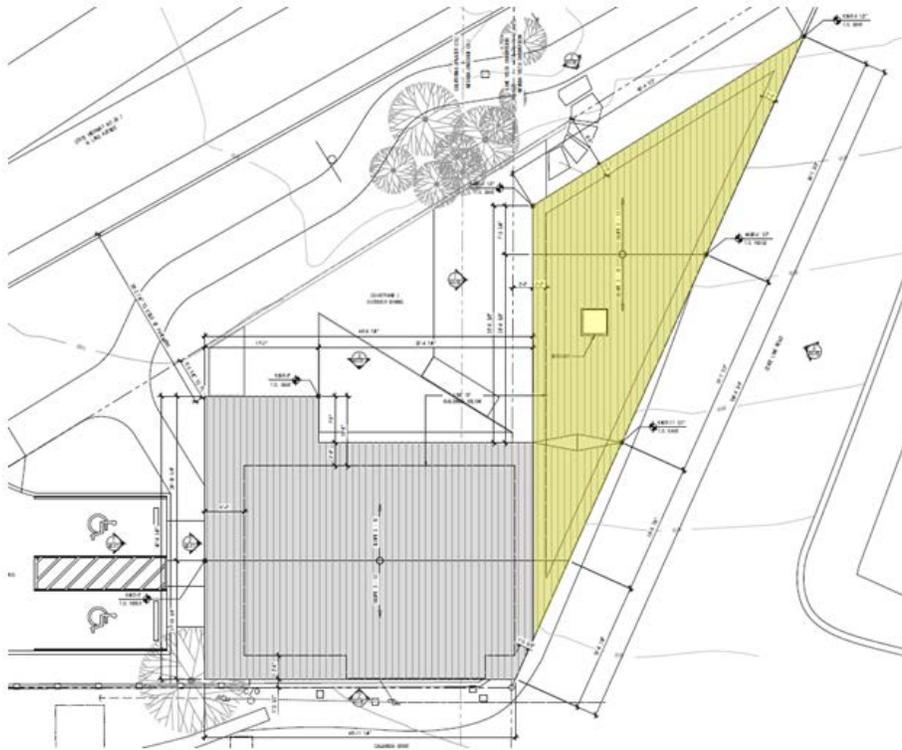
Site Plan



Elevations



Floor Plan



Roof Plan

Project Evaluation

The applicants are requesting a variance to reduce the setbacks along all (two front and one side) property lines in order to place a ±949 square foot building on a ±2,003 square foot property. If approved, the proposed building would cover a large percentage of the area of the property in order to accommodate the construction of a small eating and drinking establishment. There is currently an existing building adjacent to the subject site that is located within California but extends across the state line into Nevada and its walls will be separated by several feet from the newly proposed building, however the proposed building will share a common roofline with the existing building to the west. The applicant owns both properties, straddling the state border and it is anticipated that the two properties will be constructed simultaneously to establish one overall development.

The subject property and the adjoining property to the west (which is located in California) are under the same ownership and represent the gateway to Nevada for travelers along State Route 28. Currently these properties are blighted and the redevelopment of the site will result in a significant improvement to the Crystal Bay community.

Staff is recommending denial at this time but hopes that the applicant can work with staff from Engineering as well as Planning prior to the April 3, 2018 Board of Adjustment meeting to resolve the concerns specifically related to the intersection improvements at State Line Road and State Route 28. Currently, the impacts and potential mitigation measures to Stateline Road have not been adequately addressed and the applicants are preparing the necessary details and exhibits as requested by staff. Staff can make all the required findings necessary for approval of the variance with the exception of the second finding of no detriment due to the current inability to adequately assess the impacts to Stateline Road as well as the intersection with St. Route 28. However, with the appropriate intersection design along with possible conditions to mitigate potential traffic concerns, it is staff’s hope that a recommendation for approval can be obtained.



View of the property looking north



View of the property looking west

The property is currently vacant but is nearly entirely paved with asphalt and there are several mature trees on the property. A portion of the property is used as a travel way for vehicles using Stateline Road. There is a ±10 percent slope, sloping in a north south direction over the property. The property is located adjacent to the California border however; there is a ±10 foot right of way strip between the western boundary of the property and the California state line.



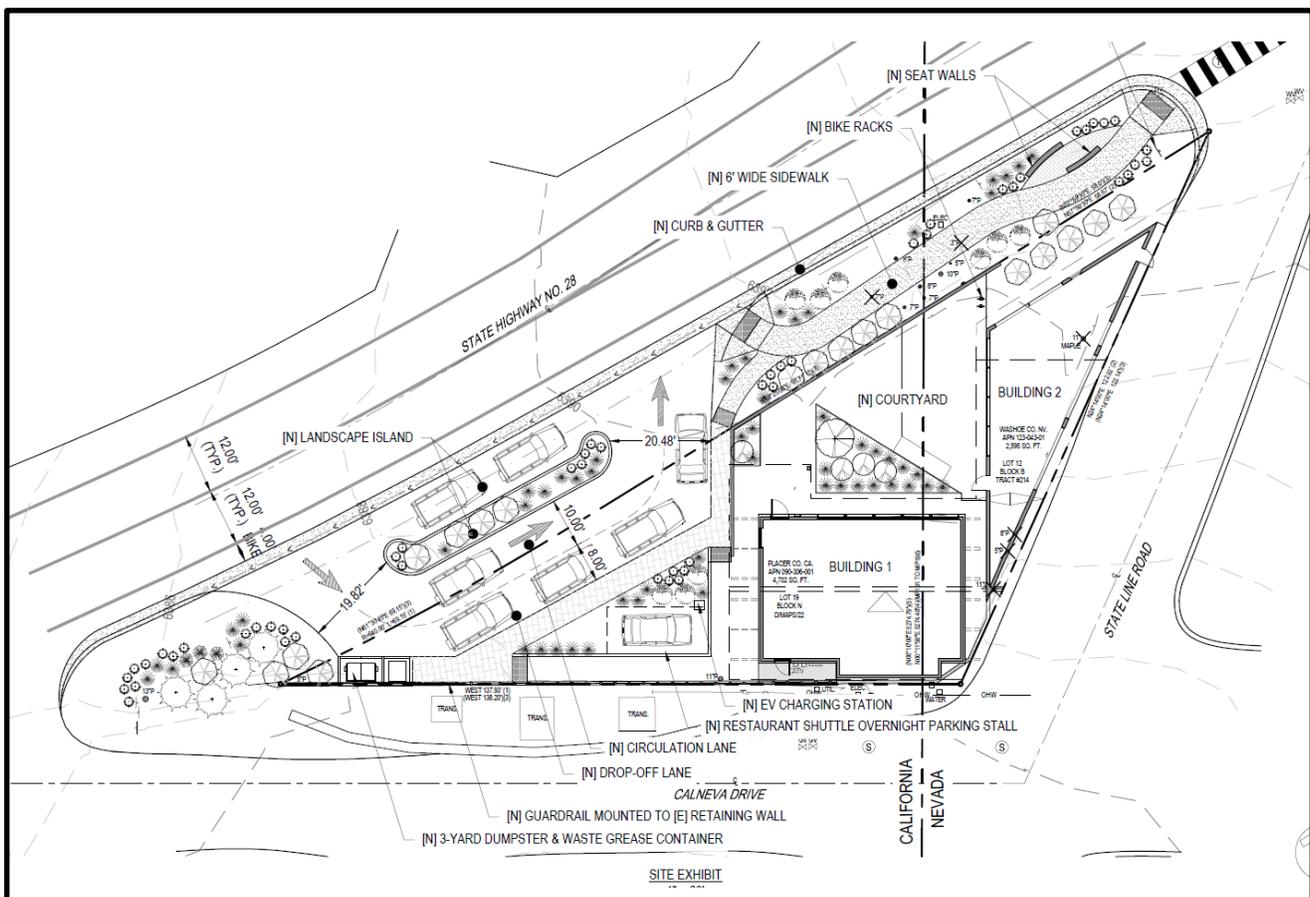
Overhead Photo

As shown on the overhead photo above, Stateline Road runs through a portion of the property and the construction of the proposed building may require a change to the roadway and intersection with State Route 28. The applicant is currently working on exhibits to address this issue; the applicant and staff hope to resolve the matter prior to the April 5, 2018 BOA meeting.

Staff has identified other concerns specifically involving the required parking needed to serve the project. According to Article 410 (Parking) of the Washoe County Development Code, the proposed use requires 11 parking spaces including one ADA parking space. Given the small lot size and triangle shape of the parcel as well as the limited availability for additional coverage in the Tahoe Basin, it is impossible to accommodate the 11 parking spaces required by code on the subject parcel. Therefore, the applicant has provided a list of strategies to mitigate the lack of parking on site. Below are some of the strategies proposed by the applicant to help mitigate the lack of proposed parking:

- 1) Improve pedestrian access: The applicants propose pedestrian improvements along the front of their property that will include a 6 foot wide meandering sidewalk along both California and Nevada properties. Several hotel redevelopments are located within a ¼ mile distance from the subject site and pedestrian improvements are greatly needed within this part of the Crystal Bay area.

- 2) Encourage Public Transportation: There are two existing bus stops within 350 feet of the restaurant location. The East bound stop serving Kings Beach and points further West will be directly accessible by the proposed sidewalk and crosswalk improvements. The West bound bus stop serving Incline Village and points East of Crystal Bay is directly across the street from the project site.
- 3) Provide Valet Parking Service: During summertime peaks and holidays, the restaurant will provide valet service to customers, as required. Vehicles will be managed in offsite locations procured by the restaurant.
- 4) Shuttle Service: During summertime peaks and holidays the restaurant will provide a complimentary Shuttle Service to customers, as required.
- 5) Bicycle Parking: The restaurant will provide parking for bicycles and e-bicycles. The topography of the surrounding area will likely limit frequent use of standard bicycles, but the popularity of e-bikes is growing. A secure location for short term storage of bicycles will be provided.
- 6) Off Street Parking for Employees: The restaurant will provide parking for employees via short term lease or other parking agreements.



Design Concept for both buildings

Citizen Advisory Board

The proposed project was presented by the applicant’s representative at the September 25, 2017 Incline Village/Crystal Bay Citizen Advisory Board meeting. The CAB expressed support for the development and voted unanimously to approve the request.

Reviewing Agencies

The following agencies received a copy of the project application for review and evaluation.

- Washoe County Community Services Department
 - Planning and Building Division
 - Planning and Building Division – Parks and Open Spaces
 - Engineering and Capital Projects – Land Development
 - Parks and Open Spaces
- Washoe County Health District
- North Lake Tahoe Fire Protection District
- Incline Village General Improvement District
- Tahoe Regional Planning Agency

Five out of the eight above listed agencies/departments provided comments and/or recommended conditions of approval in response to their evaluation of the project application. A **summary** of each agency's comments and/or recommended conditions of approval and their contact information is provided. The Conditions of Approval document is attached to this staff report and will be included with the Action Order.

- Washoe County Planning and Building Division addressed permitting and operational conditions.
Contact: Trevor Lloyd, 775.328.3617, tlloyd@washoecounty.us
- Washoe County Engineering and Capital Projects – Engineering Program has asked for a hold harmless agreement from the applicants.
Contact: Leo Vesely, 775.328.2313, ivesely@washoecounty.us
- Washoe County Engineering and Capital Projects – Traffic Program recommends denial of the request because the 5' side yard setback doesn't allow for a clear zone or snow storage on Stateline Road and that snow may fall on the sidewalk and roadway. Also, if there is widening of the State Route 28 roadway, there may not be enough right-of-way to accommodate the roadway expansion.
Contact: Clara Lawson, 775.328.3603, clawson@washoecounty.us
- Incline Village General Improvement District requests that the owner stake all property corners on the property and locate all IVGID owned utility lines to determine if the variance can be approved.
Contact: 775.832.1246
- Nevada Department of Transportation requires an occupancy permit for any work within NDOT's right of way and the restriction of any driveways along St. Route 28, submittal of a drainage report, a traffic study and the need to provide parking on site or within close proximity.
Contact: Jae Pullen, 775.834.8300, jpullen@dot.nv.gov

Staff Comment on Required Findings

Washoe County Development Code Section 110.804.25, Article 804, *Variances*, requires that all of the following findings be made to the satisfaction of the Washoe County Board of Adjustment before granting approval of the request. Staff has completed an analysis of the variance application and has determined that the proposal is in compliance with the required findings as follows.

1. Special Circumstances. Because of the special circumstances applicable to the property, including exceptional narrowness, shallowness or shape of the specific piece of property; exceptional topographic conditions; extraordinary and exceptional situation or condition of the property and/or location of surroundings; the strict application of the regulation results in exceptional and undue hardships upon the owner of the property.

Staff Comment: The property is burdened by exceptional narrowness, exceptionally small size and an exceptionally challenging shape with two fronts and one side yard. Additionally, the parcel has slopes around 10 percent requiring the use of a large retaining wall along the east and south sides of the property that varies in height from 6 inches to ten feet. The property is also surrounded on three side by street frontages that intersect in an oblique manner.

2. No Detriment. The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted.

Staff Comment: Stateline Road currently extends over a portion of the subject property where the applicants intend to construct their proposed building. The roadway/intersection design and potential impacts have not been clearly detailed in the application and therefore staff cannot make the finding of no detriment at this time. However, the applicant has been working with staff and has committed to completing the necessary designs for the roadway in hopes to resolve the matter prior to the Board of Adjustment meeting on April 5, 2018.

3. No Special Privileges. The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated.

Staff Comment: Granting of the variance will not constitute a grant of special privileges not enjoyed by similarly situated properties. All of the surrounding/adjacent properties within the Nevada side of the boundary have the identical regulatory zone designation (TC).

4. Use Authorized. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property.

Staff Comment: The proposed use is allowed within the TC regulatory zone.

5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Staff Comment: There are no military bases within close proximity of the subject site.

Recommendation

Those agencies which reviewed the application recommended conditions in support of approval of the project. Therefore, after a thorough analysis and review, Variance Case Number WPVAR17-0007 is being recommended for denial. Staff offers the following motion for the Board's consideration.

Motion

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment deny Variance Case Number WPVAR17-0007 for Izakaya Tahoe, being unable to make the following required finding in accordance with Washoe County Development Code Section 110.804.25:

1. No Detriment. The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted;

Appeal Process

Board of Adjustment action will be effective 10 calendar days after the written decision is filed with the Secretary to the Board of Adjustment and mailed to the applicant, unless the action is appealed to the Washoe County Board of County Commissioners, in which case the outcome of the appeal shall be determined by the Washoe County Board of County Commissioners. Any appeal must be filed in writing with the Planning and Building Division within 10 calendar days from the date the written decision is filed with the Secretary to the Board of Adjustment and mailed to the applicant.

Owner: Evo Real Estate Inc.
Attn: Michael Lerch
703 Champagne Rd
Incline Village, NV 89451

Applicant: Evo Real Estate Inc.
Attn: Brent Norton

Representative: PRDEI
Attn: Andrew Ryan

Representative: Studio Terpeluk
Attn: Michelle



Incline Village Crystal Bay Citizens Advisory Board

DRAFT: Approval of these draft minutes, or any changes to the draft minutes, will be reflected in writing in the next meeting minutes and/or in the minutes of any future meeting where changes to these minutes are approved by the CAB.

Minutes of the Incline Village Crystal Bay Citizens Advisory Board meeting held at Incline Village General Improvement District, 893 Southwood Blvd, Incline Village, NV 89451 on September 25, 2017, 5:30 P.M.

1. *CALL TO ORDER/ PLEDGE OF ALLEGIANCE – Gerry Eick called the meeting to order at 5:30 P.M.

2. *ROLL CALL/DETERMINATION OF A QUORUM - Tom Cardinale (alternate filling in for Kevin Lyons), Andrew Wolf, Gerry Eick. A quorum was determined.

Absent: Mike Sullivan, Pete Todoroff. Excused: Kevin Lyons, Judy Miller

3. *PUBLIC COMMENT – No Public Comment

4. APPROVAL OF AGENDA FOR THE MEETING OF SEPTEMBER 25, 2017 – Andy Wolf moved to approve the agenda. Tom Cardinale seconded the motion to approve the agenda. Motion carried unanimously.

5. APPROVAL OF THE MINUTES FOR THE MEETING OF JULY 24, 2017 – Tom Cardinale moved to approve the minutes of **JULY 24, 2017**. Andy Wolf seconded the motion to approve the minutes of **JULY 24, 2017**. The motion carried unanimously.

6. ELECTION OF OFFICERS – Citizen Advisory Board members will select and appoint members for Chair and Vice Chair. Officer positions are one year terms. Officers will assume their role immediately after appointment.

Nominations for CHAIR:

Andy Wolf nominated Gerry Eick as Chair. Tom Cardinale nominated Pete Todoroff as Chair. Gerry Eick nominated Andy Wolf – Andy seconded nomination. Gerry withdrew his nomination of Andy.

MOTION: Tom Cardinale nominated Pete Todoroff for Chair. Gerry Seconded the motion to nominate Pete Todoroff to be appointed as Chair of the IV/CB CAB, pending his acceptance. Motion carried unanimously.

Nominations for VICE CHAIR:

Tom Cardinale nominated Andy Wolfe.

MOTION: Andy Nominated Gerry, Gerry Seconded. Motion carried unanimously.

7. PUBLIC OFFICIALS REPORT

A. *COUNTY UPDATE – A representative from the Office of the County Manager will provide an update on County services and is available to answer questions and concerns. Please feel free to contact the Office of the County Manager at (775) 328-2000. To sign up to receive email updates from the County visit www.washoecounty.us/cmail. *(This item is for information only and no action will be taken by the CAB).*

Dave Solaro, Assistant County Manager, gave an update:

CAB program: He said they have been speaking with the Commissioners about the CAB program and how the CABs have been beneficial to the community as well as planning and development and area plans. He said we

have dedicated staff person for the CAB program, Alice McQuone. We are bolstering the support in community services. You will see changes over the next couple of months. We will be asking for feedback. Your role on the CAB board will be a good source of information and input from citizens.

He gave informational handouts:

- Community/Senior center: Senior services, Library, IVGID, and the Community Services Department are collaborating on this project. You will see construction work at the old library building. They will be working on creating a better entrance.
- Free microchip clinic for Seniors – September 26
- Kids to Seniors Korner – Free immunizations for all ages.
- Senior Center/Community Center Survey
- Human Services participated in the Sheriff's picnic and received good feedback

Questions/comments:

Andy Wolf asked about the drainage project; there have been revisions for it to be safer. Dave said we received complaints of unsafe conditions, and sent out our engineers and contractors to re-design the portions of the project to include the highway safety initiatives. It has been completed; it meets water quality and roadway safety. There are further conversations of pedestrian work adjacent to the work. They are exploring how to work it into the water quality project. He said they have applied for grants. Andy suggested that the Washoe County PIO or a Washoe County Roads/public works official send letter to the local paper about the mitigation and project completion.

Tom Cardinale said he lives in the project area. He said he recommends that curbs or an abutment be installed on Country Club (north to south) so vehicles don't straddle that ditch during high season.

Gerry Eick said the project was remediated before school was in session, which was appreciated. He also mentioned the topic of dirt versus parking spots. Gerry thanked Dave for the follow up and response. It needs to be communicated if the project is completed.

Bill Devine asked how the remediation will be paid for. Dave said Washoe County will pay for it, but will work with designer on who is responsible.

8. DEVELOPMENT PROJECTS – The project description is provided below with links to the application or you may visit the Planning and Building Division website and select the Application Submittals page:

https://www.washoecounty.us/csd/planning_and_development/index.php

8.A. Variance Case Number WPVAR 17-0007 (Izakaya Tahoe) – Request for community feedback, discussion and possible recommendation to the Washoe County Board of Adjustment to permit a variance to reduce the front yard setbacks along State Line Road from 20 feet to 2 feet, to reduce the front yard setbacks along SR 28 from 20 feet to 10 feet, and to reduce the side yard setback from 10 feet to 5 feet to allow the new construction of a 949 square foot building.

- Applicant/ Property Owner: Evo Real Estate Opportunities Inc., Michael Lerch
- Location: 2 N. Lake Ave., Crystal Bay, NV 89402, Intersection of SR 28 and State Line Road
- Assessor's Parcel Number: 123-043-01
- Staff: Trevor Lloyd, 777-328-3617, tlloyd@washoecounty.us
- Reviewing Body: Tentatively scheduled for Board of Adjustment, October 5, 2017.

Trevor Lloyd, Planning Manager, Washoe County Planning and Development, gave an overview:

- Request for variance in Crystal Bay.
- Small piece of property, triangle shape.
- It has constraints, slope, amount of set-back, 2,000 square feet in space.

Andrew Ryan, PR Design and Engineering:

- This project will go before the Board of Adjustment in December instead of October.
- He gave a powerpoint of the variance request
- The property was formally Straddles and Mellowfellow
- Stateline runs through the building – multiple jurisdictions for services/counties
- He showed pictures - Retaining wall is 10.5 feet; road descends with grade adjustment

Gerry Eick asked about the shape of the corner which may affect the view of the driver on the frontage road. Andrew said part of that triangle has been paved and people are driving over the private property to the road. Gerry said that has been a high profile intersection during the Boulder Bay discussion. He said he is concerned from a traffic safety standpoint. Trevor said there are a number of findings that need to be identified including this discussion of safety. Andrew said this doesn't preclude the discussion of safety. We are moving through the process.

He showed a site plan of existing and proposed: The building is on the property line at existing condition. We are not contained in one entity, so we have to go to each jurisdiction for variance request.

Andrew said they want a nice entry or gateway into Nevada. He proposed an accessory building to compliment the building. Whatever seems reasonable with a site with this many constraints. He showed a rough draft of a floor plan of a bar with rough configuration of site. He said they would like a breeze way to marry the two buildings.

He showed existing building with elevation and a rendering of the proposed building with elevation.

Questions/Comments:

Andy Wolf said he was impressed with development packet. He said it addresses sight-line issues. Gerry said the staff report was good; it addresses the deterrent questions. He said it establishes the criteria. He said the intersection was a high profile discussion with other developments. Andrew said they could remove that pavement and put vegetation, but that's not their intent. He said they are excited for the next step. Andy asked if it would eliminate the pavement. Andrew said yes, it could depending on the size. Tom Cardinale said he is concerned about the traffic safety as well. He said he would recommend prohibiting a left turn. Trevor Lloyd said he can't speak for the traffic engineer, but we can have this discussion with traffic experts and NDOT. That question is still pending.

Andy asked if you cannot construct a structure over a boundary or stateline; is there a scenario a building can be built contiguously. Ryan said yes, as long as we followed fire safety. The state line runs through the wall. It's subject to Placer County as well.

Bill Devine asked about parking; do you have to have a certain amount of parking. Andrew said yes, parking is required. Andrew said they will explore off site or alternate parking; they are here to hear if a building is palatable.

Gerry asked if the 949 ft is being depicted, and if that still up for discussion. Andrew said yes.

MOTION: Andy Wolf moved to recommend the project as presented. Tom Cardinale seconded the motion to approve the project as presented. The motion passed unanimously.

8B. Special Use Permit Case Number WSUP 17-0017 (IVGID Bike Park) – Request for community feedback, discussion and possible recommendation to the Washoe County Board of Adjustment to allow earthen structures that are taller than 6 feet in height to support the proposed grading for the new Incline Bike Park. The proposed earthen structures will be used for jumps and landings for the new bike park. • Applicant/

Property Owner: Brad Johnson

- Location: 969 Tahoe Boulevard, Incline Village, NV; Incline Way between Southwood Blvd. and Country Club Drive.
- Assessor's Parcel Number: 127-030-31
- Staff: Trevor Lloyd, 777-328-3617, tlloyd@washoecounty.us
- Reviewing Body: Tentatively scheduled for Board of Adjustment, October 5, 2017.

Gerry Eick stated he is an IVGID employee, but doesn't have a conflict of interest with this project.

Trevor Lloyd gave an overview:

- Asking to construct bike park on IVGID property
- Proposing permanent earthen structures over 6 feet in height. We are hearing and reviewing the earthen structure, not about the park.

