# Board of Adjustment Staff Report



Meeting Date: October 3, 2019

Agenda Item: 8F

#### SPECIAL USE PERMIT CASE NUMBER:

#### WSUP19-0014 (Columbia Hill Grading)

BRIEF SUMMARY OF REQUEST:

To approve a special use permit to allow for grading of a driveway, building pad and arena associated with a single family residence.

STAFF PLANNER:

Chris Bronczyk 775.328.3612 cbronczyk@washoecounty.us

#### **CASE DESCRIPTION** For possible action, hearing, and discussion to approve a Special Use Permit to allow for grading of a driveway, **RED ROCK** building pad and arena associated with a single family residence. The total graded area proposed is 130,921 square feet, 4,031 cubic vards of cut, and 4,147 cubic vards of fill. Applicant: Rubicon Design Group -OLUMBIT Property Owner: Teru Langsdale Location: 120 Columbia Court APN: 079-342-09 Parcel Size: 55.44 Acres Master Plan: Rural (R) Subject Property Regulatory Zone: General Rural (GR) Area Plan: North Valleys Citizen Advisory Board: North Valleys





#### **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 WSUP19-0014 for Teru Langsdale, having made all five findings in accordance with Washoe County Code Section 110.810.30

(Motion with Findings on Page 8)

1001 E. Ninth St., Reno, NV 89512-2845 Telephone: 775.328.6100 - Fax: 775.328.6133 www.washoecounty.us/csd/planning\_and\_development

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Washoe-Storey County Conservation District Memo	Exhibit B
Army Corps of Engineers Memo	Exhibit C
Engineering and Capitol Projects Memo	Exhibit D
Applicant CAB Memo	Exhibit E
Project Application	Exhibit F

#### Special Use Permit

The purpose of a special use permit is to allow a method of review to identify any potential harmful impacts on adjacent properties or surrounding areas for uses that may be appropriate within a regulatory zone; and to provide for a procedure whereby such uses might be permitted by further restricting or conditioning them so as to mitigate or eliminate possible adverse impacts. If the Board of Adjustment grants an approval of the special use permit, 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 Special Use Permit Case Number WSUP19-0014 are attached to this staff report and will be included with the action order, if approved.

The subject property is designated as General Rural (GR). The proposed grading, an area of approximately 130,921 square feet, with 4,031 cubic yards of cuts and 4,147 cubic yards of fill to facilitate the construction of a new single family residence is permitted with a special use permit per WCC 110.438.35. Therefore, the applicant is seeking approval of this SUP from the Board of Adjustment.



#### Project Evaluation

The applicant is requesting to grade one parcel to construct a driveway, a building pad, and an arena, associated with a single family residence. The proposed grading on the site meets the major grading requirements as set forth in WCC Article 438, *Grading*, specifically WCC 110.438.35 (2)(i)(C) *Grading of more than two acres on slopes in excess of 15%*, and WCC 110.438.35 (3) *Any driveway or road that traverses any slope of thirty (30) percent or greater (steeper)*. The applicant states that 130,921 square feet (3.005 Acres) of the 55 acre site will be disturbed and will be cutting 4,147 cubic yards and filling 4,031 cubic yards, with a total excavation of 8,178 cubic yards.

The site has a regulatory zone of General Rural (GR) and is currently vacant, except for a small shed structure that's associated with an onsite well. The site contains numerous large shrubs and native vegetation. The subject property is part of the Red Rock Estates Subdivision. A driveway was previously graded without the required grading permit(s), satellite imagery dates this back to at least 2006, the previously graded driveway has since been overgrown with vegetation. The application states that the previous grading was done prior to the applicant acquiring the property and the plans indicate that this previously graded area will be left largely untouched with the current proposal.

The North Valleys Area Plans Character Statement states the following: *Extensive re-shaping of the landscape by grading prior to development is not characteristic of the North Valleys planning area.* The proposal, while it does trigger the thresholds required for a major grading permit, does not extensively re-shape the parcel.

The grading will occur primarily for the construction of the driveway and building pads, no retaining walls are shown within the plans. The single family residences is planned to be located at the north central portion of the site in order to maximize views and privacy. The application intends to phase development of the project, with construction of the driveway and building pad for the single family residence taking priority and the construction of a barn and horse arena to take place at a later date. The intent of phasing is to ensure that a second Special Use Permit will not be required at a later date; therefore, the barn and arena have been shown within the plan, which is intended to be located at the south-central portion of the site.

#### North Valleys Area Plan

The following are applicable policies required by the North Valleys Area Plan specific to grading and special use permits.

