

Board of Adjustment Staff Report

Meeting Date: September 2, 2021

Agenda Item: 8E

SPECIAL USE PERMIT CASE NUMBER: W	WSUP21-0009 (Cheyenne Drive)
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BRIEF SUMMARY OF REQUEST: Major grading permit and variance request on 3 parcels.

STAFF PLANNER:

Planner: Chris Bronczyk Phone: 775.328.3612 Email: <u>cbronczyk@washoecounty.us</u>

CASE DESCRIPTION

For hearing, discussion, and possible action to approve a major grading permit on 3 parcels. The proposed grading includes, 3,170 cubic yards of cut, 80 cubic yards of fill, and a disturbance of 0.42 acres on slopes greater than 15%. The proposal includes a variance to the front yard setback, requesting to reduce the required 30-foot front yard setback to 10 feet, as well as allowing maximum fill in the front yard setbacks up to 4.5 feet, and to allow for a maximum of 10-foot-tall retaining walls within the setbacks.

Applicant/Property Owner:	American Patriot Homes
Location:	145, 155, and 165
	Cheyenne Drive
APN:	045-221-06; 045-221- 07; 045-221-08
Parcel Size:	1.15 acres; 1.04 acres;
	1.1 acres
Master Plan:	Suburban Residential
Derulator / Zana	(SR) Low Donoity Suburbon
Regulatory Zone:	Low Density Suburban (LDS)
Area Plan:	South Valleys
Development Code:	Authorized in Article
	438, Grading Standards;
	and Article 810, Special Use Permits
Commission District:	2 – Commissioner Lucey



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 WSUP21-0009 for American Patriot Homes, with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.810.30:

(Motion with Findings on Page 9)

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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 WSUP21-0009 are attached to this staff report and will be included with the action order, if approved.

Article 810, Special Use Permits, allows the Board of Adjustment to vary development code standards in conjunction with the approval process per WCC 110.810.20(e). The Board of Adjustment will be ruling on the request(s) to vary standards below:

Relevant Code	Code Language	Variance Requested
110.438.45(e)	Retaining walls limited to 6 feet in yard setbacks.	Retaining walls of 10 feet in height.
110.438.45(b)	Fills exceeding 4 feet within yard setbacks.	Fills up to 4.5 feet within yard setbacks.
110.406.05 (Table 110.406.05.1)	30-foot front yard setback in the LDS regulatory zone.	10-foot front yard setback in the LDS regulatory zone.



<u>Site Plan</u>



Site Plan (Closeup of Driveway Area)

Project Evaluation

The applicant is requesting a special use permit for major grading to construct three new singlefamily residences on three parcels. The construction of these buildings on the parcel exceeds the major grading thresholds per WWC 110.438.35 for the following:

- 1. Grading on slopes of fifteen (15) percent or greater (steeper):
 - a. Excavation of one thousand (1,000) cubic yards or more whether the material is intended to be permanently located on the project site or temporarily stored on a site for relocation to another, final site;

The application is proposing grading on 3 parcels with slopes of 15% or greater, which indicates that approximately ± 042 acres (18,295.2 sq. ft). of the site will be graded, with $\pm 3,170$ cubic yards of cuts and ± 80 cubic yards of fill. The proposed grading will allow for a private driveway on each parcel resulting in a total of three (3) units. The applicant states that no homes are proposed at this time, due to this application being specific to grading. This grading proposal is in anticipation of future single-family detached units. The future homes are proposed on legally created lots and are an allowed use within the Low-Density Suburban (LDS) regulatory zone. The applicant is planning on building step construction homes, which are multi-level homes that will include the garage on the bottom floor with the living space on the second floor to minimize grading.

The project site totals 3.29 acres and contains 3 parcels (APN: 045-221-06; 045-221-07; and 045-221-08) with the lot sizes of 1.08 acres, 1.05 acres, and 1.16 acres. The three parcels are vacant with steep slopes and native vegetation, these 3 lots are located in an area with similar single-family homes. The parcel has a master plan designation of Suburban Residential (SR) and a regulatory zone of Low-Density Suburban (LDS).

Due to the natural constraints on the subject properties, this special use permit is necessary to accommodate the development of three legally created residential properties. Additionally, the special use permit allows the property owners the ability to utilize their properties in a manner consistent with Washoe County rules and regulations while preserving their property rights.

Variance Request

The applicant is requesting a variance as part of the SUP request. The applicant believes the variance request will help to minimize the grading required to the project area. The following variances are being requested by the applicant.

Variance to Standards:

Section	Existing	Proposed
110.406.05 (Table 110.406.05.1)	30-foot front yard setback in the LDS zoning.	Minimum front yard setback proposed at 10 feet.
110.438.45(b)	Fills exceeding 4 feet within yard setbacks.	Maximum fill within yard setbacks proposed at up to 4.5 feet.
110.438.45(e)	Retaining walls limited to 6 feet in yard setbacks.	Maximum wall height proposed at up to 10-feet tall within setbacks. Minimal use of walls taller than 6- feet and only where absolutely necessary.

The variance is requesting to reduce the required setbacks within the LDS regulatory zone from 30foot front yard setbacks to 10-foot front yard setbacks along Cheyenne Drive. The variance will only be applied to the front yard and not reduce the side yard or rear yard setbacks which will remain 12feet and 30-feet respectively as required within the LDS regulatory zone. The reduced front yard setback will result in a significant reduction to the grading required to accommodate the construction of the proposed dwellings. The applicant argues that this request will have minimal impacts on surrounding parcels as the location of the structures to the southeast are located below the proposed homes due to existing grade. The applicant is also proposing walls along each driveway, they will not exceed 10-feet in height and are proposed primarily along the northwest end of the three driveways.

To account for the proposed walls the applicant is requesting 2 additional variances, allowing retaining walls greater than 6-feet within the front yard setbacks; and to allow for fills to exceed 4-feet within the front yard setback.

The current application going before the Board is a resubmittal of the original SUP submitted on April 8, 2021. The original submittal proposed a single driveway that provided access to all three parcels and grading pads for three single family manufactured homes. The application provided a comparison exhibit of the two proposal which clearly show a significant decrease in grading.

Previous Site Plan





Additionally, the application provided a comparison chart to further highlight the reduction in grading.