Andrew Ryan: PR engineers and Charley Miller, IVGID, gave an overview of the project:

- Earthen structures, 'jumps'; 18 inches taller than code
- 7 features to exceed the 6' height
- Existing grade results in certain velocities.
- 1 acre parcel
- TRPA is ok with this project; we have stabilization; they approved this project.
- Andrew showed an area map

Features for height variance:

- Pump track – on grade
- Intermediate and advance flow lines
- Natural screening which are taller than the features proposed

Charley Miller, Principle Engineer, IVGID:

- Public/private donor project
- It's an EIP project recognized by TRPA – air quality and recreation
- Progression features (beginner to intermediate and advance).
- There are no gaps; safety aspects.

- Andy Wolf asked about the Disc Golf course. Charley said two holes have already been moved.

MOTION: Tom Cardinale moved to approve the project. Andy Wolf seconded the motion to approve the project. The motion passes unanimously.

9. *CHAIRMAN/BOARD MEMBER ITEMS/NEXT AGENDA ITEMS - This item is limited to announcements by CAB members and topics/issues posed for future workshops/agendas. *(This item is for information only and no action will be taken by the CAB).*

- October 2016 minutes need approval; need to be distributed and approved at the next meeting.
- Provide information about alternative parking and red or green days.
- Blight and garbage in community – effort and enforcement
- Dog owners: leash law enforcement – who and how to enforce. Concerns about dogs off leash and erosion of dog park. Communication needs to increase.
- Tahoe Area plan status

10. *PUBLIC COMMENT – Limited to no more than three (3) minutes. Anyone may speak pertaining to any matter either on or off the agenda. The public are requested to submit a Request to Speak form to the Board Chairman. Comments are to be addressed to the Board as a whole.

Dave Solaro spoke about Washoe311 to provide answers to the community with a call center and after hour call service. Two staff people are dedicated with information to answer questions. He said they can answer questions and pass along info to the appropriate department.

Dave spoke about community forums; the community wants to hear from partnering agencies such as NDOT, Waste Management, RTC, etc. He said we are discussing a Washoe County fair with seasonal topics to bring info and gather info from the community. He said he will work with community for the 'agenda' of the meeting.

Michelle Bello thanked community, IVGID, Washoe County, and fire district for participating in Washoe County Sheriff's Picnic. Please provide us with feedback.

ADJOURNMENT- Meeting adjourned at 6:43 p.m.

Number of CAB members present: 3

Number of Public Present: 6

Presence of Elected Officials: 0

Number of staff present: 2

Submitted By: Misty Moga



WASHOE COUNTY
COMMUNITY SERVICES DEPARTMENT
Engineering and Capital Projects Division

"Dedicated to Excellence in Public Service"

1001 East 9th Street PO Box 11130 Reno, Nevada 89520 Telephone: (775) 328-2040 Fax: (775) 328-3699

INTEROFFICE MEMORANDUM

DATE: August 30, 2017
TO: Trevor Lloyd, Planning and Development Division
FROM: Leo R. Vesely, P.E., Engineering and Capitol Projects Division
SUBJECT: **WPVAR17-0007**
APN 123-043-01
IZAKAYA TAHOE

I have reviewed the referenced variance case and recommend the following condition:

1. Provide a hold-harmless agreement to the satisfaction of the District Attorney and the Engineering Division.

LRV/lrv



STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

District II
310 Galletti Way
Sparks, Nevada 89431
(775) 834-8300 FAX (775) 834-8319

September 6, 2017

BRIAN SANDOVAL
Governor

RUDY MALFABON, P.E., Director

Washoe County
Planning and Development Division
P.O. Box 11130
Reno, NV 89520-0027

WPVAR17-0007
Izakaya Tahoe
2 N. Lake Ave Crystal Bay

Attention: Mr. Trevor Lloyd, Senior Planner

Dear Mr. Lloyd:

Nevada Department of Transportation (NDOT), District II has reviewed the request to approve a variance to 1) reduce the front yard setback along State Line Road from 20 feet to 2 feet and 2) reduce the side yard setback from 10 feet to 5 feet to allow for the commercial building on a ±2,000 square feet property. District has the following comments:

1. The parcel is unique as it sets ½ in Nevada and ½ in California. The driveway is located in California. Since the site is proposing to construct a sidewalk adjacent to State Route (SR) 28 in Washoe County, NV, an occupancy permit is required (Category VI- Miscellaneous). Based on the site plan submitted for this application, no additional driveways on SR 28 will be allowed (in Nevada). The applicant shall be responsible for maintenance and upkeep of the sidewalk.
2. An occupancy permit is required for facilities within the NDOT Right-of-Way. Please see the *Terms and Conditions Relating to Right of Way Occupancy Permits* booklet available online at nevadadot.com. Contact the Permit Office at (775) 834-8330 for more information regarding an occupancy permit.
3. For any non-permanent activities or temporary traffic control such as placement of cones, static signs, and portable electronic signs within NDOT Right-of-Way will require a temporary permit. Please submit temporary permit applications at least 4 weeks prior to the scheduled activity or work. Contact the Permit Office for more information.
4. Prior to any grading adjacent to NDOT Right-of-Way, a Drainage Report, including a grading plan, and a Drainage Form must be submitted to the Permit office. Please contact the Permit Office at (775) 834-8330 for more information.
 - a. A Drainage Report shall be submitted for any development or construction that impacts flow to or within NDOT Right-of-Way.
 - b. Please contact the Permit Office to coordinate with NDOT's Hydraulic Design Division. It is beneficial to the developer to work with the Hydraulic Design Division early in the design process to answer questions and give guidance.
 - c. The Drainage Information Form shall be stamped by a professional engineer, unless waived at the discretion of the District Engineer. To request for a waiver, please

submit the following:

- Submit a signed letter addressed to the District Engineer on official letterhead describing the development or construction activities and provide supporting reasons to approve the waiver.
 - Include FEMA flood maps pertaining to the proposed project location.
 - Include construction plans or any other supporting documentation.
5. Applicant is responsible for mitigating any project site drainage within the property. Drainage facilities within NDOT Right-of-Way is not recommended. Any proposal with facilities within the NDOT Right-of-Way will require a license or lease.
 6. NDOT will not require a traffic study for this development.
 7. The Nevada Revised Statutes (NRS) prohibits advertising within NDOT Right-of-Way. Please refer to NRS 405.110 Unlawful advertising on or near a highway or on bridge. Signs for advertising will not be allowed within NDOT Right-of-Way. Please ensure sign base, post and sign edge is outside of NDOT Right-of-Way.
 8. The property owner must provide adequate parking on the property or in the vicinity. NDOT does not issue permits for long term parking for business use. If needed, NDOT will post NO PARKING signs to mitigate any parking concerns. NDOT recommends not depending on State Right-of-Way to accommodate parking.
 9. The state defers to municipal government for land use development decisions. Public involvement for Development related improvements within the NDOT Right-of-Way should be considered during the municipal land use development public involvement process. Significant public improvements within the NDOT Right-of-Way developed after the municipal land use development public involvement process may require additional public involvement. It is the responsibility of the permit applicant to perform such additional public involvement. We would encourage such public involvement to be part of a municipal land use development process.
 10. No other comments at this time.

Thank you for the opportunity to review this development proposal. NDOT reserves the right to incorporate further changes and/or comments as the design review advances. I look forward to working with you and your team and completing a successful project. Please feel free to contact me at (775)834-8300, if you have any further questions or comments.

Sincerely,

DocuSigned by:

 DC6D2FB6D946439... 09/07/2017

Jae Pullen, PE, PTOE
 District II Engineering Services

JEP/rmo

cc: Thor Dyson, NDOT District Engineer
 Richard Oujevolk, NDOT District Traffic
 Trevor Lloyd, WACO Community Services
 File

DS


09/07/2017



Development Review Status Sheet

Date: 2-23-17

Attention: Tlloyd@washoecounty.us

RE: Variances WPVAR17-0007
 APN: 123-043-01
 Service Address: 2 North Lake Avenue Crystal Bay NV 89402
 Crystal Bay NV 89402
 Owner: Evo Real Estates Inc

Phone:	Fax:	Email:
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Mailing Address: N/A

Variance Case Number WPVAR17-0007 (Izakaya Tahoe) – For possible action, hearing, and discussion to approve a variance to 1) reduce the front yard setback along State Line Road from 20 feet to 2 feet and 2) to reduce the side yard setback from 10 feet to 5 feet to allow for the commercial building on a ±2,000 square foot property.

- Owner/Applicant: Evo Real Estate, Inc.
Attn: Brent Norton
- Location: 2 N. Lake Avenue, Crystal Bay, NV 89402
- Assessor's Parcel Number: 123-043-01
- Parcel Size: ±0.04 Acres (±2,000 square feet)
- Master Plan Category: Commercial (C)
- Regulatory Zone: Tourist Commercial (TC)
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village/Crystal Bay
- Development Code: Authorized in Article 804
- Commission District: 1 – Commissioner Berkbigler
- Section/Township/Range: Section 30, T16N, R18E, MDM, Washoe County, NV
- Staff: Trevor Lloyd, Senior Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775-328-3620
- Email: tlloyd@washoecounty.us

Comments: Before IVGID can approve this variance, IVGID request the owner to stake all property corners on this property. Once the owner stakes/locates all property corners of said property, IVGID will locate all IVGID owed utilities lines to determine if variance can be approved.

Completed by: Tim Buxton, Chief Inspector

Phone: (775) 832-1246 Fax: (775) 832-1260

Incline Village General Improvement District, 1220 Sweetwater Road, Incline Village NV 89451

The contents of this transmission are intended only for the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you receive this communication in error, please notify us immediately by telephone and return the original to us at the above address via US Postal Service. We will reimburse you for your postage. Thank you.

Note: Send information to the case planner as prescribed on the memo from Dawn or the Washoe County Development. TLB

OFFICIAL NOTICE OF PUBLIC HEARING

DATE: September 22, 2017

You are hereby notified that the **Washoe County Board of Adjustment** will conduct a public hearing at the following time and location:

1:30 p.m., Thursday, October 5, 2017

County Commission Chambers, 1001 East Ninth Street, Reno, NV 89512

RE: Variance Case Number WPVAR17-0007 (Izakaya Tahoe) – For possible action, hearing, and discussion to approve a variance to 1) reduce the front yard setback along State Line Road from 20 feet to 0 feet. 2) to reduce the front yard setback along State Route 28 from 20 feet to 8 feet, and 3) to reduce the side yard setback from 10 feet to 3 feet to allow for a commercial building on a ±2,000 square foot property.

- Owner/Applicant: Evo Real Estate, Inc., Attn: Brent Norton
- Location: 2 N. Lake Avenue
Crystal Bay, NV 89402
- Assessor's Parcel Number: 123-043-01
- Parcel Size: ±0.04 Acres (±2,000 square feet)
- Master Plan Category: Commercial (C)
- Regulatory Zone: Tourist Commercial (TC)
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village/Crystal Bay
- Development Code: Authorize in Article 804, Variances
- Commission District: 1 – Commissioner Berkgigler
- Section/Township/Range: Section 30, T16N, R18E, MDM,
Washoe County, NV
- Staff: Trevor Lloyd, Senior Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3620
- E-mail: tlloyd@washoecounty.us

As an owner of property in the vicinity, you are invited to present testimony relative to these matters.

To access additional information about this item, please visit our website at www.washoecounty.us/csd/planning_and_development/, choose **Boards and Commissions**, then **Board of Adjustment, Meetings, +2017**. Then click on the above referenced meeting date.

Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Development staff at 775.328.3600.

Project Information		Staff Assigned Case No.: _____	
Project Name: IZAKAYA TAHOE			
Project Description: New Construction of Accessory Use Building 949 SF			
Project Address: 2 N Lake Ave., Crystal Bay, NV 89402			
Project Area (acres or square feet): 1,778 SF			
Project Location (with point of reference to major cross streets AND area locator): Int of SR 28 and State Line Rd. Crystal Bay, NV			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
123-043-01	0.04		
Section(s)/Township/Range: T16 R18 S30			
Indicate any previous Washoe County approvals associated with this application: Case No.(s). Addition to Nevada Subdivision Tract Map No. 214			
Applicant Information (attach additional sheets if necessary)			
Property Owner: Evo Real Estate Inc.		Professional Consultant: PRDEI	
Name: Michael Lerch		Name: Andrew T. Ryan, PE	
Address: 703 Champagne Rd., Incline Village, NV		Address: 8889 N. Lake Blvd. Box 1847, Kings Beach, CA	
Zip: 89451		Zip: 96143	
Phone:	Fax:	Phone: 530-546-4500	Fax:
Email:		Email: andrew@prdei.com	
Cell:	Other:	Cell:	Other:
Contact Person:		Contact Person:	
Applicant/Developer: Evo Real Estate Inc.		Other Persons to be Contacted:	
Name: Brent Norton		Name: Studio Terpeluk	
Address: 2425 Olympic Blvd. Santa Monica, CA		Address: 148 Townsend Street, San Francisco	
Zip: 90404		Zip: 94107	
Phone: 310-283-2855	Fax:	Phone: 415-335-3512	Fax:
Email: bn@evofund.com		Email: michelle@studioterpeluk.com	
Cell:	Other:	Cell:	Other:
Contact Person:		Contact Person:	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

Property Owner Affidavit

Applicant Name: EVO REAL ESTATE OPPORTUNITIES LLC

The receipt of this application at the time of submittal does not guarantee the application complies with all requirements of the Washoe County Development Code, the Washoe County Master Plan or the applicable area plan, the applicable regulatory zoning, or that the application is deemed complete and will be processed.

STATE OF NEVADA)
)
COUNTY OF WASHOE)

I, MICHAEL LEZCA
(please print name)

being duly sworn, depose and say that I am the owner* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true, and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of Planning and Building.

(A separate Affidavit must be provided by each property owner named in the title report.)

Assessor Parcel Number(s): 123-043-01

Printed Name MICHAEL LEZCA

Signed [Signature]

Address 703 CHAMPAGNE RD

INCLINE VILLAGE, NV 89451

(Notary Stamp)

Subscribed and sworn to before me this
_____ day of _____, _____.

Notary Public in and for said county and state

My commission expires: _____

*Owner refers to the following: (Please mark appropriate box.)

- Owner
- Corporate Officer/Partner (Provide copy of record document indicating authority to sign.)
- Power of Attorney (Provide copy of Power of Attorney.)
- Owner Agent (Provide notarized letter from property owner giving legal authority to agent.)
- Property Agent (Provide copy of record document indicating authority to sign.)
- Letter from Government Agency with Stewardship

see attached

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

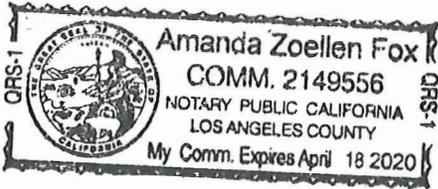
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Los Angeles)
On Aug 10, 2017 before me, Michael Amanda Zoellen Fox, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Michael Lerch
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____
 Corporate Officer — Title(s): _____ Corporate Officer — Title(s): _____
 Partner — Limited General Partner — Limited General
 Individual Attorney in Fact Individual Attorney in Fact
 Trustee Guardian or Conservator Trustee Guardian or Conservator
 Other: _____ Other: _____
Signer Is Representing: _____ Signer Is Representing: _____

Variance Application Supplemental Information

(All required information may be separately attached)

Chapter 110 of the Washoe County Code is commonly known as the Development Code. Specific references to variances may be found in Article 804, Variances.

1. What provisions of the Development Code (e.g. front yard setback, height, etc.) must be waived or varied to permit your request?

There are two items requested under this variance:

1. Setbacks- Along State Line Road the request is to match existing condition of 2 ft for proposed building. Along SR 28 the variance is requesting 10 ft from property line to building.

2. Lot Standards - Because of the State Line the applicant is not able to perform a voluntary merger and build an accessory structure to support the existing building to be remodeled. As such, the applicant is requesting a waiver of the minimum lot size of 10,000 SF to 2,595 SF.

You must answer the following questions in detail. Failure to provide complete and accurate information will result in denial of the application.

2. What are the topographic conditions, extraordinary or exceptional circumstances, shape of the property or location of surroundings that are unique to your property and, therefore, prevent you from complying with the Development Code requirements?

See attached findings dated 8/14/2017 prepared by PR Design and Engineering, INC

3. What steps will be taken to prevent substantial negative impacts (e.g. blocking views, reducing privacy, decreasing pedestrian or traffic safety, etc.) to other properties or uses in the area?

Due to the nature and intent of the improvements substantial negative impacts are not anticipated and the proposed development is complimentary to nearby established uses. See Findings for No Detriment.

4. How will this variance enhance the scenic or environmental character of the neighborhood (e.g. eliminate encroachment onto slopes or wetlands, provide enclosed parking, eliminate clutter in view of neighbors, etc.)?

The project is urban-infill redevelopment that is consistent with the goals and environmental policies of the TRPA Regional Plan that intends to redevelop a blighted site and a time-worn structure. The proposed project includes new facades, new buildings, new landscape, and improved access for pedestrians and vehicles. The project is both centrally located in a blighted area and at a gateway to Nevada.

5. What enjoyment or use of your property would you be denied that is common to other properties in your neighborhood?

The requested variance will allow:

1. An irregular, topographically challenged, and difficult to access site to enjoy redevelopment opportunities regularly available to conforming parcels.
2. The property owner to actively participate in environmental threshold attainment.
3. The value of the property to increase over time; thereby increase tax revenue.
4. The owner to experience pride in ownership and provide community benefit through removal of blight.

6. Are there any restrictive covenants, recorded conditions or deed restrictions (CC&Rs) that apply to the area subject to the variance request?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	If yes, please attach a copy.
------------------------------	--	-------------------------------

7. What is your type of water service provided?

To be provided by IVGID

8. What is your type of sewer service provided?

To be provided by IVGID



Evo Real Estate Inc.
Izakaya Tahoe
2 N. Lake Blvd.
Crystal Bay, NV 89402
APN: 123-043-01

August 14, 2017

Project Description:

The proposed project includes the construction of a 949 SF accessory use building in conjunction with the eating and drinking establishment on the adjacent property 9980 N. Lake Blvd, Kings Beach, CA 96143. This property is the Gateway to NV and Washoe County for eastbound traffic on SR 28.

Required Findings per Section 110.804.25

- a) Special Circumstances. The parcel meets all three categories for special circumstance:
- Exceptional narrowness, shallowness or shape of the specific property. *The existing parcel is an obtuse triangle with three street frontages, SR 28, Cal Neva Dr. and State Line Rd. A three-sided parcel of this size is inherently more difficult to meet standard development codes.*
 - Exceptional topographic conditions. *The site has an existing retaining wall used to create flat frontage along SR 28. The elevation change from the South property line to Cal Neva Dr. below is approximately 10.5 feet. The height of the retaining wall parallel to State Line Dr. varies from 6 inches to 10 feet. This topographic condition allows for egress along SR 28 only.*
 - Other Extraordinary and exceptional situation or condition of the property and/or location of surroundings. *The property has 3 roadway frontages that intersect in an oblique manner. Additionally, recent development of the parcel east of State Line Road included the installation of curb, gutter, sidewalk within the 40-foot public R.O.W. This resulted in the vehicular travel way shifting west instead of being centered in R.O.W. This limits the ability to have longer “runs” to resolve steps in grade with acceptable slopes. As can be seen on the site survey, the State Line and the Subdivision Boundary are offset by approximately 8 feet. This has resulted in more extensive permit and development efforts as it has doubled the number of Agencies Having Jurisdiction (AHJ). Specifically, this limits the owner from a voluntary merger to resolve lot standards and setbacks.*

The findings above demonstrate that the property has been found to have special circumstances and that strict application of lot standards, setbacks, and typical requirements result in exceptional and undue hardships for the owner of the property.

- b) No Detriment. The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted. *The existing parcel is previously developed and impacted from development. The proposed urban infill redevelopment is consistent with the goals of TRPA Regional Plan Update and is expected to be compliant with the forthcoming Washoe County Area Plan (a specific plan subset of TRPA Regional Plan). Furthermore,*

redevelopment will encourage attainment of environmental thresholds as required by TRPA and Washoe County. Specific thresholds that are expected to benefit from this redevelopment include:

- *Water Quality* – through installation of permanent Best Management Practices - treatment
- *Water Quantity* – through installation of BMPs – infiltration
- *Soil Conservation* – through stabilization of disturbed areas, improved stormwater conveyance, and revegetation
- *Air Quality* – location of eating and drinking establishments within walking distance of Casino Core and transit facilities encourages a “park once” strategy and helps to reduce vehicle miles traveled. Any reduction in VMTs is beneficial to air quality.
- *Vegetation Preservation* – due to the previously developed nature of the site, there is limited native landscape. The proposed project is committed to landscaping consistent with TRPA and Washoe County standards that includes native vegetation.
- *Noise* – SR 28 is generally out of attainment for noise due to volume, speed, and type of traffic. Small projects typically do not improve noise threshold attainment; however, the project’s location to transit and surrounding hotel uses will encourage alternate forms of travel: walking, cycling, and public transportation. Any reduction to vehicle trips is beneficial for noise threshold attainment.
- *Recreation*- The Crystal Bay Casino core is a recreation hub for gaming and nightlife activities. A quality eating and drinking establishment is complimentary to the present and future plans for the immediate area.
- *Scenic Resources* – The project is a gateway location within a scenic corridor. The project proposes new façades on existing structures, new buildings, new landscaping, new sidewalks, and general beautification of a dilapidated site with time-worn structure. There is opportunity for significant improvement to the Roadway Scenic Unit as the project is centrally located and nearly surrounded by blight. To the northwest is the boarded-up and chain link fenced former Tahoe Inn. To the south is the closed and chain link fenced historic Cal Neva. To the east is the former Lake Tahoe Brewing location that is closed and now rooms operated by Crystal Bay Casino.

Based upon the analysis above the project is expected to have environmental benefit as related to TRPA thresholds of attainment and is expected to improve the public good through removal of blight.

- c) No Special Privileges. The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone. *There appears to be no findings that support relaxation of lot standards and setbacks as being unique and/or a special granting of privileges. Lot setbacks are regularly modified through the variance process and the existing building setbacks for this lot, as a result of prior development, are consistent with the requested variance.*
- d) Use Authorized. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of the property. *The proposed use is permissible.*
- e) Effect on Military Installation. The variance will not have a detrimental effect on the location, purpose and mission of the military installation. *There is no nearby military facility.*

Findings prepared by Andrew Ryan PRDEI 8/14/2017
andrew@prdei.com 530.546.4500 x 105



TECHNICAL MEMORANDUM

1

PROJECT NAME: KAZ42 RESTAURANT – 9980 NORTH LAKE BLVD
PREPARED FOR: PLACER COUNTY; WASHOE COUNTY
PREPARED BY: PR DESIGN & ENGINEERING INC.
SUBJECT: SITE CIRCULATION PATTERNS
DATE: 2/12/2018

PROJECT DESCRIPTION:

The proposed project area includes two parcels: APN: 090-306-001 located in Placer County, CA and APN: 123-043-01 located in Washoe County, NV. The CA-NV Stateline runs through a portion of the existing building which is currently undergoing tenant improvements (PLN17-00217). The lot areas, subdivision boundaries, property lines, and Stateline are shown on the existing site survey.

The permitted and under construction Placer County tenant improvement will create a 1,231 SF restaurant with 31 indoor seats. The applicant is seeking to permit an approximately 949 SF accessory building located on the Washoe County parcel. Accessory uses to support the restaurant will include reception/waiting area, bar, storage, and small office. The proposed use is permissible.

The existing site allowed for five non-conforming parking stalls and was parked in an ad-hoc manner. The parking demand for the proposed project Tenant Improvements per Tahoe Basin Area Plan and within Placer County is 11 spaces. The parking demand for the pending Washoe County accessory building may require up to 11 spaces.

The existing site is a gateway property for Westbound traffic traveling from Crystal Bay, NV to Kings Beach, CA and vice-versa for Eastbound traffic. The property has declined since the late 1970s and has not received significant investment from the original building permit circa 1952. It is a well-known and blighted property in a highly visible location.