**NV.2.4** Applicants required to present their items to the Citizen Advisory Board (CAB) must submit a statement to staff regarding how the final proposal responds to the community input received at the CAB meeting.

<u>Staff Comment.</u> The applicant provided a memo to staff responding to the input received at the Citizen Advisory Board meeting on September 9, 2019. The memo can be found as Exhibit E.

**NV.8.2** The Washoe County Departments of Community Development and Public Works will establish and oversee compliance with design standards for grading that minimize the visual impact of all residential and non-residential hillside development.

<u>Staff Comment.</u> The Public Works Department, now known as the Washoe County Engineering Division, has reviewed this application and provided conditions related to the grading requirements associated with the proposed development.

**NV.8.3** The grading design standards referred to in Policy NV.8.2 will, at a minimum, ensure that disturbed areas shall be finished and fill slopes will not exceed a 3:1 slope, and that hillside grading will establish an undulating naturalistic appearance by creating varying curvilinear contours.

<u>Staff Comment.</u> The driveway is varied in the path it traverses to reach the proposed arena location, and proposed single family home location. The applicant will be required to meet all standards of Article 438.

**NV.11.3** The granting of special use permits in the North Valleys must be accompanied by a finding that no significant degradation of air quality will occur as a result of the permit. As necessary, conditions may be placed on special use permits to ensure no significant degradation of air quality will occur. The Department of Community Development will seek the advice and input of the Air Quality Division of the Department of Health in the implementation of this policy.

<u>Staff Comment.</u> The application was routed to Washoe County Air Quality Management Division, no comments, conditions or recommendations of denial were received. The applicant will have to meet all air quality regulations throughout the grading process, and an air quality permit will be required.

**NV.13.1** Prior to the approval of master plan amendments, tentative maps, special use permits, or public initiated capital improvements in the North Valleys planning area, the Nevada Department of Wildlife will be contacted and given an opportunity to provide conservation, preservation, or other wildlife and habitat management input to the project.

<u>Staff Comment</u>. The application was routed to the Nevada Department of Wildlife, no comments, conditions or recommendations of denial were received.

#### North Valleys Citizen Advisory Board (NVCAB)

The proposed project was presented by the applicant's representative at the regularly scheduled Citizen Advisory Board meeting on September 9, 2019.

There was no public comment or concerns presented at the meeting; however the Vice Chair of the North Valleys Citizen Advisory Board wanted to know why this required a special use permit, and what thresholds were triggered to initiate this requirement.

#### **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
  - Engineering and Capital Projects Division
- Washoe County Health District
  - o Air Quality
  - Environmental Health Services Division
- Army Corps of Engineers
- Nevada Bureau of Land Management
- Nevada Department of Environmental Protection
- Nevada Division of Forestry Endangered Species
- Nevada Department of Wildlife
- Truckee Meadows Fire Protection District
- Regional Transportation Commission
- Washoe-Storey Conservation District
- North Valleys Citizen Advisory Board

Three out of the ten 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.

• <u>Washoe County Planning and Building Division</u> addressed general conditions to ensure compliance with the plans as submitted with the project application.

Contact: Chris Bronczyk, 775.328.3612, cbronczyk@washoecounty.us

• <u>Washoe-Storey Conservation District</u> addressed the requirements related to trees being relocated.

Contact: Jim Shaffer, 775.857.8500, shafferjam51@gmail.com

• <u>Washoe County Engineering and Capital Projects</u> addressed the requirement for detailed grading plans and compliance with Article 438, Grading.

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

#### Staff Comment on Required Findings

WCC 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. <u>Consistency.</u> That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the North Valleys Area Plan.

<u>Staff Comment.</u> There are no specific policies or action programs included in the Master Plan or North Valleys Area Plan that are applicable to the proposed grading for a single family residence, therefore the proposed grading is found to be consistent.

2. <u>Improvements.</u> 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.

<u>Staff Comment.</u> Adequate roadways, sanitation, water supply, drainage, and other necessary facilities and utilities will be provided to the site, as the grading is intended to create appropriate access and facilitate construction of a single family residence.

3. <u>Site Suitability.</u> That the site is physically suitable for the grading of 15% or greater slopes, grading of a driveway and building pads, and for the intensity of such a development.

<u>Staff Comment.</u> Given careful consideration of the configuration of grading proposed to facilitate construction of a single family residence, the site can be considered suitable for the development proposed.

4. <u>Issuance Not Detrimental.</u> 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.

<u>Staff Comment</u>. Given careful consideration and 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.

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

<u>Staff Comment</u>: 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 WSUP19-0014 is being recommended for approval with conditions. Staff offers the following motion for the Board's consideration.