Proposed Site	Plan Compar	ison	
	Previous	Current	Net
	Site Plan	Site Plan	Change
Total Site Area (Acres)	3.29	3.29	-
Site Disturbance (Acres)	1.30	0.42	-0.88
Proposed Cut (Cubic Yards)	2,700	3,250	550
Proposed Fill (Cubic Yards)	3,700	80	-3,620
Front Yard Setback (Feet)	30	10	-20
Max Wall Height (Feet)	10	10	-
Total Wall Length (Linear Feet)	1,650	870	-780

Due to the clear reduction in overall site disturbance staff is supportive of all 3 requested variances.

Area Plan Evaluation

The subject parcel is located within the South Valleys Area Plan. The following are the pertinent policies from the Area Plan:

Relevant Area Plan Policies Reviewed

Policy	Brief Policy Description	Complies	Condition of Approval
SV 2.13	Impact of development on adjacent land	Yes	NA
	uses will be mitigated		

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

The proposed project was presented by the applicant's representative at the regularly scheduled Citizen Advisory Board meeting on. The primary concerns brought up from the CAB and from members of the public are listed below. The proposal was denied by the CAB.

- Grading (Run off associated with the grading, drainage, retaining walls, what will the citizens be looking at)
- Modular or manufactured homes instead of stick-built homes

• Access and fire concerns due to extra homes and driveways

Reviewing Agencies

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

Agency	Sent to Review	Responded	Provided Conditions	Contact
Nevada Dept of Transportation	\boxtimes	\boxtimes		
Washoe County Building & Safety	\boxtimes			
Washoe County Planning	\boxtimes		\boxtimes	Chris Bronczyk, cbronczyk@washoecounty.us
Washoe County Parks & Open Spaces	\boxtimes	\boxtimes		
Washoe County Water Rights	\boxtimes	\boxtimes		
Washoe County Engineering	\boxtimes	\boxtimes	\boxtimes	Walt West, wwest@washoecounty.us
WCHD – Air Quality	\boxtimes	\boxtimes	\boxtimes	Genine Rosa, grosa@washoecounty.us
WCHD – Environment Health	\boxtimes	\boxtimes	\boxtimes	Wes Rubio, wrubio@washoecounty.us
WCHD- EMS	\boxtimes	\boxtimes		
Truckee Meadows Fire Protection District	\boxtimes	\boxtimes	\boxtimes	Brittany Lemon, <u>blemon@tmfpd.us</u>
RTC Washoe	\boxtimes			
Washoe Storey Conservation District	\boxtimes	\boxtimes		

All conditions required by the contacted agencies can be found in Exhibit A, Conditions of Approval.

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 South Valleys Area Plan.

<u>Staff Comment:</u> Staff has reviewed the Master Plan and the South Valleys Area Plan and the project is consistent with these plans.

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> The grading will allow for the establishment of three single family residences. The property owners will establish the required utilities, including a well for water supply and septic for sanitation.

3. <u>Site Suitability.</u> That the site is physically suitable for the proposed grading and for the intensity of such a development.

<u>Staff Comment:</u> The proposed grading will make the site suitable to construct residential with significantly less grading required then the initial proposal.

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>: The site is currently vacant and the proposed project is anticipated to have minimal impact to the surrounding area and conditions of approval have been included to mitigate any negative potential impacts. The proposal includes variances that reduce the amount of total grading and scarring that will occur on the three parcels. Additionally, there are other single family houses in the 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; therefore, the project will have no effect on a military installation.

Recommendation

After a thorough analysis and review, Special Use Permit Case Number WSUP21-0009 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 WSUP21-0009 for American Patriot Homes, with the conditions included as Exhibit A to this matter, 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 South 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 proposed grading 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.

erican Patriot Homes, LLC
Melba Drive
o, NV 89503
: Douglas Barker
exchange@gmail.com

Representatives:Derek Kirkland
1361 Corporate Drive
Reno, NV 89502
Attn: Derek KirklandEmail:dkirkland@woodrodgers.com



Conditions of Approval

Special Use Permit Case Number WSUP21-0009

The project approved under Special Use Permit Case Number WSUP21-0009 shall be carried out in accordance with the conditions of approval granted by the Board of Adjustment on September 2, 2021. 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 permits and 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 submit construction plans, with all information necessary for comprehensive review by Washoe County, and initial 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.
- d. 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.

e. This special use permit shall remain in effect until or unless it is revoked or is inactive for one year.

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 – Walt West, P.E.; 775.328.2310; wwest@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. Prior to acceptance of public improvements and release of any financial assurances, the developer shall provide as-built construction drawings in an acceptable digital format prepared by a civil engineer licensed in the State of Nevada.
- c. The developer shall provide written approval from the U.S. Postal Service (USPS) concerning the installation and type of mail delivery facilities. The system, other than individual mailboxes, must be shown on the project construction plans and installed as part of the onsite improvements.
- d. For construction areas larger than 1 acre, the developer shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit or Waiver for construction and submit a copy to the Engineering Division prior to issuance of a grading permit.

- e. The developer shall complete and submit the Construction Permit Submittal Checklist and pay the Construction Stormwater Inspection Fee prior to obtaining a grading permit. The County Engineer shall determine compliance with this condition.
- f. Applicant shall indicate on the plans where exported materials will be taken and a grading permit shall be obtained for the import site.
- g. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering Division prior to any grading.
- h. Cross-sections indicating cuts and fills shall be submitted when applying for a grading permit. Estimated total volumes shall be indicated.
- i. 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 with technical assistance from the Washoe-Storey Conservation District. The applicant shall submit a revegetation plan to the Washoe-Storey Conservation District for review.

<u>Washoe County Engineering and Capital Projects – Flood Hazards (County Code 110.416),</u> <u>Storm Drainage Standards (County Code 110.420), and Storm Water Discharge Program</u> (County Code 110.421

3. The following conditions are requirements of the Washoe County Engineering and Capital Projects Division which shall be responsible for determining compliance with these conditions.

Contact Name – Walter West, P.E.; 775.328.2310; wwest@washoecounty.us

- a. A detailed hydrology/hydraulic report prepared by a registered engineer shall be submitted to the Engineering Division for review and approval. The report shall include the locations, points of entry and discharge, flow rates and flood limits of all 5- and 100-year storm flows impacting both the site and offsite areas and the methods for handling those flows. The report shall include all storm drain pipe and ditch sizing calculations and a discussion of and mitigation measures for any impacts on existing offsite drainage facilities and properties.
- b. Any increase in storm water runoff resulting from the development and based upon the 100-year storm shall be detained on site to the satisfaction of the County Engineer.
- c. Standard reinforced concrete headwalls or other approved alternatives shall be placed on the inlet and outlet of all drainage structures and rip rap shall be used to prevent erosion at the inlets and outlets of all pipe culverts to the satisfaction of the County Engineer.
- d. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage from the site to the satisfaction of the County Engineer.
- e. The following note shall be added to the construction drawings; "All properties, regardless if they are located within or outside of a FEMA designated flood zone, may be subject to flooding. The property owner is required to maintain all drainage easements and natural drainages and not perform or allow unpermitted and unapproved modifications to the property that may have detrimental impacts to surrounding properties."

