

Washoe County Board of Adjustment



WSUP22-0019
(Safe Embrace)

August 3, 2023

Request



- This is a request for a special use permit to allow for a group care facility for up to 25 occupants if connected to city sewer, or up to 18 occupants if utilizing the existing septic system.
- The regulatory zone of the parcel is Low Density Suburban (LDS) and a special use permit is required per Washoe County Code Table 110.302.05.2.
- The proposal also is requesting to modify the parking requirements in Washoe County Development Code Article 410 by not requiring any additional paved parking spaces or additional lighting in the parking area.



Master Plan & Regulatory Zoning



- The parcel and the parcels on Ponderosa Drive master plan designation is Suburban Residential (SR) and the regulatory zoning is Low Density Suburban (LDS).
- The surrounding parcels are in the City of Sparks, with single family zoning to the north and south; multi-family and Alice Risley Elementary Scholl to the east, off Sullivan Lane; and a church to the west

Background



- The site was located within the City of Sparks sphere-of-influence (SOI), however it was removed from the SOI and brought back into Washoe County's jurisdiction in 2020.
- With the change of jurisdiction, all planning, business license, and building applications are now submitted to Washoe County for review and approval.
- Safe Embrace currently has a business license as a group home.
- Safe Embrace is an organization that provides counseling, housing and shelter services for victims of domestic and sexual abuse and human trafficking.
- Safe Embrace has been located at this site for over 20 years and other organizations and shelters have been on the site since 1994.

Background



- The SUP application (WSUP22-0019) was originally submitted on August 8, 2022.
- However, during the review process there were concerns regarding whether the existing septic system could serve the facility and the applicant requested to put the application on hold until the septic system questions could be resolved
- The applicant found out that the septic field is sized for an 18-bed facility after the upgrades in 2018 and provided documentation for the Onsite Sewage Disposal System (OSDS) application and approval letter from the Nevada Division of Environmental Protection (NDEP) as part of their application.
- The applicant is currently discussing with the City of Sparks to possible connect with City of Sparks sewer system to allow for 25 occupants.



Evaluation for SF & Occupancy



- The facility provides temporary care for women, men and children, with the length of stay limited to 90 days per occupant, with typically 4 staff members on site.
- Per WWC 110.322.10(c) “a minimum of twelve hundred (1,200) square feet of interior space shall be provided for the first six (6) facility users, and one hundred fifty (150) square feet of interior space for each additional facility user”.
- If the facility has 18 occupants, the required interior space is 3,000 and 4,050 SF for 25 occupants.
- The site has an overall square footage of 5,706 and an interior space of 4,056, with 8 bedrooms.
- Closets, halls, garages and bathrooms are excluded from the interior space calculation.