#### <u>Motion</u>

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 WSUP19-0014 for Teru Langsdale, having made all five findings in accordance with Washoe County Code Section 110.810.30:

- 1. <u>Consistency.</u> That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the North Valleys Area Plan;
- 2. <u>Improvements.</u> 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. <u>Site Suitability.</u> That the site is physically suitable for the grading of 15% or greater slopes, grading of a driveway and building pads, and for the intensity of such a development;
- 4. <u>Issuance Not Detrimental.</u> 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. <u>Effect on a Military Installation.</u> Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the 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 from the date the written decision is filed with the Secretary to the Board of Adjustment and mailed to the applicant.

Applicant:	Rubicon Design Group, LLC
	1610 Montclair Ave, Suite B
	Reno, NV 89509

Owner: Teru Langsdale 280 La Salle Heights Reno, NV 89523



# Conditions of Approval

Special Use Permit Case Number WSUP19-0014

The project approved under Special Use Permit Case Number WSUP19-0014 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on October 3, 2019. 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.

<u>Unless otherwise specified</u>, 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.

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 – Chris Bronczyk, 775.328.3612, cbronczyk@washoecounty.us

- a. The applicant shall attach a copy of the Action Order approving this project to all administrative permit applications (including building permits) applied for as part of this special use permit.
- b. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Planning and Building Division shall determine compliance with this condition.
- c. The applicant shall attach a copy of the Action Order to all subsequent permit applications, including building permits
- d. All grading shall be in accordance with Article 110.438 Grading Standards.
- e. The applicant shall submit complete construction plans and building permits shall be issued within two years from the date of approval by Washoe County. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Planning and Building Division.
- f. A note shall be placed on all construction drawings and grading plans stating:

#### NOTE

Should any cairn or grave of a Native American be discovered during site development, work shall temporarily be halted at the specific site and the Sheriff's Office as well as the State Historic Preservation Office of the Department of Conservation and Natural Resources shall be immediately notified per NRS 383.170.

g. Failure to comply with the conditions of approval shall render this approval null and void. Compliance with this condition shall be determined by Planning and Building.

#### 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, <a href="https://www.usely.com">www.usely.com</a> Vesely (Wesely (Wese

- 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 (BMPs) 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 applicant shall obtain a Stormwater Discharge Permit from the Nevada Division of Environmental Protection and submit a copy to the Engineering Division prior to issuance of a grading permit.
- c. The applicant shall complete and submit the Construction Permit Submittal Checklist and pay the Construction Stormwater Inspection Fee prior to approval of a grading permit.
- d. All grading shall be in accordance with Article 110.438 Grading Standards.

- e. Design of driveway shall be in accordance with Article 110.436 Street Design Standards.
- f. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering Division prior to any grading.
- g. All disturbed areas left undeveloped for more than 30 days shall be treated with a dust palliative. Disturbed areas left undeveloped for more than 45 days shall be revegetated. Methods and seed mix must be approved by the County Engineer.

#### Washoe-Storey Conservation District

3. The following condition is a requirement of the Washoe-Storey Conservation District, which shall be responsible for determining compliance with this condition.

#### Contact Name – Jim Shaffer, 775.857.8500 ext. 131

a. For the cut and fills of slopes the applicant shall coordinates with the Conservation District the proper seed mix and monitoring process.

\*\*\* End of Conditions \*\*\*



#### Washoe-Storey Conservation District Bret Tyler Chairmen Jim Shaffer Treasure

Bret Tyler Chairmen Jim Shaffer Treasurer Cathy Canfield Storey app Jean Herman Washoe app

1365 Corpotate Blvd. RenoNV 89502 775 857-8500 ext. 131 nevadaconservation.com September 4, 2019

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Washoe County Community Services Department

C/O Chris Bronczyk, Planner

1001 E Ninth Street, Bldg A

Reno, NV 89512

R: WSUP19-0014 Colombia Hill Grading

Dear Chris,

In reviewing the special use permit for Columbia Hill grading to allow a driveway and building pad, the Conservation District has the following comments. In the cut and fills of slopes the applicant coordinates with the Conservation District the proper seed mix and monitoring process.

If a retaining wall is proposed smaller rock placed in the voids of the wall for the entire height of the wall reducing any undermining from small animals.

Thank you for providing us the opportunity to review the project that may have impacts on our natural resources.