The purpose of this memo is to discuss potential solutions to access and parking that will allow this property to become a successful and redeveloped dual gateway property. The memo is being shared with Placer County and Washoe County to include both Agency's in the discussion. The applicant is requesting preliminary feedback to inform the following applications:

- Improvement Plan Permit for Placer County
- Board of Adjustment application for Washoe County

APPROACH TO ACCESS AND PARKING:

TECHNICAL MEMORANDUM

The approach to access and parking will be a multi-faceted approach and includes the following goals:

- Ingress and egress will be improved to allow vehicles to leave in a head-out manner. Existing parking and access encourages vehicles to back into or make turning movements within the SR 28 shoulder.
- Parking and access will comply with ADA. Existing site is non-ADA compliant.
- The project will demonstrate multi-modal transportation options and encourage other modes of transportation to reduce impacts of the automobile.

The project will employ the following strategies to effectively manage access and parking. While no single strategy would be sufficient as a standalone solution, it is the intent to utilize the following strategies in a comprehensive manner to capitalize on the summation of the benefits. The strategies to be implemented are as follows:

Near and Mid-Term Strategies (0-5 years)

1. **Improve Pedestrian Access:** There is approximately 400 year round residents and approximately 150 active Tourist Accommodation in the North Stateline and Crystal Bay area. With the Boulder Bay project 275 new hotel rooms and 59 luxury residences are expected within the next 5 years. The recently sold Cal Neva is expected to re-open 219 newly remodeled units within the next 3 years. These hotel redevelopments are located within a ¼ mile from the project location. The project includes pedestrian improvements consistent with TRPA Regional Plan Update and local community plans. The intended community amenity improvements include a 6ft wide meandering sidewalk along SR 28 and a new striped crosswalk on Stateline Dr., connecting the restaurant location to the Casino Core. Walking times from the new hotel locations to the restaurant are less than 5 minutes.
2. **Encourage Public Transportation Use:** There are two existing bus stops within 350ft of the restaurant location. The East bound stop serving Kings Beach and points further West will be directly accessible by the proposed sidewalk and crosswalk improvements noted above. The West bound bus stop serving Incline Village and points East of Crystal Bay is directly across the street from the restaurant location.
3. **Provide Valet Parking Service:** During summertime peaks and holidays the restaurant will provide valet service to customers as required. Vehicles will be managed in offsite locations procured by the restaurant.
4. **Operate Shuttle Service:** During summertime peaks and holidays the restaurant will provide a complimentary Shuttle Service to customers as required. The service area boundary will be limited by National Ave./ SR28 to the West, North Ave./SR267 to North and Country Club Dr./ SR 28 to the East.
5. **Provide Bicycle Parking:** Consistent with community plan requirements, the restaurant will provide parking for bicycles and e-bicycles. The topography of the surrounding area will likely limit frequent use of standard bicycles, but the popularity of e-bikes is growing. A secure location for short term storage of bicycles will be provided.

TECHNICAL MEMORANDUM

6. Provide Offsite Parking for Employees: The restaurant will provide parking for employees via short term lease or other parking agreements.

Long Term Strategies (5+ years)

7. Procure Permanent Parking Solutions: Given the blighted condition of the North Stateline and Crystal Bay commercial areas, it is expected that opportunities to procure permanent offsite parking will occur with the pending redevelopment projects of Cal Neva, Boulder Bay and Homewood (Tahoe Inn).
8. Improve the Site for the Future: Site improvements as proposed are intended to function now and in the future. Most import and domestic car manufacturers are set to have autonomous vehicle offerings by 2020. It is expected that by 2025 vehicles will be fully autonomous. The site access as proposed will encourage use by autonomous vehicles and include infrastructure for EV charging.

The following concepts are provided for review and comment. Included in the back of the package is the existing site survey and site photos for reference. Landscape elements that comply with the requirements of Area Plan(s) are shown in each concept. The location and access to the proposed solid waste enclosure meets the base requirements of the disposal company.

CONCEPT A - PAVER ISLAND:

- Vehicles egress in head out manner
- Provides 10ft pull thru lane for access
- Provides 10ft loading and unloading lane for vehicles and shuttle
- Flush paver island demarcates desired circulation and accommodates snow removal
- Flush paver walks facilitate loading and access
- EV Charger and parking spot

CONCEPT B – LANDSCAPE ISLAND:

- Vehicles egress in head out manner
- Provides 10ft pull thru lane for access
- Provides 8ft loading and unloading lane for vehicles and shuttle
- Raised island demarcates desired circulation and provides landscape

TECHNICAL MEMORANDUM

- Flush paver walks facilitate loading and access
- EV Charger and parking spot for overnight use

CONCEPT C – PARALLEL PARKING WITH LANDSCAPE ISLAND:

- Vehicles egress in head out manner
- Provides 10ft pull thru lane for access
- Provides 8ft loading and unloading lane for vehicles and shuttle
- Raised island demarcates desired circulation and provides landscape
- Flush paver walks facilitate loading and access
- EV Charger and parking spot

CONCEPT D – EXISTING CONDITION FORMALIZED:

- Vehicles do not egress in head out manner
- Provides most onsite parking spots
- Provides ADA parking stop
- Provides 8ft loading and unloading lane for vehicles and shuttle
- Flush paver walks facilitate loading and access

We are requesting feedback from Agencies by 3/1/2018 as that will allow the project applicant to stay on the plan development schedule.

PLACER COUNTY

9980 NORTH LAKE BLVD.

KINGS BEACH, CA

SITE EXHIBIT

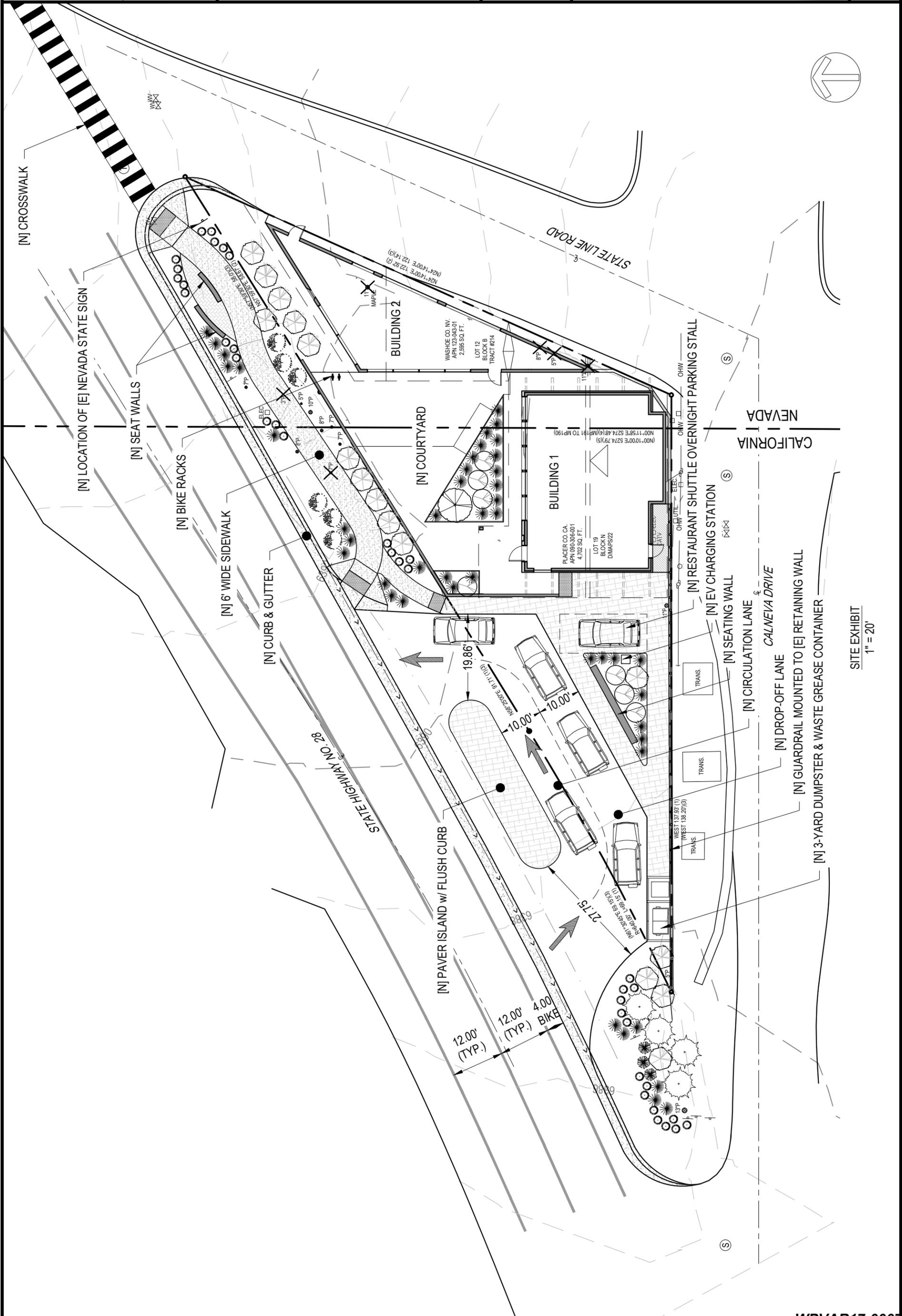
KAZ 42

FILE: P:\KAZ 42

SCALE: AS NOTED

DATE: 02/12/2018

PRJ. ENG.: ATR
DRWN.: JRL



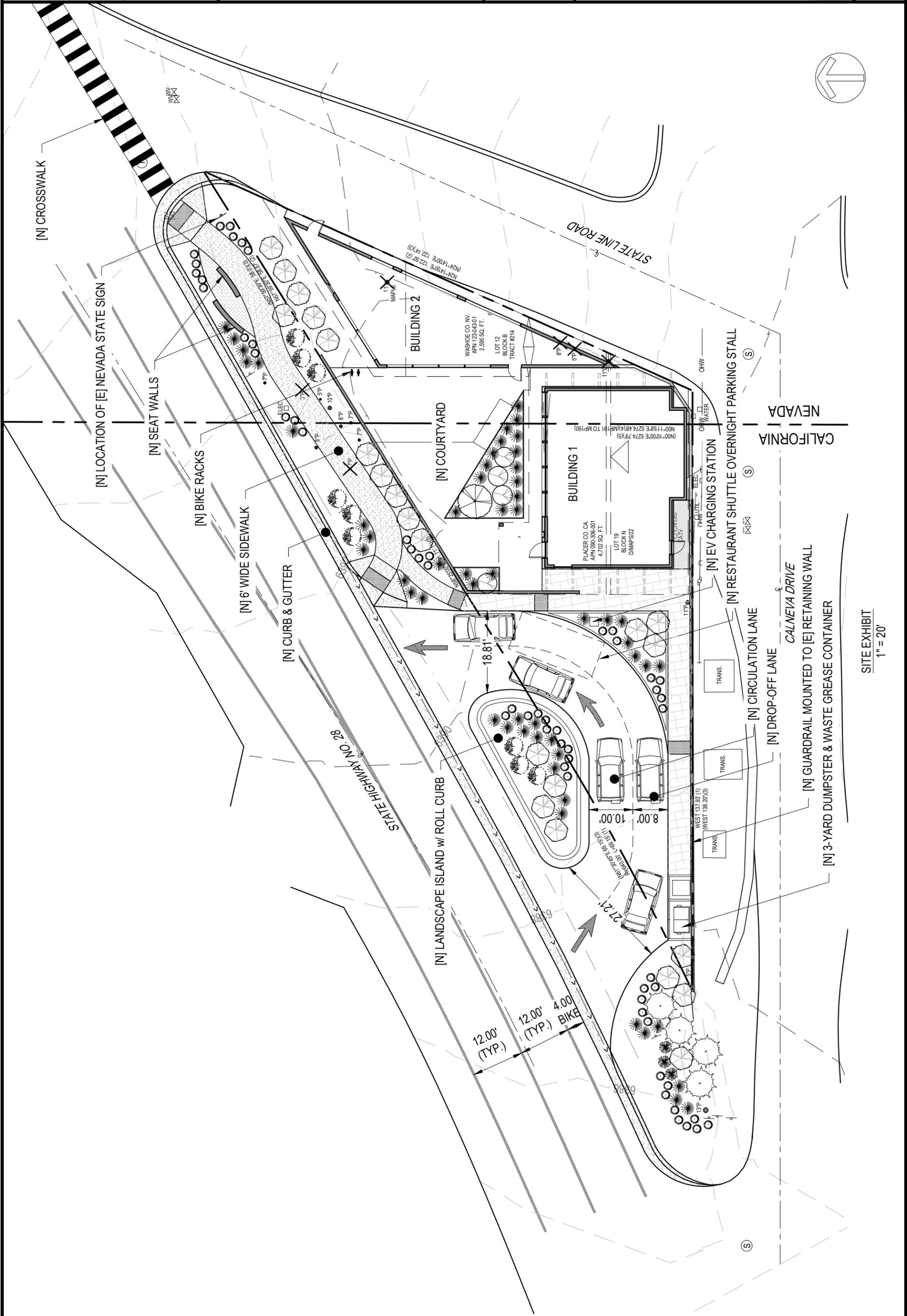
SITE EXHIBIT
1" = 20'

PLACER COUNTY
 9980 NORTH LAKE BLVD.
 SITE EXHIBIT
 KAZ 42



8889 North Lake Blvd, P.O. Box 1847
 Kings Beach, California 96143-1847
 Tel 530-546-4500 www.prdel.com

PRJ. ENG.: ATR
 DATE: 02/12/2018
 SCALE: AS NOTED
 FILE: P:\KAZ 42



SITE EXHIBIT
 1" = 20'

C

PLACER COUNTY

9980 NORTH LAKE BLVD.

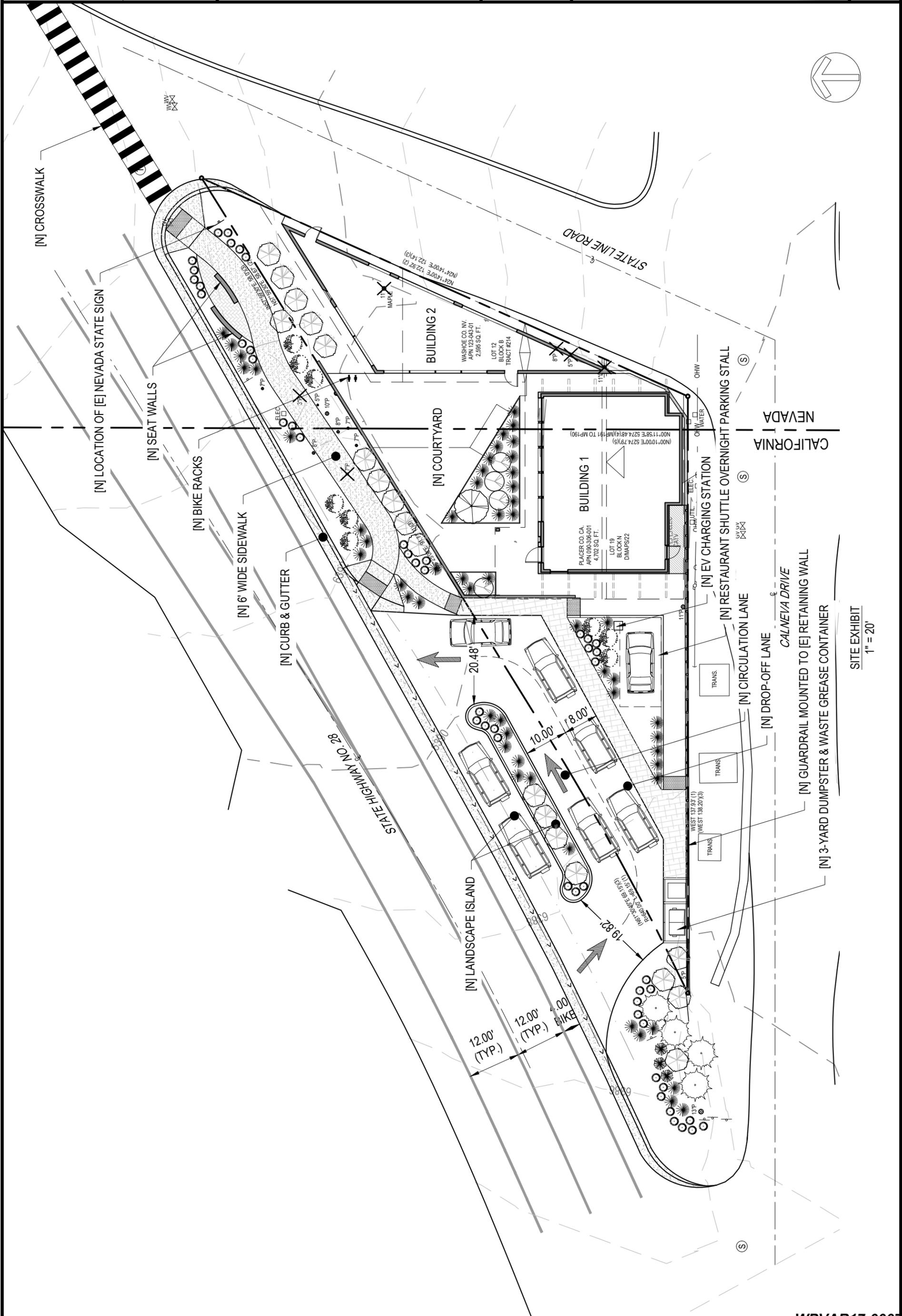
KINGS BEACH, CA

SITE EXHIBIT

KAZ 42

PDR DESIGN & ENGINEERING INC.
 8889 North Lake Blvd., P.O. Box 1847
 Kings Beach, California 96143-1847
 Tel 530-546-4500 www.pdrdei.com

PRJ. ENG.: ATR
 DRWN.: JRL
 DATE: 02/12/2018
 SCALE: AS NOTED
 FILE: P:\KAZ 42



SITE EXHIBIT
 1" = 20'

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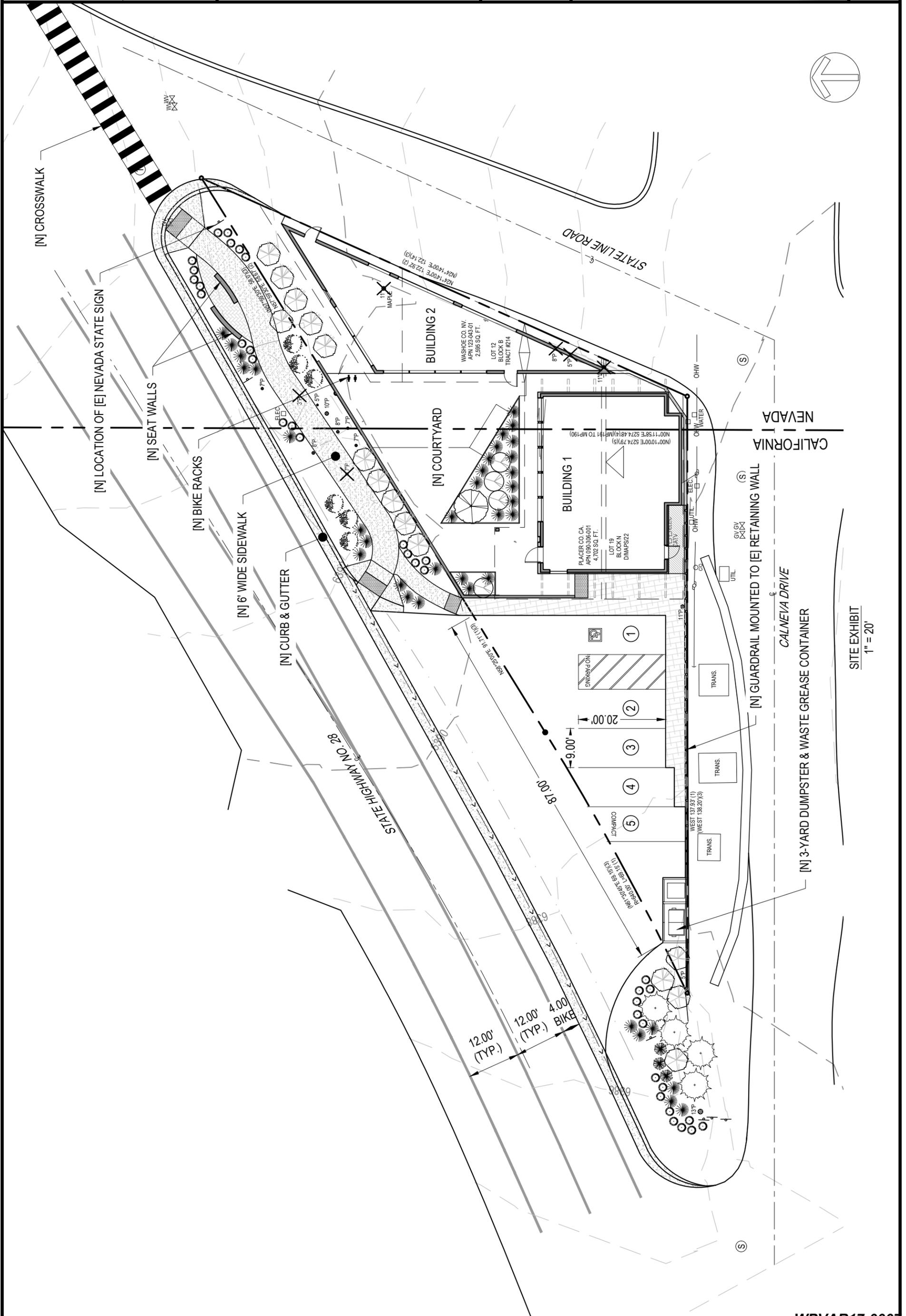
PLACER COUNTY
 9980 NORTH LAKE BLVD.
 KINGS BEACH, CA

KAZ 42
 SITE EXHIBIT

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PRJ. ENG.: ATR
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DATE: 02/12/2018
 SCALE: AS NOTED
 FILE: P:\KAZ 42



SITE EXHIBIT
 1" = 20'

PLACER COUNTY

KINGS BEACH, CA

9980 NORTH LAKE BLVD.

EXISTING SURVEY

KAZ 42



889 North Lake Blvd, P.O. Box 1847
Kings Beach, California 96143-1847
Tel 530-546-4500 www.prdel.com

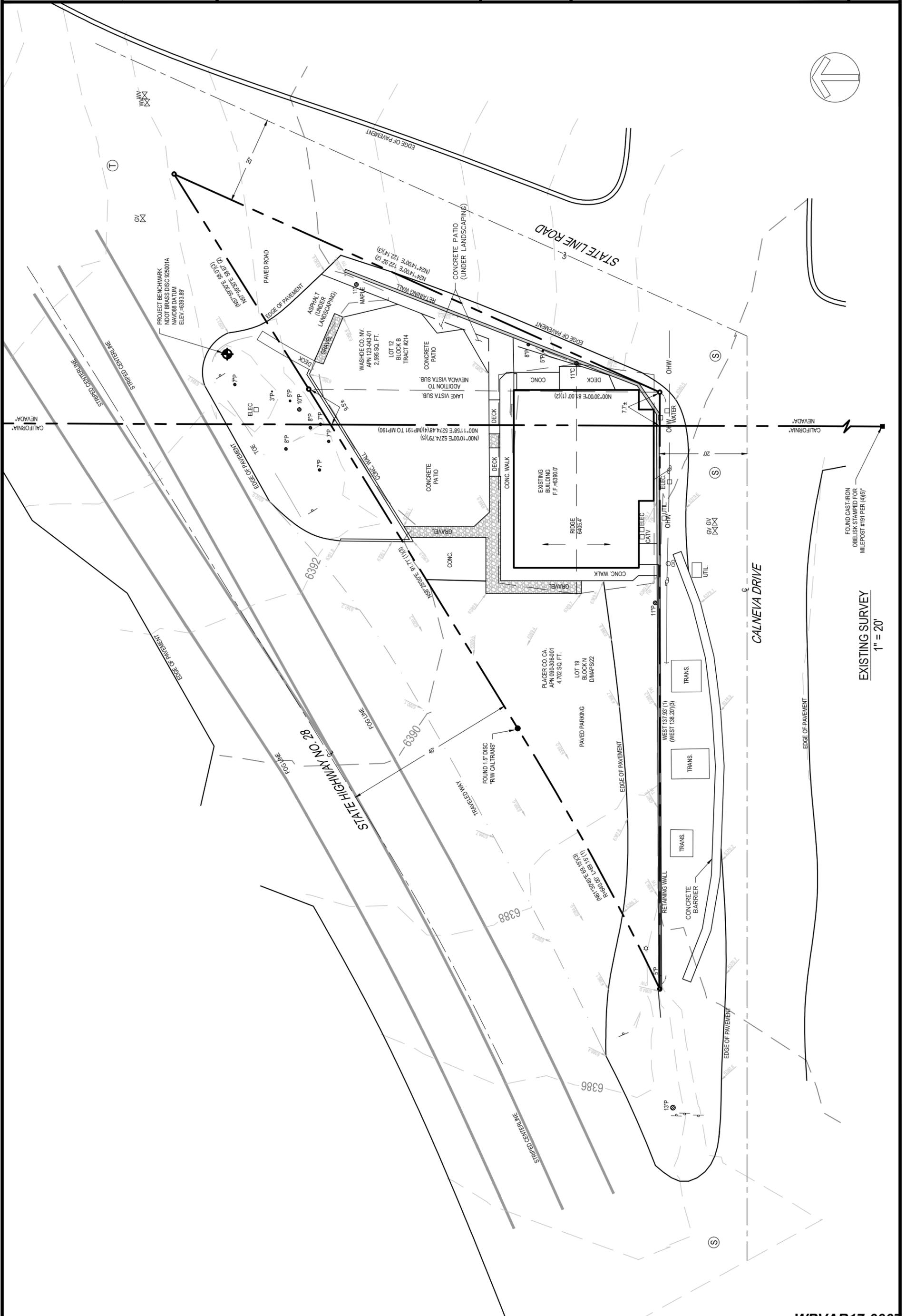
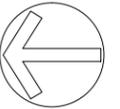
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SCALE: AS NOTED

DATE: 02/09/2018

PRJ. ENG.: ATR

DRWN.: JRL



FOUND CAST-IRON
OBELISK STAMPED FOR
MILEPOST #191 PER (4/5)

EXISTING SURVEY
1" = 20'

PLACER COUNTY

9980 NORTH LAKE BLVD.

KINGS BEACH, CA

EXISTING SITE PHOTOS

KAZ 42

FILE: P:\KAZ 42

SCALE: AS NOTED

DATE: 02/12/2018

PRJ. ENG.: ATR
DRWN.: JRL



3 VIEW FM (E) DRIVEWAY
SCALE: N/A

VIEW FROM (E) DRIVEWAY TOWARDS OUTDOOR DINING, (E) BUILDING FACADE, (E) TREES, (E) SIGNS, AND TO TOWN CENTER BEYOND. (E) STRING LIGHTS AND WOODEN FENCE VISIBLE AT OUTDOOR DINING.



