

Board of Adjustment Staff Report

Meeting Date: November 2, 2023 Agenda Item: 8E

SPECIAL USE PERMIT CASE NUMBER: WSUP23-0028 (Willey Grading)

BRIEF SUMMARY OF REQUEST: To allow major grading for crop

production of specimen trees

STAFF PLANNER: Julee Olander, Planner

Phone Number: 775.328.3627

E-mail: jolander@washoecounty.gov

CASE DESCRIPTION

For hearing, discussion, and possible action to approve a special use permit for major grading for crop production of specimen trees resulting in a disturbance of up to ±163,785 SF of the site and importing ±13,000 cubic yards of material. The applicant is also requesting modifications of parking and circulation standards to allow non-paved surfaces (110.410.25 (e)).

Applicant/ Owner: Willey Land LLC

Location: 190 US Highway 395 S

APN: 050-220-37
Parcel Size: 3.76 acres
Master Plan: Commercial

Regulatory Zone: General Commercial

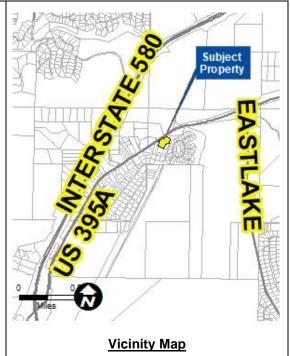
Area Plan: South Valleys

Development Code: Authorized in Article 438,

Grading Standards and Article

810, Special Use Permits

Commission District: 2 - Commissioner Clark



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 WSUP23-0028 for Willey Land LLC, 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 and the findings required by South Valleys Area Plan 2.16 and 18.3.

(Motion with Findings on Page 7)

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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 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:

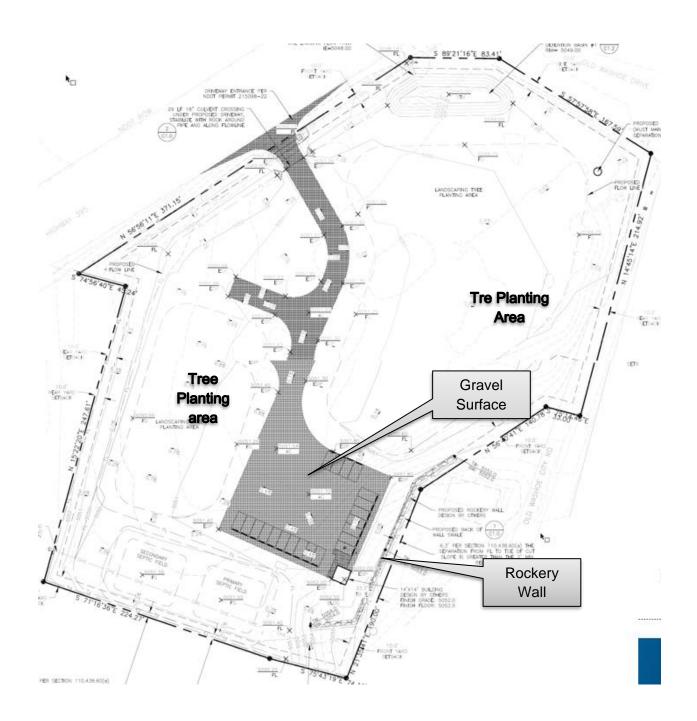
- Prior to permit issuance (i.e., a grading permit, a building permit, etc.)
- Prior to obtaining a final inspection and/or a certificate of occupancy on a structure
- Prior to the issuance of a business license or other permits/licenses
- Some conditions of approval are referred to as "operational conditions." 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 WSUP23-0028 are attached to this staff report and will be included with the action order.

The subject property is designated as General Commercial (GC. The proposed grading 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.