Sincerely,

Tyler-Shaffer

From:	Thomason, Jennifer C CIV USARMY CESPK (USA)
То:	Bronczyk, Christopher
Subject:	Special Use Permit Case Number WSUP19-0014 (Columbia Hill Grading) (UNCLASSIFIED)
Date:	Tuesday, September 03, 2019 8:33:33 AM

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

#### CLASSIFICATION: UNCLASSIFIED

Hi Chris,

In response to the notice received by our office, we offer the following comment on the subject project:

Please be advised that the U.S. Army Corps of Engineers, through the Regulatory Program, administers and enforces Section 10 of the Rivers and Harbors Act of 1899 (RHA) and Section 404 of the Clean Water Act (CWA). Under RHA Section 10, a permit is required for work or structures in, over or under navigable waters of the United States. Under CWA Section 404, a permit is required for the discharge of dredged or fill material into waters of the United States. If waters of the U.S. are located on the property, a permit from our office may be required. More information regarding our regulatory program and how to identify "waters of the U.S." is available on our website at,

<u>http://www.spk.usace.army.mil/Missions/Regulatory.aspx</u>. If you have any questions you can contact me at the number below or by email.

Thank you,

Jennifer C. Thomason Senior Project Manager US Army Corps of Engineers, Sacramento District Reno Regulatory Field Office 300 Booth Street, Room 3050 Reno, NV 89509-1361 (775) 784-5304

\*Upcoming Leave: September 23-27, 2019

Let us know how we're doing. Please complete the survey at: <u>http://corpsmapu.usace.army.mil/cm\_apex/f?p=regulatory\_survey</u>

CLASSIFICATION: UNCLASSIFIED



**WASHOE COUNTY** COMMUNITY SERVICES DEPARTMENT Engineering and Capital Projects 1001 EAST 9<sup>TH</sup> STREET RENO, NEVADA 89512 PHONE (775) 328-3600 FAX (775) 328.3699

- Date: August 28, 2019
- To: Chris Bronczyk, Planner
- From: Leo Vesely, P.E., Licensed Engineer
- Re: Special Use Permit Case **WSUP19-0014 Columbia Hill Grading** APN 079-342-09

#### **GENERAL PROJECT DISCUSSION**

Washoe County Engineering staff has reviewed the above referenced application. The Special Use Permit is for grading to construct a driveway and horse arena associated with a single family residence. The Engineering and Capital Projects Division recommends approval with the following comments and conditions of approval which supplement applicable County Code and are based upon our review of the site and the application prepared by Rubicon Design Group. The County Engineer shall determine compliance with the following conditions of approval.

For questions related to sections below, please see the contact name provided.

#### **GENERAL CONDITIONS**

Contact Information: Leo Vesely, P.E. (775) 328-2041

- 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 (BMPs) 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 applicant shall obtain a Stormwater Discharge Permit from the Nevada Division of Environmental Protection and submit a copy to the Engineering Division prior to issuance of a grading permit.
- 3. The applicant shall complete and submit the Construction Permit Submittal Checklist and pay the Construction Stormwater Inspection Fee prior to approval of a grading permit.
- 4. All grading shall be in accordance with Article 110.438 Grading Standards.
- 5. Design of driveway shall be in accordance with Article 110.436 Street Design Standards.
- 6. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering Division prior to any grading.
- 7. All disturbed areas left undeveloped for more than 30 days shall be treated with a dust palliative. Disturbed areas left undeveloped for more than 45 days shall be revegetated. Methods and seed mix must be approved by the County Engineer.





WWW WASHOFCOUNTY US

# Subject:WSUP19-0014 – Columbia Hill GradingDate:August 28, 2019Page:2

**DRAINAGE (COUNTY CODE 110.416, 110.420, and 110.421)** Contact Information: Leo Vesely, P.E. (775) 328-2041

1. No comments.

#### TRAFFIC AND ROADWAY (COUNTY CODE 110.436)

Contact Information: Mitch Fink, (775) 328-2050

1. No comments.

#### UTILITIES (County Code 422 & Sewer Ordinance)

Contact Information: Tim Simpson, P.E. (775) 954-4648

1. No comments.



September 10, 2019

Chris Bronczyk Washoe County Planning Dept. 1001 E. 9<sup>th</sup> Street Reno, Nevada 89511

#### Re: Columbia Hill Grading SUP

Dear Mr. Bronczyk,

Thanks for your help with the Columbia Hill Grading SUP. As you know, this project was presented to the North Valleys CAB last night. As part of the review procedure, any questions identified at the meeting need to be addressed in writing.

Fortunately, the project enjoyed broad support and was given a unanimous vote of approval at the meeting. The only question raised was about fill material and where would it come from. In general, the site grading comes very close to balancing with only very moderate fill import needs.