6 VIEW TOWARDS EAST SIDE OF SITE
SCALE: N/A

VIEW FM ADJACENT BLDG PARKING LOT TOWARDS STATE LINE RD TOWARDS EAST SIDE OF SITE. RETAINING WALL VISIBLE ALONG EASTERN PROPERTY LINE OF WASIDE COUNTY PARCEL.



9 VIEW FM STATE LINE RD
SCALE: N/A

VIEW FM STATE LINE RD TOWARDS SW CORNER OF SITE.



12 DRIVEWAY AT PARKING LOT
SCALE: N/A

EDGE OF PAVEMENT AT DRIVEWAY ADJACENT TO OUTDOOR DINING.



2 VIEW FM LAKE AVE SHOULDER
SCALE: N/A

(E) BLDGS AT 9980 LAKE AVE VISIBLE WITH LARGE PAVED AREA AND RECEPTACLE IN FOREGROUND. OUTDOOR DINING, (E) TREES, AND "WELCOME TO NEVADA" SIGN TO LEFT OF BUILDING.



5 VIEW FM N LAKE AVE AND STATE LINE RD
SCALE: N/A

VIEW TOWARDS SITE SHOWING (E) TREES, RETAINING WALL AT STATE LINE RD, AND OUTDOOR DINING AREA.



8 VIEW FM STATE LINE RD
SCALE: N/A

VIEW TOWARDS SOUTHERN FACADE OF (E) BLDGS FM STATE LINE RD. (E) UTILITIES AND RETAINING WALLS VISIBLE.



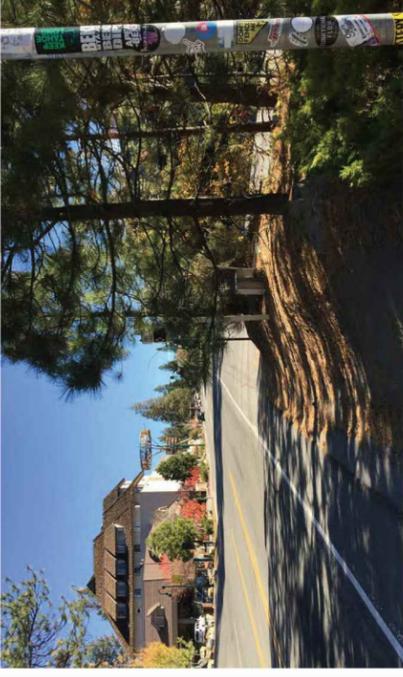
11 VIEW FM PARKING LOT
SCALE: N/A

VIEW TOWARDS (E) PAVED OUTDOOR DINING FM PAVED PARKING LOT. (E) TREES VISIBLE IN CALTRAILS ROW.



1 VIEW FM LAKE AVE AND CALANEVA DR
SCALE: N/A

VIEW TOWARDS SITE SHOWING (E) TREES, SIGNS, AND UTILITIES. ELEVATION DROP AT RETAINING WALL AT SOUTHERN PROPERTY LINE VISIBLE.



4 VIEW FM LAKE AVE
SCALE: N/A

VIEW FROM "WELCOME TO NEVADA" SIGN TOWARDS NE CORNER OF WASIDE COUNTY PARCEL. TOWARDS CENTER SIDE BEYOND. (E) TREES TO RIGHT.



7 VIEW FM STATE LINE RD AND CALANEVA DR
SCALE: N/A

VIEW TOWARDS SE CORNER OF SITE SHOWING (E) RETAINING WALL, (E) UTILITIES, (E) TREES, AND (E) SOUTH AND EAST FACADES OF (E) BLDGS. LAKE AVE VISIBLE AT END OF CALANEVA DR.



10 VIEW FM CALANEVA DR
SCALE: N/A

VIEW FM CALANEVA DR TOWARDS SW CORNER OF PLACER CO. PARCEL. TERMINATION OF RETAINING WALLS, (E) STREET SIGNS, AND (E) TREES VISIBLE OVER LANDSCAPING.

PROJECT LEAD
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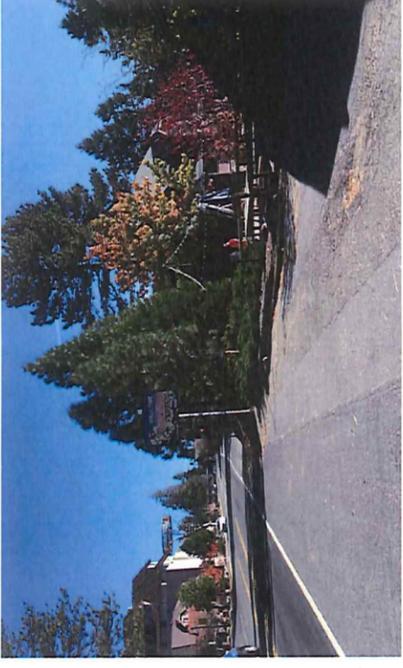
IZAKAYA TAHOE
9980 LAKE AVE, KINGS BEACH, CA 96143
2 N LAKE AVE, CRYSTAL BAY, NV 89402



DATE: 11/15/16
BY: ANDREW T. RYAN
SCALE: N/A

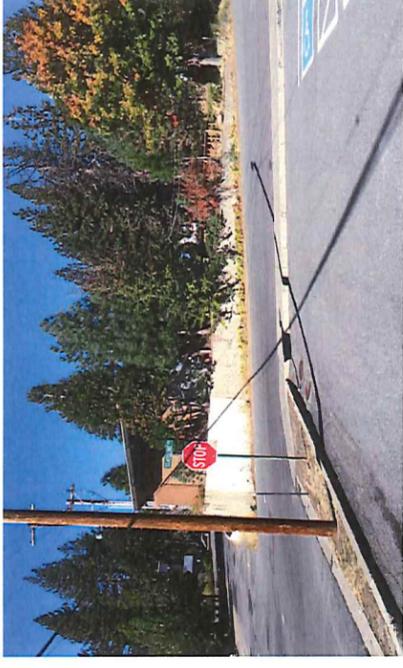
EXISTING
SITE PHOTOS

A0.50



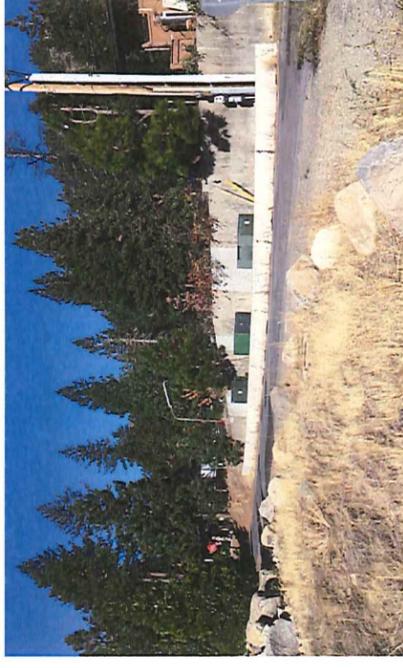
3 VIEW FM (E) DRIVEWAY
SCALE: N/A

VIEW FROM (E) DRIVEWAY
TOWARDS BUILDING. (F)
TREES, (G) SIGN, (H)
SIGN, AND TO TOWN CENTER
BEHIND. (I) STREET LIGHTS
AND WOODEN FENCE VISIBLE
AT OUTDOOR DINING.



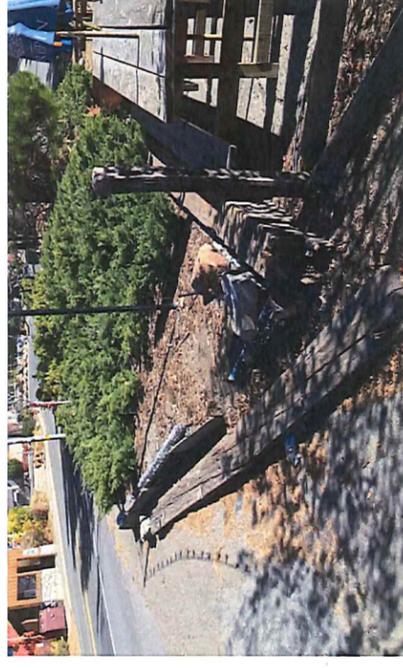
6 VIEW TOWARDS EAST SIDE OF SITE
SCALE: N/A

VIEW FM ADJACENT BLDG
PARKING LOT ACROSS STATE
LINE RD TOWARDS EAST SIDE
OF SITE. (F) RETAINING WALL
AND UTILITY POLES VISIBLE
PROPERTY LINE OF WASHOE
COUNTY PARCEL.



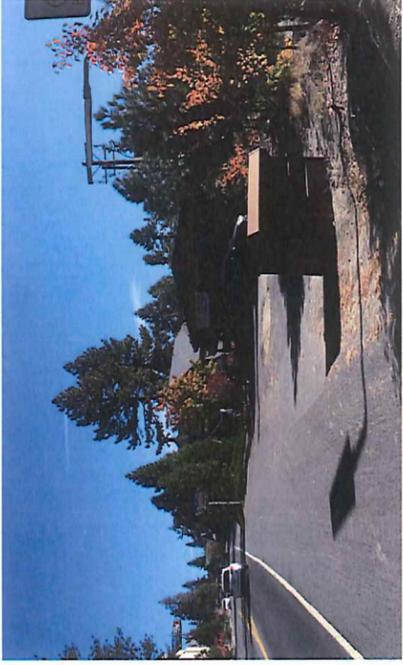
9 VIEW FM STATE LINE RD
SCALE: N/A

VIEW FM STATE LINE RD
TOWARDS SW CORNER OF SITE



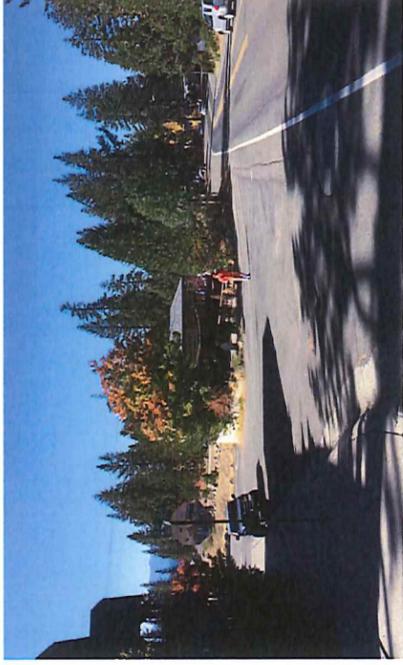
12 DRIVEWAY AT PARKING LOT
SCALE: N/A

EDGE OF PAVEMENT AT
DRIVEWAY ADJACENT TO
OUTDOOR DINING.



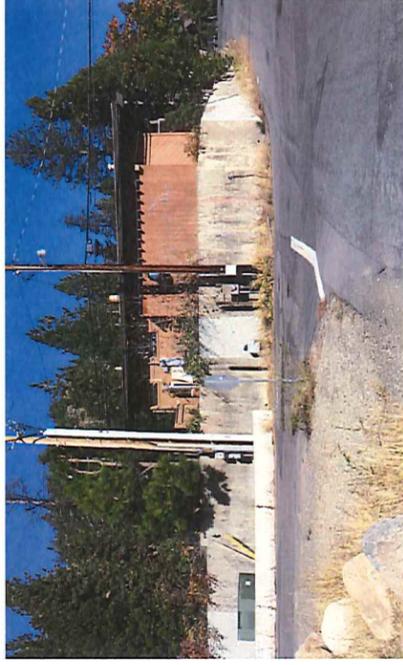
2 VIEW FM LAKE AVE SHOULDER
SCALE: N/A

(F) BLDG AT 9980 LAKE AVE
VISIBLE WITH LARGE PAVED
AREA. (G) SIGN, (H) SIGN
RECEPTACLE IN FOREGROUND,
STATE LINE RD, AND OUTDOOR
DINING. (I) TREES,
AND "WELCOME TO NEVADA"
SIGN TO LEFT OF BUILDING.



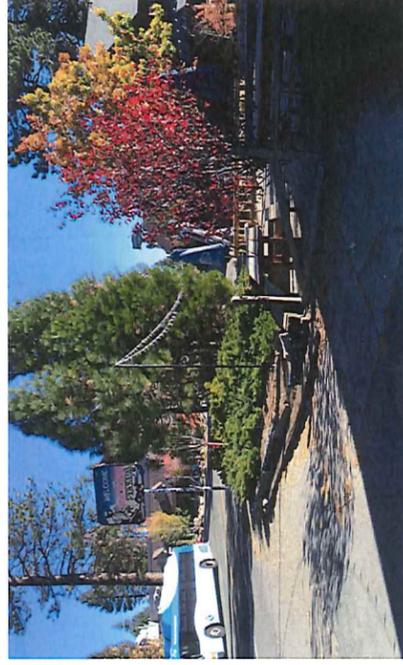
5 VIEW FM N LAKE AVE AND STATE LINE RD
SCALE: N/A

VIEW TOWARDS SITE SHOWING
FACADE OF (F) BLDG FM STATE
LINE RD, (G) UTILITIES AND
DINING AREA.



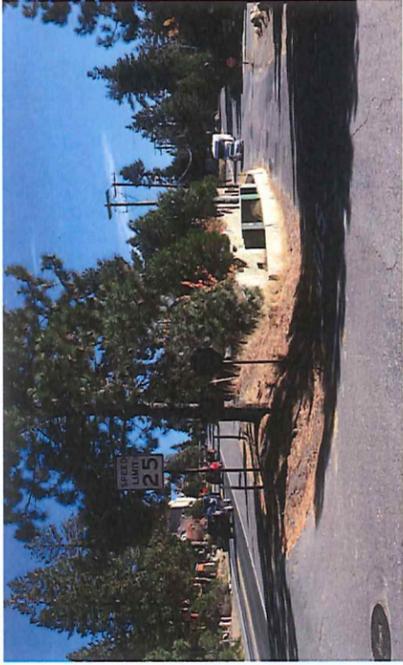
8 VIEW FM STATE LINE RD
SCALE: N/A

VIEW TOWARDS SOUTHERN
FACADE OF (F) BLDG FM STATE
LINE RD. (G) UTILITIES AND
REMAINING WALLS VISIBLE.



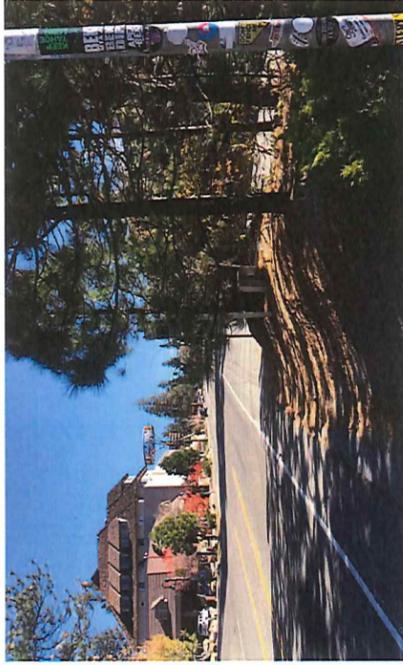
11 VIEW FM PARKING LOT
SCALE: N/A

VIEW TOWARDS (E) PAVED
OUTDOOR DINING FM PAVED
PARKING LOT. (F) TREES
VISIBLE IN CALTRAVIS ROW.



1 VIEW FM LAKE AVE AND CALANEVA DR
SCALE: N/A

VIEW TOWARDS SITE SHOWING
(F) TREES, (G) SIGN, AND
UTILITIES. ELEVATION DROP AT
RETAINING WALL AT SOUTHERN
PROPERTY LINE VISIBLE.



4 VIEW FM LAKE AVE
SCALE: N/A

VIEW FROM "WELCOME TO
NEVADA" SIGN. (F) SIGN,
CORNER OF WASHOE COUNTY
PARCEL, TOWN CENTER VISIBLE
BEYOND. (G) TREES TO RIGHT.



7 VIEW FM STATE LINE RD AND CALANEVA DR
SCALE: N/A

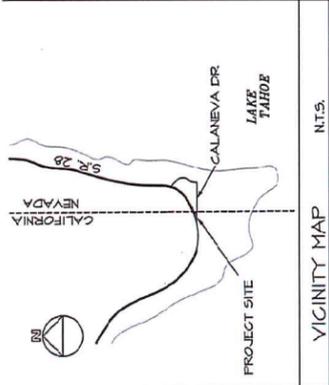
VIEW TOWARDS SE CORNER OF
SITE SHOWING (E) RETAINING
WALL AND ELEVATION CHANGE,
(F) UTILITIES, AND SOUTH AND
EAST FACADES OF (F) BLDG.
LAKE AVE VISIBLE AT END OF
CALANEVA DR.



10 VIEW FM CALANEVA DR
SCALE: N/A

VIEW FM CALANEVA DR
TOWARDS SW CORNER OF
PLACER CO. PARCEL.
TERMINATION OF RETAINING
WALLS, (E) STREET SIGNS, AND
(F) TREES VISIBLE LAKE AVE
TRAFFIC VISIBLE OVER
LANDSCAPING.

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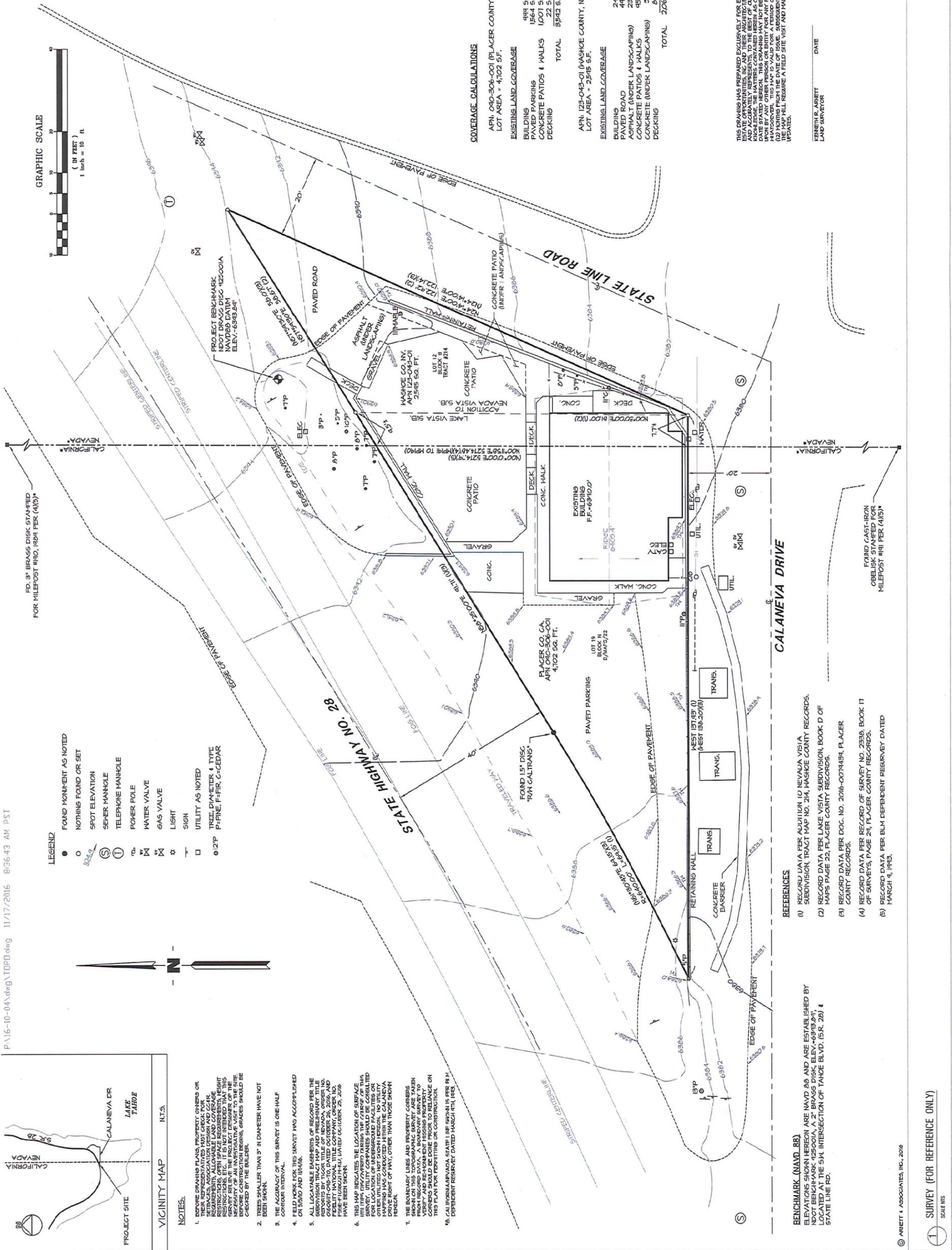
IZAKAYA TAHOE
2 N LAKE AVE, CRYSTAL BAY, NV 89402
9980 LAKE AVE, KINGS BEACH, CA 96143



NO.	DATE	BY	DESCRIPTION
1		MARK W. WOODRUFF	DRG

SURVEY (FOR REFERENCE ONLY)

A1.00



COVERAGE CALCULATIONS

APN: 090-306-001 (PLACER COUNTY, CA)
LOT AREA = 4,102 S.F.

EXISTING LAND COVERAGE

BUILDING	489 S.F.
PAVED PARKING	1564 S.F.
CONCRETE PATIOS & WALKS	1007 S.F.
DECKING	22 S.F.
TOTAL	3582 S.F. (87%)

APN: 123-043-01 (WASHOE COUNTY, NV)
LOT AREA = 2,515 S.F.

