



Board of Adjustment Staff Report

Meeting Date: February 1, 2018

Agenda Item: 8B

SPECIAL USE PERMIT CASE NUMBER: WSUP17-0023 (Williams Residence Grading)

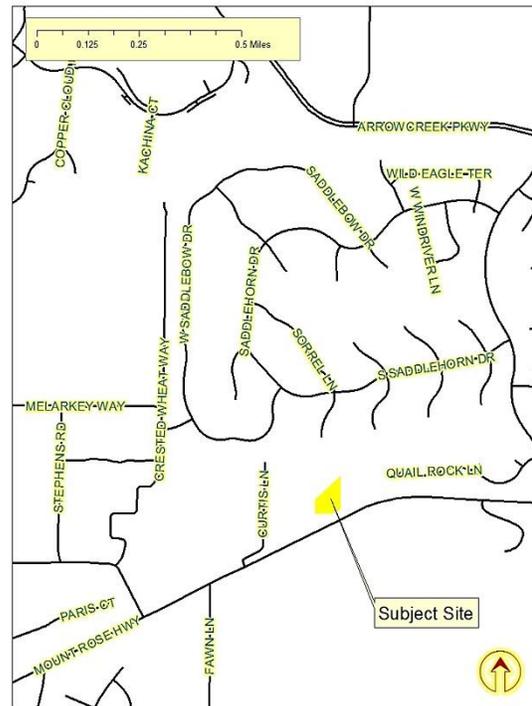
BRIEF SUMMARY OF REQUEST: Major Grading, including previous grading and additional grading and earthwork totaling approximately 197 cubic yards of excavation, 765 cubic yards of fill and disturbance of a total area of approximately 80,940 square feet (1.86 acres).

STAFF PLANNER: Planner's Name: Roger Pelham
 Phone Number: 775.328. 3622
 E-mail: rpelham@washoecounty.us

CASE DESCRIPTION

For possible action, hearing, and discussion to approve a special use permit to permit Major Grading, including previous grading and additional grading and earthwork totaling approximately 197 cubic yards of excavation, 765 cubic yards of fill and disturbance of a total area of approximately 80,940 square feet (1.86 acres). Grading of more than one acre on a parcel that is less than six acres in size is Major Grading in accordance with the Washoe County Development Code at 110.438.35(a)(1)(i)(A).

Applicant: Gail Willey Landscaping
 Property Owner: Amour Property Mgt.
 Location: 5435 Mt. Rose Hwy
 2000' east of Fawn Ln on north side of Hwy.
 150-021-12
 Parcel Size: ±2.49 acres
 Master Plan: Sub. Residential (SR) and Rural (R)
 Regulatory Zone: Low Density Suburban (LDS) and General Rural (GR)
 Area Plan: Southwest Truckee Meadows
 Citizen Advisory Board: South Truckee Meadows/Washoe Valley
 Development Code: Authorized in Article X
 Commission District: 2 – Commissioner Lucey
 Section/Township/Range: Section 25, T18N, R19E, MDM, Washoe County, 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 approve with conditions Special Use Permit Case Number WSUP17-0023 for Gail Willey Landscaping and Lisa Williams, having made all five findings in accordance with Washoe County Code Section 110.810.30.

(Motion with Findings on Page 13)

Staff Report Contents

Site Plan..... 3

Project Evaluation 4

South Truckee Meadows/Washoe Valley Citizen Advisory Board (STM/WV CAB)11

Reviewing Agencies11

Recommendation13

Motion13

Appeal Process13

Exhibits Contents

Conditions of ApprovalExhibit A

Agency CommentsExhibit B

Project Application.....Exhibit C

Cilia Suhayda Public CommentExhibit D

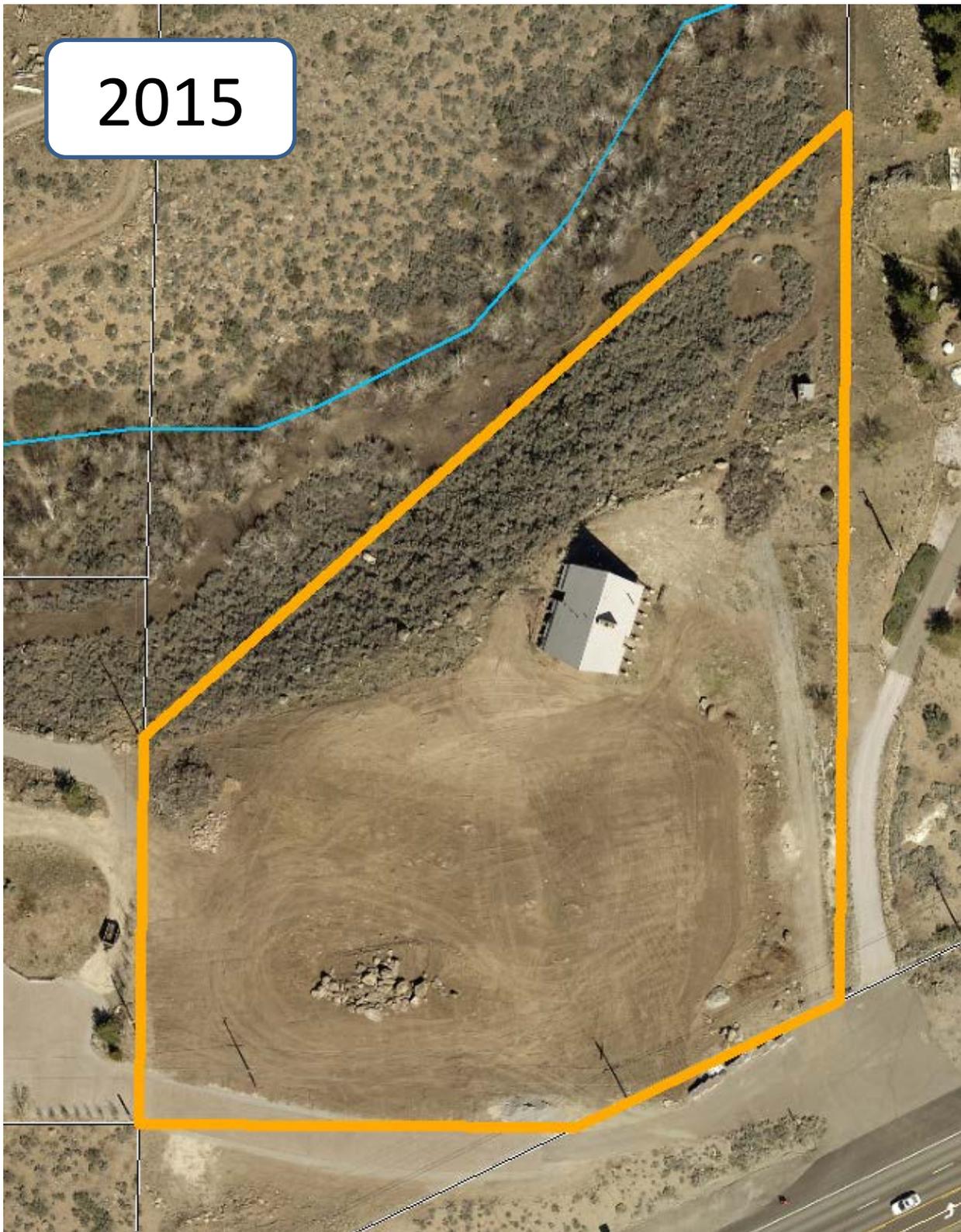
Project Evaluation

This Special Use Permit has been submitted in order for the applicant and the property owner to bring previous grading into conformance with the requirements of the Washoe County Development Code.