Additionally, 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 requests to vary standards below:

Variance Requested		Relevant Code
Required paved parking,	driveways and	110.410.25 (e)
maneuvering areas		



Site Plan

Project Evaluation

The applicant is requesting a special use permit for major grading for wholesale nursery use. The wholesale nursery use type is allowed by right in the GC regulatory zone. The special use permit is required because the proposed grading exceeds the major grading thresholds of Article 438 of the Washoe County Development Code. The grading is needed to establish the wholesale nursery operation on the site and will provide appropriate drainage for an area to plant trees and a parking lot area. The request is for 1,670 cy of cut material and 15,103 cy of fill material, of which 13,000 cy of material will be imported. The site is approximately 3.76 acres, and the applicant is proposing to disturb 163,785 SF / 3.75 acres, which is most of the site. The disturbed area will be visible from US 395 and Old Washoe Drive and trees will be planted in most of the area (See Site Plan, on page 7). A 6-foot-high rockery wall is proposed to be located along the southeast boundary and a detention basin will be located in the northern area.

The site will not be open to the public and will only be used for planting and transplanting trees for a nursery business. A parking lot area will be developed for transporting the trees and possible future development on the site. The applicant will be fencing the area with chain-link with slates, which will provide screening and security. Trees will be planted every 20 feet along the perimeter of the property.

The master plan designation for the parcel is commercial (C) as are the parcels to the south and west. The parcels to the north and east are designated suburban residential (SR). The parcel has a regulatory zone of general commercial (GC) as are the parcels to the south and west. The parcels to the north and east have a regulatory zone of low density suburban (LDS). This parcel is within the South Valleys Area Plan, Old Washoe City Historic District Character Management Area (OWCHCD CMA). The use of the property is for nursery wholesale, and it is allowed use.

Modifications

The applicant is asking to waive surface parking requirements. The SUP allows the BOA to vary the parking requirements. The wholesale nursery use is considered a commercial use and WCC 110.410.25(e) requires paved parking, driveways, and maneuvering areas. The applicant will maintain the drive and parking areas with compacted gravel surfacing material. Staff supports the waiver as the site will not be used regularly and once the trees are planted only for maintenance of the trees.

South Valleys 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.2.16	Mitigate negative impacts	yes	yes
SV.12.2	Minimize grading visual impacts	yes	yes
SV.18.3	No significant degradation of air quality will occur	yes	yes

Reviewing Agencies

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

Agencies	Sent to Review	Responded	Provided Conditions	Contact
Washoe County Sewer	x	x	х	Alexander Mayorga, amayorga@washoecounty.gov
Washoe County Traffic	Х	X	X	Mitchell Fink, mfink@washoecounty.gov
Washoe County Water Rights Manager (All Apps)	х	х		Timber Weiss, tweiss@washoecounty.gov
Washoe County Engineering (Land Development) (All Apps)	х	х	х	Robert Wimer, rwimer@washoecounty.gov
WCHD Environmental Health	х	х	х	James English, jenglish@washoecounty.gov
Reno Fire	Х	X	Х	Brittany Lemon, blemon@tmfpd.us

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.

- (a) <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> The proposed use of major grading is consistent with the action programs, policies, standards, and maps of the Master Plan with the conditions recommended in Exhibit A.
- (b) <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 proposal is to grade an area to plant trees for a wholesale nursey. The project was reviewed by relevant agencies and no conditions were received regarding additional required improvements and is in compliance with Division Seven.
- (c) <u>Site Suitability.</u> That the site is physically suitable for major grading, and for the intensity of such a development.
 - <u>Staff Comment:</u> The land is vacant, and the proposed grading design will make the site suitable for planting of trees for a wholesale nursey.
- (d) <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 proposed grading is required to develop the site to plant trees for a wholesale nursey and will not be detrimental to the surrounding area. The site is vacant, and the proposed project shall have a minimal overall impact to the surrounding area and conditions of approval have been included to mitigate any negative potential impacts.

(e) <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 are no military installations within the notice area.

South Valley Area Plan Policy SV.2.16

SV.2.16 The approval of all special use permits and administrative permits must include a finding that the community character as described in the Character Statement can be adequately conserved through mitigation of any identified potential negative impacts.