EXISTING LAND COVERAGE

BUILDING	247 S.F.
PAVED ROAD	444 S.F.
ASPHALT (UNDER LANDSCAPING)	239 S.F.
CONCRETE PATIOS & WALKS	456 S.F.
CONCRETE UNDER LANDSCAPING	39 S.F.
DECKING	88 S.F.
TOTAL	2063 S.F. (82%)

THIS DRAWING HAS BEEN PREPARED EXCLUSIVELY FOR THE REAL ESTATE AND CONSTRUCTION INDUSTRY. THE ENGINEER HAS NOT AND ACCURATELY REPRESENTS TO THE BEST OF OUR KNOWLEDGE THE MATTERS CONTAINED HEREIN AS OF THE DATE OF THE SURVEY. THIS DRAWING IS NOT TO BE USED FOR ANY OTHER PURPOSE OR BY ANY OTHER PERSON OR ENTITY FOR ANY PURPOSE WHATSOEVER. THIS MAP IS VALID FOR A PERIOD OF TWELVE MONTHS FROM THE DATE OF THE SURVEY. ANY CHANGES TO THE MAP WILL REQUIRE A FIELD SITE VISIT AND MAP REVISIONS.

KENNETH R. ARNETT
LAND SURVEYOR

- LEGEND**
- FOUND MONUMENT AS NOTED
 - NOTHING FOUND OR SET
 - SPOT ELEVATION
 - SEWER MANHOLE
 - TELEPHONE MANHOLE
 - POWER POLE
 - WATER VALVE
 - GAS VALVE
 - LIGHT
 - SIGN
 - UTILITY AS NOTED
 - TREE, DIAMETER & TYPE
 - P-FINE, F-FIR, G-CEDAR

- NOTES:**
- BEFORE DRAWING PLANS, PROPERTY OWNERS OR THEIR REPRESENTATIVES MUST CHECK FOR RESTRICTIONS, ALLOWABLE LAND COVERAGE, SETBACKS, OPEN SPACE REQUIREMENTS, HEIGHT RESTRICTIONS, AND OTHER REGULATORY REQUIREMENTS. THE PROJECT DESIGNER OF THIS SURVEY RELIEVES THE PROJECT DESIGNER OF THE NECESSITY OF AN INVESTIGATIVE VISIT TO THE SITE TO VERIFY THE LOCATION OF MONUMENTS, GRADES SHOULD BE CHECKED BY THE BUILDER.
 - TREES SMALLER THAN 3" IN DIAMETER HAVE NOT BEEN SHOWN.
 - THE ACCURACY OF THIS SURVEY IS ONE HALF CONTIGUOUS INTERVAL.
 - FIELD WORK FOR THIS SURVEY WAS ACCOMPLISHED ON 3/5/10 AND 10/14/16.
 - ALL LOCATABLE EASEMENTS OF RECORD FOR THE SUBDIVISION TRACT MAP AND PRELIMINARY TITLE SURVEY ARE SHOWN. THE SURVEY WAS CONDUCTED BY FIDELITY NATIONAL TITLE COMPANY, ORDER NO. 2016-0014439, DATED OCTOBER 28, 2016, AND HAS BEEN RECORDED IN PLACER COUNTY RECORDS.
 - THIS MAP INDICATES THE LOCATION OF SURFACE MONUMENTS AND PROPERTY CORNERS. THE LOCATION OF UNDERGROUND FACILITIES OR MONUMENTS SHOULD BE CONSULTED WITH THE APPROPRIATE UTILITY COMPANIES. THE SURVEY AND RE-MONUMENTING PROPERTY CORNERS SHOULD BE DONE PRIOR TO RELIANCE ON THIS PLAN FOR FOUNDATION OR CONSTRUCTION.
 - CALIFORNIA NEVADA STATE LINE SHOWN IS PER B.M. DEPENDENT RESURVEY DATED MARCH 9TH, 1983.

- REFERENCES**
- RECORD DATA PER ADDITION TO NEVADA VISIA SUBDIVISION, TRACT MAP NO. 214, WASHOE COUNTY RECORDS.
 - RECORD DATA PER LAKE VISTA SUBDIVISION, BOOK D OF MAPS PAGE 23, PLACER COUNTY RECORDS.
 - RECORD DATA PER DOC. NO. 2016-0014439, PLACER COUNTY RECORDS.
 - RECORD DATA PER RECORD OF SURVEY NO. 23538, BOOK 17 OF SURVEYS, PAGE 24, PLACER COUNTY RECORDS.
 - RECORD DATA PER BLM DEPENDENT RESURVEY DATED MARCH 9, 1983.

BENCHMARK (NAVD 88)
ELEVATIONS SHOWN HEREON ARE NAVD 88 AND ARE ESTABLISHED BY NDOT BENCHMARK 125001A, A 2" BRASS DISK, ELEV.-6919.84', LOCATED AT THE S.W. INTERSECTION OF TAHOE BLVD. (SR. 28) & STATE LINE RD.

© ARNETT & ASSOCIATES, INC., 2016

SURVEY (FOR REFERENCE ONLY)
SCALE 1/8" = 1'

PROJECT LEAD
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96143 - 1847
Tel: 530.546.4500 x 105

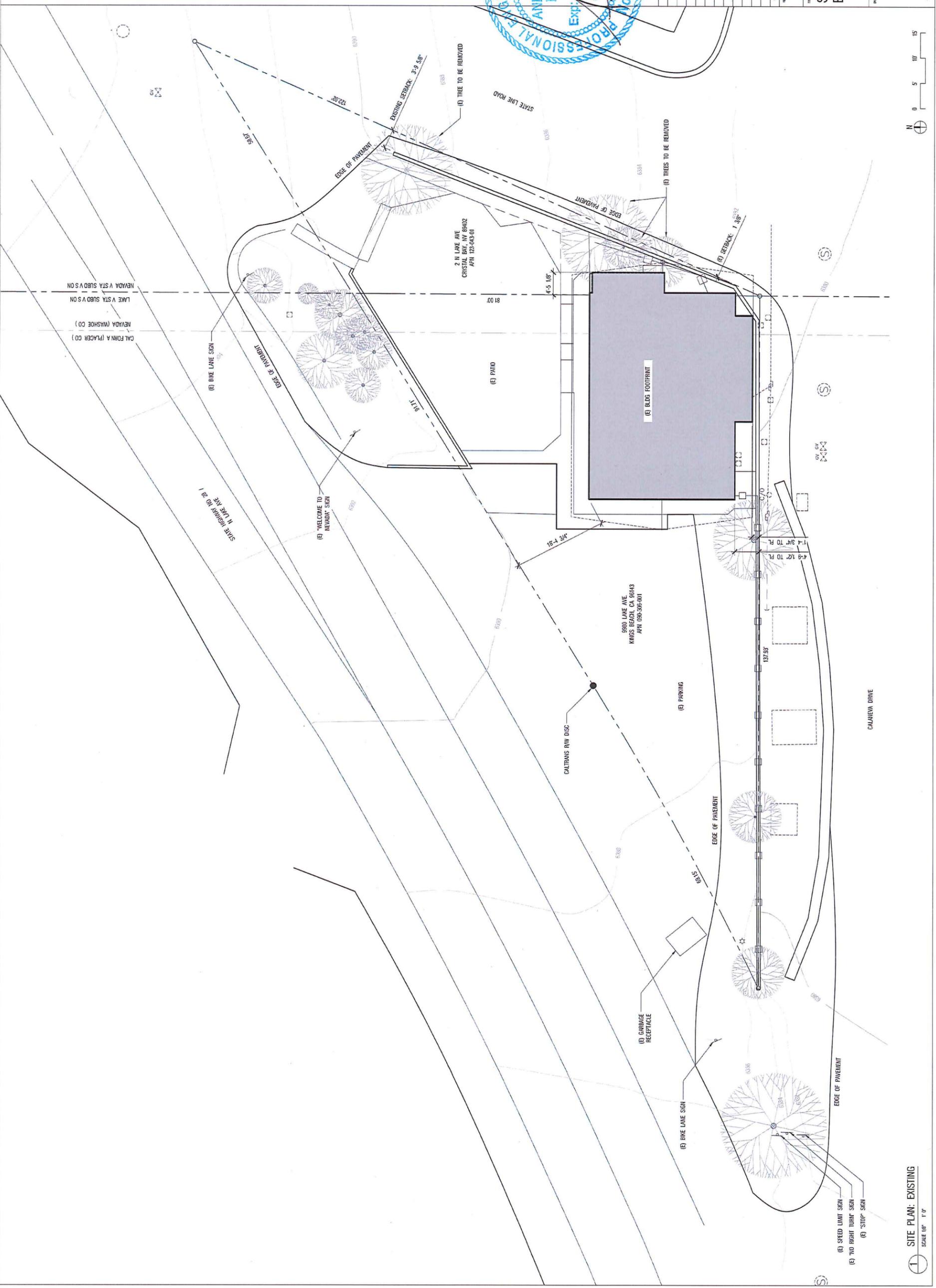
IZAKAYA TAHOE
9980 LAKE AVE, KINGS BEACH, CA 96143
2 N LAKE AVE, CRYSTAL BAY, NV 89402



NO.	DATE	DESCRIPTION
1		ISSUE FOR REVIEW
2		ISSUE FOR REVIEW
3		ISSUE FOR REVIEW
4		ISSUE FOR REVIEW
5		ISSUE FOR REVIEW
6		ISSUE FOR REVIEW
7		ISSUE FOR REVIEW
8		ISSUE FOR REVIEW
9		ISSUE FOR REVIEW
10		ISSUE FOR REVIEW

SITE PLAN:
EXISTING

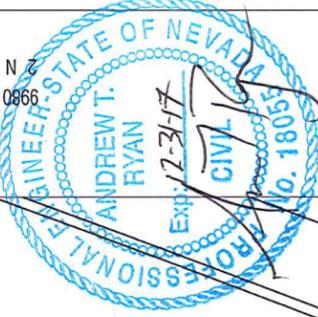
A1.01



1 SITE PLAN: EXISTING
SCALE 1/8" = 1'-0"

PROJECT LEAD
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PR Design and
Engineering, Inc.
8889 Kings Beach, CA
96143 - 1847
Tel: 530.546.4500 x 105

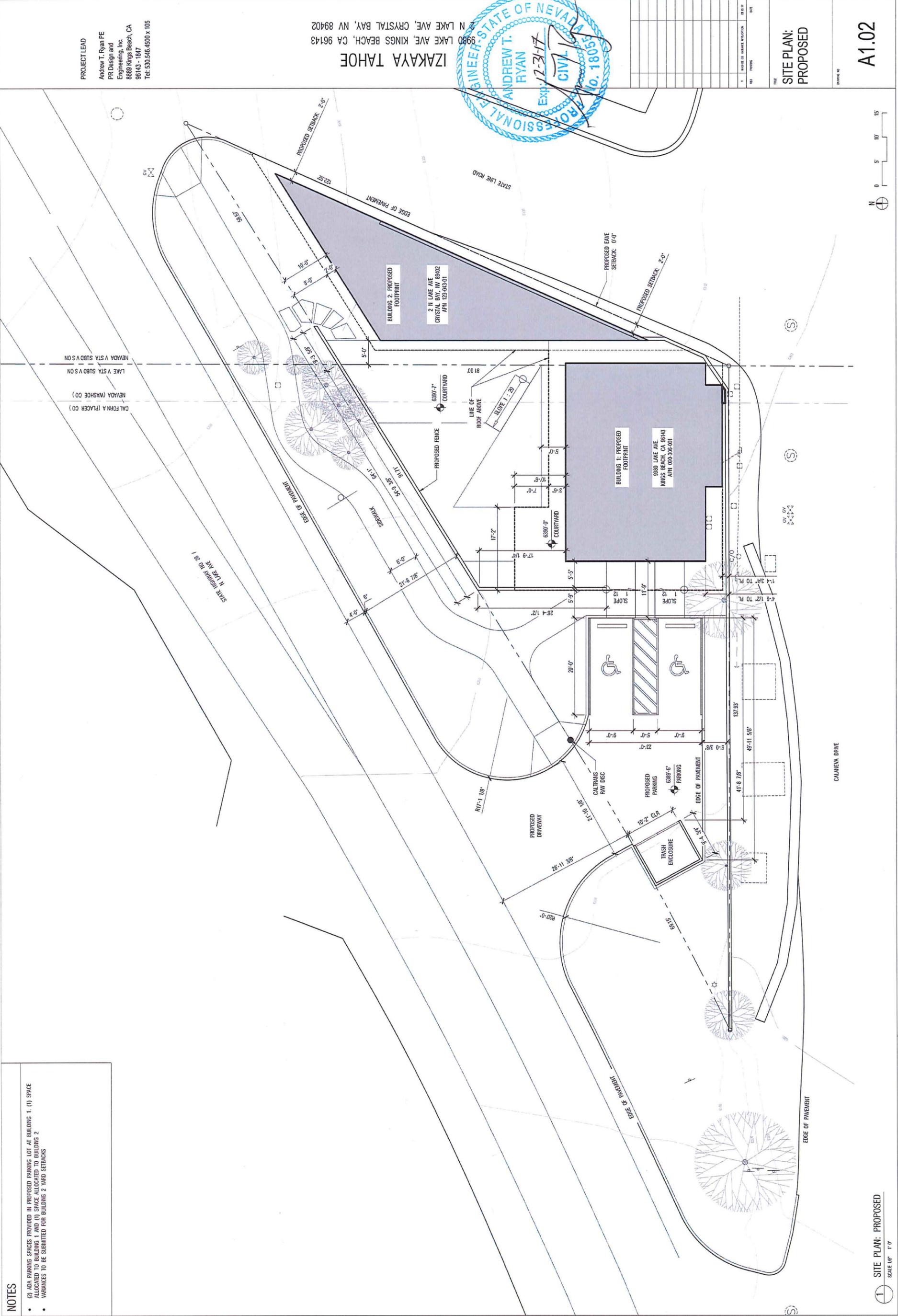
IZAKAYA TAHOE
9980 LAKE AVE, CRYSTAL BAY, CA 96143
2 N LAKE AVE, CRYSTAL BAY, NV 89402



NO.	DATE	BY	DESCRIPTION
1			ISSUE FOR PERMITS

SITE PLAN:
PROPOSED

A1.02



NOTES

- (2) ADA PARKING SPACES PROVIDED IN PROPOSED PARKING LOT AT BUILDING 1. (1) SPACE ALLOCATED TO BUILDING 1 AND (1) SPACE ALLOCATED TO BUILDING 2
- VARIANCES TO BE SUBMITTED FOR BUILDING 2 YARD SETBACKS



LEGEND

- (P) PARKING LOT
- BUILDING FOOTPRINT
- PROPERTY / STATE LINE
- MAX. DISTANCE FOR OFFSITE PARKING AS NOTED

PARKING CALCULATIONS

BUILDING 1: PLACER COUNTY
 TRADE BASH AREA PLAN - IMPLEMENTING REGULATIONS
 SECTION 3.07 PARKING AND ACCESS
 • EATING AND DRINKING PLACES: (10) SPACES/1,000 SF OR 0.25 SPACES/SEAT (WHICHEVER IS MORE RESTRICTIVE)
 1,231 SF / 1,000 SF = 1.231 * 10 = 12 PARKING SPACES
 45 SEATS = 0.25 * 11 PARKING SPACES
 • OFFSITE PARKING: APPROVED OFFSITE PARKING SHALL BE WITHIN 400' OF THE FACILITY IT SERVES

PLACER COUNTY ZONING ORDINANCE
 SECTION 175.05000 TYPE & LOCATION OF PARKING REQUIRED
 • (1) ACCESSIBLE SPACE FOR EVERY (25) SPACES
 TOTAL SPACES REQ'D: 12 SPACES + 1 ACCESSIBLE SPACE

BUILDING 2: WASHOE COUNTY
 WASHOE COUNTY DEVELOPMENT STANDARDS
 SECTION 4.10 PARKING AND LOADING
 • FULL SERVICE EATING AND DRINKING ESTABLISHMENTS:
 (10) SPACES/1,000 SF + (1) EMPLOYEE DURING PEAK EMPLOYMENT SHIFT
 949 SF / 1,000 SF = 0.949 * 10 = 9 PARKING SPACES
 (2) EMPLOYEES = 2 PARKING SPACES
 • REQUIRED PARKING SPACES SHALL BE LOCATED WITHIN 300 FEET OF THE LOT ON WHICH THE MAIN BUILDING IS LOCATED
 • (1) ACCESSIBLE SPACE FOR EVERY (25) SPACES
 TOTAL SPACES REQ'D: 11 SPACES + 1 ACCESSIBLE SPACE

NOTES

- (2) ADA PARKING SPACES PROVIDED IN PROPOSED PARKING LOT AT BUILDING 1: (1) SPACE ALLOCATED TO BUILDING 1 AND (1) SPACE ALLOCATED TO BUILDING 2

PROJECT LEAD
 Andrew T. Ryan PE
 PR Design and
 Engineering, Inc.
 8889 Kings Beach, CA
 96143 - 1647
 Tel: 530.546.4500 x 105

IZAKAYA TAHOE
 9980 LAKE AVE, KINGS BEACH, CA 96143
 2 N LAKE AVE, CRYSTAL BAY, NV 89402

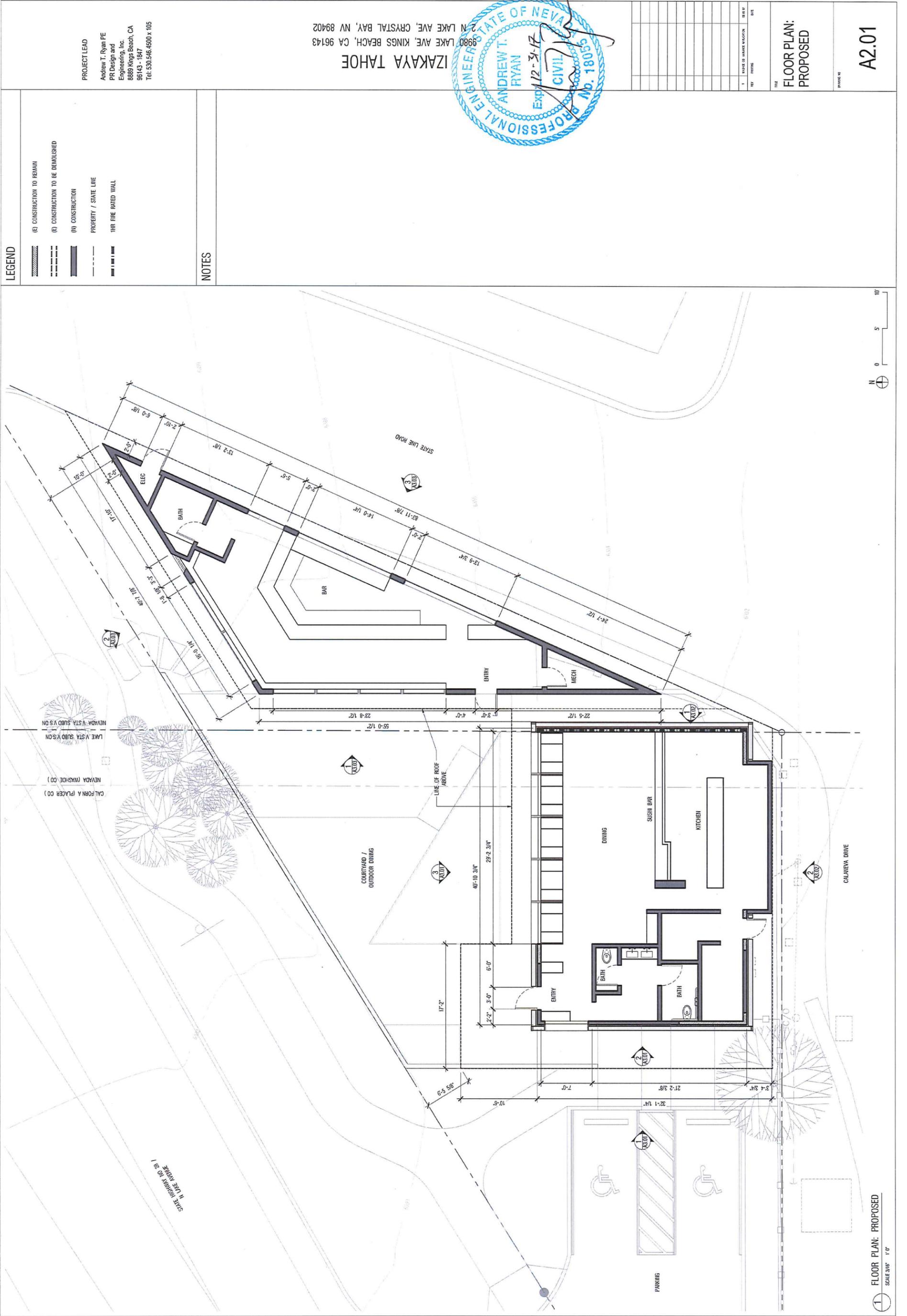


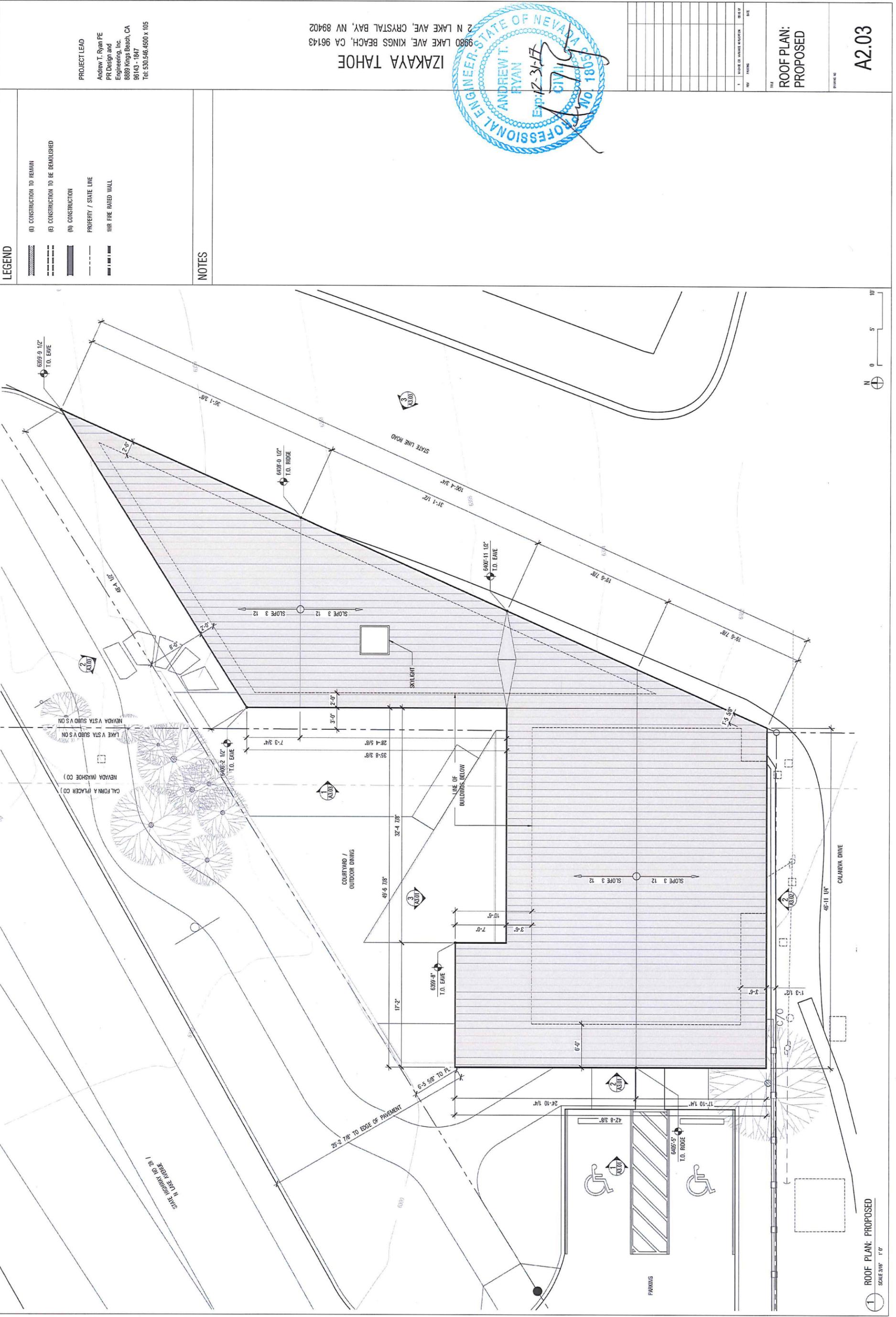
NO.	REVISION	DATE
1	BASED ON UNDER DEVELOPMENT	
2		
3		
4		
5		
6		
7		
8		
9		
10		

OFFSITE
 PARKING

A1.03

1 OFFSITE PARKING LOCATIONS
 SCALE: NTS





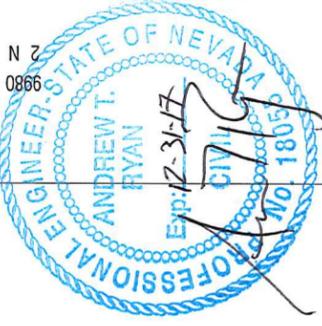
LEGEND

	(E) CONSTRUCTION TO REMAIN
	(F) CONSTRUCTION TO BE DEMOLISHED
	(M) CONSTRUCTION
	PROPERTY / STATE LINE
	1HR FIRE RATED WALL

NOTES

PROJECT LEAD
Andrew T. Ryan PE
PR Design and
Engineering, Inc.
8889 Kings Beach, CA
94143 - 1047
Tel: 530.546.4500 x 105

IZAKAYA TAHOE
9980 LAKE AVE, KINGS BEACH, CA 96143
2 N LAKE AVE, CRYSTAL BAY, NV 89402



NO.	DATE	DESCRIPTION	BY
1		ISSUE FOR PERMITTING	

ROOF PLAN:
PROPOSED

A2.03

Washoe County Appeal of Decision to Board of County Commissioners

Your entire application is a public record. If you have a concern about releasing personal information please contact Planning and Building staff at 775.328.6100.