<u>Washoe County Engineering and Capital Projects – Street Design Standards (County Code 110.436)</u>

4. The following conditions are requirements of the Washoe County Engineering and Capital Projects Division which shall be responsible for determining compliance with these conditions.

Contact Name – Walter West, P.E.; 775.328.2310; <u>wwest@washoecounty.us;</u> Mitch Fink; 775.328.2050; <u>mfink@washoecounty.us</u>

- a. All roadway improvements necessary (including but not limited to paving, ditches, signing and striping, driveway access, to serve the project shall be designed and constructed to County standards and specifications to the satisfaction of the County Engineer.
- b. Cheyenne Drive shall be constructed to Washoe County rural road standard with a minimum pavement structural section of four inches (4") of asphalt over six inches (6") of granular base for all public roadways. The roadway shoulders and v-ditches shall meet AASHTO recommendations for clear zones. As an alternative to construction of public roadway, the applicant may consider applying for abandonment of Washoe County right-of-way over the subject portion of Cheyenne Dr to convert the existing portion of Cheyenne Dr. to a private street
- c. The applicant shall submit a detailed geotechnical analysis and report for pavement design recommendations to the County Engineer for review and approval. The report shall be based on the estimated traffic loadings for a 20-year design life and shall include assumptions concerning the distribution of trucks and buses, to include project construction truck traffic. The resultant pavement thickness in the geotechnical analysis must be used if the report indicates a structural section that is stronger than minimum if required.
- d. A temporary turnaround shall be constructed at the end of new roadway constructed and a turnaround easement provided if located outside of existing right-of-way.
- e. All driveway access onto Cheyenne Dr. shall comply with Washoe County Standard Detail W5.2.

Washoe County Air Quality Management

5. The following conditions are requirements of the Washoe County Air Quality Management Division, which shall be responsible for determining compliance with these conditions.

Contact Name – Genine Rosa, grosa@washoecounty.us

a. A Dust Control Permit will be required prior to breaking ground, failure to do so may result in enforcement action resulting in a Notice of Violation with associated fines. For Dust Control Permit questions call AQMD at 775-784-7200 or visit www.OurCleanAir.com.

Truckee Meadows Fire Protection District (TMFPD)

6. The following conditions are requirements of the Fire Protection District, which shall be responsible for determining compliance with these conditions.

Contact Name – Dale Way/Brittany Lemon, 775.326.6000, <u>dway@tmfpd.us/blemon@tmfpd.us</u>

a. This project shall meet and comply with all requirements of currently adopted TMFPD fire codes, ordinances, and standards at the time of construction to include infrastructure for fire apparatus access roads and water supply. <u>https://tmfpd.us/fire-code/</u>

Washoe County Health District

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

Contact Name – Wes Rubio, wrubio@washoecounty.us

- a. WCHD has no objections to the approval of the major grading as proposed.
- b. Note that all septic systems are required to be installed in native soil and must meet the minimum requirements in the DBOH Regulations Governing Sewage, Wastewater, and Sanitation for installation and placement.

*** End of Conditions ***



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

- Date: July 28, 2021
- To: Chris Bronczyk, Planner
- From: Walter West, P.E., Licensed Engineer
- Re: Special Use Permit for *Cheyenne Drive WSUP21-0009* APN 045-221-06, 045-221-07, 045-221-08

GENERAL PROJECT DISCUSSION

Washoe County Engineering staff has reviewed the above referenced application (a revised application). The Special Use Permit is for the construction of three (3) single-family detached units which will access off a proposed extension of Cheyenne Drive on Low Density Suburban (LDS) regulatory zoning and is located on approximately 3.3 acres along Cheyenne Drive approximately 500 ft west of the intersection of Cheyenne Drive and US395 Alt. 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 Wood Rodgers. The County Engineer shall determine compliance with the following conditions of approval.

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

<u>Washoe County Engineering and Capital Projects – General Land Development and Grading</u> <u>Standards (County Code 110.438)</u>

- The following conditions are requirements of the Washoe County Engineering and Capital Projects Division which shall be responsible for determining compliance with these conditions.
 Contact Name: Walter West, P.E. (775) 328-2310
 - 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. Prior to acceptance of public improvements and release of any financial assurances, the developer shall provide as-built construction drawings in an acceptable digital format prepared by a civil engineer licensed in the State of Nevada.
 - c. The developer shall provide written approval from the U.S. Postal Service (USPS) concerning the installation and type of mail delivery facilities. The system, other than individual mailboxes, must be shown on the project construction plans and installed as part of the onsite improvements.
 - d. For construction areas larger than 1 acre, the developer shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit or Waiver for construction and submit a copy to the Engineering Division prior to issuance of a grading permit.





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- e. The developer shall complete and submit the Construction Permit Submittal Checklist and pay the Construction Stormwater Inspection Fee prior to obtaining a grading permit. The County Engineer shall determine compliance with this condition.
- f. Applicant shall indicate on the plans where exported materials will be taken and a grading permit shall be obtained for the import site.
- g. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering Division prior to any grading.
- h. Cross-sections indicating cuts and fills shall be submitted when applying for a grading permit. Estimated total volumes shall be indicated.
- i. 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 with technical assistance from the Washoe-Storey Conservation District. The applicant shall submit a revegetation plan to the Washoe-Storey Conservation District for review.