<u>Staff Comment:</u> The proposed major grading SUP will not negatively impact the surrounding parcels owners nor community character. The grading will establish an area for planting of trees for a wholesale nursery. This use type conforms to the suburban and rural character as noted in the Character Statement of the South Valleys Area Plan. Staff can make this finding.

SV.18.3 The granting of special use permits in the South 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.

Staff Comment: The proposed major grading SUP will not negatively impact the air quality. The application was reviewed by Air Quality and is requiring a dust control permit. The planting of trees has been shown to help reduce air pollution.

Recommendation

After a thorough analysis and review, Special Use Permit Case Number WSUP23-0028 is being recommended for approval with conditions. Staff offers the following motion for the Board's consideration.

Motion

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve with conditions Special Use Permit Case Number WSUP23-0028 for Willey Land LLC, 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 and the findings required by South Valleys Area Plan 2.16 and 18.3:

- (a) <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;
- (b) <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:
- (c) <u>Site Suitability.</u> That the site is physically suitable for grading and for the intensity of such a development:
- (d) <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;

(e) <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 /Owner: Gail Willey Landscaping, john@gailwilley.com, suzanne@gailwilley.com

Consultant: Chritina Brennan, cbrennan@rtgeo.com

The project approved under Special Use Permit Case Number WSUP23-0028 shall be carried out in accordance with the conditions of approval granted by the Board of Adjustment on November 2, 2023. 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.

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

• The DISTRICT BOARD OF HEALTH, through the Northern Nevada Public Health, has jurisdiction over all public health matters in the Health District. Any conditions set by the Health District must be appealed to the District Board of Health.

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

Washoe County Planning and Building Division

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

Contact Name – Julee Olander, Planner, 775.328.3627, jolander@washoecounty.gov

- 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.
- 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.
- 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. Construction activities shall be limited to the hours between 7am to 7pm, Monday through Saturday only. Any construction machinery activity or any noise associated with the construction activity are also limited to these hours.
- f. Disturbed area where nursery trees are not planted will be re-vegetated with a native seed mix and trees to stabilize any slope disturbance, as required by 110.438.70.

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 - Robert Wimer, P.E. 775.328.2059, rwimer@washoecounty.gov

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.

DRAINAGE (COUNTY CODE 110.416, 110.420, and 110.421)

Contact Information: Robert Wimer, P.E. 775.328.2059, rwimer@washoecounty.gov

b. 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 drainpipe and ditch sizing calculations and a discussion of and mitigation measures for any impacts on existing offsite drainage facilities and properties. Additionally, any increase in storm water runoff resulting from the development and based upon the 5- and 100-year storms shall be detained on site and attenuated to existing flow rates for discharge 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 following note shall be added to the construction drawings; "All properties, regardless of 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."

TRAFFIC AND ROADWAY (COUNTY CODE 110.436)

Contact Information: Mitchell Fink, P.E. 775.328.2050, mfink@washoecounty.gov

e. An approved occupancy permit shall be obtained from the Nevada Department of Transportation (NDOT) for any construction activities, improvements and access to, from, or under roads and highways maintained by NDOT and a copy of said permit provided to the Engineering Division prior to issuance of any permit.

UTILITIES (County Code 422 & Sewer Ordinance)

Contact Information: Alexander Mayorga, P.E. 775.328.2313, amayorga@washoecounty.gov

- f. The applicant shall conform to all conditions imposed by intergovernmental agreements required to provide sewer service to the subject project, and, if required, be a party to any such agreements.
- g. The applicant shall conform to all Utility Design Standards, including but not limited to, gravity sewer collection system, lift station design, and reclaim water design.

Truckee Meadows Fire Protection District

3. The following condition is a requirement of the Truckee Meadows Fire Protection District, which shall be responsible for determining compliance with this condition.