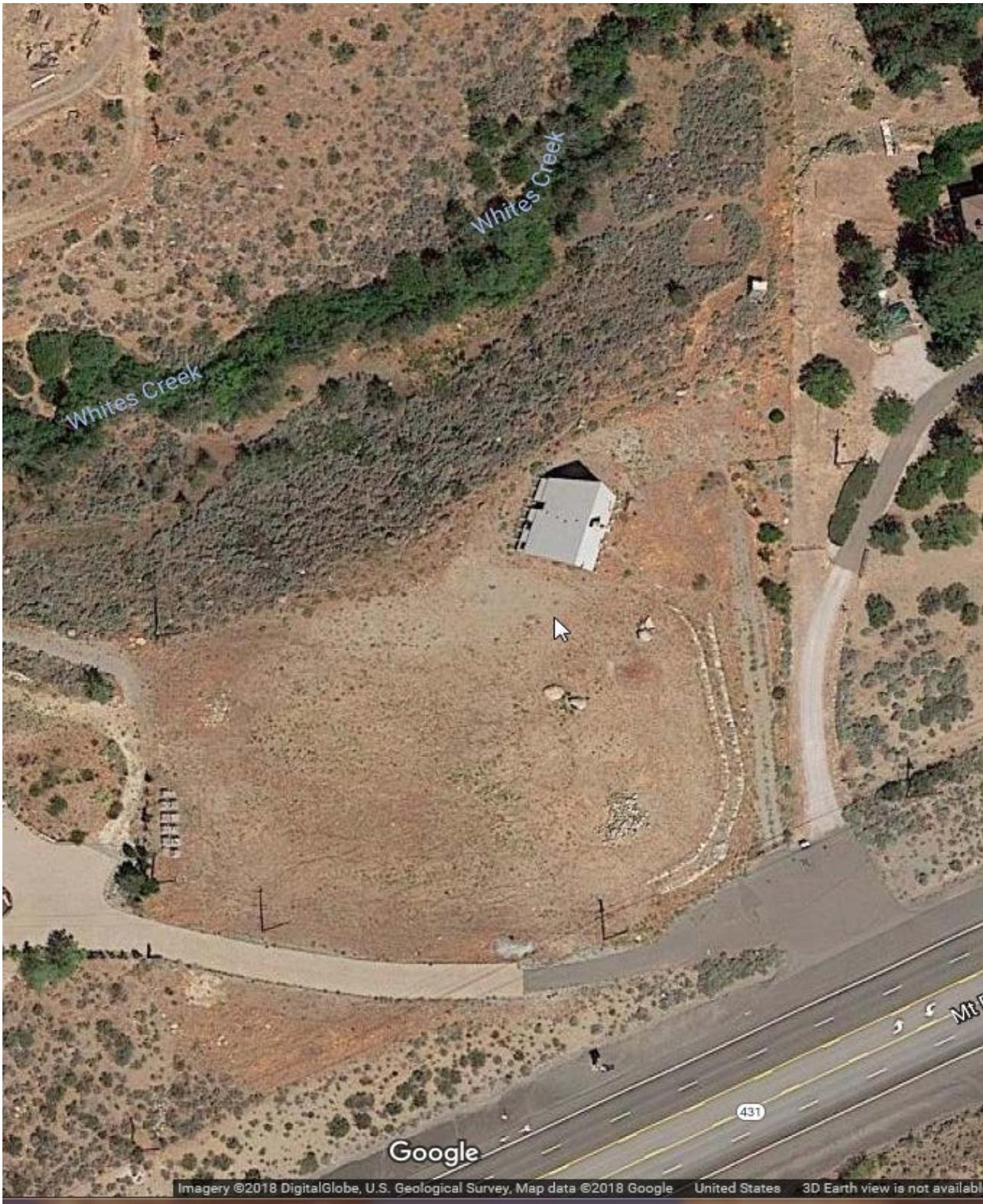
In 2014, the applicant submitted grading plans to Washoe County and was issued a permit for minor grading that included 700 cubic yards of excavation on the subject site and the adjacent parcel to the west to relocate a driveway and to create a building pad for a future barn. The grading done at that time greatly exceeded the grading that was shown on the plans approved with the grading permit. Two rockery retaining walls were also constructed that were not included on the approved grading plans. The following series of overhead photos show the grading and disturbance of the native vegetation on the subject parcel over several years.







The following overhead photo is an image taken from Google Earth. Property lines are not shown as in the previous photos [provided by Washoe County Geographic Information Systems data]. The date that the photo was taken is not known, but retaining walls can be seen in the lower right portion of the subject site. A portion of those retaining walls were constructed within the front yard setback area. The plans submitted with this Special Use Permit application show relocation or modification of those portions of the walls which are greater than 48" within that area.