Washoe County Engineering and Capital Projects – Flood Hazards (County Code 110.416), Storm Drainage Standards (County Code 110.420), and Storm Water Discharge Program (County Code 110.421

- The following conditions are requirements of the Washoe County Engineering and Capital Projects Division which shall be responsible for determining compliance with these conditions.
 Contact Name: Walter West, P.E. (775) 328-2310
 - a. A detailed hydrology/hydraulic report prepared by a registered engineer shall be submitted to the Engineering Division for review and approval. The report shall include the locations, points of entry and discharge, flow rates and flood limits of all 5- and 100-year storm flows impacting both the site and offsite areas and the methods for handling those flows. The report shall include all storm drain pipe and ditch sizing calculations and a discussion of and mitigation measures for any impacts on existing offsite drainage facilities and properties.
 - b. Any increase in storm water runoff resulting from the development and based upon the 100-year storm shall be detained on site to the satisfaction of the County Engineer.
 - c. Standard reinforced concrete headwalls or other approved alternatives shall be placed on the inlet and outlet of all drainage structures and rip rap shall be used to prevent erosion at the inlets and outlets of all pipe culverts to the satisfaction of the County Engineer.
 - d. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage from the site to the satisfaction of the County Engineer.
 - e. The following note shall be added to the construction drawings; "All properties, regardless if they are located within or outside of a FEMA designated flood zone, may be subject to flooding. The property owner is required to maintain all drainage easements and natural drainages and not perform or allow unpermitted and unapproved modifications to the property that may have detrimental impacts to surrounding properties."

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Washoe County Engineering and Capital Projects - Street Design Standards (County Code 110.436)

- The following conditions are requirements of the Washoe County Engineering and Capital Projects Division which shall be responsible for determining compliance with these conditions.
 Contact Name: Walter West, P.E. (775) 328-2310 Mitch Fink, (775) 328-2050
 - a. All roadway improvements necessary (including but not limited to paving, ditches, signing and striping, driveway access, to serve the project shall be designed and constructed to County standards and specifications to the satisfaction of the County Engineer.
 - b. Cheyenne Drive shall be constructed to Washoe County rural road standard with a minimum pavement structural section of four inches (4") of asphalt over six inches (6") of granular base for all public roadways. The roadway shoulders and v-ditches shall meet AASHTO recommendations for clear zones. As an alternative to construction of public roadway, the applicant may consider applying for abandonment of Washoe County right-of-way over the subject portion of Cheyenne Dr to convert the existing portion of Cheyenne Dr to a private street
 - c. The applicant shall submit a detailed geotechnical analysis and report for pavement design recommendations to the County Engineer for review and approval. The report shall be based on the estimated traffic loadings for a 20-year design life and shall include assumptions concerning the distribution of trucks and buses, to include project construction truck traffic. The resultant pavement thickness in the geotechnical analysis must be used if the report indicates a structural section that is stronger than minimum if required.
 - d. A temporary turnaround shall be constructed at the end of new roadway constructed and a turnaround easement provided if located outside of existing right-of-way.
 - e. All driveway access onto Cheyenne Dr. shall comply with Washoe County Standard Detail W5.2

Washoe County Engineering and Capital Projects – Utilities (County Code 422 & Sewer Ordinance)

No comments or conditions

Good Morning Chris,

This project shall meet and comply with all requirements of currently adopted TMFPD fire codes, ordinances, and standards at the time of construction to include infrastructure for fire apparatus access roads and water supply. https://tmfpd.us/fire-code/

Thank you!

Brittany Lemon

Fire Captain - Fire Prevention | Truckee Meadows Fire & Rescue <u>blemon@tmfpd.us</u> | Office: 775.326.6079 | Cell: 775.379.0584 3663 Barron Way, Reno, NV 89511



"Committed to excellence, service, and the protection of life and property in our community"



June 22, 2021

Washoe County Community Services Planning and Development Division PO Box 11130 Reno, NV 89520-0027

RE: Cheyenne Drive; APN 045-221-06 Special Use Permit; WSUP21-0009

Dear Washoe County Staff:

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

Contact Name – Wesley Rubio - wrubio@washoecounty.us

- a) WCHD has no objections to the approval of the major grading as proposed.
- b) Note that all septic systems are required to be installed in native soil and must meet the minimum requirements in the DBOH Regulations Governing Sewage, Wastewater, and Sanitation for installation and placement.

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

Sincerely,

Wesley Rubio, MPH, REHS EHS Supervisor Environmental Health Washoe County Health District



From:	Rosa, Genine
To:	Bronczyk, Christopher
Subject:	Third Review of Applications Submitted July 2021
Date:	Tuesday, July 20, 2021 4:49:50 PM

Administrative Permit Case Number WADMIN21-0009 (5100 W 1st)

Dust Control Permit will be required prior to breaking ground, failure to do so may result in enforcement action resulting in a Notice of Violation with associated fines. For Dust Control Permit questions call AQMD at 775-784-7200 or visit www.OurCleanAir.com.

Link to application: <u>Dust Control Permit Application</u>

Special Use Permit Case Number WSUP21-0007 (Hidden Valley Reclaimed Water Tank)

Dust Control Permit will be required prior to breaking ground, failure to do so may result in enforcement action resulting in a Notice of Violation with associated fines. For Dust Control Permit questions call AQMD at 775-784-7200 or visit <u>www.OurCleanAir.com</u>. Link to application: <u>Dust Control Permit Application</u>

Special Use Permit Case Number WSUP21-0009 (Cheyenne Drive)

Dust Control Permit will be required prior to breaking ground, failure to do so may result in enforcement action resulting in a Notice of Violation with associated fines. For Dust Control Permit questions call AQMD at 775-784-7200 or visit www.OurCleanAir.com.

Link to application: Dust Control Permit Application

P.S. – Please be sure to click the link below and sign up to receive air quality news, updates, public notices and more via e-mail.

Genine Rosa

Environmental Engineer II | Air Quality Management Division | Washoe County Health District grosa@washoecounty.us | O: (775) 784-7204 | 1001 E. Ninth St., Bldg. B, Reno, NV 89512

*My schedule is 4 x 10's M-Th 7-5:30 off on Fridays.

www.OurCleanAir.com | Subscribe to get Air Quality Updates!



Please take our customer satisfaction survey by clicking here

From:	Program, EMS	
To:	Bronczyk, Christopher	
Cc:	Lawson, Jacqueline	
Subject:	FW: July Agency Review Memo III	
Date:	Wednesday, July 28, 2021 1:12:00 PM	
Attachments:	July Agency Review Memo III.pdf	
	image001.png	
	image002.png	

Good afternoon Christopher,

The EMS Oversight Program has reviewed Memo III #2 and #3 and does not have any comments or concerns regarding these two cases.

Thank you,

Tulíe

Julie D Hunter, M.S.