Contact Name – Brittany Lemon, Fire Captain, 775.326-6079, blemon@tmfpd.us

- 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. https://tmfpd.us/fire-code/
- b. This parcel is in a high fire hazard severity zone and will need to comply with the WUI code in regards to the vegetation that is going to be planted.

4. Northern Nevada Public Health - Environmental

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

Contact Name – James English, EHS Supervisor, 775.328.2434 <u>jenglish@washoecounty.gov</u>

 The proposed well must be constructed as required by the Washoe County District Board of Health Regulations Governing Well Construction.

5. Northern Nevada Public Health - Air Quality

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

Contact Name –Genine Rosa, Senior Air Quality Specialist, 775.784.7204 grosa@washoecounty.gov

- a. Any dust generating activity, regardless of size of disturbance, will be subject to the Washoe County District Board of Health Regulation Governing the Air Quality Management Division, 040.030 Dust Control. Except when engaged in commercial agricultural operations, no person may disturb the topsoil by removing, altering, or overlaying the ground cover through scraping, burning, excavating, storing of fill, application of palliative, or any other method on any real property unless reasonable precautions are taken to prevent generation of dust during both the active development phases and thereafter if the property is to remain unoccupied, unused, vacant or undeveloped.
- b. If disturbance will be greater than 1 acre then 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.

*** End of Conditions ***





Date: September 25, 2023

To: Julee Olander, Planner

From: Janelle K. Thomas, P.E., C.F.M., Senior Licensed Engineer

Robert Wimer, P.E., Licensed Engineer

Re: Special Use Permit for Willey Grading WSUP23-0028

APN 050-220-37

GENERAL PROJECT DISCUSSION

Washoe County Engineering staff has reviewed the above referenced application. The Special Use Permit is for grading resulting in a disturbance of approximately 163,785 square feet and approximately 13,000 cubic yards of material for a crop production of specimen trees and is located on approximately 3.76 acres near US 395 South, south of Eastlake Boulevard on the southeast side of US 395. 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 Reno Tahoe Geo Associates, Inc. The County Engineer shall determine compliance with the following conditions of approval.

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

GENERAL CONDITIONS

Contact Information: Robert Wimer, P.E. (775) 328-2059

Discussion:

The site plan and application propose the use of rockery walls in the final design but does not include a cross-section showing the details of the proposed rockery walls. The applicant shall ensure that the 2018 Northern Nevada Amendments to the IBC are followed with respect to the rockery walls; specifically, Section 1807 2.1.1. The applicant shall pay particular attention to providing design of walls that are absent of surcharges and adherence to maximum height restrictions.

Conditions:

1. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.

DRAINAGE (COUNTY CODE 110.416, 110.420, and 110.421)

Contact Information: Robert Wimer, P.E. (775) 328-2059

Conditions:

- 1. 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 drainpipe and ditch sizing calculations and a discussion of and mitigation measures for any impacts on existing offsite drainage facilities and properties. Additionally, any increase in storm water runoff resulting from the development and based upon the 5- and 100-year storms shall be detained on site and attenuated to existing flow rates for discharge to the satisfaction of the County Engineer.
- 2. 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.
- 3. The following note shall be added to the construction drawings; "All properties, regardless of 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."

TRAFFIC AND ROADWAY (COUNTY CODE 110.436)

Contact Information: Mitchell Fink, P.E. (775) 328-2050

Conditions:

 An approved occupancy permit shall be obtained from the Nevada Department of Transportation (NDOT) for any construction activities, improvements and access to, from, or under roads and highways maintained by NDOT and a copy of said permit provided to the Engineering Division prior to issuance of any permit.

UTILITIES (County Code 422 & Sewer Ordinance)

Contact Information: Alexander Mayorga, P.E. (775) 328-2313

Conditions:

- 1. The applicant shall conform to all conditions imposed by intergovernmental agreements required to provide sewer service to the subject project, and, if required, be a party to any such agreements.
- 2. The applicant shall conform to all Utility Design Standards, including but not limited to, gravity sewer collection system, lift station design, and reclaim water design.