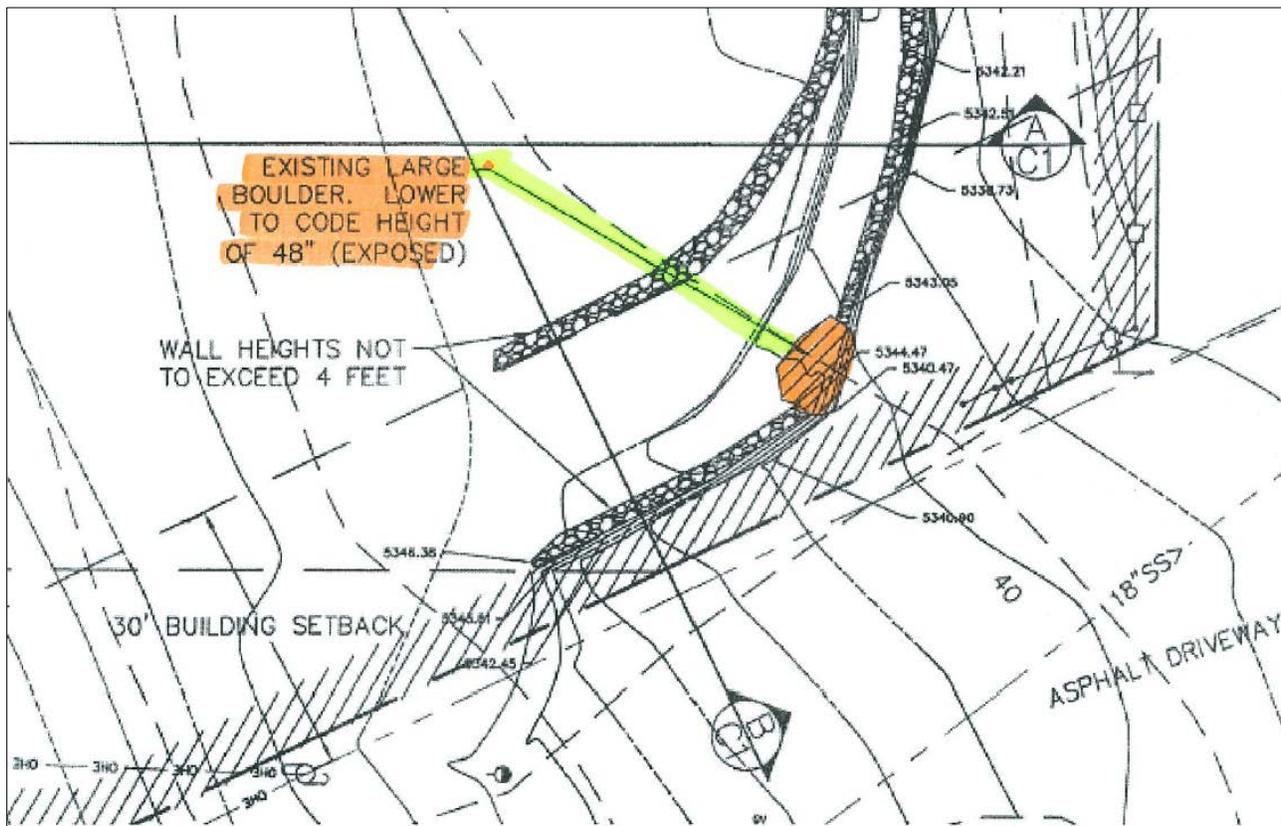


The following photos were taken during a site inspection in July of 2015.





The boulder in the center of the preceding photo is a part of the lower of the two retaining walls and it approximately 7 feet in height above ground level. The plans submitted by the applicant with this request for a Special Use Permit include reducing the above-ground height of that portion of the retaining wall to 4 feet. Within the front yard setback area, fences, walls and perimeter plantings of 4 feet in height are permissible. The plan detail on that area follows:



The location, height and configuration of the retaining walls shown on the plans submitted as part of the application for this Special Use Permit are consistent with the standards required by Article 438, Grading, of the Washoe County Development Code.

Other than the area of the retaining walls, the grading previously done in the central portion of the subject site was performed to create a level area for future development. That grading is consistent with the standards required by Article 438, Grading, of the Washoe County Development Code. A condition for the stabilization of all disturbed areas has been included in Exhibit A as a recommended condition of approval.

While much of the grading had been previously done, the plans as submitted as part of the application for this Special Use Permit are consistent with all of the generally applicable standards required by Article 438, Grading, of the Washoe County Development Code. All future grading that may be authorized by this Special Use Permit will be done simply to bring the existing condition into conformance with the applicable standards of the Development Code. For this reason, staff recommends approval of the request, with conditions. Conditions of approval have been recommended to require strict adherence to the plans submitted as part of the application for this Special Use Permit, and with all generally applicable standards of the Development Code.

South Truckee Meadows/Washoe Valley Citizen Advisory Board (STM/WV CAB)

The proposed project was presented by the applicant's representative at the regularly scheduled Citizen Advisory Board meeting on January 11, 2018. The CAB discussion centered on the ensuring that impacts related to drainage and run-off were appropriately mitigated.

The CAB voted to recommend approval of the proposed Special Use Permit.

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
 - Planning and Building Division – Geographic Information Systems
 - Engineering and Capital Projects – Land Development
 - Engineering and Capital Projects – Roads
 - Engineering and Capital Projects – Traffic
 - Engineering and Capital Projects - Utilities
- Washoe County Health District - Air Quality Management
- Washoe County Health District - Environmental Health
- Washoe County Health District - Emergency Medical Services
- Washoe County Animal Services
- Washoe County Sheriff's Office
- Truckee Meadows Fire Protection District
- Regional Transportation Commission
- Washoe-Storey Conservation District
- State of Nevada – Department of Environmental Protection
- State of Nevada – Department of Transportation

- State of Nevada – Department of Wildlife
- United States Army Corps of Engineers

Three out of the nineteen 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 adherence to the applicable provisions of the Grading Code.

Contact: Roger Pelham, 775.328.3622, rpelham@washoecounty.us

- Washoe County Engineering and Capital Projects Division addressed generally applicable standards and required permits.

Contact: Leo Vesely, 775.328.2313, lvesely@washoecounty.us

- Nevada Department of Environmental Protection addressed the requirements for dust control, construction stormwater, and temporary working in a waterway permits, as needed.

Contact: Patrick Mohn, 775.687.9419, pmohn@ndep.nv.gov

Staff Comment on Required Findings

Washoe County Development Code Section 110.810.30, Article 810, *Special Use Permits*, 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 special use permit application and has determined that the proposal is in compliance with the required findings as follows.

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Southwest Truckee Meadows Area Plan.

Staff Comment: There are no specific Policies or Action Programs included in the Southwest Truckee Meadows Area Plan that are applicable to the proposed grading, therefore the proposed grading is found to be consistent

2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven.

Staff Comment: Adequate roadways, sanitation, water supply, drainage, and other necessary facilities and utilities will be provided to the site, as the grading is intended to facilitate construction of a detached accessory structure as an accessory use to the existing dwelling.

3. Site Suitability. That the site is physically suitable for grading and construction of retaining walls, and for the intensity of such a development.

Staff Comment: Much of the grading has already occurred. The current request is to modify the existing condition such that conformance with the provisions of the Development Code is achieved.

4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area.

Staff Comment: Given careful consideration and meaningful conditions of approval, it is the opinion of staff that approval of the proposed special use permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area, as the current request is to bring the existing condition of the site into conformance with the applicable provisions of the Development Code.

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 is no military installation within the area of required notice for this special use permit.

Recommendation

Those agencies which reviewed the application recommended conditions in support of approval of the project. Therefore, after a thorough analysis and review, Special Use Permit Case Number WSUP17-0023 is being recommended for approval with conditions. 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 approve with conditions Special Use Permit Case Number WSUP17-0023 for Gail Willey Landscaping, Inc and Amour Property Management, LLC for the Williams Residence Grading, having made all five findings in accordance with Washoe County Code Section 110.810.30:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Southwest Truckee Meadows Area Plan;
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;
3. Site Suitability. That the site is physically suitable for grading and construction of retaining walls, and for the intensity of such a development;
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of any military installation.

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 after the written decision is filed with the Secretary to the Board of Adjustment and mailed to the applicant.

Applicant: Gail Willey Landscaping, Inc.
Attn: Brian Dean

PO Box 18789
Reno, NV 89511

Owner: Amour Property Management, LLC
Attn: Lisa Williams
59 Damonte Ranch Pkwy, #B535
Reno, NV 89521

Professional Consultant: Marvin Davis & Associates – Civil Geotechnical
PO Box 18449
Reno, NV 89511

Representatives: Lewis Roca Rothberger Christie, LLP
Attn: Garrett Gordon
One East Liberty Street, Suite 300
Reno, NV 89501



Conditions of Approval

Special Use Permit Case Number WSUP17-0023

The project approved under Special Use Permit Case Number WSUP17-0023 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on February 1, 2017. Conditions of Approval are requirements placed on a permit or development by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act.

Unless otherwise specified, all conditions related to the approval of this Special Use Permit shall be met or financial assurance must be provided to satisfy the conditions of approval prior to issuance of a grading or building permit. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Building Division.

Compliance with the conditions of approval related to this Special Use Permit is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. Failure to comply with any of the conditions imposed in the approval of the Special Use Permit may result in the institution of revocation procedures.

Washoe County reserves the right to review and revise the conditions of approval related to this Special Use Permit should it be determined that a subsequent license or permit issued by Washoe County violates the intent of this approval.

For the purpose of conditions imposed by Washoe County, “may” is permissive and “shall” or “must” is mandatory.