The road work, house pad, and barn/arena all require some cut and fill work. Excess cut from specific road areas is to be applied to fill areas for the road. Overall, the site requires only 116+/-cubic yards of fill. This fill is to be imported to the site from the nearest suitable commercial provider and will follow Washoe County standards for proper soil type, hours of construction/truck access, etc.

If you have any questions please contact me at (775) 425-4800 or <u>dwilson@rubicondesigngroup.com</u>. Thank you.

Sincerely,

ech fin

Derek Wilson Partner



**Prepared by:** 





# **120 COLUMBIA HILL COURT**

# **GRADING SPECIAL USE PERMIT**

**Prepared for:** 

**Rick Edwards** 

250 Burks Boulevard

Reno, Nevada 89523

#### **Prepared by:**

Rubicon Design Group, LLC 1610 Montclair Avenue , Suite B Reno, Nevada 89509 (775) 425-4800

July 15, 2019

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#### **Appendices:**

Washoe County Development Application Owner Affidavit Special Use Permit Application Property Tax Verification

#### **Attachments:**

Preliminary Civil Improvement Plans

#### Introduction

This application includes the following requests:

• A **Special Use Permit** to allow for grading of a driveway and horse arena associated with a single family residence.

#### **Project Location**

The project site (APN # 079-342-09) consist of 55.44 acres located at 120 Columbia Hill Court within the North Valleys Area Plan. Specifically, the subject parcel is located on the east side of Columbia Hill Court which intersects with Columbia Hill Drive, connecting to Red Rock Road. Figure 1 (below) depicts the project location.



Figure 1 – Vicinity Map

#### **Existing Conditions**

The subject property is zoned General Rural (GR) and is part of the Red Rock Estates subdivision. The project site is vacant with the exception of a small shed structure associated with an onsite well. A driveway has been graded previously on the property and has been overgrown with sagebrush and native grasses. The previous grading was completed prior to the applicant acquiring the parcel. Figures 2 (below) and 3 (following page) depict the existing onsite conditions.



Figure 2 – Existing Conditions



Figure 3 – Existing Conditions

#### **Project Request**

The project applicant plans to construct a new single family residence at the subject property. It is planned to locate the home at the north central portion of the site in order to maximize views and privacy. In order to reach the planned homesite, it is necessary to grade a new driveway along the southern portion of the parcel which will then traverse north to the building site. Per section 110.438.35 of the Washoe County Development Code, a Special Use Permit (SUP) is triggered based on the overall amount of disturbance and that grading will occur on slopes in excess of 15%.

As part of this SUP request an overall "master plan" for the property is being proposed. The first phase of development will be to construct a driveway and create a pad site for a single family residence. However, the applicant wishes to construct a barn and horse arena at a future date. This facility would be private (not for commercial operation) and is ancillary to the proposed single family dwelling. As such, the grading plan submitted with this SUP request includes the barn and arena (along with additional driveway) in order to eliminate the need for a second SUP at a later date. The barn and arena facilities are proposed to be located at the south-central portion of the site. Figure 4 (following page) depicts an overall site plan for 120 Columbia Hill Court.

As noted previously, the SUP requested with this application is triggered by section 110.438.35 of the Washoe County Development Code. Specifically, the criteria triggered by this request include the following:

- 110.438.35 (2)(i)(C) Grading of more than two acres on slopes in excess of 15%.
- 110.438.35 (3) Any driveway or road that traverses any slope of thirty percent or greater.

In order to reach the proposed homesite, it is necessary to traverse slopes that are greater than 30%. Included with this SUP application are comprehensive grading plans that detail how this will be achieved. It is proposed to meander the driveway in order to maintain grades that can be traversed year round and to limit the amount of visual disturbance.

As noted previously, a graded driveway already exists onsite. It is proposed to utilize a significant portion of this existing graded area. However, the plan included with this proposal does provide for the "flattening" of the existing driveway in order to maintain proper grades for year round access by standard automobile traffic. Overall, grading is kept to the minimum extent necessary to access the homesite and meet all applicable Washoe County standards. The majority of proposed disturbance is limited to the area surrounding the house pad as well as a portion of the driveway located at the southern portion of the property (as shown in Figure 4 – following page). Based on surrounding topography, the disturbed area adjoining the proposed home is not visible from adjacent parcels. Additionally, this area will be largely screened by the house itself. The southern portion of the driveway is located in an area that has already been disturbed and will include native revegetation to ensure slope stabilization as well as a natural appearance.

Cut and fill slopes are designed to blend disturbed areas with the natural topography. As demonstrated with the existing driveway cuts, once native plantings are established, overall visual impacts are minimal.