EMS Coordinator | Division of Epidemiology and Public Health Preparedness | Washoe County Health District idhunter@washoecounty.us | O: (775) 326-6043 C: (775) 343-2143 | 1001 E. Ninth St., Bldg. B, Reno, NV 89512





Please take our customer satisfaction survey by clicking here

From: Fagan, Donna < DFagan@washoecounty.us>

Sent: Tuesday, July 13, 2021 2:56 PM

To: Rosa, Genine <Grosa@washoecounty.us>; Restori, Joshua <JRestori@washoecounty.us>; English, James <JEnglish@washoecounty.us>; Rubio, Wesley S <WRubio@washoecounty.us>; Kelly, David A <DAKelly@washoecounty.us>; Program, EMS <EMSProgram@washoecounty.us> Cc: EHS Plan Review < EHSPlanReview@washoecounty.us> Subject: July Agency Review Memo III

Genine, Josh, James, Wes, David, and EMS,

Please find the attached Agency Review Memo with cases received this month by CSD, Planning and Building.

You've each been asked to review the items as indicated below:

<mark>Genine/Josh:</mark>	ltems #1 thru #4	
Jim/Wes/David:	Items #1 thru #4	
EMS:	Items #1 thru #4	

Click on the highlighted item description for a link to the application.

Please send any questions, comments or conditions to the planner for that item.

Thank you, Donna



Donna Fagan Planning and Building Division | Community Services Department dfagan@washoecounty.us | Office: 775.328.3616 1001 E. 9th Street, Reno, NV 89521 Email: planning@washoecounty.us

From:	Wolfson, Alexander
To:	Bronczyk, Christopher
Subject:	WSUP21-0009 Cheyenne Drive
Date:	Monday, July 26, 2021 3:41:38 PM
Attachments:	image008.png
	image001.png
	image009.png
	image010.png
	image011.png
	image012.png
	image013.png

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

Chris,

Upon review, NDOT has no comments on SUP21-0009 Cheyenne Drive.

Thank you,



From: Fagan, Donna <DFagan@washoecounty.us>
Sent: Tuesday, July 13, 2021 2:38 PM
To: D2 Traffic DL <D2Traffic@dot.nv.gov>
Subject: July Agency Review Memo III

NDOT,

Please find the attached Agency Review Memo with cases received this month by CSD, Planning and Building.

You've been asked to review items #1, #3, and #4. Click on the highlighted item description for a link to the application.

Please send any questions, comments or conditions to the planner for that item.

Thank you, Donna

> Donna Fagan Planning and Building Division | Community Services Department



<u>dfagan@washoecounty.us</u> | Office: 775.328.3616 1001 E. 9th Street, Reno, NV 89521 Email: <u>planning@washoecounty.us</u>

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From:	Kirschenman, Sophia
То:	Bronczyk, Christopher
Subject:	Parks Comments Re: WSUP21-0009
Date:	Monday, July 19, 2021 10:10:13 AM
Attachments:	Outlook-orujuq5j.png Outlook-ehfikd0x.png
	Outlook-52wizfra.png
	Outlook-x2npks53.png Outlook-x41tqsk1.png

Hi Chris,

I've reviewed WSUP21-0009 (Cheyenne Dr.) on behalf of Washoe County Regional Parks and Open Space and have no comments or conditions.

Thank you,



Sophia Kirschenman Park Planner | Community Services Department 775.328.3623 | 1001 E. 9th Street, Reno, NV 89512

Please consider the environment before printing this e-mail.

From:	<u>Behmaram, Vahid</u>
То:	Bronczyk, Christopher
Subject:	No Comment
Date:	Monday, April 19, 2021 9:43:58 AM
Attachments:	image001.png

Special Use Permit Case Number WSUP21-0009 (Cheyenne Drive)

Hi Chris: I have no comments of conditions regarding above case.



Vahid Behmaram Water Rights & Water Resources Consultant Temporary Contractor for Washoe County vbehmaram@washoecounty.us Office: (775)954-4647; Fax (775) 328-6133 1001 E. 9th, St., Reno, NV 89512



Washoe-Storey Conservation District

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

1365 Corpotate Blvd. RenoNV 89502 775 857-8500 ext. 131 nevadaconservation.com

July 27, 2021

Washoe County Community Services Department

C/O Chris Bronczyk, Planner

1001 E Ninth Street, Bldg. A

Reno, NV 89512

R: WSUP21-0009 Cheyenne Drive

Dear Chris,

In reviewing the special use permit to approve grading for building 3 single family homes, the Conservation District has the following comments.

The District will require if revegetation is required a vegetation plan to review for the 3:1 slope from a qualified professional that includes a seed mix based on the soil, contingency water plan, fertilizer plan, erosion control structures and a monitoring plan with updates provided to the Conservation District after the growing season (October 31) every year for a three-year period.

To conserve water in Washoe County's high desert climate the District supports xeriscape front yards to eliminate nuisance water runoff into the infrastructure; if turf is utilized in the front yard, a two-foot buffer (no turf) required from the back face of sidewalk and or curb.

With the 10-foot pile walls using colors like the natural landscape, we expect the applicant to exercise this thought process of the home's exterior including roofing material supporting the natural environment.

To reduce the downstream transport of sediment, line the flow line of the swales with 4–6-inch rock.

Thank you for providing us the opportunity to review the project that may have impacts on our natural resources and if there are questions call us at (775) 750-8272.