Appeal of Decision by (Check one)	
Note: Appeals to the Washoe County Board of County Commissioners are governed by WCC Section 110.912.20.	
<input type="checkbox"/> Planning Commission	<input checked="" type="checkbox"/> Board of Adjustment
<input type="checkbox"/> Hearing Examiner	<input type="checkbox"/> Other Deciding Body (specify) _____
Appeal Date Information	
Note: This appeal must be delivered in writing to the offices of the Planning and Building Division (address is on the cover sheet) within 10 calendar days from the date that the decision being appealed is filed with the Commission or Board Secretary (or Director) and mailed to the original applicant.	
Note: The appeal must be accompanied by the appropriate appeal fee (see attached Master Fee Schedule).	
Date of this appeal: <u>4/16/2018</u>	
Date of action by County: <u>4/5/2018</u>	
Date Decision filed with Secretary: <u>4/9/2018</u>	
Appellant Information	
Name: Andrew T. Ryan	Phone: 530-546-4500 x 105
Address: 8889 N. Lake Blvd.	Fax:
PO Box 1847	Email: andrew@prdei.com
City: Kings Beach State: CA Zip: 96143	Cell: 530-362-0927
Describe your basis as a person aggrieved by the decision: Project representative and NV licensed civil engineer in responsible charge for private improvements and improvements in NV State and Washoe County R.O.W.s	
Appealed Decision Information	
Application Number: WPVAR17-0007	
Project Name: Kaz 42 (Formerly Izakaya Tahoe)	
State the specific action(s) and related finding(s) you are appealing: Item #3 No Detriment Please see attached appeal request letter for further information.	

Appealed Decision Information (continued)	
<p>Describe why the decision should or should not have been made: Please see attached appeal request letter for further information.</p>	
<p>Cite the specific outcome you are requesting with this appeal: Approve variances with conditions as recommended by Planning and Engineering Staff: 1) Reduction of front yard setback along Stateline Rd. from 20 feet to 2 feet for building and 0 Feet for eave. 2) Reduction of front yard setback along Route 28 from 20 feet to 10 feet for building and 8 feet for eave. 3) Reduction of side yard setback from 10 feet to 3 feet to allow commercial building on approx. 2,000SF legally created parcel.</p>	
<p>Did you speak at the public hearing when this item was considered?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Did you submit written comments prior to the action on the item being appealed?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
Appellant Signature	
<p>Printed Name: <i>ANDREW T. RYAN</i></p>	
<p>Signature: <i>[Handwritten Signature]</i></p>	
<p>Date: 4/16/2018</p>	



April 13, 2018

Trevor Lloyd, Planning Manager
Washoe County Community Services Department
Planning and Building Division
775.328.3617
tlloyd@washoecounty.us

Variance Case Number: WPVAR17-0007
APN: 123-043-01
Project: Kaz 42 (Formerly Izakaya Tahoe)
Location: 2 N. Lake Ave. Crystal Bay, NV 89402

Dear Mr. Lloyd,

This letter is a formal request to appeal the Board of Adjustment Action Order of Denial without prejudice for WPVAR17-0007 heard on April 5th, 2018. This appeal is in accordance with Section 110.912.20 of the Washoe County Development Code.

The Project was required to demonstrate compliance with 5 required findings per Washoe County Code Development Section 110.804.25. It is our position that the Board of Adjustment (BOA) was unclear that additional collaboration between the Applicant and Staff had changed the recommendation of the staff report from “Denial” to “Approve with Conditions”.

The status of the 5 required findings is as follows:

1. Special Circumstances: Staff report supports this finding.
2. No Detriment: Staff supports this finding with conditions provided by Planning and Engineering.
3. No Special Privileges: Staff report supports this finding.
4. Use Authorized: Eating and Drinking establishment is an allowed use within TC regulatory zone.
5. Effect on Military Installation: There are no military bases in close proximity of subject site.

The BOA ruled against the Project citing non-compliance with only item #2 No Detriment and noted the following in the Action Order:

“The relief may create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted. The Board specifically identified unresolved concerns relating to pedestrian safety, traffic, parking, and snow removal.”

The following addresses the Action’s identified unresolved concerns individually.

Pedestrian Safety

There exists a long history of qualifying the level of service (LOS) for motorized traffic for engineers and planners to analyze traffic function by studying speed, delay, and space. It is important to note that these factors do not apply to pedestrians, bicyclists, or transit riders. Alternate categories must be analyzed for these users of the roadway that capture the quality of the service by accounting for safety, mobility, and the experience.

The existing condition of the Project frontage is poor for pedestrians and bicyclists. This frontage includes NDOT and Washoe County R.O.W.s. This statement of “poor” is supported by the following:

- No crosswalk at Stateline Dr. connecting the Project to Crystal Bay Casino Core and transit.
- A long length crosswalk (100ft) to traverse without areas of refuge, islands, signage or signalized flashers for pedestrians.
- No striped bike lane.
- No traffic calming to encourage motorists to reduce speed as they transition from 35 mph to 25 mph.
- Limited to no lighting for nighttime visibility.
- Reduced site distances due to existing features.

The proposed conditions include a combination of the following measures to increase pedestrian and bicycle safety:

- Areas of pedestrian refuge at endpoints of the crosswalk.
- Curb, gutter, and sidewalk.
- Applicable signage.
- Striped bike lane.
- Traffic calming because of increased pedestrian activity and visual indicators.
- Increased site distance with compliant vegetation.

Additional reviews by Washoe County Engineering and NDOT are expected with forthcoming submittals. Based on the above and permits required, the proposed Project will significantly increase pedestrian and bicycle safety.

Traffic

The Applicant will be required to satisfy engineering standards of Washoe County and NDOT. Our preliminary efforts have determined that it is feasible to install the improvements noted above for pedestrians and bicycles with insignificant impacts to traffic. Additionally, the proposed use is not expected to generate an appreciable number of unique trips that could affect daily traffic volumes. The proposed new 950 SF building will serve the traveling public who is already choosing to spend the day in Lake Tahoe. These day trip users are a result of explosion of growth in Reno, Sparks, Truckee, and Sacramento areas. Board of Adjustment members stated during the hearing that they would like the Applicant to prepare a traffic study for impacts to SR 28. We agree with the September 6, 2017 project review letter from NDOT stating that a traffic study is not required and ask that the Board of County Commissioners (BCC) defer to NDOT as

authority regarding the State R.O.W. The Project proposes public improvements in NDOT R.O.W. and we are expecting a collaborative and iterative approach with NDOT, TRPA, and Washoe County.

Parking

The Applicant will provide a parking management plan that is consistent with the goals of the Tahoe Regional Planning Agency - Regional Plan Update (RPU). The RPU specifically notes redevelopment within Town Centers and is focused on multi-modal improvements. This Project is a redevelopment of previously disturbed areas and will be multi-modal with the inclusion of the following:

- Pedestrian Improvements
- Public Transportation Access
- Bicycle Parking
- Shuttle Service
- Valet Service

Urban redevelopment in the Lake Tahoe Basin is challenging; many areas that were previously thriving have decayed and become blighted. Crystal Bay has similar challenges of other areas around Lake Tahoe in both California and Nevada. The parking strategies used are dependent upon the size and type of permitted structures. To see this project to fruition, the applicant will work closely with Washoe County Staff to satisfy the conditions of the variance. Please see Technical Memorandum #1 provided in the Staff Report for more information on Parking.

Snow Removal

There were two areas of concern regarding snow removal during the BOA hearing: onsite and offsite at Stateline Rd.

Onsite snow removal will be managed by use of the following:

- Design of roofs and selection of roofing materials to hold snow on the roof. The roofs will be engineered to hold the snow on the roof and not shed to the Project area. The increased cost in the structure will mitigate snow removal and maintenance costs.
- Applicant will use landscape areas to store snow generated from hardscape areas.

Offsite snow removal will not negatively impact the proposed Project. The existing retaining wall limits the amount of available snow storage along Stateline Rd. The proposed Project is not expected to decrease the existing amount of R.O.W. snow storage. The Applicant will agree to not discharge snow to R.O.W.s. Additionally, the Applicant will work collaboratively with NDOT and Caltrans regarding snow removal from public improvements.

Small sites, like the proposed Project, may have to off-haul snow in the biggest snow years and the Applicant will likely be conditioned by TRPA to have a contract with a snow removal contractor for such services. The risk of infrequent off hauling is not great enough to pose a significant challenge to function of the Project.

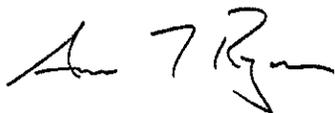
The Project received unanimous Citizen Advisory Board support for the variance and support from the Planning and Engineering Staff. The Board of Adjustment members recognized the challenges to redevelopment, and the need for pedestrian improvements, yet, they voted to retain the status quo citing the need for more detailed information as discussed above.

Delivering Projects within the Tahoe Basin is uniquely challenging as it requires the ability to navigate many layers of jurisdictional oversight and public expectations. Key to project momentum is removal of critical areas of uncertainty; this is especially important in areas like Crystal Bay, which do not have an updated Area Plan that implement the goals of the TRPA Regional Plan Update. The variance request was engineered to be narrow and discrete with the intent to establish an acceptable building footprint. That defined footprint would allow enough clarity to seek the additional Agency(s) approvals.

Redevelopment of existing urban areas are difficult within the Lake Tahoe Basin. Problem properties, like 2 N. Lake Blvd. in Crystal Bay, have remained blighted for a variety of reasons and our team has created an earnest approach to project success. This appeal of the Board of Adjustment Action of denial and a granting of the variance allows the rare opportunity to redevelop the gateway property to Washoe County and the State of Nevada to move incrementally forward.

The long-term benefits to the environment include: water quality, scenic improvements, removal of blight, and reduced dependence on the automobile. Gains in Environmental Quality, Economic Activity, and Community Beautification support granting a variance.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Ryan". The signature is fluid and cursive, with a large initial "A" and "R".

Andrew Ryan, PE



WASHOE COUNTY BOARD OF ADJUSTMENT Meeting Minutes

Board of Adjustment Members

Kim Toulouse, Chair
Clay Thomas, Vice Chair
Kristina Hill
Lee Lawrence
Brad Stanley
Trevor Lloyd, Secretary

Thursday, April 5, 2018
1:30 p.m.

Washoe County Administration Complex
Commission Chambers
1001 East Ninth Street
Reno, NV

The Washoe County Board of Adjustment met in regular session on Thursday, April 5, 2018, in the Washoe County Administrative Complex Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

1. *Determination of Quorum

Chair Toulouse called the meeting to order at 1:30 p.m. The following members and staff were present:

Members present:	Kim Toulouse, Chair Clay Thomas, Vice-Chair Lee Lawrence Brad Stanley
Members absent:	Kristina Hill
Staff present:	Trevor Lloyd, Planning Manager, Planning and Building Kelly Mullin, Senior Planner, Planning and Building Chris Bronczyk, Planner, Planning and Building Eva Krause, Planner, Planning and Building Nathan Edwards, Deputy District Attorney, District Attorney's Office Donna Fagan, Recording Secretary, Planning and Building Kathy Emerson, Administrative Secretary Supervisor, Planning and Building

2. *Pledge of Allegiance

Member Lawrence led the pledge to the flag.

3. *Ethics Law Announcement

Deputy District Attorney Edwards recited the Ethics Law standards.

4. *Appeal Procedure

Mr. Lloyd recited the appeal procedure for items heard before the Board of Adjustment.

5. *Public Comment

As there was no response to the call for public comment, Chair Toulouse closed the public comment period.

6. Approval of Agenda

In accordance with the Open Meeting Law, Member Stanley moved to approve the agenda of April 5, 2018. The motion, seconded by Member Lawrence, passed unanimously.

7. Approval of February 1, 2018 Draft Minutes

Member Stanley moved to approve the minutes of February 1, 2018. The motion, seconded by Member Thomas, passed unanimously.

Chair Toulouse called for any member disclosures: Member Stanley said he had a disclosure for item 9.E. He explained he is a former Verizon employee. He said he had a general conversation with the applicant. He asked if he should recuse himself. Mr. Edwards asked Member Stanley to bring up his disclosure during the specific agenda item.

8. Consent Item

A. Extension of Time – Variance Case Number VA16-001 (Collins) – For possible action, hearing and discussion to approve a 12-month extension of time, until April 7, 2019, for Variance Case Number VA16-001. The variance was approved by the Board of Adjustment April 7, 2016, reducing the rear yard setback from 20-feet to 2.5-feet for an addition to the existing residence, and reducing the same rear yard setback from 20-feet to 5-feet for an attached garage.

- Applicant: Susan and Rob Collins
- Property Owner: Susan M. Collins Trust
- Location: 506 McDonald Drive
- APN: 124-071-01
- Parcel Size: ±0.41-acre
- Master Plan : Suburban Residential (SR)
- Regulatory Zone: Medium Density Suburban (MDS)
- Area Plan: Tahoe
- CAB: Incline Village/Crystal Bay
- Development Code: Authorized in Article 804, Variances
- Commission District: 1 – Commissioner Berkbigler
- Section/Township/Range: Section 16, T16N, R18E, MDM,
Washoe County, NV
- Staff: Kelly Mullin, AICP, Senior Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775-328-3608
- E-mail: kmullin@washoecounty.us

There were no public comments made.

MOTION: Member Stanley moved to approve Variance Case Number VA16-001 (Collins). Member Thomas seconded the motion. Motion passed unanimously.

9. Public Hearings

The Board of Adjustment may take action to approve (with or without conditions), modify and approve (with or without conditions), or deny a request. The Board of Adjustment may also take action to continue an item to a future agenda.

A. Variance Case Number WPVAR17-0007 (Izakaya Tahoe) – For possible action, hearing, and discussion to approve a variance 1) to reduce the front yard setback along State Line Road from 20 feet to 0 feet; 2) to reduce the front yard setback along State Route 28 from 20 feet to 8 feet and 3) to reduce the side yard setback from 10 feet to 3 feet to allow for a commercial building on a ±2,000 square foot property.

- Owner/Applicant: Evo Real Estate, Inc.
- Location: 2 N. Lake Avenue
Crystal Bay, NV 89402
- Assessor's Parcel Number: 123-043-01
- Parcel Size: ±0.04 Acres (±2,000 square feet)
- Master Plan Category: Commercial (C)
- Regulatory Zone: Tourist Commercial (TC)
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village/Crystal Bay
- Development Code: Authorize in Article 804, Variances
- Commission District: 1 – Commissioner Berkbigler
- Section/Township/Range: Section 30, T16N, R18E, MDM,
Washoe County, NV
- Staff: Trevor Lloyd, Planning Manager
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3617
- E-mail: tlloyd@washoecounty.us

Trevor Lloyd, Washoe County Planner Manager, presented the Staff Report. Member Thomas asked about the turning movements on Stateline Road. He said according to the diagram, the trucks would have to enter into the left lane, oncoming lane. He asked if it could be made into a one lane road. Mr. Lloyd said that is a possibility and can be addressed later on after further studies. Mr. Lloyd said those studies are expensive, and before they conduct them, they want to get variance approval.

Member Lawrence asked about the confidence the property and the applicant will cooperate and adopt restrictions and restrains applied by the County. He said he is apprehensive about approving this application without seeing the whole picture. Mr. Lloyd agreed with Member Lawrence. Member Stanley asked about traffic volume and flows on the curve. Mr. Lloyd said this request didn't trigger a traffic study count. Member Stanley asked about current traffic controls. Mr. Lloyd said no traffic stop, 25 mph. Mr. Lloyd showed proposed cross walk across Stateline Road.

Andrew Ryan, applicant representative, said there is a signal cross walk at Tahoe Biltmore. He said they will work with NDOT on a cross walk, but he said he believes NDOT will want pedestrians to use the primary cross walk at the signal. He said they review a vehicular turn pattern, wheel path, and pedestrian access. He showed the wheel path pattern diagram; the truck would enter into the oncoming traffic. The proposed condition would increase pedestrian use. He said they proposed a safe parking spot for people to stop to take a picture with the 'Welcome to Nevada' sign. He discussed the challenges with the project. Incongruent mapping.

Member Stanley asked about pedestrian safety. There isn't on-site parking, people will be coming and going. They will be drinking and eating. How many people will need to use the pedestrian crosswalks. Mr. Lloyd said there will be an increase pedestrian traffic, but we don't have exact numbers. Member Stanley asked about a continuance to address the current concerns, what is the downside to a continuance. Mr. Lloyd said the downside would be for the applicant, not with the County. Chair Toulouse asked what issues or concerns haven't been addressed. Mr. Lloyd said concerns that need to be addressed are with traffic; we don't know full extent of those concerns until further studies are conducted. He said we haven't seen a full proposal with parking as well. He said those are the current concerns. Chair Toulouse asked about alternatives. He asked about existing sidewalks or proposed sidewalks. Mr. Lloyd showed a site plan of

proposed crosswalk, sidewalks, and access points. He said we anticipate what happens on California side would happen on the Nevada side. Member Thomas said Washoe County Engineering and Capital Projects recommend denial based on snow storage. Mr. Lloyd said that was preliminary, but will be addressed in further studies.

Andrew Ryan, the applicant's representative, provided a presentation. He said there would be a land dedication to clean up property line and resolve issue. Existing retaining wall would allow snow storage area. The snow would not shed off the roof which would require snow storage or removal. He spoke about compliance with Tahoe Area and Regional plan and the different agencies and intense permitting, on-site parking on the California side with pedestrian access from Nevada casinos and businesses. He spoke about the redevelopment in the area. He said this project is redevelopment on a difficult site. Mr. Ryan estimated 20,000-28,000 daily trips along the highway with most coming from Kings Beach. He spoke about the turning radius, restrictive truck traffic, and the workable options for the traffic patterns along with dealing with multiple jurisdictions. He showed the current development blight in the area.

Member Stanley asked what would be the downside of getting a continuance. Mr. Ryan said a continuance would create fear, uncertainty, and doubt for the applicant.

Member Lawrence asked about alcohol service. Mr. Ryan said yes, beer and wine and food. Member Lawrence asked if they had any contract or current collaboration with casinos for parking. Mr. Ryan said with the current regional plan update, TRPA calls for a coordinated approach. He said there will need to be off-site parking with valet, shuttle, and on-site parking. He said they will need to get those agreements; however, he said the building footprint drives his parking requirements. He said they proposed it in a way to put together the pieces. This is the start of the process. Mr. Ryan said he understands why the County placed conditions on the project. There are challenges with multi-jurisdiction projects.

Member Thomas asked if the applicant is ok with the NDOT requirements. They may require a traffic study, and more expenses. He asked about his commitment level and the breaking point. Mr. Ryan said they are open to all requirements. He said they will leverage the poor pedestrian level of service. There is no pedestrian area of refuge, nor signage. There is a lot of pedestrian activity in that area. He said they will create a cross walk across Stateline Road, and establish a better pedestrian level of service. The state line has been ignored by California and Nevada and we have a chance to bring the entities together to make it better. He said he isn't changing roadway alignment. He said he can install a bike lane, curb and gutter, planters, and he is proposing a 6 foot cross walk without restricting the lane.

Chair Toulouse asked about current off-parking agreement for customers or staff. Mr. Ryan said he hasn't asked yet, because he doesn't know how many parking spaces he is required to have. He wants to use strategies stated in the report. He said their eyes are wide open on the possible requirements. He said he doesn't want to open a restaurant that won't be successful on a site that has had no functional development since 1957. Construction activity is happening on that site right now. The Placer County side has allowed them to move forward. He said they have found underground leaking storage tanks. The site has been ignored and good things are coming from that.

Public comment:

J. Edward Parker said he is a retired appraiser. There are problems here. Main portion is in state of California. This parcel is useful adjunct to that property. Are we going down the line to face a claim that California influences this parcel. What happens if the state of California said they couldn't use the property across the state line.

Member Stanley said this is a text book variance project on a usable property. Staff is bending over backwards to let something happen. He said his primary concern is pedestrian safety, jurisdiction, and toxic storage tanks. He said he is torn because the project is worthwhile, however, the issues are daunting, particularly with pedestrian safety.

Member Thomas said it's a blighted area and these would be first step towards enhancing it. There are numerous unresolved issues. It's hard to approve without addressing issues – traffic, parking, snow storage, and shuttle use. These issues need to be resolved.

Chair Toulouse commended the applicant and Mr. Lloyd for working on issues. Pedestrian safety and parking issue are the stumbling block. There is a serious lack of parking up there. We wish you had agreements in place to meet demand for parking but we don't have that before us today. It's a good project. The CAB minutes show it passed unanimously. That carries a lot of weight since they live in the community.

Member Stanley asked for continuance to get more clarity on open issues, California, Placer County MOU for traffic. We are unable to make those suggestions for a continuance. Chair Toulouse said. If the applicant proposed a continuance we could entertain that. Mr. Ryan said he appreciates that proposal for continuance and the discussion on issues. He said if they were to entertain the continuance, it may result in the focus on the redevelopment side on California. He encouraged the Board to promote improvement in the area.

MOTION: Member Thomas moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment deny Variance Case Number WPVAR17-0007 for Izakaya Tahoe, being unable to make the following required finding in accordance with Washoe County Development Code Section 110.804.25:

No Detriment. The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted.

Motion was amended to include the words 'denial without prejudice.' Member Stanley seconded the motion to deny. Motion passed 3 to 1. Members Thomas, Lawrence, Stanley were in favor of denial. Chair Toulouse was against denial.

Mr. Lloyd read the appeal process.

B. Administrative Permit Case Number WADMIN18-0002 (Incline Village Fine Arts Festival) – For possible action, hearing, and discussion to approve an administrative permit under WCC Section 110.310.20 for the Incline Village Fine Arts Festival, an Outdoor Community Event. The event will be held on August 10 through August 12, 2018, from 10:00 a.m. until 5:00 p.m. at Preston Field, 700 Tahoe Boulevard, Incline Village, NV. Event set-up is proposed to begin at 6:00 a.m. on August 10, 2018, and event takedown and dismantle to be completed by 8:00 p.m. on August 12, 2018. The event organizer estimates the maximum number of attendees at the event will not exceed 500 persons on any one day of the event. If approved, authorize the Director of Planning and Building Division to issue the outdoor community event business license when all pre-event conditions have been completed.

- Applicant: CWB Events, LLC, Curtis Beck
- Property Owner: Incline Village General Improvement District
- Location: 700 Tahoe Blvd., Incline Village (Preston Field)
- APN: 124-032-33
- Parcel Size: 5.09 Acres
- Master Plan: Rural (R)
- Regulatory Zone: Parks and Recreations (PR)
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village / Crystal Bay
- Development Code: Authorized in Article 808, Administrative Permits
- Commission District: 1 – Commissioner Berkgigler
- Section/Township/Range: Section 16, T16N, R18E, MDM,
Washoe County, NV
- Staff: Chris Bronczyk, Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775-328-3612

- E-mail: cbronzczyk@washoecounty.us

Chris Bronczyk reviewed his Staff Report.