SF & Occupancy



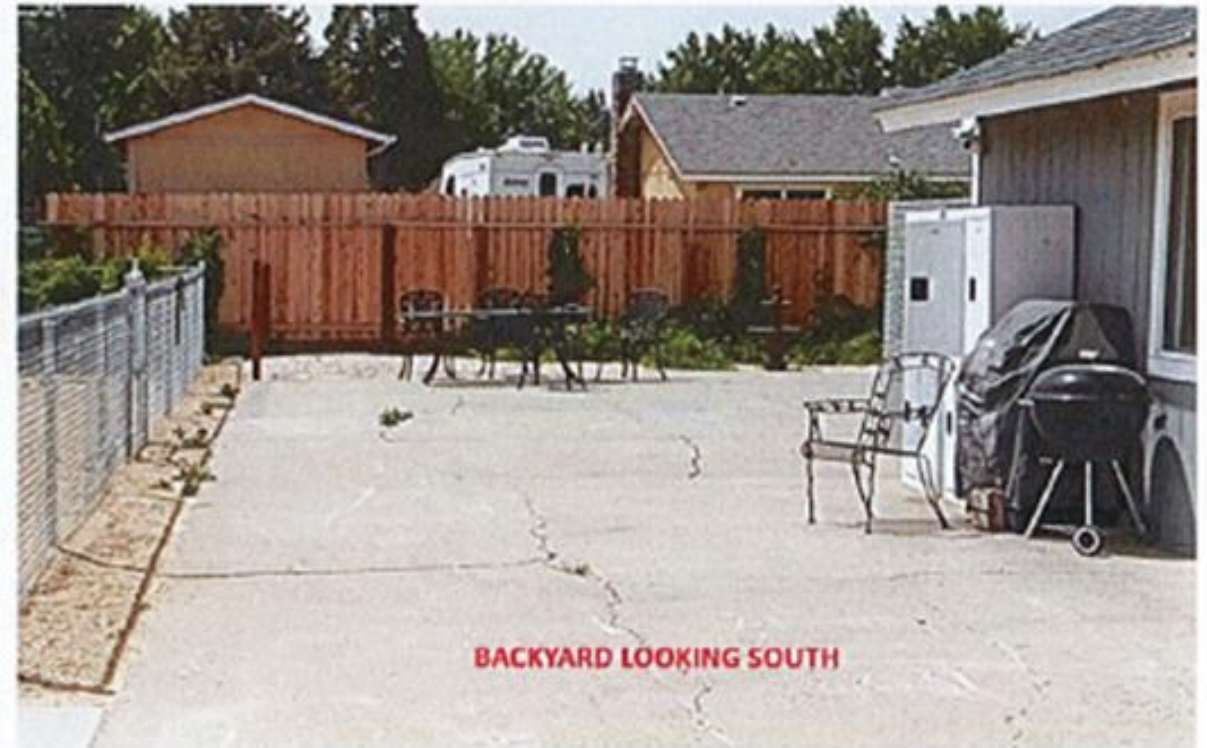
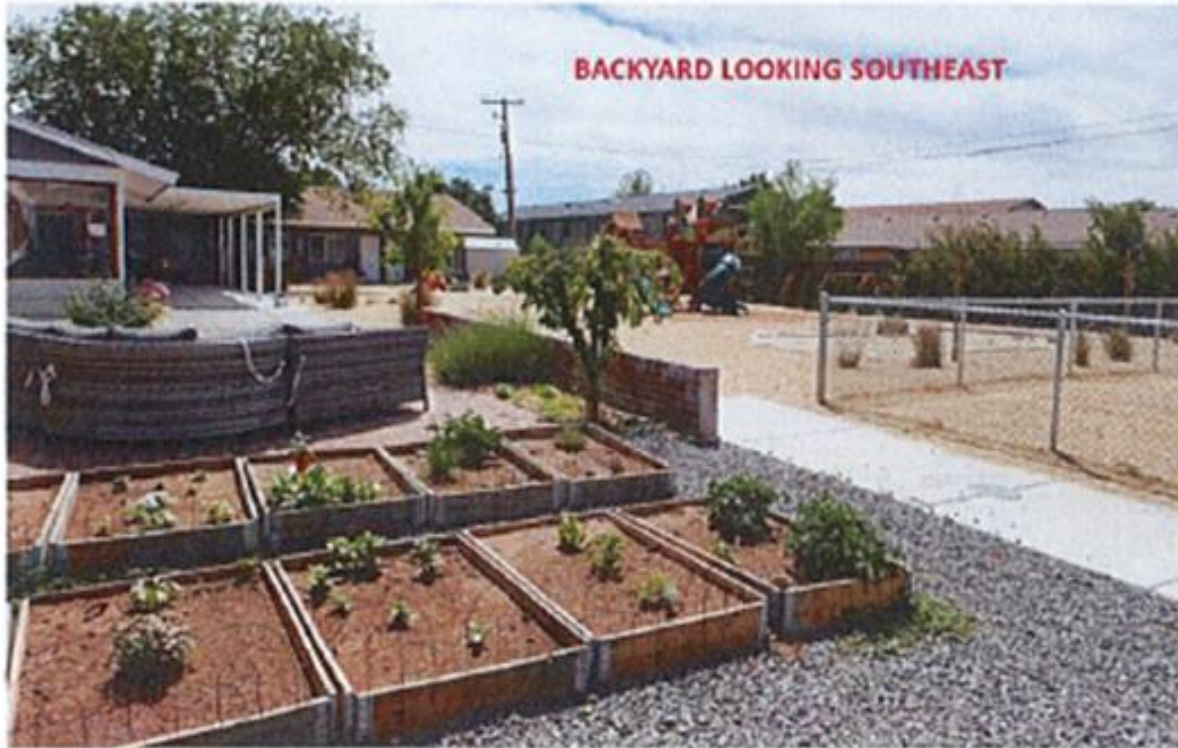
Building	Overall SF	Interior SF	Bedrooms
Main House	2,131	1,706	4 bedrooms
Garage Conversion	650	650	0
New Addition	1,924	700	4 bedrooms
Office/Misc.	1,000	1,000	0
Total	5,706	4,056	8 bedrooms

Evaluation for Outdoor Space



- Per WCC 110.322.10(d), “A minimum of six hundred (600) square feet of outdoor recreation area shall be provided for the first six (6) facility users, and seventy-five (75) square feet of outdoor recreation area for each additional facility user”.
- If the facility has 25 occupants, it is required to have 2,025 SF of outdoor recreational area.
- The application indicates there is 3,300 SF outdoor recreational area at the rear of the property for the residents’ use.