Sincerely,

Shaffer-Tyler

WSUP21-0009 EXHIBIT B



39 Parcels Noticed within 1,000 feet.

Special Use Permit Re-submittal **Cheyenne Drive**

Re-Submitted to Washoe County July 8, 2021

Prepared for

American Patriot Homes LLC 979 Melba Drive Reno, NV 89503





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 - o Landscaping
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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: Cheyenne Drive Special Use Permit				
	etached units and a priv	and variance to standards for the c vate driveway on Low Density Sub		
Project Address: 145, 155, & 2	65 Cheyenne Drive Wa	ashoe County, NV 89521		
Project Area (acres or square f	eet): 3.29 Acres			
Project Location (with point of	reference to major cross	streets AND area locator):		
The project area is located along Che	yenne Drive approximately	500 ft west of the intersection of Cheye	nne Drive and US395 Alt.	
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:	
045-221-06	1.15	045-221-08	1.1	
045-221-07	1.04			
Indicate any previous Wash Case No.(s). None	Indicate any previous Washoe County approvals associated with this application: Case No.(s). None			
Applicant Ir	formation (attach	additional sheets if neces	sary)	
Property Owner:	Property Owner: Professional Consultant:			
Name: American Patriot Homes LLC		Name: Wood Rodgers Inc.		
Address: 979 Melba Drive		Address: 1361 Corporate Drive		
Reno, NV	Zip: 89503	Reno, NV Zip: 89502		
Phone: 775-762-2027	Phone: 775-762-2027 Fax: Phone: 827-7742 Fax:		Fax:	
Email:nnnexchange@gmail.com		Email: dkirkland@woodrodgers.com		
Cell:	Other:	Cell: Other:		
Contact Person: Douglas Barker		Contact Person: Derek Kirkland		
Applicant/Developer:		Other Persons to be Contacted:		
Name: Same as Above		Name:		
Address:		Address:		
	Zip:		Zip:	
Phone:	Fax:	Phone:	Fax:	
Email:		Email:		
Cell:	Other:	Cell:	Other:	
Contact Person:		Contact Person:		
	For Office	Use Only		
Date Received:	Date Received: Initial:		Planning Area:	
County Commission District: Master Plan Desi		Master Plan Designation(s):		
CAB(s): Regulatory Zoning(s):				

Applicant Name: American Patriot Homes 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

(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): 045-221-06, 07, & 08

	Printed Name Douges Barker
	Signed
	Address 979 Melbadr.
	Reno, NV 89503
all day of <u>Apric</u> , <u>2021</u> .	(Notary Stamp)
ary Public in and for said county and state	AMBER HARMON Notary Public - State of Nevada Appointment Recorded in Washoe County

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

My commission expires: 11-17-202-(

Cowner 🖉

Sub

- Corporate Officer/Partner (Provide copy of record document indicating authority to sign.)
- Dever 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

No: 01-71967-2 Expires November 17, 2021

Special Use Permit Application Supplemental Information

(All required information may be separately attached)

1. What is the project being requested?

A special use permit for major grading resulting in the disturbance of 0.42 acres of slopes greater than 15% and a total excavation of 3,170 cubic yards of material and a variance in standards to the front yard setbacks in anticipation for the construction of three single-family detached homes and a private driveways.

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.)

A site plan that identifies the proposed disturbed area including cuts and fills has been provided with this application.

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

The proposal is intended to be completed in one phase.

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 project is located along Cheyenne Drive. A driveway, retaining walls, and a pad that has been graded in anticipation of future residential development for each parcel. Adequate supporting infrastructure including drainage and electric services are available within the adjacent properties.

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

The proposal will provide the community with an increase in housing supply and help the County meet the housing availability needs. The proposal will also improve drainage infrastructure. Capturing onsite flows and directing them to existing infrastructure along Cheyenne Drive.

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

The proposal is similar in intensity and density to the existing community and is expected to have minimal impact to the adjacent properties. Mitigation efforts include less than 13% of the project site form being developed. Other mitigation measures are discussed in the project description included with this submittal.

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.

Specifics including landscaping and all other code requirements are detailed in the project description included with this application.

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
-----	-------

9. Utilities:

a. Sewer Service	Septic
b. Electrical Service	NV Energy
c. Telephone Service	Spectrum Communications
d. LPG or Natural Gas Service	Propane Tank
e. Solid Waste Disposal Service	Waste Management
f. Cable Television Service	Spectrum 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).

The required amount of water rights will be obtained prior to the occupation of the homes.

10. Community Services (provided and nearest facility):

a. Fire Station	Truckee Meadows Fire Station 36, 6 miles northwest
b. Health Care Facility	Saint Marys Urgent Care, 2 miles northwest
c. Elementary School	Pleasant Valley Elementary School, 3 miles southwest
d. Middle School	Herz Middle School, 3.5 miles northwest
e. High School	Damonte Ranch High School, 3.5 miles northeast
f. Parks	South Valleys Regional Park, 1.5 miles north
g. Library	South Valleys Library, 1.5 miles north
h. Citifare Bus Stop	South Virginia and South Meadows Parkway, 3.5 miles north
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 is for three (3) single-family detached manufactured homes as well as three (3) private driveways that will serve each individual units. Each driveway connects to Cheyenne Drive.

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

The request is proposing to excavate 3,330 cubic yards of material total. This includes 3,250 cubic yards of cut and 80 cubic yards of fill; which will require the exportation of 3,170 cubic yards of material.

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

The proposed grading will impact 0.42 acres or less than 13% of the project site.

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

The excavation is anticipated to result in the net export of approximately 3,170 cubic yards of material. This will include 3,250 cubic yards of cut and 80 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.)

No, the entire site is over 15% slopes. To minimize the grading a variance to reduce the front setback from 30 ft to 10 ft, as well as providing walls and a step construction building pad for each unit will greatly reduce the overall amount of grading required for each parcel but would not eliminate the need of the special use permit.

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, please refer to the project description and aerial map included with this application.

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

Yes, please refer to the grading plan included with this application.

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

Yes, the disturbed area will be able to be seen from the properties to the south and east including Cheyenne Drive and Alternative US 395.

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, each proposed driveway is only intended to serve each individual parcel.

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?

The proposed slope will not exceed 3:1. Methods including the use of walls, revegetation, ground cover and formal landscaping as required by Washoe County municipal code will help to establish permanent erosion control once grading is complete. BMPs will be used during grading activities.

11. Are you planning any berms?

Yes	NoX	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)?

There will be pads for each parcel in anticipation of a traditional stick built home that will utilize step construction to minimize grading, (see project description for more detail). Walls are proposed be a maximum 10 feet tall sheet pile walls with colors similar to the natural landscape.

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

Visual mitigation will include formal and informal landscaping. Sloping contours to match the natural slopes found on the property, and using colors of material that blend with the natural landscape and surrounding development.

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

No, there are no trees on the existing project site.

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 mix use for revegetation will be a mix of native grasses and shrubs similar to existing vegetation.

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

Temporary irrigation will be provided to the area either through a well or will be transported in in order to establish viable plants to the disturbed area. Other areas will be formally landscaped and have permanent irrigation.

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

Yes, the applicant has reviewed the revegetation plan outlined in the Washoe Storey Conservation District and will incorporate all applicable suggestions.