Conditions of Approval are usually complied with at different stages of the proposed project. Those stages are typically:

- Prior to permit issuance (i.e., grading permits, building permits, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy.
- 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 project or business.

The Washoe County Commission oversees many of the reviewing agencies/departments with the exception of the following agencies.

- **The DISTRICT BOARD OF HEALTH, through the Washoe County Health District, has jurisdiction over all public health matters in the Health District. Any conditions set by the Health District must be appealed to the District Board of Health.**

FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

Washoe County Planning and Building Division

1. The following conditions are requirements of Planning and Building, which shall be responsible for determining compliance with these conditions.

Contact Name – Roger Pelham, (775) 328-3622, rpelham@washoecounty.us

- a. The applicant shall demonstrate conformance to the plans approved as part of this special use permit. The Planning and Building Division shall determine compliance with this condition.
- b. The applicant shall submit complete grading and construction plans within 18 months of the date of approval by Washoe County. Grading and Construction permits must be obtained (issued by Washoe County) within two years from the date of approval by Washoe County. The applicant shall complete construction within the time specified by the grading and construction permits. Compliance with this condition shall be determined by the Planning and Building Division.
- c. Plans submitted for grading and construction shall show strict compliance with all applicable standards of the Washoe County Development Code, particularly Article 438, Grading.
- d. Plans submitted for grading and construction shall show that all portions of retaining walls within the front yard setback area are 48 inches or lower in height.
- e. Prior to final inspection of grading and construction of retaining walls the applicant shall provide documentation from a Professional Land Surveyor or Engineer, licensed in the State of Nevada that all portions of retaining walls within the front yard setback area are 48 inches or lower in height. The documentation shall be wet-stamped.
- f. Plans submitted for grading and construction shall include detailed plans for permanent stabilization of all disturbed areas to control run-off and fugitive dust emissions.
- g. Plans submitted for grading and construction shall include sufficient details to show that any change to the character of the pre-disturbance run-off has been appropriately mitigated.
- h. Prior to the approval of grading and construction permits, the applicant shall provide the Planning and Building Division documentation that appropriate dust control, construction stormwater and temporary working in water ways permits (as needed) have been obtained. This is in accordance with conditions of approval provided by the Nevada Department of Environmental Protection. Documentation of permits shall be to the satisfaction of the Director of Planning and Building.
- i. Failure to comply with all conditions of approval shall render this approval null and void. Compliance with this condition shall be determined by Planning and Building.
- j. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the

Department of Museums, Library and Arts shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

Washoe County Engineering and Capital Projects

2. The following conditions are requirements of the Engineering Division, which shall be responsible for determining compliance with these conditions.

Contact Name – Leo Vesely, (775) 328.2313. lvesely@washoecounty.us

- a. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.
- b. The owner/developer shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit for construction and submit a copy to the Engineering Division prior to issuance of a grading permit.
- c. The owner/applicant shall complete and submit the Construction Permit Submittal Checklist, the Performance Standards Compliance Checklist prior to obtaining a grading/building permit.
- d. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering Division prior to any grading.
- e. Any increase in drainage runoff volume or concentration shall be mitigated.
- f. If the import or export of materials is required, the applicant shall indicate on the plans where the exported material will be taken or where the imported material will be coming from, and a grading permit shall be obtained for the import/export site.

Washoe County Health District

3. The following conditions are requirements of the Health District, which shall be responsible for determining compliance with these conditions.

Contact Name – James English, (775) 328.2434. jenglish@washoecounty.us

- a. The applicant must apply for a septic abandonment permit for this parcel.
- b. Any grading plan submitted for review must be reviewed by WCHD, since the existing parcel has yet to abandon the on-site sewage disposal system under permit.

*** End of Conditions ***



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: January 05, 2018
TO: Roger Pelham, Planning and Development Division
FROM: Leo R. Vesely, P.E., Engineering and Capitol Projects Division
SUBJECT: **WSUP17-0023**
APN 150-021-12
AMOUR LISA WILLIAMS GRADING

I have reviewed the referenced special use permit and have the following conditions:

1. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.
2. The owner/developer shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit for construction and submit a copy to the Engineering Division prior to issuance of a grading permit.
3. The owner/applicant shall complete and submit the Construction Permit Submittal Checklist, the Performance Standards Compliance Checklist prior to obtaining a grading/building permit.
4. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering Division prior to any grading.
5. Any increase in drainage runoff volume or concentration shall be mitigated.
6. If the import or export of materials is required, the applicant shall indicate on the plans where the exported material will be taken or where the imported material will be coming from, and a grading permit shall be obtained for the import/export site.

LRV/lrv



REGIONAL TRANSPORTATION COMMISSION

Metropolitan Planning • Public Transportation & Operations • Engineering & Construction

Metropolitan Planning Organization of Washoe County, Nevada

January 2, 2018

FR: Chrono/PL 183-17

Mr. Roger Pelham, Senior Planner
Community Services Department
Washoe County
PO Box 11130
Reno, NV 89520

**RE: WSUP17-0023 (Williams Residence Grading)
WSUP17-0025 (Verizon Wireless-Hidden Valley Golf Course)
WTPM17-0011 (Pardula Living Trust)
WTPM17-0025 (Fritter)**

Dear Mr. Pelham,

We have reviewed the above applications and have no comments at this time.

Thank you for the opportunity to comment on these applications. Please feel free to contact me at 775-332-0174 or email me at rkapuler@rtcwashoe.com if you have any questions or comments.

Sincerely,

Rebecca Kapuler
Planner

RK/jm

Copies: Mojra Hauenstein, Washoe County Community Services
Trevor Lloyd, Washoe County Community Services
Julee Olander, Washoe County Community Services
Chris Bronczyk, Washoe County Community Services
Eva Krause, Washoe County Community Services
Jae Pullen, Nevada Department of Transportation, District II
Daniel Doenges, Regional Transportation Commission
Tina Wu, Regional Transportation Commission
Mark Maloney, Regional Transportation Commission
Julie Masterpool, Regional Transportation Commission
David Jickling, Regional Transportation Commission

/Washoe County no comment 01052018

From: O'Connor, Tim
Sent: Thursday, December 21, 2017 2:09 PM
To: Pelham, Roger
Subject: Williams Residence Grading

Mr. Pelham,

Regarding special use permit case number WSUP17-000231, the Williams Residence Grading project, the Washoe County Sheriff's Office Patrol Division has no issues with the project as noted in the application.

Captain Tim O'Connor
Washoe County Sheriff's Office
Patrol Division
775-328-3354
PRIDE - Professionalism, Respect, Integrity, Dedication, Equality

From: Schull, Shyanne
Sent: Friday, December 29, 2017 10:01 AM
To: Pelham, Roger
Cc: Wooster, Robert; Lamun, Erick; Doak, Cindy; Schultz, Terri; Tavener, Breanna
Subject: WCRAS Review of Item #2
Attachments: December Agency Review Memo III.PDF

Good morning Roger,
WCRAS has reviewed the attached Item 2 and currently has no conditions or restrictions.
Sincerely,

Shyanne Schull
Director
Washoe County Regional Animal Services
2825A Longley Lane
Reno, NV 89502
775.328.2142 Office
775.322.3647 Dispatch
sschull@washoecounty.us
www.washoeanimals.com

"Promoting responsible care of animals through education, proactive outreach, and regulation, making Washoe County a safe community".