Member Thomas said the BOA specifically requested a hard count for the attendance last year. Mr. Bronczyk said 900 were expected last year; however, the applicant said they experienced a significant drop off in attendance. Chair Toulouse said we asked for a people counter. Eva Krause, Washoe County Planner, said they did conduct an attendance counts with aerial pictures of the event throughout the event. The applicant was not in attendance.

As there was no response to the call for public comment, Chair Toulouse closed the public comment period.

Chair Toulouse called for member disclosures. There were no disclosures.

Member Stanley said with the aerial photos used for crowd count that should meet our request for an attendance count.

MOTION: Member Stanley moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Board of Adjustment approve, subject to the application as submitted and the conditions as contained as Exhibit A in the staff report, Administrative Permit Case Number WADMIN18-0002 for Curtis Beck for the Incline Village Fine Arts Festival, an Outdoor Community Event. I further move to authorize the Director of Planning and Building Division to issue the outdoor community event business license when all pre-event conditions have been completed. I make this motion having made the four findings in accordance with Washoe County Code Section 110.808.25. Member Lawrence seconded the motion which passed unanimously.

C. Administrative Permit Case Number WADMIN18-0004 (Valvoline) – For possible action, hearing, and discussion to approve an administrative permit for an auto repair use in the General Commercial (GC) regulatory zone. The proposed auto repair use is a 2,097 square foot Valvoline Instant Oil Change facility on a property within the Reno-Stead Corridor Joint Plan.

- Applicant: NovaSource Enterprises, LLC
32 West Fireclay Ave
Murray, UT, 84107
- Property Owner: Stephen T. Glenn
Michael E. Killian
- Location: Address not assigned – property fronts Buck Dr.
and is located to the East of Lemmon Dr. adjacent
to 300 Lemmon Drive (Jacksons Food Stores)
- APN: 552-190-12
- Parcel Size: 0.78 Acre
- Master Plan: Commercial
- Regulatory Zone: General Commercial (GC)
- Area Plan: North Valleys
- Citizen Advisory Board: North Valleys
- Development Code: Authorized in Article 808, Administrative Permit
- Commission District: 5 – Commissioner Herman
- Section/Township/Range: Section 9, T20N, R19E, MDM
Washoe County, NV
- Staff: Chris Bronczyk, Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775-328-3612
- E-mail: cbronzczyk@washoecounty.us

Chris Bronczyk, Washoe County Planner, presented his Staff Report. No questions or comments were made by members of the Board.

Brad Carter, the applicant, principle of NovaSource Enterprises, and developer for the Valvoline client, was present to answer questions. He said he was granted development rights for the Reno area. The developer, client/operator/franchise and Valvoline also had to approve the site. This site will conduct oil change and fluid maintenance. Vehicles leave within 8-10 minutes of coming to the facility.

No questions were asked by the board. There was no response to the call for public comment, Chair Toulouse closed the public comment period.

MOTION: Member Lawrence moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Board of Adjustment approve Administrative Permit Case Number WADMIN18-0004 Valvoline, with the conditions of approval included as Exhibit A to this matter, having made the four findings in accordance with Washoe County Code Section 110.808.25. Member Lawrence amended the motion to remove the condition 1 of 'traffic' of page 4 of 4 in Exhibit A. Member Thomas seconded the motion as amended. The motion passed unanimously.

D. Administrative Permit Case Number WADMIN18-0001 (Christensen) – For possible action, hearing, and discussion to approve an administrative permit for the enlargement of an accessory structure used as a garage and shop, resulting in an accessory structure of ±1700 sq. ft. which has a building foot print larger than the primary residence.

- Applicant/Owner: Paul and Cynthia Christensen
- Location: 716 Encanto Drive
- APN: 076-300-78
- Parcel Size: ±9.34 acre
- Master Plan: Rural (R)
- Regulatory Zone: General Rural (GR)
- Area Plan: Spanish Springs
- Citizen Advisory Board: Spanish Springs
- Development Code: Authorized in Article 306 Accessory Uses and Structures
- Commission District: 4 – Commissioner Hartung
- Section/Township/Range: Section 8, T21N, R21E, MDM, Washoe County, NV
- Staff: Eva Krause, Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775-328-3628
- E-mail: ekrause@washoecounty.us

Eva Krause, Washoe County Planner, presented her Staff Report. The board members didn't have any questions.

Paul Christensen, the project applicant, said when he built his home, he didn't build a garage. He said he would like a garage to store and work on his cars. There were no questions from the Board.

Chair Toulouse opened public comment.

Gayle Townsend said she is concerned about the building being close to the property line. She said she would like a professional surveyor to check the property line. As long as it's surveyed, she said she didn't have any objections. There are a lot of large metal buildings in the neighborhood. Chair Toulouse told her that is one of the conditions of approval.

Cathy Brandhorst spoke about items of concern to her.

There was no discussion by board members.

MOTION: Member Thomas move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Board of Adjustment approve, with the Conditions of Approval included in Exhibit A to this matter, Administrative Permit Case Number WADMIN18-0001 for Paul and Cynthia Christensen, having made the four required findings in accordance with Washoe County Code Section 110.808.25. Member Stanley seconded the motion which carried unanimously.

E. Special Use Permit Case Number WSUP18-0001 (Ax Handle Canyon Cell) – For possible action, hearing, and discussion to approve a special use permit for the installation and operation of a 104-foot tall monopole telecommunication facility with all necessary appurtenances/supporting equipment and facilities, for major grading (cut and fill of more than 1,000 cubic yards of material) to extend the utility access road an additional ±500 feet from the existing 1,700 foot driveway terminus at the residence on the property to the facility's leased area, and to vary development code requirements for landscaping and parking for a commercial use by waiving them for this project.

- Applicant: Sacramento Valley LP d/b/a Verizon Wireless
- Property Owner: 14855 Pyramid Way Land Trust
- Location: 14855 Pyramid Way
- APN: 076-272-03
- Parcel Size: 79.82 acres
- Master Plan: Rural (R)
- Regulatory Zone: General Rural Agriculture (GRA)
- Area Plan: Warm Springs
- Citizen Advisory Board: Warm Springs/Rural
- Development Code: Authorized in Article 810, Special Use Permits, Article 438 Grading Standards, Article 324 Communication Facilities
- Commission District: 5 – Commissioner Herman
- Section/Township/Range: Section 24, T22N, R20E, MDM, Washoe County, NV
- Staff: Eva Krause, Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775-328-3628
- E-mail: ekrause@washoecounty.us

Chair Toulouse called for member disclosures. Member Stanley said he is a former Verizon employee with a 401K. He said he had a conversation with the applicant. He believes a recusal is necessary. DDA Edwards asked Member Stanley questions about his conversation with the applicant and pecuniary interest as a former employee of over 10 years. Member Stanley said his conversation with the applicant is what he believes would be of concerned. Member Stanley said they discussed availability of land that he owns for possible locations for future towers. DDA Edwards said it's substantial enough for a recusal and advised him to go out to lobby until item has been completed. The board still has a quorum. Member Stanley left the chambers.

Eva Krause, Washoe County Planner, presented her Staff Report. Member Thomas said this is private land owned by an individual; the company would have to use the driveway to build an extension to their site. The property owner had to sign owner affidavit, but he isn't the applicant.

Chair Toulouse asked Ms. Krause about conditions regarding views being unduly hindered. She said that condition is part of the Warm Springs Area Plan. Chair Toulouse read the condition about deterrent to views. The interpretation is left up to the Board of Adjustment and County Staff. Chair Toulouse asked

about the condition for the re-vegetation of disturbed areas under conditions. Ms. Krause said the hillside has to be stabilized with. Mr. Lloyd noted that the grading code requires slopes be stabilized with vegetation.

The applicant, Ben Merritt, Complete Wireless Consultant, provided a presentation. This location is the best, least intrusive candidate to meet gaps in coverage. A meeting took place with construction and grading consultant, fire chief, and planning/engineering in September. He said they have a letter that commemorates the meeting. Grading, as required, could be relaxed or varied as long as Verizon waives the liability for any damage to equipment if the Fire Department has difficulty reaching the site due to the grading. It's an unmanned facility, locked up on a private property. Verizon technicians will access the site. Mr. Merritt said they asked for an amendment to the conditions for grading. Another condition of approval is 2(b) regarding easements for the lease area access. It makes sense to have the applicant show proof of easements for the lease area instead of permanent easement. The language of 'permanent' will be changed to 'proof of.'

Chair Toulouse asked the size of the footprint site. Mr. Merritt said there are two leased areas: 25 feet by 25 feet and 25 feet by 20 feet. The power unit communication lines are connected underground.

Mr. Lloyd said the applicant is right in regards to the condition. 'Permanent' easement is not correct. It should be 'proof of' easement.

Public Comment:

Cathy Brandhorst spoke about items of concern to her.

Member Lawrence said he is happy to see coverage will be improved out there.

Member Thomas said looking at the plot maps; this will enhance communication in that area. It won't be seen on ridgeline; however, it can be seen. Verizon in the past has used a faux water tower instead of a pole which might blend better with the area.

Chair Toulouse said he agrees with the comments. He said it's visible from the road. It appears over the ridgeline.

DDA Edwards addressed the amended condition provided by Eva Krause and add a statement to the condition that says 'as provided in WCC 110.438.45.' Mr. Lloyd said to address the concern for re-vegetation, we can add language 're-vegetation', to condition 2(a).

Member Lawrence said the community will benefit from good cell coverage. The visual impact is minimal. The highway scenic corridor doesn't begin at this point. It is 450 feet above the valley floor. He said he didn't believe that to be excessive. It's not a view disturbance. He said there are events out there and accidents and there is significant dead zone with coverage. There are benefits to having this coverage. It's within the community's best interest.

MOTION: Member Lawrence move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve, subject to the conditions contained in Exhibit A to the staff report with amendment of condition 2(e) to read, 'slopes in excess of, or steeper than 3 horizontal to 1 vertical (3:1), may be permitted by the discretion of the County Engineer for utility access road as provided in WCC 100.438.45. In addition, amendments to conditions 2(a), to include 're-vegetation after point of stabilization' and amendment to condition 2(b) that the applicant shall provide 'proof of' instead of 'permanent' easement, Special Use Permit Case Number WSUP18-0001 for Verizon Wireless, having made all eight findings in accordance with Washoe County Code Section 110.810.30 and 110.324.75. Member Thomas seconded the amended motion which carried unanimously.

Member Stanley came back into the board room.

F. Administrative Permit Case Number WADMIN18-0003 (Cold Springs Valley Church) – For possible action, hearing, and discussion to approve an administrative permit for the construction and operation of a church (Religious Assembly Use Type). The church building is proposed to be approximately 8,400 square feet in size, with a parking area on site consisting of approximately 88 general spaces and 6 spaces for disabled persons (approximately 94 total).

- Applicant: Tom Thomas
- Location: North side of White Lake Parkway, approximately 300 feet west of its intersection with Sandpiper Drive.
- Parcel Size: ± 1.43 acres (± 62,290 square feet)
- Assessor's Parcel Number: 087-031-24
- Master Plan: Commercial
- Regulatory Zone: Neighborhood Commercial (NC)
- Area Plan: Cold Springs
- Citizen Advisory Board: North Valleys
- Development Code: Authorized in Table 110.302.05.2
- Commission District: 5 - Commissioner Herman
- Section/Township/Range: Section 21, T21N, R18E, MDM, Washoe County, NV
- Staff: Roger Pelham, Senior Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775-328-3622
- E-mail: rpelham@washoecounty.us

Mr. Lloyd, Washoe County Planning Manager, presented Roger Pelham's Staff Report in Mr. Pelham's absence. Health Department asked the Board of Adjustment to include the following: The proposed construction of this project will require submittal of a Water Project pursuant to NAC 445A, and must be submitted directly to WCHD for review and approval prior to any approval of building plans. The Water Project must be submitted by Great Basin Water Company to ensure review and concurrence with all proposed infrastructure and additional water demand requirements. This facility is required to be serviced by municipal water and sewer. Chair Toulouse asked about fencing conditions. Mr. Lloyd explained the code requirement for fencing on the western side. There has to be screening of the residence on the north side.

Tom Thomas, the applicant and pastor of the Cold Springs Valley Church, thanked the Board for their consideration. The church has been in Cold Springs for over 20 years. He said they currently meet in the Cold Spring Community Center. He said they use to have only 30 people, but now they have 125 parishioners. He said they have a challenge with parking.

As there was no response to the call for public comment, Chair Toulouse closed the public comment period.

Member Thomas asked about the concerns with height of church. He asked for the height of the Dollar General and Community Center. Mr. Lloyd showed the elevations of the Dollar General store and the Cold Springs Community Center. The structure is a little taller than 20 feet. The Cold Springs Community Center is 25 feet. The 28 foot tall church is consistent with the adjoining buildings. Member Stanley asked about the color of the building and dark sky compliance. Mr. Lloyd said we can't address the color preference. Some may like it, while others don't. It's up to the applicant. Mr. Lloyd said this project is in compliance with the dark sky requirements.

MOTION: Member Thomas move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Board of Adjustment approve Administrative Permit Case Number WADMIN18-0003 for Cold Springs Valley Church, with the conditions listed in the staff report and the three additional conditions provided by the Health District, having made all four findings in accordance with Washoe County Development Code Section 110.808.25. Member Stanley seconded the motion which carried unanimously.

- G. Special Use Permit Case Number WSUP18-0002 (Rutz Residence Grading) – For possible action, hearing, and discussion to approve a special use permit for Major Grading, totaling approximately 188 cubic yards of excavation, to facilitate construction of a driveway to access one dwelling, that traverses a natural slope of 30% or greater. Grading for any driveway or road that traverses a slope of 30% or**

greater is Major Grading in accordance with the Washoe County Development Code at 110.438.35(a)(3).

- Applicant: Brandon Mitchell
- Property Owner: David and Tammy Rutz
- Location: 786 Randall Ave, at the northwest corner of Randall and Gerladine
- APN: 125-251-08
- Parcel Size: ± 0.32 acres (± 13, 925 square feet)
- Master Plan: Suburban
- Regulatory Zone: High Density Suburban
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village / Crystal Bay
- Development Code: Authorized in Article 438
- Commission District: 1 – Commissioner Berkgigler
- Section/Township/Range: Section 9, T16N, R18E, MDM, Washoe County, NV
- Staff: Roger Pelham, Senior Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775-328-3622
- E-mail: rpelham@washoecounty.us

Mr. Lloyd, Washoe County Planning Manager, presented Roger Pelham's Staff Report in Mr. Pelham's absence. Member Stanley asked about TRPA's position regarding this project.

Brandon Mitchell, the project architect and applicant, said TRPA provided a letter of approval in November 2017. They granted approval for the grading. They were present to make sure the soil was in good standing. TRPA is who we need to start with. He said he will provide the letter for the record. This is considered minor grading for a major grading project. He said it's a safety concern with the current driveway. No further questions from the Board.

With no response to the call for public comment, the public comment period was closed.

No discussion by the board.

MOTION: Member Thomas moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve, with conditions and with the additional condition by the Health District, Special Use Permit Case Number WSUP18-0002 for David and Tammy Rutz, having made all five findings in accordance with Washoe County Code Section 110.810.30. Member Stanley seconded the motion which carried unanimously.

10. Chair and Board Items

*A. Future Agenda Items

No items were discussed.

*B. Requests for Information from Staff

No requests for additional information from staff.

11. Director's and Legal Counsel's Items

*A. Report on Previous Board of Adjustment Items

Mr. Lloyd had no reports on previous items. He said there is an upcoming APA conference in Las Vegas. He said there are funds for registration fees, but Board members have to pay for airfare and hotel.

Mr. Lloyd said the Board should have received an email about a survey for the Regional Plan update. Please complete it and share with friends and neighbors. Chair Toulouse said years ago there was a special use permit for a youth camp and the board gave them two extensions on the permit, but denied it a third time. Chair Toulouse said he understands they are continuing with development. He asked Mr. Lloyd to check on it and share information.

***B. Legal Information and Updates**

No updates

12. *General Public Comment

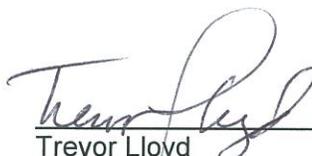
Cathy Brandhorst spoke about items of concern to her.

13. Adjournment – Meeting adjourned at 4:28 p.m.

Respectfully submitted,

Misty Moga, Recording Secretary

Approved by Board in session on May 3, 2018



Trevor Lloyd
Secretary to the Board of Adjustment



TECHNICAL MEMORANDUM

1

PROJECT NAME: KAZ42 RESTAURANT – 9980 NORTH LAKE BLVD
PREPARED FOR: PLACER COUNTY; WASHOE COUNTY
PREPARED BY: PR DESIGN & ENGINEERING INC.
SUBJECT: SITE CIRCULATION PATTERNS
DATE: 2/12/2018

PROJECT DESCRIPTION:

The proposed project area includes two parcels: APN: 090-306-001 located in Placer County, CA and APN: 123-043-01 located in Washoe County, NV. The CA-NV Stateline runs through a portion of the existing building which is currently undergoing tenant improvements (PLN17-00217). The lot areas, subdivision boundaries, property lines, and Stateline are shown on the existing site survey.

The permitted and under construction Placer County tenant improvement will create a 1,231 SF restaurant with 31 indoor seats. The applicant is seeking to permit an approximately 949 SF accessory building located on the Washoe County parcel. Accessory uses to support the restaurant will include reception/waiting area, bar, storage, and small office. The proposed use is permissible.

The existing site allowed for five non-conforming parking stalls and was parked in an ad-hoc manner. The parking demand for the proposed project Tenant Improvements per Tahoe Basin Area Plan and within Placer County is 11 spaces. The parking demand for the pending Washoe County accessory building may require up to 11 spaces.

The existing site is a gateway property for Westbound traffic traveling from Crystal Bay, NV to Kings Beach, CA and vice-versa for Eastbound traffic. The property has declined since the late 1970s and has not received significant investment from the original building permit circa 1952. It is a well-known and blighted property in a highly visible location.

The purpose of this memo is to discuss potential solutions to access and parking that will allow this property to become a successful and redeveloped dual gateway property. The memo is being shared with Placer County and Washoe County to include both Agency's in the discussion. The applicant is requesting preliminary feedback to inform the following applications:

- Improvement Plan Permit for Placer County
- Board of Adjustment application for Washoe County

APPROACH TO ACCESS AND PARKING:

TECHNICAL MEMORANDUM

The approach to access and parking will be a multi-faceted approach and includes the following goals:

- Ingress and egress will be improved to allow vehicles to leave in a head-out manner. Existing parking and access encourages vehicles to back into or make turning movements within the SR 28 shoulder.
- Parking and access will comply with ADA. Existing site is non-ADA compliant.
- The project will demonstrate multi-modal transportation options and encourage other modes of transportation to reduce impacts of the automobile.

The project will employ the following strategies to effectively manage access and parking. While no single strategy would be sufficient as a standalone solution, it is the intent to utilize the following strategies in a comprehensive manner to capitalize on the summation of the benefits. The strategies to be implemented are as follows:

Near and Mid-Term Strategies (0-5 years)

1. **Improve Pedestrian Access:** There is approximately 400 year round residents and approximately 150 active Tourist Accommodation in the North Stateline and Crystal Bay area. With the Boulder Bay project 275 new hotel rooms and 59 luxury residences are expected within the next 5 years. The recently sold Cal Neva is expected to re-open 219 newly remodeled units within the next 3 years. These hotel redevelopments are located within a ¼ mile from the project location. The project includes pedestrian improvements consistent with TRPA Regional Plan Update and local community plans. The intended community amenity improvements include a 6ft wide meandering sidewalk along SR 28 and a new striped crosswalk on Stateline Dr., connecting the restaurant location to the Casino Core. Walking times from the new hotel locations to the restaurant are less than 5 minutes.
2. **Encourage Public Transportation Use:** There are two existing bus stops within 350ft of the restaurant location. The East bound stop serving Kings Beach and points further West will be directly accessible by the proposed sidewalk and crosswalk improvements noted above. The West bound bus stop serving Incline Village and points East of Crystal Bay is directly across the street from the restaurant location.
3. **Provide Valet Parking Service:** During summertime peaks and holidays the restaurant will provide valet service to customers as required. Vehicles will be managed in offsite locations procured by the restaurant.
4. **Operate Shuttle Service:** During summertime peaks and holidays the restaurant will provide a complimentary Shuttle Service to customers as required. The service area boundary will be limited by National Ave./ SR28 to the West, North Ave./SR267 to North and Country Club Dr./ SR 28 to the East.
5. **Provide Bicycle Parking:** Consistent with community plan requirements, the restaurant will provide parking for bicycles and e-bicycles. The topography of the surrounding area will likely limit frequent use of standard bicycles, but the popularity of e-bikes is growing. A secure location for short term storage of bicycles will be provided.

TECHNICAL MEMORANDUM

6. Provide Offsite Parking for Employees: The restaurant will provide parking for employees via short term lease or other parking agreements.

Long Term Strategies (5+ years)

7. Procure Permanent Parking Solutions: Given the blighted condition of the North Stateline and Crystal Bay commercial areas, it is expected that opportunities to procure permanent offsite parking will occur with the pending redevelopment projects of Cal Neva, Boulder Bay and Homewood (Tahoe Inn).
8. Improve the Site for the Future: Site improvements as proposed are intended to function now and in the future. Most import and domestic car manufacturers are set to have autonomous vehicle offerings by 2020. It is expected that by 2025 vehicles will be fully autonomous. The site access as proposed will encourage use by autonomous vehicles and include infrastructure for EV charging.

The following concepts are provided for review and comment. Included in the back of the package is the existing site survey and site photos for reference. Landscape elements that comply with the requirements of Area Plan(s) are shown in each concept. The location and access to the proposed solid waste enclosure meets the base requirements of the disposal company.