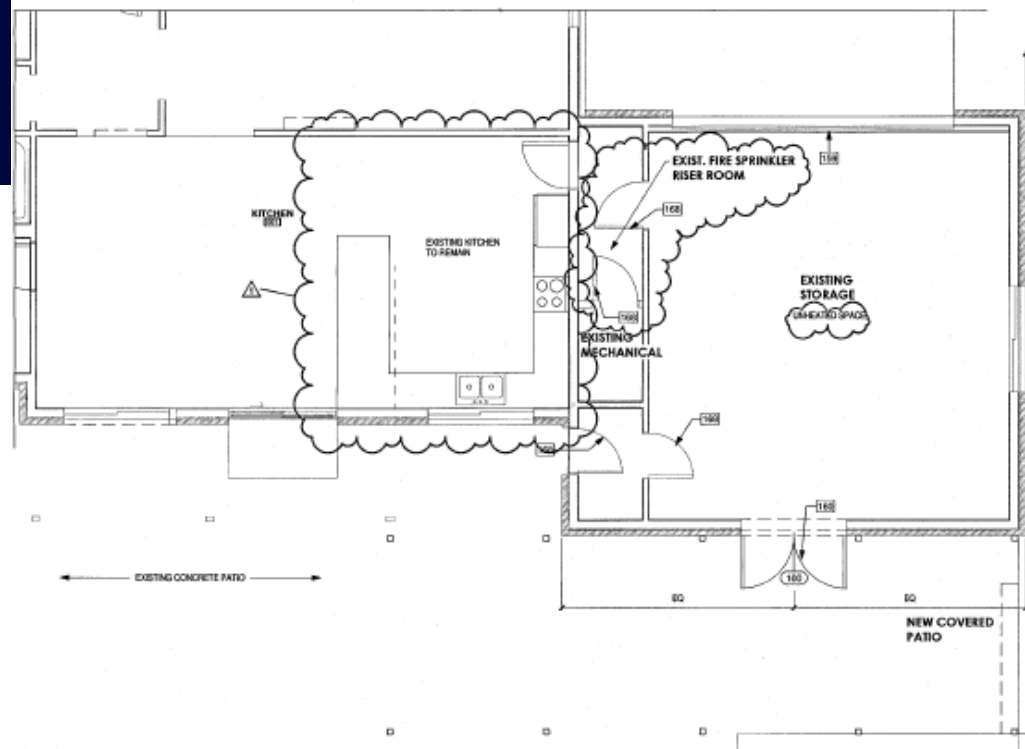
Outside areas



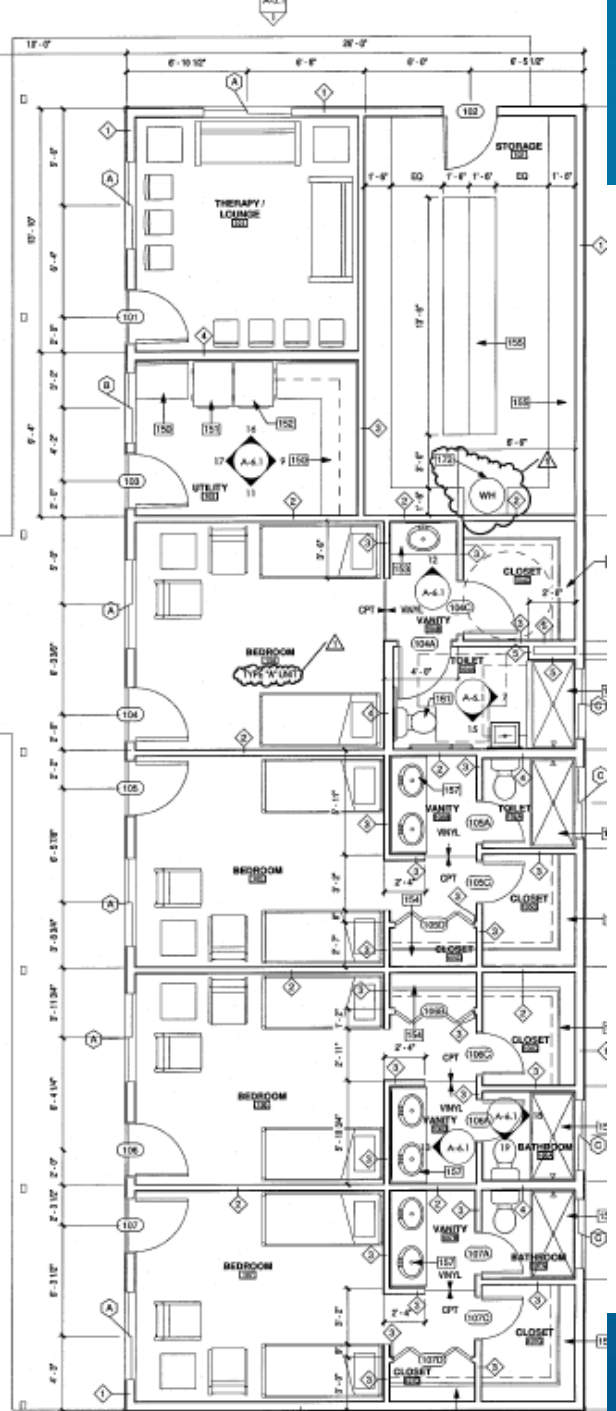
Building Characteristics & History

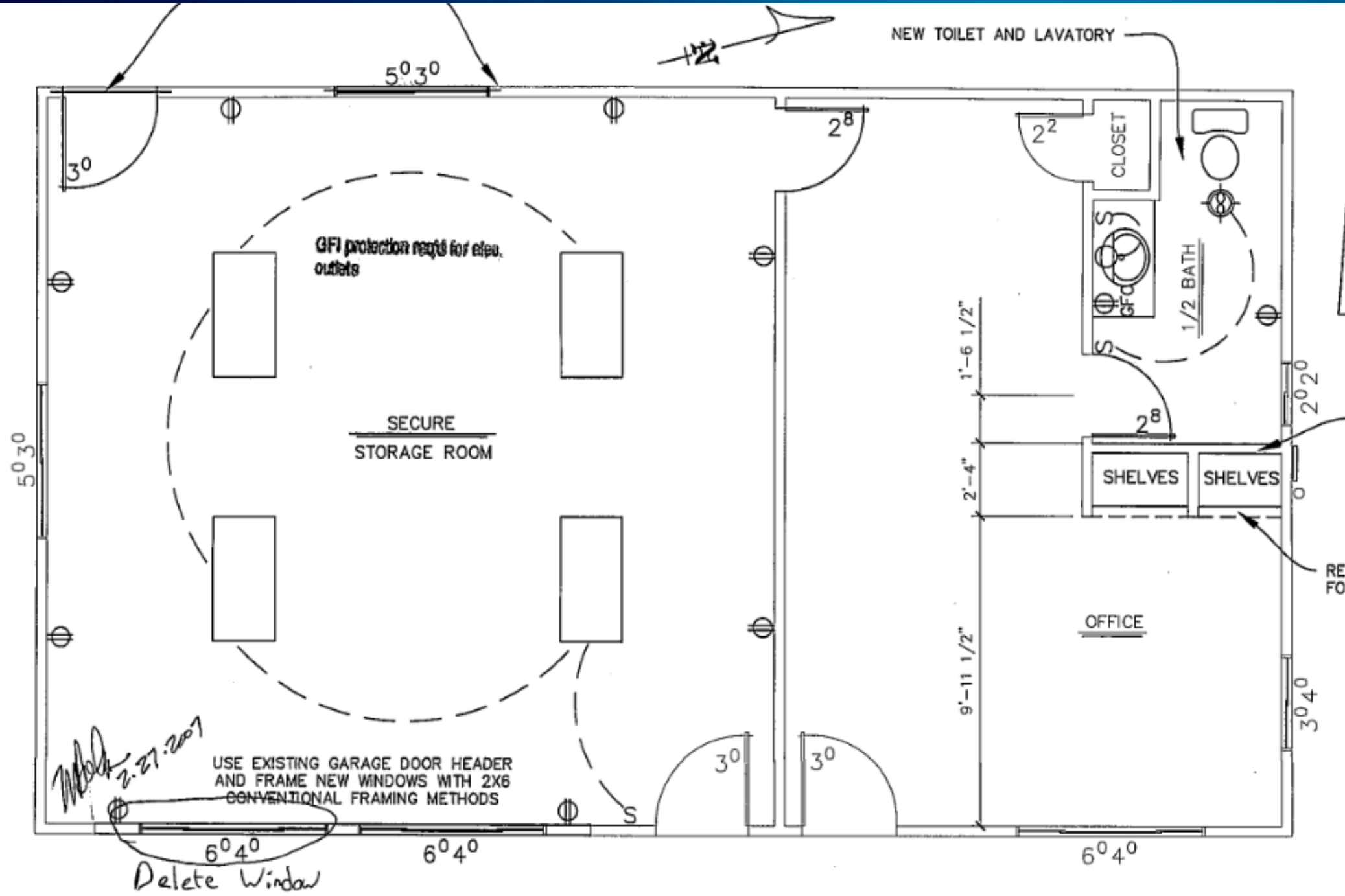


- The single story 2,131 SF residence was built in 1964 with a 650 SF garage.
- In 2019 the attached garage was converted into storage area along with a 1,924 SF 4-bedroom addition (WBLD19-104678).
- In 2002 a portion of the 1,000 SF detached garage was converted into work and office space (02-5209) and in 2006 the whole building was converted (06-4515).
- The detached garage does not meet LDS side setback of 12 feet and is a non-conforming structure- the building cannot be expanded more than 10%.
- All of these building permits were finalized by the Building department



NOTE: ALL CEILINGS TO BE GYP FINISH, ATTACH GYP TO UNDERSIDE OF CEILING JOISTS. PAINTED FINISH, SEE ELECTRICAL FOR LIGHTING