From: Dayton, Brittany
Sent: Tuesday, December 26, 2017 2:55 PM
To: Pelham, Roger
Subject: December Agency Review Memo III

Hello Roger,

The EMS Program does not have any comments for special use permit case number WSUP17-0023 (Williams) included in December Agency Review Memo III (item 2). Please let me know if you have any questions.

Thanks and have a good day,
Brittany

Brittany Dayton, MPA
EMS Coordinator | Division of Epidemiology & Public Health Preparedness | Washoe County Health District
bdayton@washoecounty.us | O: (775) 326-6043 | C: (775) 544-4847 | F: (775) 325-8131 | 1001 E. Ninth St., Bldg. B, Reno, NV 89512

From: Reynolds, Denise
Sent: Thursday, January 04, 2018 2:13 PM
To: Pelham, Roger
Subject: Gail Willey Landscaping, Inc

No comment for this one as well

Denise Reynolds
Interim Fire Marshal
Truckee Meadows Fire Protection District
1001 E. Ninth Street Bldg D Ste. 210
Reno, NV 89512
775-326-6079
email: dreynolds@tmfcpd.us

From: Lawson, Clara
Sent: Tuesday, December 26, 2017 10:50 AM
To: Pelham, Roger
Cc: Klein, Kris; Vesely, Leo
Subject: Special Use 17-0023, gradubg 150-021-12

I don't have any issues with this grading. Don't see any traffic or sight distance issues.

Clara Lawson, PE, PTOE, Licensed Engineer
Washoe County | Community Services Dept | Engineering Division 1001 E. Ninth St., Reno NV
89520
clawson@washoecounty.us | o 775-328-3603 | fax 775-328-3699
Connect with us: cMail | Twitter | Facebook | www.washoecounty.us

From: Simpson, Tim
Sent: Friday, December 22, 2017 8:24 AM
To: Bronczyk, Christopher; Krause, Eva; Pelham, Roger
Cc: Klein, Kris; Lloyd, Trevor
Subject: WTPM17-0024 (Fritter) & WSUP17-0023 (Williams Residence Grading)

Utilities has no comments for either WTPM17-0024 (Fritter) or WSUP17-0023 (Williams Residence Grading).

Thanks,
Timothy Simpson, P.E.
Licensed Engineer
Washoe County CSD, Engineering and Capital Projects
E: tsimpson@washoecounty.us | O: (775) 954-4648 | F: (775) 328-3699
1001 E. Ninth Street Bld A, Reno, NV 89512
P.O. BOX 11130, Reno, NV 89520-0027

Connect with us: cMail | Twitter | Facebook | www.washoecounty.us

From: Patrick Mohn <pmohn@ndep.nv.gov>
To: Pelham, Roger
Cc:
Subject: RE: December Agency Review Memo III

Sent: Thu 12/21/2017

Roger,

The NDEP has reviewed Item 2 of the Agency Review Memo for WSUP17-0023.

If grading is all that will be done, then dust control and construction stormwater permits will be required. If near or in a waterway, a temporary working in waterways permit may also be required.

Pat



Patrick A. Mohn, M.Sc., P.E.
UIC Compliance Coordinator
Bureau of Water Pollution Control (BWPC)
Nevada Division of Environmental Protection
901 South Stewart Street, Suite 4001
Carson City, NV 89701
p: 775.687.9419 fax: 775.687.4684
pmohn@ndep.nv.gov

WASHOE COUNTY
HEALTH DISTRICT
ENHANCING QUALITY OF LIFE

January 8, 2018

Roger Pelham, MPA, Senior Planner
Washoe County Community Services
Planning and Development Division
PO Box 11130
Reno, NV 89520-0027

RE: Williams Residence Grading; APN 150-021-12
Special Use Permit; WSUP17-0023

Dear Mr. Pelham:

The Washoe County Health District, Environmental Health Services Division (WCHD) has reviewed the above referenced project. Approval by the WCHD is subject to the following conditions:

1. WCHD has reviewed the above special use permit and has the following conditions that must be met prior to any approval by WCHD:
 - a. The applicant must apply for a septic abandonment permit for this parcel.
 - b. Any grading plan submitted for review must be reviewed by WCHD, since the existing parcel has yet to abandon the on-site sewage disposal system under permit.

If you have any questions or would like clarification regarding the foregoing, please contact Wes Rubio, Senior Environmental Health Specialist at wrubio@washoecounty.us regarding all Health District comments.

Sincerely,



James English, REHS, CP-FS
EHS Supervisor
Waste Management/Land Development Programs

JE:wr

Community Services Department

Planning and Building

SPECIAL USE PERMIT

(see page 5)

SPECIAL USE PERMIT FOR GRADING

(see page 11)

SPECIAL USE PERMIT FOR STABLES

(see page 16)

APPLICATION



Community Services Department
Planning and Building
1001 E. Ninth St., Bldg. A
Reno, NV 89520

Telephone: 775.328.6100

Washoe County Development Application

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.

Project Information		Staff Assigned Case No.: _____	
Project Name: Lisa Williams			
Project Description: Grading			
Project Address: 5435 Mount Rose Hwy, Washoe County 89511			
Project Area (acres or square feet): 2.49 Acre			
Project Location (with point of reference to major cross streets AND area locator): Mount Rose Hwy and Curtis Lane			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
150-021-12			
Section(s)/Township/Range: 18/19			
Indicate any previous Washoe County approvals associated with this application: Case No.(s).			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name: Amour Property Management LLC		Name: Marvin Davis & Associates-Civil Geotechnical	
Address: 59 Damonte Ranch Pkwy #B535		Address: PO Box 18449	
Reno, NV	Zip: 89521	Reno, NV	Zip: 89511
Phone: 775-842-1222	Fax:	Phone: 775-853-9100	Fax: 853-9199
Email: Lisa Williams <lisajwill@yahoo.com>		Email: Chad Carnes <ccarnes@mdageotechnical.com>	
Cell: 775-842-1222	Other:	Cell: 775-741-2300	Other: 853-9100
Contact Person: Lisa Williams		Contact Person: Chad Carnes	
Applicant/Developer:		Other Persons to be Contacted:	
Name: Gail Willey Landscaping, Inc.		Name: Lewis Roca Rothgerber Christie, LLP	
Address: PO Box 18789		Address: One East Liberty St., Ste 300	
Reno, NV	Zip: 89511	Reno, NV	Zip: 89501
Phone: 775-853-8733	Fax: 853-3652	Phone: 775-321-3420	Fax: 321-5569
Email: brian@gailwilley.com		Email: ggordon@lrrc.com	
Cell: 775-530-9384	Other: 853-8733	Cell: 775-762-6765	Other:
Contact Person: Brian Dean		Contact Person: Garrett Gordon	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

July 1, 2017

Property Owner Affidavit

Applicant Name: Amour Property Mgmt 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, LISA J. WILLIAMS
(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): 150-021-10

Printed Name LISA J. WILLIAMS

Signed Lisa J. Williams

Address 59 DAMONTE RANCH PKWY #B535
RENO NV 89521

Subscribed and sworn to before me this
5th day of December, 2017.

Suzanne Lancaster
Notary Public in and for said county and state

My commission expires: 12/1/2018

(Notary Stamp)



*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

Special Use Permit 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 special use permits may be found in Article 810, Special Use Permits.