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

Yes No x If yes, please attach a copy.	
--	--



Project Description

Location

The project site totals 3.29± acres and is located within unincorporated Washoe County, in the South Valleys Area Plan. Specifically, the site includes Washoe County Assessor Parcel Numbers (APN's) 045-221-06, 045-221-07, & 045-221-08. The site is located along Cheyenne Drive approximately ±500 feet west of its intersection of Cheyenne Drive and US 395A. Furthermore, the site is identified to be within the South Valleys Area Plan/Steamboat Rural Transition Mixed Use Character Management Area. The site is vacant with steep slopes and located in an area with similar single-family homes, (*Refer to Vicinity Map, Assessor's Parcel Map and Site Aerial in Section 3 of this submittal packet*).

Project Request

The applicant is requesting a Special Use Permit (SUP) to allow for the grading that exceeds the thresholds that trigger a Major Grading Permit in accordance with Section 110.438.35 of Washoe County Municipal Code. Specifically, the request will result in the disturbance of 0.42 acres of slopes greater than 15% and a total excavation of 3,170 cubic yards of material. In addition to the SUP, the applicant is requesting a variance to decrease the setbacks from 30-feet to 10-feet and to allow grading and walls within the setbacks. Further details of the variance to the standards are detailed below. The variance is required due to the previous grading to Cheyenne Drive and to greatly reduce the required grading to the site. The proposed grading will allow for a private driveway on each of the parcels off of Cheyenne Drive and will provide a pad for a single-family detached unit on each parcel resulting in a total of three (3) units. As this application is specific to the grading, no homes are proposed at this time. However, the site will be graded in anticipation of future single-family detached units. The future homes are proposed on mapped lots and are an allowed use within the Low Density Suburban (LDS) zoning designation according to the South Valleys Area Plan (SVAP).

Washoe County Master Plan and Zoning

According to Washoe County mapping, the current land use designation is Suburban Residential (SR) which conforms with the current zoning designation of Low Density Suburban (LDS). The proposed use, single-family detached homes on each parcel, is an allowed use within the zoning designation and meets the minimum lot density of one dwelling unit per acre, (*Refer to Section 3 of the submittal packet for Zoning and Master Plan Maps*).

Site Characteristics

The entire parcel is in excess of fifteen percent slopes generally sloping from the northwest to the southeast. The southeastern boundary of the site is bound by Cheyenne Drive. The portion of Cheyenne Drive adjacent to the project site is currently graded with a drainage ditch. Although some of the site appears to have signs of disturbance, the site is generally characterized by native vegetation consisting primarily of native shrubs, sagebrush, and grasses, (*Refer to Site Aerial in Section 3 of this submittal packet*).

Land Use Compatibility

The project site is currently vacant on existing mapped lots surrounded by developed parcels to the southeast of Cheyenne Drive. Specifically, surrounding development includes existing single family residential. Vacant undeveloped land surrounds the rest of the project site to the south, west and north. The current and proposed land use and zoning designations are conforming with and allowed within the SSAP with the approval of a Special Use Permit (SUP).

ADJACENT PROPERTY DESCRIPTION						
	Land Use Zoning Use Designation					
North	GR/SR	GR/LDS	Vacant Land			
South	SR	LDS	Single-Family Detached			
East	SR	LDS	Single-Family Detached			
West	GR	GR	Vacant Land			

Project Details

The project includes grading on each individual lot in anticipation of three (3) single-family detached homes with access onto Cheyenne Drive. Each lot will include a driveway that provides access onto Cheyenne Drive and a pad for a single-family home. The grading is in anticipation of a step construction home, a multi-level home that will include the garage on the bottom floor with the living space on the second floor to minimize grading. Single-Family detached is an allowed use within the current regulatory zoning designation; however, a Major Grading Permit/Special Use Permit is required as grading will exceed the thresholds established in Section 110.438.35 of the Washoe County Municipal Code. It should be noted that this request is specific to the grading of the site and is not proposing any homes at this time. The grading will be in anticipation of stick-built homes with a permanent foundation. Since a majority of the site is in excess of 15% slopes, and due to the elevation and grading of Cheyenne Drive, a variance is required as part of this SUP request. Furthermore, the variance will help to minimize the grading required to the project area.

The variance is requesting to reduce the required setbacks within the LDS zoning of 30-foot front setback and allowing a 10-foot front setback along Cheyenne Drive. This will result in a significant reduction to the required grading. This reduced setback will only impact the front setback along Cheyenne Drive and will not be applied to the side or rear setbacks which will remain at 12-feet and 30-feet respectively. This portion of the request will have little to no impact on surrounding parcels as the structures adjacent to Cheyenne Drive to the southeast are well below the proposed homes due to the grade of the site. To reduce the grading further, walls are proposed along each driveway. These walls will not exceed 10-feet in height and are proposed primarily along the northwest end of each of the three driveways. These walls will require additional variances, including retaining walls greater than 6 feet. The third part of the variance is required due to the elevation of Cheyenne Drive in relation to the project site and will require fills exceeding 4 feet within the front yard setback. The variances are a result of minimizing the amount for grading on each parcel. Resulting in a net disturbed area of only 0.42± acres, or 13 percent of the entire site. Below is a summary of the Variance Request:

Variance to Standards:

- 1. Sec 110.406.05 (Table 110.406.05.1) 30-foot front yard setbacks in the LDS zoning.
 - Minimum front yard setback proposed at 10 feet.
- 2. Sec 110.438.45(b) fills exceeding 4 feet within yard setbacks.
 - Maximum fill within yard setbacks proposed at up to 4.5 feet.
- 3. Section 110.438.45(e) retaining walls > 6 ft
 - Maximum wall height proposed at up to 10-feet tall within setbacks. Minimal use of walls taller than 6-feet and only where absolutely necessary.

Graded slopes will not exceed 3:1 and will be stabilized using a combination of a native seed mix and formal landscaping along Cheyenne Drive and each driveway. Grading on slopes greater than 15% includes a total disturbance of 0.42± acres (approximately 13% of the project site). Furthermore, it is anticipated that a total cut of 3,250 cubic yards and a total fill of 80 cubic yards will be required. This will result in the exportation of 3,170 cubic yards of material from the site. The homes will utilize step construction that will put the garage and a portion of the house on the first floor and the main living area on the second floor. The homes will match the character of the surrounding area and the grading is designed to minimize the total amount of disturbance of the site.

The proposed grading has been designed to incorporate the vision as well as the goals and policies outlined in the South Valleys Area Plan. A detailed analysis of the property, including incorporating aspects to minimize the cuts and fills required has been conducted as part of this request. To minimize the total grading area, walls have been proposed and where possible incorporating slopes that are similar to the natural slopes found on the property. This will help minimize disruption to the natural topography and complement the natural characteristics of the landscape as stated in Policy SV.2.2 of the South Valleys Area Plan.