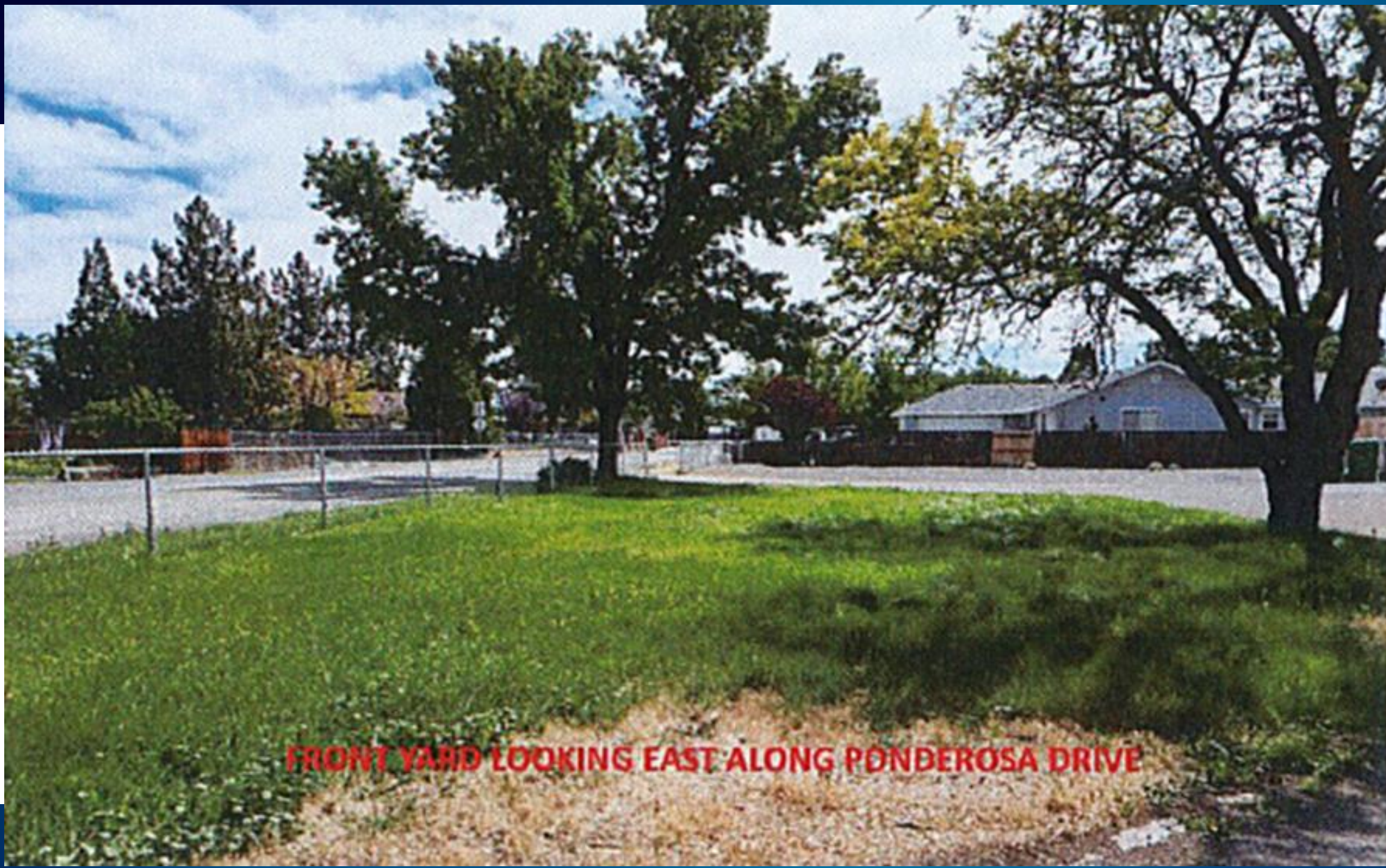
Utilities and Services

- The site is currently connected to septic that can serve an 18-occupant and if the site is connected to sewer the facility will increase to 25-occupants.
- The closest fire station and emergency service is the City of Sparks fire station on Victoria Street, which is 1.5 miles from the site.
- The facility is ADA compliant and has fire sprinklers throughout the buildings.
- Washoe County Sheriff will provide policing services.

Landscaping



- There is landscaping on the site and the applicant is proposing to add one tree for every 50 linear feet of street frontage with additional bushes between the trees.
- The property is conditioned to meeting Article 412, Landscaping as required for commercial use before a business license is issued for the site as a group care facility.