1. What is the type of project being requested?

Grading for future barn, landscaping, greenhouse

2. What currently developed portions of the property or existing structures are going to be used with this permit?

None

3. What improvements (e.g. new structures, roadway improvements, utilities, sanitation, water supply, drainage, parking, signs, etc.) will have to be constructed or installed and what is the projected time frame for the completion of each?

Grading only - 3 weeks

4. What is the intended phasing schedule for the construction and completion of the project?

Grading only - phase 1

5. What physical characteristics of your location and/or premises are especially suited to deal with the impacts and the intensity of your proposed use?

lots of open space, large lots

6. What are the anticipated beneficial aspects or effects your project will have on adjacent properties and the community?

developed land with landscaping, rockery walls

7. What will you do to minimize the anticipated negative impacts or effect your project will have on adjacent properties?

Whatever is required by the development Code

8. Please describe operational parameters and/or voluntary conditions of approval to be imposed on the project special use permit to address community impacts:

Erosion control, dust control by use of water Trucks

9. How many improved parking spaces, both on-site and off-site, are available or will be provided? (Please indicate on site plan.)

N/A

10. What types of landscaping (e.g. shrubs, trees, fencing, painting scheme, etc.) are proposed? (Please indicate location on site plan.)

Rockery walls

11. What type of signs and lighting will be provided? On a separate sheet, show a depiction (height, width, construction materials, colors, illumination methods, lighting intensity, base landscaping, etc.) of each sign and the typical lighting standards. (Please indicate location of signs and lights on site plan.)

N/A

12. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that apply to the area subject to the special use permit request? (If so, please attach a copy.)

Yes No

13. Utilities:

a. Sewer Service	APPLIED FOR
b. Electrical Service	NV ENERGY
c. Telephone Service	N/A
d. LPG or Natural Gas Service	N/A
e. Solid Waste Disposal Service	N/A
f. Cable Television Service	N/A
g. Water Service	Well

For most uses, the Washoe County Code, Chapter 110, Article 422, Water and Sewer Resource Requirements, requires the dedication of water rights to Washoe County. Please indicate the type and quantity of water rights you have available should dedication be required:

h. Permit #	N/A	acre-feet per year	
i. Certificate #	N/A	acre-feet per year	
j. Surface Claim #		acre-feet per year	
k. Other #		acre-feet per year	

l. Title of those rights (as filed with the State Engineer in the Division of Water Resources of the Department of Conservation and Natural Resources):

14. Community Services (provided and nearest facility):

a. Fire Station	
b. Health Care Facility	
c. Elementary School	
d. Middle School	
e. High School	
f. Parks	
g. Library	
h. Citifare Bus Stop	

Special Use Permit Application for Grading 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 special use permits may be found in Article 810, Special Use Permits. Article 438, Grading, and Article 418, Significant Hydrologic Resources, are the ordinances specifically involved in this request.

1. What is the purpose of the grading?

To create useable flat ground for potential future building of barn and/or greenhouse

2. How many cubic yards of material are you proposing to excavate on site?

1000

3. How many square feet of surface of the property are you disturbing?

87,000 Sq. Ft.

4. How many cubic yards of material are you exporting or importing? If none, how are you managing to balance the work on-site?

No import or export. Cuts & fills will balance on-site with rock retaining walls, 4' or shorter in height.

5. Is it possible to develop your property without surpassing the grading thresholds requiring a Special Use Permit? (Explain fully your answer.)

No. Sq. Footage of disturbed ground is the deciding factor. Future landscaping needs, brush removal for fire prevention and long, thin cut & fill areas will all require significant ground disturbance.

6. Has any portion of the grading shown on the plan been done previously? (If yes, explain the circumstances, the year the work was done, and who completed the work.)

NO

7. Have you shown all areas on your site plan that are proposed to be disturbed by grading? (If no, explain fully your answer.)

Yes

8. Can the disturbed area be seen from off-site? If yes, from which directions, and which properties or roadways?

Yes. From East & West bound Mt. Rose Hwy

9. Could neighboring properties also be served by the proposed access/grading requested (i.e. if you are creating a driveway, would it be used for access to additional neighboring properties)?

No

10. What is the slope (Horizontal/Vertical) of the cut and fill areas proposed to be? What methods will be used to prevent erosion until the revegetation is established?

Nothing steeper than 3:1, Straw wattles will be used for erosion control

11. Are you planning any berms?

Yes No If yes, how tall is the berm at its highest?

12. If your property slopes and you are leveling a pad for a building, are retaining walls going to be required? If so, how high will the walls be and what is their construction (i.e. rockery, concrete, timber, manufactured block)?

Rockery walls - 4' high

13. What are you proposing for visual mitigation of the work?

Rock walls, Trees + Shrubs

14. Will the grading proposed require removal of any trees? If so, what species, how many and of what size?

No

15. What type of revegetation seed mix are you planning to use and how many pounds per acre do you intend to broadcast? Will you use mulch and, if so, what type?

Native seed blend. 1 lb. per acre. No mulch

16. How are you providing temporary irrigation to the disturbed area?

No

17. Have you reviewed the revegetation plan with the Washoe Storey Conservation District? If yes, have you incorporated their suggestions?

No

18. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that may prohibit the requested grading?

Yes No If yes, please attach a copy.