 From:
 Lemon, Brittany

 To:
 Olander, Julee

 Cc:
 Way, Dale

Subject: WSUP23-0028 (Willey Grading) Conditions of Approval

Date: Tuesday, September 19, 2023 10:28:22 AM

Attachments: <u>image001.png</u>

Hi Julee,

"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/.

This parcel is in a high fire hazard severity zone and will need to comply with the WUI code in regards to the vegetation that is going to be planted.

Thank you!

Brittany Lemon

Fire Captain - Fire Prevention | Truckee Meadows Fire & Rescue

blemon@tmfpd.us | 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"



September 25, 2023

Washoe County Community Services Planning and Development Division

RE: Willey Grading; 050-220-37

Special Use Permit; WSUP23-0028

Dear Washoe County Staff:

The following conditions are requirements of Northern Nevada Public Health (NNPH), Environmental Health Division, (EHS) which shall be responsible for determining compliance with these conditions.

Contact Name - James English - jenglish@washoecounty.us

- a) Condition #1: EHS has reviewed the referenced application and notes the parcel is serviced by a proposed well and commercial onsite sewage disposal system.
- b) Condition #2: EHS has no concerns related to the approval of this application as submitted for major grading so long as the grading does not negatively impact the design, construction or operation of the future onsite sewage disposal system.
- c) Condition #3: If the application is approved, the future building plans and permits must be reviewed and approved by EHS.
- d) Condition #4: The proposed well must be constructed as required by the Washoe County District Board of Health Regulations Governing Well Construction.

If you have any questions or would like clarification regarding the foregoing, please contact James English, EHS Supervisor at jenglish@washoecounty.us regarding all NNPH comments.

Sincerely,

James **E**nglish, REA EHS Supervisor

Environmental Health Services Northern Nevada Public Health

ENVIRONMENTAL HEALTH SERVICES

1001 East Ninth Street I Reno, Nevada 89512

775-328-2434 I Fax: 775-328-6176 I www.nnph.org

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Engineering and Capital Projects

Date: September 26, 2023

To: Julee Olander, Planner

From: Timber Weiss, P.E., Licensed Engineer

Re: Special Use Permit Case Number WSUP23-0028 (Willey Grading)

APN 050-220-37

GENERAL PROJECT DISCUSSION

For hearing, discussion, and possible action to approve a special use permit for major grading resulting in a disturbance of up to $\pm 163,785$ SF of the site and importing $\pm 13,000$ cubic yards of material for crop production of specimen trees.

The Community Services Department (CSD) recommends approval of this project with the following Water Rights conditions:

No water rights conditions for this permit.

From: Rosa, Genine
To: Olander, Julee

Subject: RE: WSUP23-0028 Willey Grading

Date: Tuesday, October 17, 2023 12:47:21 PM

Attachments: image006.png

image007.png image008.png image019.png image011.png image012.png image013.png image014.png image015.png image015.png image016.png

Sorry...I thought I had gotten back to you already ② I must have gotten distracted, thanks for following up!

Just the standard dust comments please:

Any dust generating activity, regardless of size of disturbance, will be subject to the Washoe County District Board of Health Regulation Governing the Air Quality Management Division, 040.030 Dust Control. Except when engaged in commercial agricultural operations, no person may disturb the topsoil by removing, altering, or overlaying the ground cover through scraping, burning, excavating, storing of fill, application of palliative, or any other method on any real property unless reasonable precautions are taken to prevent generation of dust during both the active development phases and thereafter if the property is to remain unoccupied, unused, vacant or undeveloped.

If disturbance will be greater than 1 acre then 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.

Genine Rosa (she/her)

Senior Air Quality Specialist Air Quality Management Division

Public Health 0: 775-784-7204

1001 E Ninth St. Bldg. B Reno, NV 89512

NNPH.org | f f ⊙ % in

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From: Olander, Julee < JOlander@washoecounty.gov>

Sent: Friday, October 13, 2023 8:55 AM **To:** Rosa, Genine <GRosa@nnph.org> **Subject:** WSUP23-0028 Willey Grading

Genine,

Realized that I should have sent the application to you for this special use permit. Could you look at it and let me know if you have any issues?