4



Note: A full-size copy of this plan is included in the attached map pocket.

Figure 4 – Site Plan

In order to provide a simplified overview of the proposed grading, Figure 5 (below) depicts and overall cut and fill plan for the proposed SUP.



Note: A full-size copy of this plan is included in the attached map pocket.



In areas where cut and fill slopes are created, revegetation will occur to ensure that a natural appearance is achieved. All revegetation will be in accordance with Best Management Practices established by Washoe County and will include native plant species such as sagebrush, bitter brush, rabbit brush, etc. As building permits are brought forward for the home, arena, barn, etc. Washoe County will verify that all conditions associated with this SUP are being adhered to, including those related to revegetation.

The grading proposed with this SUP is not inconsistent with other properties in the surrounding area. The site is located in an area of custom homes, many of which are built on ridges and knolls in order or maximize views. The same will be true for 120 Columbia Hill Court. In fact, the grading, proposed residence, and planned barn/arena are directly consistent/compatible with adjoining parcels and development within Red Rock Estates. With the implementation of revegetation and Washoe County grading standards, no negative impacts are anticipated to result from this request.

Site Area	Graded Area	Cut (Cubic Yards)	Fill (Cubic Yards)	Net (Cubic Yards)
Lower Road	61,900.17± sq.ft.	2,270.88± CY	2,302.25± CY	31.38± CY (fill)
Barn/Arena Loop	17,641.37± sq.ft.	160.11± CY	241.40± CY	81.29± CY (fill)
Upper Road	39,973.16± sq.ft.	1,347.98± CY	1,321.61± CY	26.37± CY (cut)
House Pad	11,406.87± sq.ft.	252.64± CY	282.39± CY	29.75± CY (fill)
TOTAL	130,921.58± sq.ft.	4,031.62± CY	4,147.66± CY	116.04± CY (fill)

The following table provides an overall summary of the grading proposed at 120 Columbia Hill Court:

#### **Special Use Permit Findings**

In order to approve a Special Use Permit, the following findings must be made. Responses are provided in **bold**.

1. Consistency. The granting of the special use permit is consistent with the policies and maps of the Comprehensive Plan Elements and the Area Plan in which the property is located.

The proposed uses to be accommodated by the planned grading are permitted within the General Rural zone and are consistent with the goals and policies of the North Valleys Area Plan. This SUP request provides for consistency with section 110.438.35 and application of Development Code standards further ensures consistency with all applicable policies, etc.

2. Adequate Public Facilities. Adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities must exist or will be provided.

The property is well suited for the type of development proposed. A well already exists onsite. A septic system will be installed concurrently with the single family residence and is subject to review and approval by the Washoe County Engineering Department and District Health Department. The proposed grading is consistent with Washoe County standards for slopes, drainage, etc. ensuring compliance with this finding.

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3. Site Suitability. The site must be physically suitable for the proposed use and for the intensity of development.

The proposed grading, homesite location, and future equestrian facilities (barn and arena) are compatible and consistent with other custom homes in the Red Rock Estates subdivision and will directly complement adjoining properties. All grading impacts will be mitigated through proper slope transitions, revegetation, and implementation of standards included within the Washoe County Development Code.

4. Issuance Not Detrimental. Issuance of the permit may not be significantly detrimental to the public health, safety or welfare; have a detrimental impact on adjacent properties; or be detrimental to the character of the surrounding area.

No negative impacts are anticipated with the granting of this SUP request. All potential impacts will be properly mitigated and the development proposed is directly consistent with surrounding parcels and uses.