WASHOE COUNTY ASSESSOR PROPERTY DATA
 APN: 150-021-12 Card 1 of 1
 12/13/2017

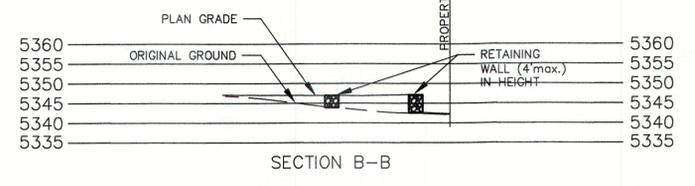
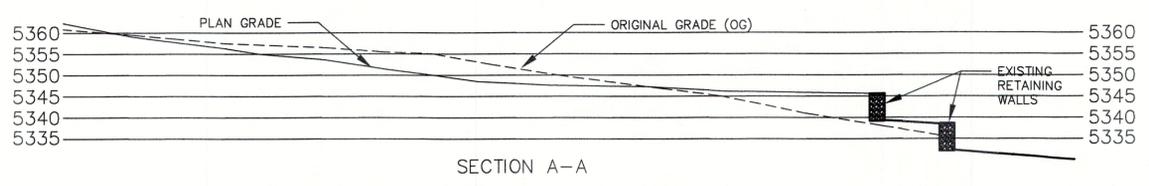
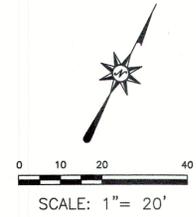
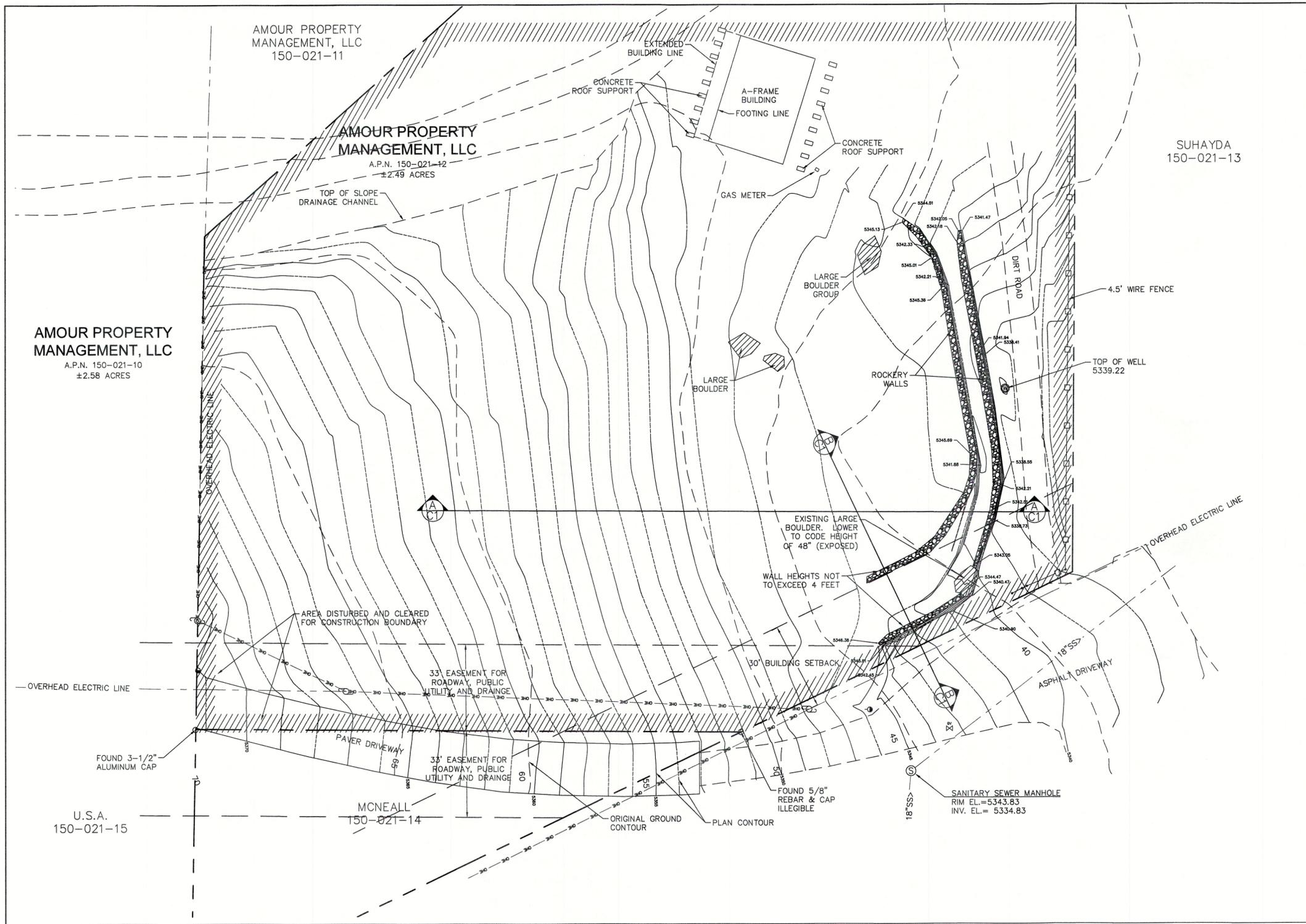
Owner Information & Legal Description				Building Information			
Situs	5435 MOUNT ROSE HWY, WASHOE COUNTY 89511			Quality	R20 Fair		
Owner 1	AMOUR PROPERTY MANAGEMENT LLC			Stories	1.5 STRY FN		
Mail Address	59 DAMONTE RANCH PKWY STE B535 RENO NV 89521			Year Built	1982		
Rec Doc No	4108162	Rec Date	11/10/2014	W.A.Y.	1982		
Prior Owner	CLARK TRUST, JULIA P			Bedrooms	3		
Prior Doc	2454826			Full Baths	2		
Keyline Desc	PM 413 LT B			Half Baths	0		
Subdivision	UNSPECIFIED			Fixtures	9		
Lot: B	Block:	Sub Map#		Fireplaces	1		
Record of Survey Map:	Parcel Map#	413		Heat Type	FA		
Section: Township: 18	Range: 19	SPC		Sec Heat Type			
Tax Dist	4000	Add'l Tax: Info	Prior APN	Ext Walls	PLYWOOD/FR		
Tax Cap Status	Rental High Cap Applied			Sec Ext Walls			
				Roof Cover	COMP SHINGLE		
				Obso/Bldg Adj	0		
				% Complete	100 %		

Land Information				Sales/Transfer Information/Recorded Document			
Land Use	200			Zoning	LDS 87% / GR 13%		
Size	2.49 Acre or ~ 108,464 SqFt			Sewer	Septic	NBC EABG	
				Water	Well	NBC Map EA NBC Map	
Valuation Information				Sales/Transfer Information/Recorded Document			
Valuation History	2017/18 FV	2018/19 VN2	V-Code	DOR	Doc Date	Value/Sale Price	Grantor
Taxable Land Value	126,000	144,000	1MGA	200	11-10-2014	350,000	CLARK TRUST, JULIA P
Taxable Improvement Value	74,470	73,472	2QC	200	06-12-2000	220,000	AMOUR PROPERTY MANAGEMENT LLC
Taxable Total	200,470	217,472					CLARK TRUST, JULIA P
Assessed Land Value	44,100	50,400					
Assessed Improvement Value	26,065	25,715					
Total Assessed	70,165	76,115					

The 2018/2019 values are preliminary values and subject to change.

Building #1 Sketch	Property Photo

All parcel data on this page is for use by the Washoe County Assessor for assessment purposes only. Zoning information should be verified with the appropriate planning agency. Summary data may not be a complete representation of the parcel. All Parcels are reappraised each year. This is a true and accurate copy of the records of the Washoe County Assessor's Office as of 12/12/2017. NOTE: The 2018/2019 values are preliminary values and subject to change.



PROPERTY INFORMATION

ADDRESS - 5435 MOUNT ROSE HIGHWAY
 PARCEL NUMBER - (150-021-12)
 ZONING - MULTI
 LOT SIZE - 2.49 acres

LEGAL OWNER

AMOUR PROPERTY MANAGEMENT, LLC
 59 DAMONTE RANCH PARKWAY, SUITE B535
 RENO, NEVADA 89521

EARTHWORK (PRESENT)

TOTAL CUT = 197 CUBIC YARDS
 TOTAL FILL = 765 CUBIC YARDS
 LENGTH OF ROCKERY WALLS = 275 LINEAL FEET
 MAXIMUM WALL HEIGHT (EXPOSED) = 4 FEET
 AREA DISTURBED AND CLEARED
 FOR CONSTRUCTION = 80,940 S.F. (1.86 ACRE)

DRAINAGE

THE GRADING AS SHOWN ON THIS PLAN WILL CREATE
 NO ADDITIONAL SURFACE WATER RUN-OFF TO ADJACENT
 PARCELS ABOVE PRE-CONSTRUCTION CONDITIONS.

REFERENCE INFORMATION:

- 1) GRADING PLAN FOR WILLIAMS RESIDENCE PREPARED BY GAIL WILLEY LANDSCAPING, INC., DATED 11-24-14 (WASHOE COUNTY PERMITTED PLAN FOR GRADING ONLY).
- 2) EXISTING CONDITION TOPOGRAPHIC SURVEY MAP PREPARED BY BIGBY and ASSOCIATES, INC. LAND SURVEYING, NOVEMBER 2017.