CONCEPT A - PAVER ISLAND:

- Vehicles egress in head out manner
- Provides 10ft pull thru lane for access
- Provides 10ft loading and unloading lane for vehicles and shuttle
- Flush paver island demarcates desired circulation and accommodates snow removal
- Flush paver walks facilitate loading and access
- EV Charger and parking spot

CONCEPT B – LANDSCAPE ISLAND:

- Vehicles egress in head out manner
- Provides 10ft pull thru lane for access
- Provides 8ft loading and unloading lane for vehicles and shuttle
- Raised island demarcates desired circulation and provides landscape

TECHNICAL MEMORANDUM

- Flush paver walks facilitate loading and access
- EV Charger and parking spot for overnight use

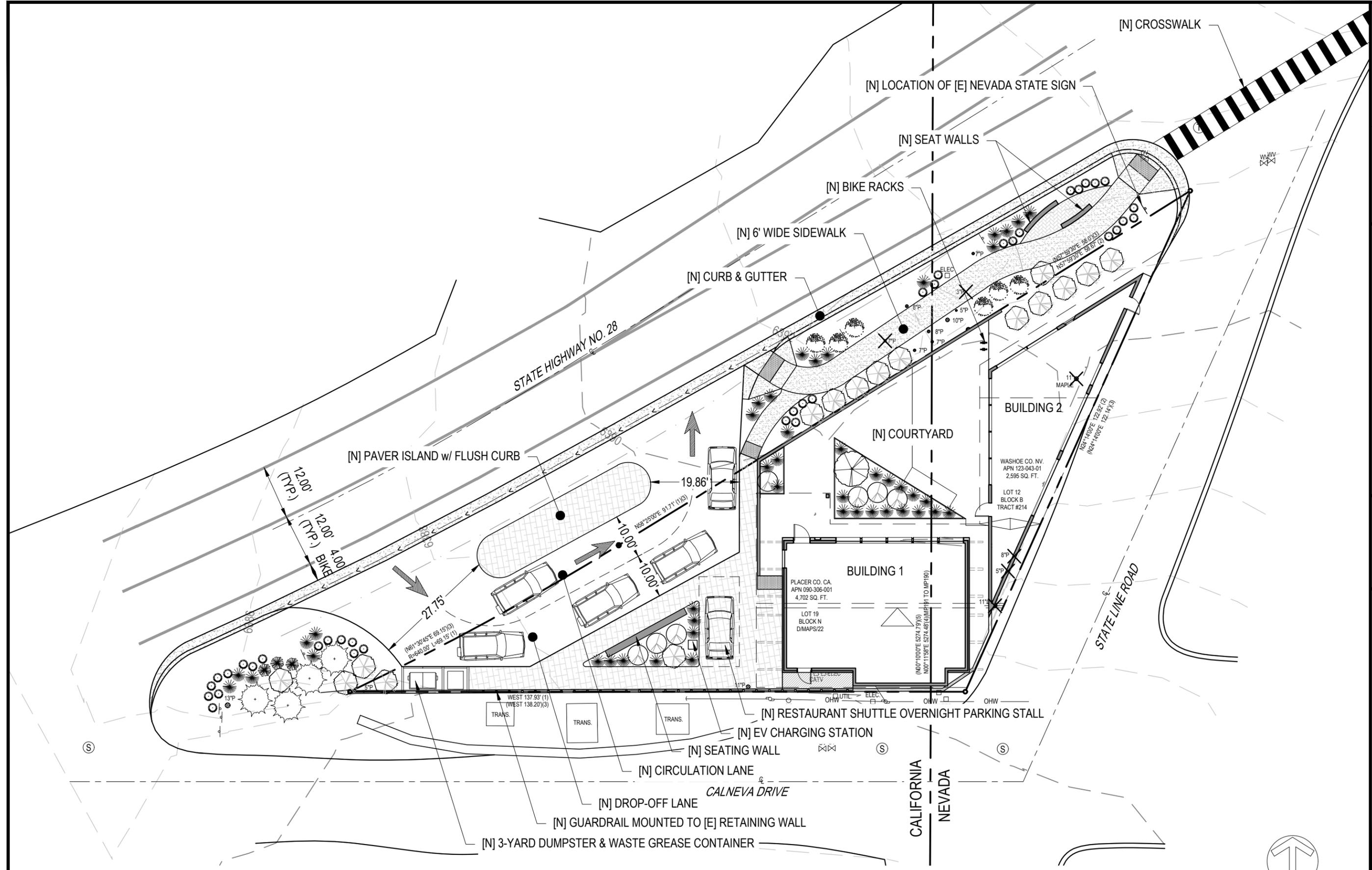
CONCEPT C – PARALLEL PARKING WITH LANDSCAPE ISLAND:

- Vehicles egress in head out manner
- Provides 10ft pull thru lane for access
- Provides 8ft loading and unloading lane for vehicles and shuttle
- Raised island demarcates desired circulation and provides landscape
- Flush paver walks facilitate loading and access
- EV Charger and parking spot

CONCEPT D – EXISTING CONDITION FORMALIZED:

- Vehicles do not egress in head out manner
- Provides most onsite parking spots
- Provides ADA parking stop
- Provides 8ft loading and unloading lane for vehicles and shuttle
- Flush paver walks facilitate loading and access

We are requesting feedback from Agencies by 3/1/2018 as that will allow the project applicant to stay on the plan development schedule.



SITE EXHIBIT
1" = 20'

PRJ. ENG.:ATR	DRWN:JRL
DATE: 02/12/2018	
SCALE: AS NOTED	
FILE: P:\KAZ 42	

P-R DESIGN & ENGINEERING INC.

8889 North Lake Blvd, P.O. Box 1847
Kings Beach, California 96143-1847
Tel 530-546-4500 www.prdel.com

KAZ 42

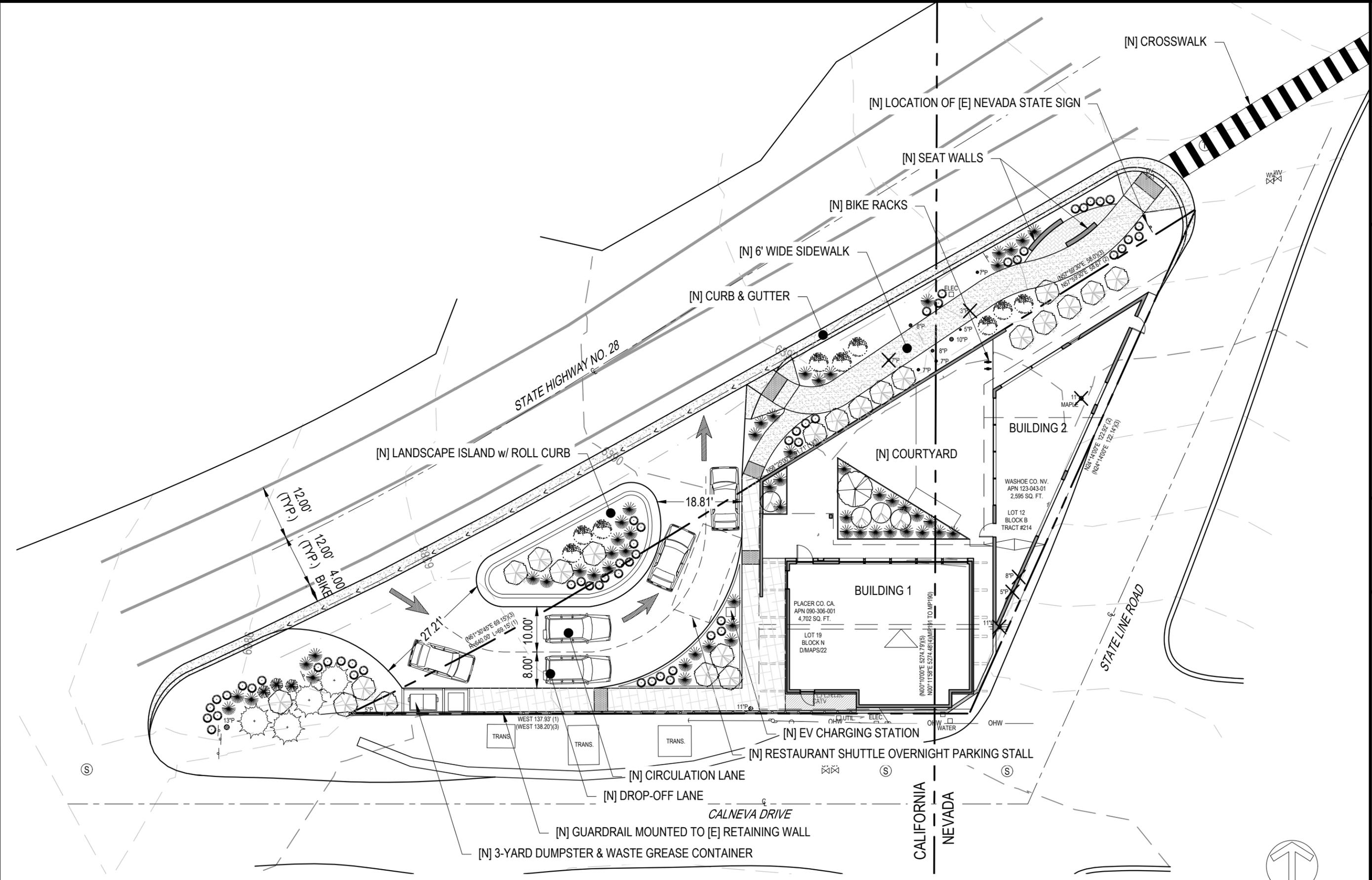
SITE EXHIBIT

9980 NORTH LAKE BLVD.

PLACER COUNTY

KINGS BEACH, CA

A



PRJ. ENG.:ATR	DRWN:JRL
DATE: 02/12/2018	
SCALE: AS NOTED	
FILE: P:\KAZ 42	

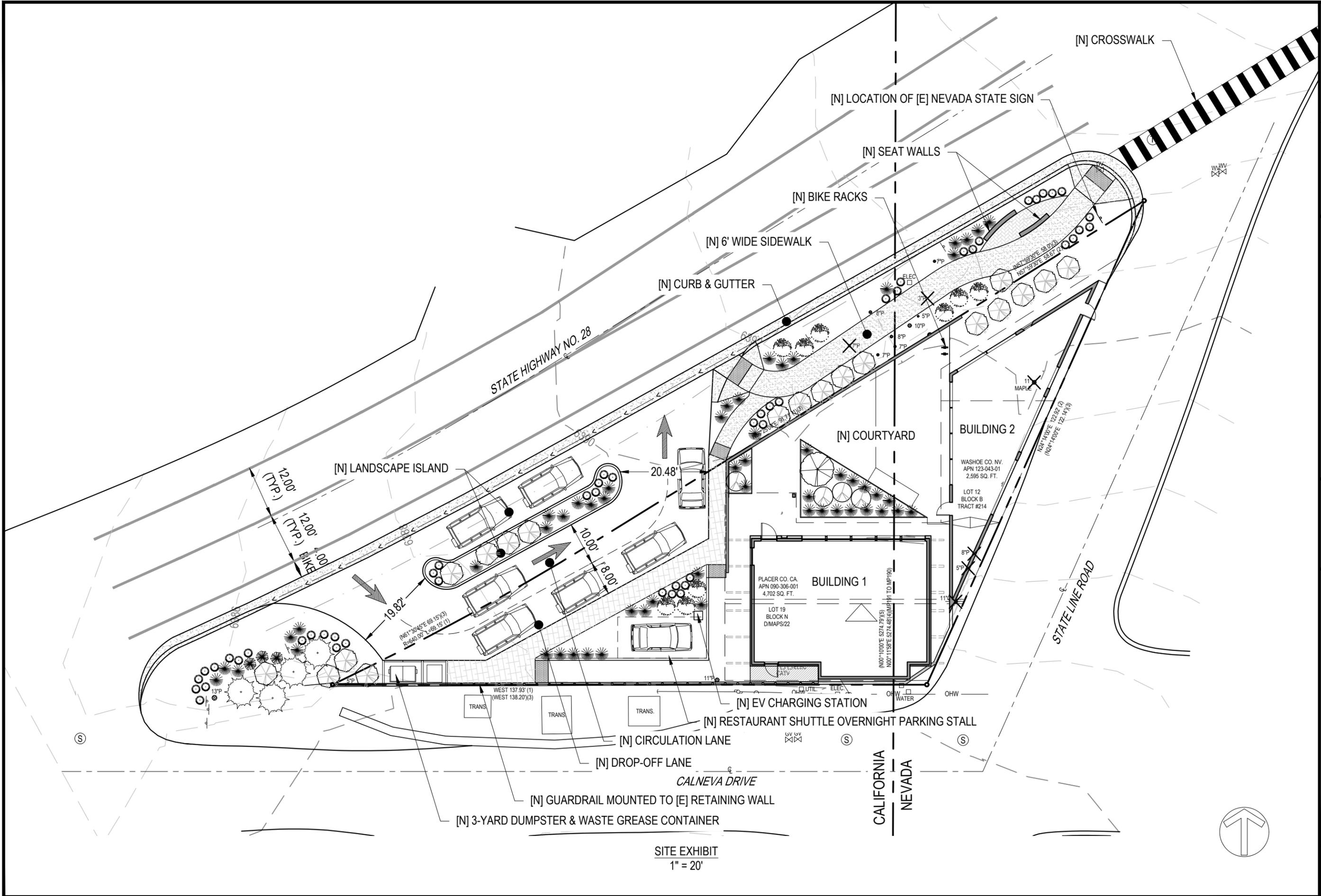
P-R DESIGN & ENGINEERING INC.
 8889 North Lake Blvd, P.O. Box 1847
 Kings Beach, California 96143-1847
 Tel 530-546-4500 www.prdel.com

KAZ 42

SITE EXHIBIT
 9980 NORTH LAKE BLVD.
 PLACER COUNTY
 KINGS BEACH, CA

B

SITE EXHIBIT
1" = 20'



PRJ. ENG.:ATR
DATE: 02/12/2018
SCALE: AS NOTED
FILE: P:\KAZ 42

DRWN: JRL

P-R DESIGN & ENGINEERING INC.

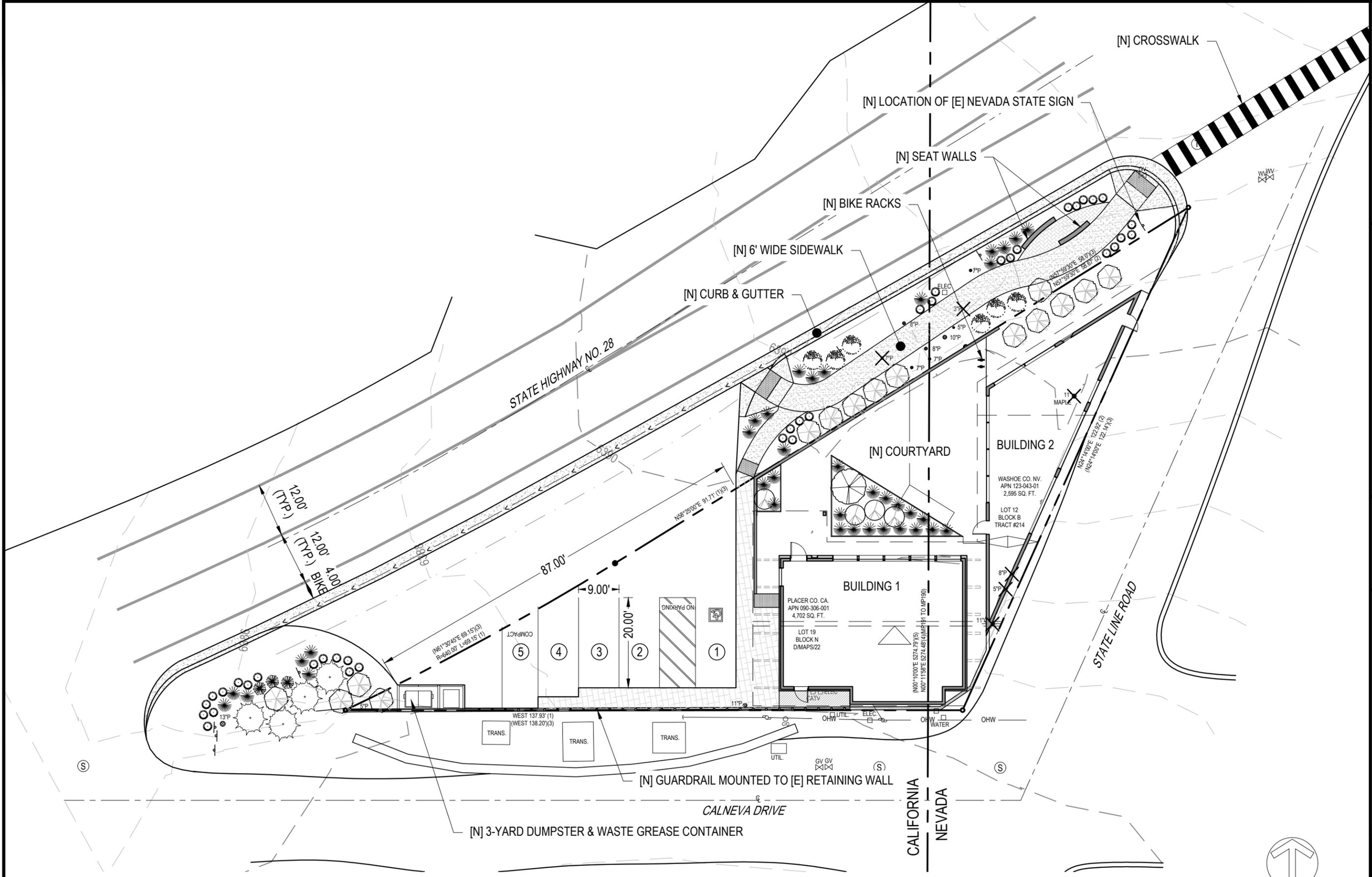
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KAZ 42

SITE EXHIBIT
9980 NORTH LAKE BLVD.
PLACER COUNTY
KINGS BEACH, CA

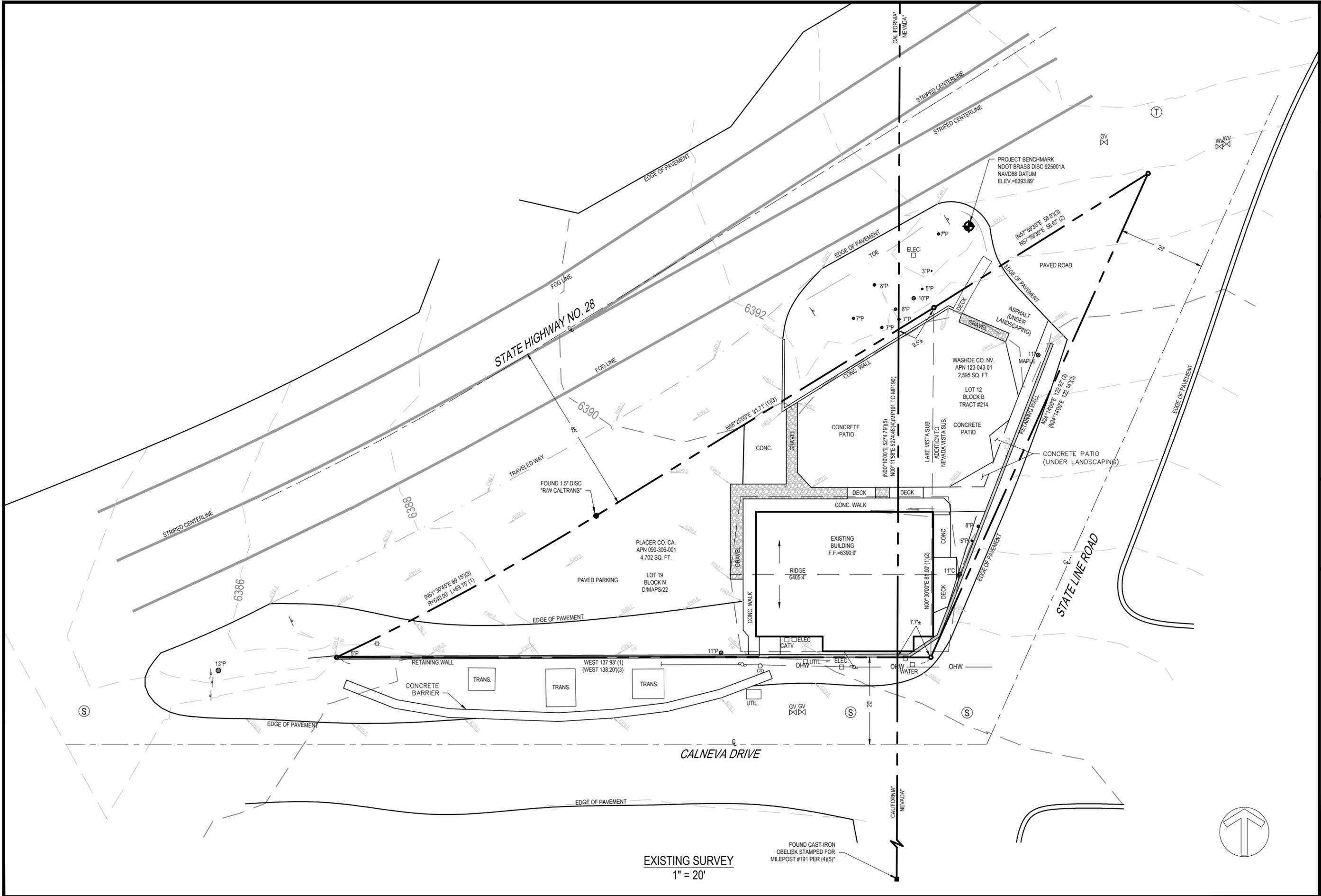
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SITE EXHIBIT
1" = 20'



SITE EXHIBIT
1" = 20'

PRJ. ENG.:ATR	DRWN: JRL
	DATE: 02/12/2018
SCALE: AS NOTED	
FILE: P:\KAZ 42	
8889 North Lake Blvd, P.O. Box 1847 Kings Beach, California 96143-1847 Tel 530-546-4500 www.prdei.com	
KAZ 42	SITE EXHIBIT
PLACER COUNTY	KINGS BEACH, CA
9980 NORTH LAKE BLVD.	
D	



EXISTING SURVEY
1" = 20'

PRJ. ENG.: ATR
DATE: 02/09/2018
SCALE: AS NOTED
FILE: P:\KAZ 42

PR DESIGN & ENGINEERING INC.

 8889 North Lake Blvd, P.O. Box 1847
 Kings Beach, California 96143-1847
 Tel 530-546-4500 www.prdei.com

KAZ 42
EXISTING SURVEY
9980 NORTH LAKE BLVD.

PLACER COUNTY
KINGS BEACH, CA

SURVEY



1 VIEW FM LAKE AVE AND CALANEVA DR
SCALE N/A

VIEW TOWARDS SITE SHOWING (E) TREES, SIGNS, AND UTILITIES. ELEVATION DROP AT RETAINING WALL AT SOUTHERN PROPERTY LINE VISIBLE.



2 VIEW FM LAKE AVE SHOULDER
SCALE N/A

(E) BLDG AT 9980 LAKE AVE VISIBLE WITH LARGE PAVED PARKING LOT AND (E) GARBAGE RECEPTACLE IN FOREGROUND. OUTDOOR DINING, (E) TREES, AND "WELCOME TO NEVADA" SIGN TO LEFT OF BUILDING.



3 VIEW FM (E) DRIVEWAY
SCALE N/A

VIEW FROM (E) DRIVEWAY TOWARDS OUTDOOR DINING, (E) TREES, "WELCOME TO NEVADA" SIGN, AND TO TOWN CENTER BEYOND. (E) STRING LIGHTS AND WOODEN FENCE VISIBLE AT OUTDOOR DINING.



4 VIEW FM LAKE AVE
SCALE N/A

VIEW FROM "WELCOME TO NEVADA" SIGN TOWARDS NE CORNER OF WASHOE COUNTY PARCEL. TOWN CENTER VISIBLE BEYOND. (E) TREES TO RIGHT.



5 VIEW FM N LAKE AVE AND STATE LINE RD
SCALE N/A

VIEW TOWARDS SITE SHOWING (E) TREES, RETAINING WALL AT STATE LINE RD, AND OUTDOOR DINING AREA.



6 VIEW TOWARDS EAST SIDE OF SITE
SCALE N/A

VIEW FM ADJACENT BLDG PARKING LOT ACROSS STATE LINE RD TOWARDS EAST SIDE OF SITE. RETAINING WALL VISIBLE ALONG EASTERN PROPERTY LINE OF WASHOE COUNTY PARCEL.



7 VIEW FM STATE LINE RD AND CALANEVA DR
SCALE N/A

VIEW TOWARDS SE CORNER OF SITE SHOWING (E) RETAINING WALL AND ELEVATION CHANGE, (E) UTILITIES, AND SOUTH AND EAST FACADES OF (E) BLDG. LAKE AVE VISIBLE AT END OF CALANEVA DR.



8 VIEW FM STATE LINE RD
SCALE N/A

VIEW TOWARDS SOUTHERN FACADE OF (E) BLDG FM STATE LINE RD, (E) UTILITIES AND RETAINING WALLS VISIBLE.



9 VIEW FM STATE LINE RD
SCALE N/A

VIEW FM STATE LINE RD TOWARDS SW CORNER OF SITE.



10 VIEW FM CALANEVA DR
SCALE N/A

VIEW FM CALANEVA DR TOWARDS SW CORNER OF PLACER CO. PARCEL. TERMINATION OF RETAINING WALLS, (E) STREET SIGNS, AND (E) TREES VISIBLE. LAKE AVE TRAFFIC VISIBLE OVER LANDSCAPING.



11 VIEW FM PARKING LOT
SCALE N/A

VIEW TOWARDS (E) PAVED OUTDOOR DINING FM PAVED PARKING LOT, (E) TREES VISIBLE IN CALTRANS ROW.



12 DRIVEWAY AT PARKING LOT
SCALE N/A

EDGE OF PAVEMENT AT DRIVEWAY ADJACENT TO OUTDOOR DINING.

PRJ. ENG.:ATR DRWN: JRL

DATE: 02/12/2018

SCALE: AS NOTED

FILE: P:\KAZ 42

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KAZ 42

EXISTING SITE PHOTOS

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KINGS BEACH, CA

PLACER COUNTY

PHOTOS