Julee Olander, Planner

jolander@washoecounty.gov | Direct Line: 775.328.3627

My working hours: Monday-Friday 8:00am to 4:30pm

Visit us first online: www.washoecounty.gov/csd

Planning Division: 775.328.6100 | Planning@washoecounty.gov

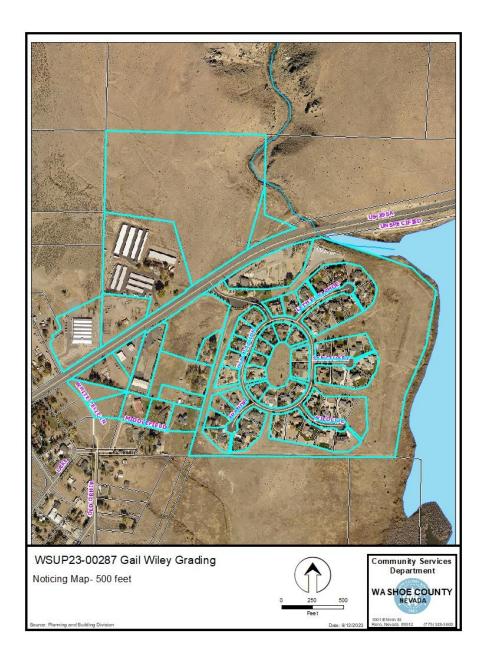
CSD Office Hours: Monday-Friday 8:00am to 4:00pm

1001 East Ninth Street, Reno, NV 89512



Public Notice

Washoe County Code requires that public notification for a special use permit must be mailed to a minimum of 30 separate property owners within a minimum 500-foot radius of the subject property a minimum of 10 days prior to the public hearing date. A notice setting forth the time, place, purpose of hearing, a description of the request and the land involved was sent within a 500-foot radius of the subject property. A total of 33 separate property owners were noticed a minimum of 10 days prior to the public hearing date.



Public Notice Map
Special Use Case Number WSUP23-0028

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	taff Assigned Case No.:		
Project Name: Gail W	illey Landsca	ping crop produc	tion of trees	
Project Placement of Description: landscape b		or crop production of spec	imen trees for	
Project Address: 190 US Hv	y 395 South			
Project Area (acres or square	e feet): 3.76 acres			
Project Location (with point	of reference to major cross	streets AND area locator):		
US 395 South, 0.78 m	iles south of Eastla	ke Blvd on the southeas	t side of US 395	
Assessor's Parcel No.(s)	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:	
050-220-37	3.76			
Indicate any previous Watcase No.(s).	shoe County approvals	s associated with this applica	ation:	
	Information (attach	additional sheets if neces	ssary)	
Property Owner:		Professional Consultant:		
Name: Gail Willey Landscap	ping	Name: Reno Tahoe Geo Associates, Inc.		
i i		Address: 12000 Old Virginia Road		
		Reno, Nevada	Zip: 89511	
Phone: (775) 691-5297	Fax:	Phone: (775) 853-9100	Fax:	
Email: john@gailwilley.com/	suzanne@gailwilley.com	Email: ccarnes@rtgeo.com		
Cell:	Other:	Cell: (775) 741-2300	Other:	
Contact Person: John Wille	у	Contact Person: Chad E. Carr	nes, P.E.	
Applicant/Developer:		Other Persons to be Contacted:		
Name: SAME AS OWNER		Name: Reno Tahoe Geo Asso	ciates, Inc.	
Address:		Address: 12000 Old Virginia Road		
	Zip:	Reno, Nevada	Zip: 89511	
Phone: Fax: Email:		Phone: (775) 853-9100	Fax:	
		Email: ziler@rtgeo.com		
Cell: Other:		Cell: (775) 391-6148	Other:	
Contact Person:		Contact Person: Zach Iler		
	For Office	Use Only		
Date Received:	Initial:	Planning Area:		
County Commission Distric	et:	Master Plan Designation(s):		
CAB(s):		Regulatory Zoning(s):		

Special Use Permit Application Supplemental Information

(All required information may be separately attached)

1. What is the project being requested?

Grading and placement of loose fill material on a parcel intended for crop production of specemin trees for landscape business.