BY	APPD				
REV.	DATE				

Marvin E. Davis & Associates, Inc.
 CONSULTING CIVIL ENGINEERS
 P.O. Box 18449
 Reno, Nevada 89511
 TEL (775)853-9100
 FAX (775)853-9199

SITE GRADING PLAN
 WILLIAMS RESIDENCE
 5435 MOUNT ROSE HIGHWAY
 APN 150-021-12

Washoe County Nevada

PROFESSIONAL ENGINEER STATE OF NEVADA
 CHAD E. CARNES
 Exp: 12-31-18
 CIVIL
 No. 14699

DATE: Dec. 12, 2017
 JOB NUMBER: 1735.003
 DESIGNED BY: CEC
 DRAWN BY: CEC
 CHECKED BY: CEC

SHEET
C1

Washoe County Treasurer
Tammi Davis

Washoe County Treasurer
P.O. Box 30039, Reno, NV 89520-3039
ph: (775) 328-2510 fax: (775) 328-2500
Email: tax@washoecounty.us

Account Detail

[Back to Account Detail](#)
[Change of Address](#)
[Print this Page](#)

Washoe County Parcel Information		
Parcel ID	Status	Last Update
15002112	Active	12/13/2017 2:10:58 AM
Current Owner: AMOUR PROPERTY MANAGEMENT LLC 59 DAMONTE RANCH PKWY STE B535 RENO, NV 89521		SITUS: 5435 MOUNT ROSE HWY WCTY NV
Taxing District	Geo CD:	
Legal Description		
Township 18 Range 19 SubdivisionName _UNSPECIFIED Section Lot B Block		

Tax Bill (Click on desired tax year for due dates and further details)					
Tax Year	Net Tax	Total Paid	Penalty/Fees	Interest	Balance Due
2017	\$1,456.46	\$1,456.46	\$0.00	\$0.00	\$0.00
2016	\$1,419.96	\$1,419.96	\$0.00	\$0.00	\$0.00
2015	\$1,417.10	\$1,417.10	\$0.00	\$0.00	\$0.00
2014	\$1,415.98	\$1,499.23	\$0.00	\$0.00	\$0.00
2013	\$1,333.02	\$1,333.02	\$0.00	\$0.00	\$0.00
Total					\$0.00

Important Payment Information

- ALERTS:** If your real property taxes are delinquent, the search results displayed may not reflect the correct amount owing. Please contact our office for the current amount due.
- For your convenience, online payment is available on this site. E-check payments are accepted without a fee. However, a service fee does apply for online credit card payments. See Payment Information for details.

Pay Online

No payment due for this account.

\$0.00

Pay By Check

Please make checks payable to:
WASHOE COUNTY TREASURER

Mailing Address:
P.O. Box 30039
Reno, NV 89520-3039

Overnight Address:
1001 E. Ninth St., Ste D140
Reno, NV 89512-2845

- Payment Information**
- Special Assessment District**
- Installment Date Information**
- Assessment Information**

The Washoe County Treasurer's Office makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use, or its interpretation. If you have any questions, please contact us at (775) 328-2510 or tax@washoecounty.us

This site is best viewed using Google Chrome, Internet Explorer 11, Mozilla Firefox or Safari.

Property Tax Reminder Notice

WASHOE COUNTY
 PO BOX 30039
 RENO, NV 89520-3039
 775-328-2510

PIN: 15002112
 AIN:

Balance Good Through:	12/13/2017
Current Year Balance:	\$0.00
Prior Year(s) Balance: (see below for details)	\$0.00
Total Due:	\$0.00

AUTO
 :895215:

AMOUR PROPERTY MANAGEMENT LLC
 59 DAMONTE RANCH PKWY STE B535
 RENO NV 89521

Description:

Situs: 5435 MOUNT ROSE HWY
 WCTY

This is a courtesy notice. If you have an impound account through your lender or are not sure if you have an impound account and need more information, please contact your lender directly. Please submit payment for the remaining amount(s) according to the due dates shown. Always include your PIN number with your payment. Please visit our website: www.washoecounty.us/treas

Current Charges									
PIN	Year	Bill Number	Inst	Due Date	Charges	Interest	Pen/Fees	Paid	Balance
15002112	2017	2017105827	1	08/21/2017	364.14	0.00	0.00	364.14	0.00
15002112	2017		2	10/02/2017	364.11	0.00	0.00	364.11	0.00
15002112	2017		3	01/01/2018	364.11	0.00	0.00	364.11	0.00
15002112	2017		4	03/05/2018	364.10	0.00	0.00	364.10	0.00
Current Year Totals					1,456.46	0.00	0.00	1,456.46	0.00

Prior Years							
PIN	Year	Bill Number	Charges	Interest	Pen/Fees	Paid	Balance
Prior Years Total							

From: Cilia Suhayda <suhayda@aol.com>
Sent: Monday, January 08, 2018 3:52 PM
To: Pelham, Roger
Subject: Special Use Permit WSUP17-0023

Dear Mr. Pelham,

I am responding to the above referenced Special Use Permit. As the neighbor directly to the east of this property I have several concerns regarding the grading that is proposed in the permit.

In 2014-2015 a Grading Permit was given to the homeowner (Lisa Williams and the contractor Gail Willey) of this property. That permit was Red Tagged and stopped by the county because the grading work, rock walls and vegetation removal that was being done was not approved by the granted permit. However, not one thing has ever been done to correct the Red Tagged permit.

Due to that grading, vegetation removal and rock walls there is water run off that flows from Williams property towards the east and under my driveway. This run off is also causing erosion along the south side of the property along the Mount Rose Highway. The county has been on site several times to witness the runoff but has not offered a solution. We have had correspondence with several county officials on this matter in the past three years.

Before the grading, wall building and removal of all vegetation was done during 2015 the contour of the land had a swale and was covered with sage, trees and native material that absorbed any and all water and there was never an issue. We have owned our property since the late 1970's, it was destroyed in the 1979 Zolezzi fire and rebuilt in 1990. County photos from the County web site show a record of what the land looked like prior to 2015 and then after the grading. Google Earth also can provide historical photos of the land.

The latest Special Use Permit is requesting more grading, brush removal and the repositioning of faulty retaining walls built during 2015. This Special Use Permit does not explain how the faulty grading that was done during 2015, will be repaired or how the land will be returned to its original condition prior to 2015 so as to stop the run off.

I have no confidence in the owner or the contractor in this matter. The contractor lied to us in 2015 when he assured us that the grading work would have no effect on our land and he knew what he was doing. The owner becomes difficult to speak to when there is any conversation and assures us that all she wants to do is make the land more beautiful. Her idea of beautiful has created weeds, run off and erosion all ending up on the surrounding properties.

A solution to this situation would be for the county to require the applicant to follow county requirements; require that the applicants actions not cause any other property to have a negative impact; provide written verification by someone who does know what they are doing that

the actions of the applicant will not have a negative impact on others property. The best solution would be to return the land to the original condition (prior 2015) as shown on the photo with her application (Washoe County Assessor Property Data Property Photo).

If this is allowed to continue there will come a day when my driveway develops a sink hole or washes away, causing me to have no access to my property.

Thank you for your time.
Sincerely,

Cilia Suhayda
suhayda@aol.com