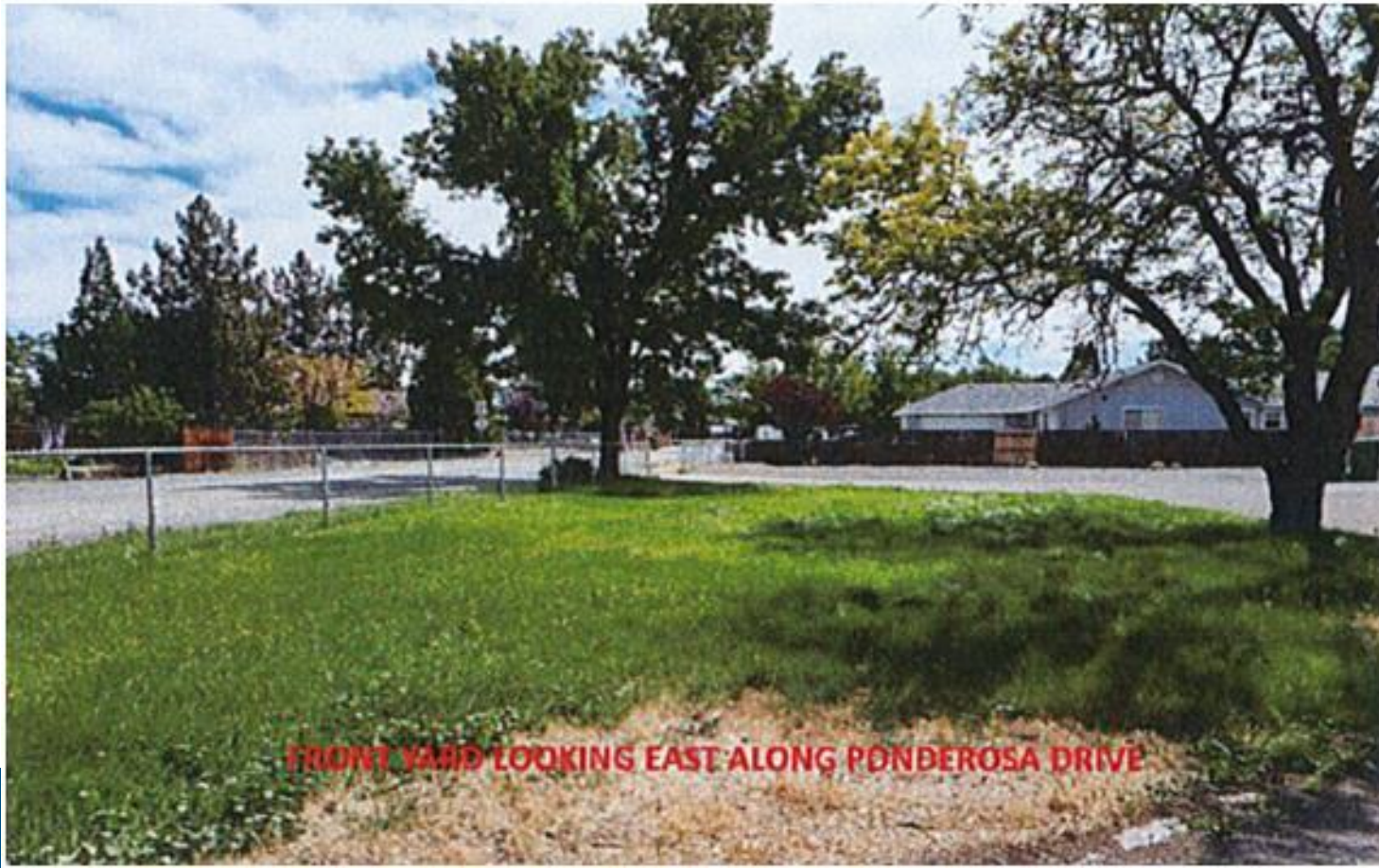


FRONT YARD LOOKING EAST ALONG PONDEROSA DRIVE

Parking



- The existing parking is located in a gravel area along the north end of the western property boundary and along the paved circular drive.
- There are 10 unpaved parking spaces in these areas which will provide 4 spaces for employees and 6 for residents/visitors.
- Per WWC Table 110.410.10.2 group care requires 1 parking space per employee during peak employment shift and one parking space per .25 beds.
- For 18 bed facility 5 spaces are required and for 25 beds 6 spaces and the applicant indicates that 4 spaces will meet the employee requirement.



Modifications – Parking



- The applicant is requesting to vary the parking requirements by not requiring the existing unpaved parking spaces to be paved.
- The facility is considered a commercial use and WCC 110.410.25(e) requires “All parking spaces, driveways and maneuvering areas shall be paved and permanently maintained with asphalt or cement.”
- The applicant is requesting to vary this requirement to maintain the neighborhood character of the site and to preserve the similar look of the neighboring properties.
- There are neighboring properties that have unpaved parking areas and driveways.

Modifications – Lighting



- The applicant is requesting to vary all lighting requirements per WCC 110.410.25(g), which requires lighting in parking lots areas.
- The applicant is again requesting to vary this requirement to maintain the neighborhood character of the site and to have a preserve the similar look of the neighboring properties.
- The property is not open to the public and the applicant is requesting that no more lighting be required.
- There is a porch light and lighting on the rear of the house.

Neighborhood Meeting



- The applicant held a two-neighborhood meeting one on July 18, 2022 and a follow-up meeting on May 23, 2023, by Zoom.
- The attendees overall were not in opposition of Safe Embrace but felt it should be located elsewhere. The comments for the attendees included:
 - Safety and security of the neighborhood
 - Enforcement of any SUP conditions
 - Noise from dogs and residents
 - Traffic
 - Road maintenance on the private road