# APPENDICES

#### 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 S		Staff Assigned Case No.:	
Project Name: 120 Col	umbia Hill	Court - Grading	SUP
Project A SUP to allow for grading of a driveway, building pad, and arena associated with a planned single Description: family residence. A SUP is triggered per section 110.438.35 of the Development Code.			
Project Address: 120 Columbia	a Court, Reno, NV 8	9506	
Project Area (acres or square fe	et): 55.44 acres		
Project Location (with point of re	eference to major cross	s streets AND area locator):	
West of Red Ro	ock Rd., no	orth of Columbia	Hill Rd.
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
079-342-09	55.44		
Indicate any previous Wash Case No.(s).	oe County approva	is associated with this applicat	tion:
Applicant Inf	ormation (attach	additional sheets if necess	sary)
Property Owner:		Professional Consultant:	
Name: Teru Langsdale		Name: Rubicon Design Group, LLC	
Address: 280 La Salle Height	S	Address: 1610 Montclair Ave., Suite B	
Reno, NV	Zip: 89523	Reno, NV	Zip:89509
Phone: (775) 722-0678	Fax:	Phone: (775) 425-4800	Fax:
Email: rickslz2@hotmail.com		Email:dwilson@rubicondesigngroup.com	
Cell: (775) 722-0678	Other:	Cell: (775) 527-6710	Other:
Contact Person: RickEdward	S	Contact Person: Derek-Wilson	
Applicant/Developer:		Other Persons to be Contacted:	
Name: RickEdwards		Name:H-Bar-H Engineering	
Address: 250 Burks Blvd.		Address: 1853 Woodtrail Ct.	
Reno, NV	Zip: 89523	Sparks, NV	Zip: 89434
Phone: (775) 722-0678	Fax:	Phone: (775) 287-8632	Fax:
Email:ricl-slz2@hotmail.com		Email:fred@hbarh.net	
Cell: (775) 722-0678	Other:	Cell: (775) 287-8632	Other:
Contact Person: Rick/Edwards Contact Person: Fred Hatch		Contact Person: Fred Hatcher	, P.E.
	For Office	Use Only	
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

December 2018

#### Property Owner Affidavit

#### Applicant Name: \_

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

1. Dichard Educad?

(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 Bullding.

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

Assessor Parcel Number(s): 079-342-09 Printed Name Richard Educads Address 280 La Salle 115 Reno NV 89523 Subscribed and sworn to before me this day of (Notary Stamp) Notary Public See Attached Notary Public in and for said county and state My commission expires: \*Owner refers to the following: (Please mark appropriate box.) C 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

December 2018

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 COLD PODO Subscribed and swom to (or affirmed) before me on this day of \_\_\_\_\_\_, 20\_K, by KIMPATERUX Falling proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me. DIANA ATIKEN Notary Pulsic - Carlorna Bento County Commission # 2023327 My Comm. Expines Nov 25, 2021 (Seal) Signature

# **Community Services Department**

# Planning and Building

#### SPECIAL USE PERMIT (see page 7)

#### SPECIAL USE PERMIT FOR GRADING (see page 9)

### SPECIAL USE PERMIT FOR STABLES (see page 12)

# APPLICATION



Community Services Department Planning and Building 1001 E. Ninth St., Bldg. A Reno, NV 89512-2845

Telephone: 775.328.6100

#### Special Use Permit Application Supplemental Information

(All required information may be separately attached)

1. What is the project being requested?

This is a SUP request to allow for grading of a driveway, homesite, and arena which is triggered per the standards included in section 110.438.35 of the Development Code. Specifically, the proposed grading will result in disturbance of more than 2 acres of land in excess of 15% slope and will allow for a driveway that traverses 30% or more slope.

2. Provide a site plan with all existing and proposed structures (e.g. new structures, roadway improvements, utilities, sanitation, water supply, drainage, parking, signs, etc.)

The only existing structure onsite is a well house. Refer to attached report and plans for a detailed depiction of existing and proposed conditions.

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

The initial driveway and homesite will be completed with the first phase. The arena and barn will be completed as a second phase. Refer to attached report for additional details.

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

The driveway design and homesite placement have been located to maximize views while minimizing impacts. Much of the graded area will not be visible off-site. Cut and fill slopes will be blended with the natural topography and will include revegetation to mitigate erosion and result in a natural appearance. Refer to attached report for additional details.

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

The project will directly complement other custom homes within the Red Rock Estates subdivision. Refer to attached report for a detailed overview.

6. What are the anticipated negative impacts or affect your project will have on adjacent properties? How will you mitigate these impacts?

With the planned mitigation of cut and fill slopes, no negative impacts are anticipated. Refer to attached report for additional analysis.

7. Provide specific information on landscaping, parking, type of signs and lighting, and all other code requirements pertinent to the type of use being purposed. Show and indicate these requirements on submitted drawings with the application.

# 4,031.62 CU of Cut/4,147.66 CU of Fill

Washoe County Planning and Building SPECIAL USE PERMITS APPLICATION SUPPLEMENTAL INFORMATION

December 2018

WSUP19-0014 EXHIBIT F

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8. 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 No
<b>u</b> 165	I NO

9. Utilities:

a.	Sewer Service	Septic
b.	Electrical Service	NV Energy
c.	Telephone Service	AT&T or Charter Communications
d.	LPG or Natural Gas Service	Propane
e.	Solid Waste Disposal Service	Waste Management
f.	Cable Television Service	AT&T or Charter Communications
g.	Water Service	Well

For most uses, 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 #	acre-feet per year	
i. Certificate #	acre-feet per year	
j. Surface Claim #	acre-feet per year	
k. Other #	acre-feet per year	