Reduction in Grading:

This is a resubmittal based on the original SUP that was submitted on April 8, 2021. In the original submittal the project proposed a single driveway that provided access to all three parcels and grading pads for three single family manufactured homes. Below is a comparison of the two projects showing that the new proposal and variance will greatly reduce the amount of grading:







Current Site Plan

Fig. 1: Comparing the previous site plan (left) to the new site plan (right) shows the reduction in proposed disturbance on the three parcels, highlighting a majority of the site will be undisturbed, while other methods such as the proposed variance and the use of walls and step construction housing will further reduce the grading required on each lot.

Proposed Site Plan Comparison							
	Previous	Current	Net				
	Site Plan	Site Plan	Change				
Total Site Area (Acres)	3.29	3.29	-				
Site Disturbance (Acres)	1.30	0.42	-0.88				
Proposed Cut (Cubic Yards)	2,700	3,250	550				
Proposed Fill (Cubic Yards)	3,700	80	-3,620				
Front Yard Setback (Feet)	30	10	-20				
Max Wall Height (Feet)	10	10	-				
Total Wall Length (Linear Feet)	1,650	870	-780				

Other details include:

- <u>Stepped Home Construction</u>: Grading for a stepped home pad will be in anticipation of a traditional stick-built home. However, rather than utilizing a flat pad, the pads will be stepped with foundations that allow a garage on the bottom floor or a 'daylight garage' with the main living portion on the second story above the garage. This method is often used to help reduce grading impacts.
- <u>Building Architecture</u>: Although the construction of the homes are not included with the application, future homes will be similar in style and colors of the surrounding area. Furthermore, the architecture will be subject to the standards outlined in the Character Statement outlined in the South Valleys Area Plan. Future plans will be submitted at final map.
- <u>Ingress and Egress</u>: Cheyenne Drive will be paved from the existing asphalt located to the north of the project site, to the connection of the last proposed driveway located to the south. Each proposed private driveway will also be paved and will connect to Cheyenne Drive at in front of each parcel. Each driveway is proposed to be a minimum of 20 feet wide.
- Landscaping: Landscape will include formal landscaping of the front yard along Cheyenne Drive and be calculated based on 20% of the total developable land area for each parcel in accordance with Section 110.412.35 of the Washoe County Development Code. This will include street trees every 50-feet. Landscaping will also be included along the driveways and retaining walls to minimize the impacts of the walls however, vegetation that is similar in color to the natural vegetation and ground cover can be provided in accordance with Goal SV 12.8.e of the South Valleys Area Plan. Formal landscape will be included after the construction of each individual home.
- <u>Drainage</u>: Flows from the site will be directed via drainage swales to the existing drainage ways located along Cheyenne Drive. These will be improved as needed to meet Washoe County standards along with the grading of the site. Other improvements include new drainage ways that will capture flows uphill of the proposed walls and pads and convey them into the existing infrastructure along Cheyenne Drive. Similar drainage ways are proposed along the base of the home foundations and will be designed to capture flows during the 5-year and 100-year storms (*Refer to Grading Plan in the Map Pocket of this submittal packet*).
- <u>Utilities:</u> Utilities will include the extension of electric from adjacent properties. Water will be provided from a well. Each parcel will have its own well and septic tank. Wells and septic tank locations will be

processed and permitted through the Health District prior to issuance of occupation. A preliminary location for each septic tank has been identified on the site plan included with the application.

- <u>Public Services:</u> Fire service is currently provided by Truckee Meadows Fire District. The closest fire station is Truckee Meadows Fire Station 36 located approximately 6 miles to the northwest at the intersection of Arrowcreek Parkway and Thomas Creek Road. There is an existing fire turnaround at the end of Cheyenne Drive. Police is provided by Washoe County Sheriff.
- <u>Traffic Impacts</u>: The three proposed dwelling units will be constructed on existing lots. No new traffic impacts are associated with this development.

Findings

Prior to approving an application for a special use permit, the Planning Commission, Board of Adjustment or a hearing examiner shall find that all of the following are true:

(a) Consistency. The proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the applicable area plan;

<u>Response</u>: The proposed project is consistent with the current Master Plan designation of Suburban Residential and meets all applicable goals and policies of the Washoe County Master Plan and the South Valleys Area Plan, specifically Goal Twelve to minimize the impact of hillside development in a manner that implements the community character. This is accomplished by minimizing the amount of disturbance to only 13 percent of the project site as well as incorporating other elements to minimize the grading area via a reduction of the setbacks, stacked retaining walls, and contour shaping as described above in the project description.

(b) Improvements. 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>Response:</u> Cheyenne Drive, the main access road, has already been graded in anticipation of future development. A private driveway connected to Cheyenne Drive will be the point of ingress and egress for each of the three parcels. Drainage infrastructure will run parallel with Cheyenne Drive and connect to existing infrastructure to the north. Electric will be extended to the project from adjacent properties and the parcels will each have a well and septic tank to serve each unit. Since the project is only proposing three single-family homes, there is very little increase in demand associated with this request. Therefore, all of the surrounding infrastructure and public facilities are adequately sized to handle the projected level of service that is generated from this request.

(c) Site Suitability. The site is physically suitable for the type of development and for the intensity of development;

Response: The intensity of the proposed development is within the minimum lot standards for the LDS zoning designation. The density associated with this project is 0.9 dwelling units per acre 9du/ac), which is under the maximum of 1.0 du/ac allowed within the LDS zoning. The site will be graded so that only 13% (0.42 acres) will be disturbed to help minimize the impact to the entire site and to minimize the impacts of grading in accordance with the goals and policies outlined in the South Valleys Area Plan. A reduction in the setbacks as well as the use of stacked walls and sloped pads will allow the proposed development to minimize grading impacts while fitting the contours of the site.

(d) Issuance Not Detrimental. 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; and

<u>Response:</u> The project will not be detrimental to public health; it will help the County meet the needs of the housing issue facing the region by allowing single-family detached homes in a zoning designation that is permitted by right to allow this type of development.

(e) 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.

<u>Response</u>: Not applicable to the project.







NOTE: This Map is prepared for the use of the Washoe County Assessor for Assessment and illustrative purposes only, it does not represent survey of the premises. No liability is assumed as to the sufficiency or accuracy of the data delineated hereon.

WSUP21-0009 **EXHIBIT D**

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