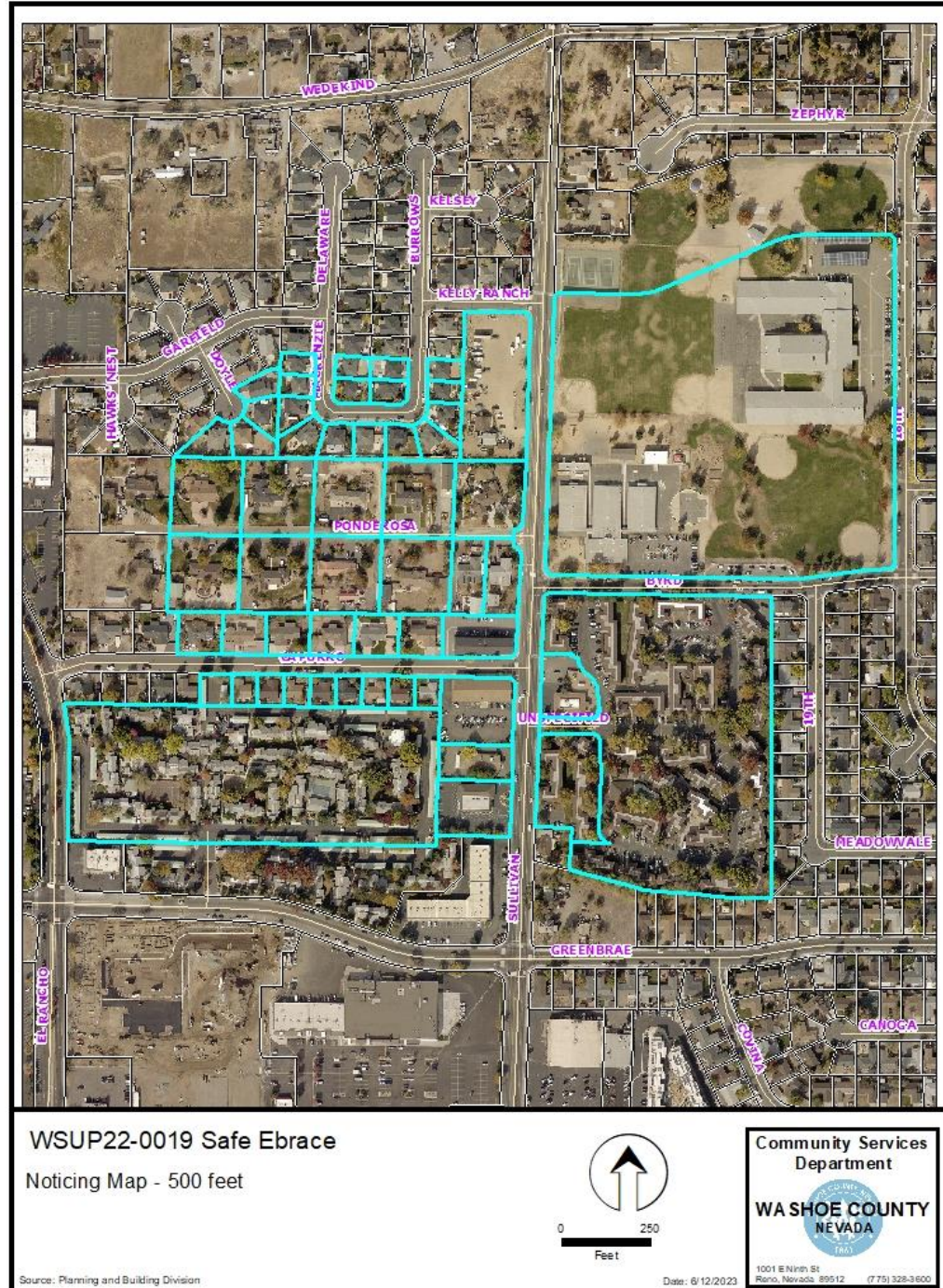
Neighbor Concerns



- The facility is proposing to “hire an additional advocate to reside at the site during the overnight hours” to address neighbors’ concerns and, “upgrading the cameras and security system to allow for monitoring of the exterior of the residence” along with “the development code guidelines, Safe Embrace is preparing a Neighborhood Response Program”, which are intended to further help address neighbors’ concerns.
- The applicant will provide contact phone numbers and emails for the Executive Director and Shelter Manager in addition to a scheduled weekly in-person check in with neighborhood residents to discuss neighborhood problems, suggestions and improvements to the group care facility”.
- A pet shelter will be available to house 3 dogs and 6 cats or small animals, with indoor and outdoor area.
- New pet policies have been put in place to address barking dogs and other pet nuisances and dogs will not be allowed in the outside runs at night.

Noticing

- Parcels 500 feet from the site were noticed and 53 notices were sent out



Reviewing Agencies



- Various departments and agencies reviewed the application, their comments are included in the staff report
- Agencies with conditions, are included in the Conditions of Approval

Amended Findings



(a) Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan.

Staff Comment: The property is not located within one of the 13 active area plans of the Washoe County Master Plan. The Master Plan elements have no action programs, policies, standards or maps prohibiting the establishment of a group care facility. The **facility** group **home** has been in existence for the past 20 years.

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

Staff Comment: The group **home care facility** is an existing facility and is already connected to the existing services, including water service and power on the site. The site has a septic system that will support an 18-bed facility and if the site is connected to sewer, it will support a 25-bed facility.

Amended Findings



(c) Site Suitability. That the site is physically suitable for group care facility and for the intensity of such a development.

Staff Comment: A group care **home facility** has been located on the site for over 20 years. The special use permit will enable the facility to meet all Washoe County codes. The group care facility meets the setbacks for the LDS regulatory zone, except for a garage that was converted into work/office space in 2006.

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

Staff Comment: A group care **home facility** has been located on the site for over 20 years. The special use permit is required per Washoe County code and will confirm that the facility meets Washoe County Code. Residential homes are adjacent to the site and the applicant has provide numerous responses to address the neighbor concerns, including onsite staff 24 hours a day, an upgrade the security system, and a Neighborhood Response Program. The applicant indicates that the facility will continue to address negative impacts as they occur and will seek to mitigate issues.

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 WSUP22-0019 for Safe Embrace to include varying the requested lighting and parking/paving requirements, with the conditions included as Exhibit A to this matter, having made all **AMENDED** five findings in accordance with Washoe County Code Section 110.810.30

Thank you

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