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

# Native revegetation.

#### 10. Community Services (provided and nearest facility):

a. Fire Station	TMFPD - Silver Knolls Volunteer Station
b. Health Care Facility	Renown Urgent Care - North Valleys
c. Elementary School	Silver Lake Elementary
d. Middle School	Cold Springs Middle School
e. High School	North Valleys High School
f. Parks	Silver Knolls Park
g. Library	Washoe County - North Valleys Branch
h. Citifare Bus Stop	Stead Boulevard

#### Special Use Permit Application for Grading Supplemental Information

(All required information may be separately attached)

1. What is the purpose of the grading?

The grading will allow for a driveway, custom homesite, and arena area. Refer to attached report for a detailed project description.

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

# 4,031.62 CU of Cut/4,147.66 CU of Fill

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

130,921.58 square feet

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

Grading will be balanced onsite. There is potential for the import of 116 +/- cubic yards of fill.

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

Onsite slope conditions trigger the need for a SUP per section 110.438.35(3) of the Development Code. Refer to attached report for a detailed analysis.

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.)

Yes, a significant portion of the driveway located at the south side of the parcel was graded prior to the applicant acquiring the property. Refer to attached report for a detailed overview.

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

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Yes, all proposed disturbance areas are depicted in the attached engineering plans.

December 2018

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

A significant amount of the grading will not be visible outside of the parcel boundaries. It may be possible to see some limited cut/fill slopes from the south along Columbia Hill Court and Columbia Hill Road. These slopes will be revegtated to ensure a natural appearance.

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)?

Not applicable.

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?

A detailed cut/fill plan is included as an attachment to this application providing horizontal/vertical analysis of all areas proposed to be graded. Revegetation will be used to stabilize slopes and ensure a natural appearance. Refer to attached report for additional details.

#### 11. Are you planning any berms?

Yes	No XX	If yes, how tall is the berm at its highest?	
		in yoo, not tain to the bern 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)?

Retaining wall design will be provided with final custom home building plans.

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

# Native revegetation.

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

# Not applicable.

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?

# Reveg. will occur using BMP's.

Washoe County Planning and Building SPECIAL USE PERMITS APPLICATION GRADING SUPPLEMENTAL INFORMATION

December 2018

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

The existing onsite well can provide water for temporary irrigation as needed.

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

# Not applicable at this time.

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

Yes No XX If yes, please attach a copy.	
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Washoe County Treasurer P.O. Box 30039, Reno, NV 89520-3039 ph: (775) 328-2510 fax: (775) 328-2500 Email: tax@washoecounty.us

Washoe County Treasurer Tammi Davis



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.



1853 Woodtrail Ct. Sparks, NV 89434

August 21, 2019

Mr. Chris Bronczyk Planner Washoe County Community Services Department 1001 E. 9<sup>th</sup> Street Reno, NV 89512

Subject: Special Use Permit Submittal Corrections to Permit Submittal 19-100744 Re:

Dear Mr. Bronczyk,

This letter is to certify that I have reviewed the grading quantities as listed on sheet C.2 of both the original submittal dated 3.08.2019 and the re-submittal set dated 04.30.2019. The later submittal changed the operations to a future phase, but did not change the quantities themselves. I have reviewed the quantities as listed on the currently attached sheet C.2 and C.2a, per our conversation, and hereby assure you that the quantities match the cut fill analyses.

Please feel free to contact me if you have any questions or concerns.

Sincerely,



Fredrick L Hatcher, Jr., P.E.

Page 1 of 1



Sheet List Table	Sheet Title	TITLE SHEET	Site Map	UPPER ROAD PLAN	۶	5d	SECTIONS	CUT FILL	
She	Sheet Number	C.1	C.2	C.3	C.4	C.5	C.6	C.7	

# PROPOSED GRADING PLANS FO RICK EDWARDS



VICINITY MAP Scale: 1:5000

**–** 

OWNER: RICK EDWARDS 120 COLUMBIA HILL COURT 775-722-0678

APN: 079-342-09

CIVIL ENGINEER: H-H ENGINEERING 1853 WOODTRAIL COURT SPARKS, NV 89434

FRED HATCHER 775-287-8632









) <b>PROFILE</b>	Scale: 1:40
DRIVEWAY	
UPPER ROAD (	

 $\left( -\right)$ 

			207+00
		8.18%	206+00
			205+00
			204+00
<u>7 = 203+08.86</u>	- EV = 5434.068		203+00
		7.72%	202+00
			201+00
00.0	- 10.981 - 180.01	GRADE BR 4.79%	200+00
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