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.)

Civil improvement sheet C1.0 is attached with grading and drainage

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

Install temporary BMP's, clearing, landscape fill placement, restore temporary BMP's to post construction condition.

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?

Ease of access to the site from the highway, natural drainage paths, site shape and orientation, benefit to neighboring properties.

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

The planted trees and graded parcel will provide the Old Washoe Estates community with improved privacy, noise reduction, and aesthetic value. The project will also provide the community with trees for landscaping purposes.

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

None. On-site drainage will be changed from sheet flow across the site to low point where it ponds until it reaches the overflow in the natural drainage to directed flow in drainage swales intermittent with detention basins along edges of the property to mimic the natural detention time.

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.

Landscaping to be added throughout the project and continued into post project timelines.

☐ Yes			No			
Utilities:						
a. Sewer Service		Provided by engi	neered on-site disposal sy	stem		
b. Electrical Service		NV energy				
c. Telephone Service						
d. LPG or Natural Ga	s Service					
e. Solid Waste Dispo	sal Service	none				
f. Cable Television S	Service					
g. Water Service		proposed well				
i. Certificate #	N/A		acre-feet per year			
			nts to Washoe County. Id dedication be required			
h. Permit #	N/A		acre-feet per year			
i. Certificate #	N/A		acre-feet per year			
j. Surface Claim #	N/A		acre-feet per year			
k. Other #	N/A		acre-feet per year			
Title of those rights (Department of Conserv			neer in the Division of	Water Resources of		
Community Services (orovided and	nearest facility):				
a. Fire Station	Trucke	ee Meadows Fire S	tation 32			
	y Renov	vn Health (North),	Carson Tahoe Regional M	edical Center (South)		
b. Health Care Facilit	Pleasa	ant Valley Element	ary School			
b. Health Care Facilitc. Elementary School	Marce	Herz Middle Scho	ol			
	iviaioo	onte Ranch High School				
c. Elementary Schoo						
c. Elementary School d. Middle School	Damoi	ant Valley Park				
c. Elementary School d. Middle School e. High School	Damoi					

Special Use Permit Application for Grading

Supplemental Information (All required information may be separately attached)

1.	What is the purpose of the grading?
	Provide drainage for the site and proper tree planting.
2.	How many cubic yards of material are you proposing to excavate on site?
	Landscaping to be added throughout the project and continued into post project timelines.
3.	How many square feet of surface of the property are you disturbing?
	163,785 sq. ft.
4.	How many cubic yards of material are you exporting or importing? If none, how are you managing to balance the work on-site?
	Approximately 13,000 cubic yards of loose landscape fill will be imported.
5.	Is it possible to develop your property without surpassing the grading thresholds requiring a Specia Use Permit? (Explain fully your answer.)
	It is not possible as the middle portion of the site needs to be raised so water can drain to the existing natural drainage path without causing damage to the proposed access road and parking lot.
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, the grading work has not been started.
7.	Have you shown all areas on your site plan that are proposed to be disturbed by grading? (If no explain your answer.)
	Yes, all areas of disturbance by grading have been shown on Plan Sheet C1.0.

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

Yes, the disturbed area can be seen from US Hwy 395 South and Old Washoe Drive however, the property is proposed to be screened from view by large trees. The disturbed areas can been seen from properties 144 Old Washoe Drive, 150 Old Washoe Drive and 220 US Hwy 395 South. Some areas are currently planted with trees and screen the property from the neighboring parcels.

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 access needed for neighboring properties as they currently have existing access roads.

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 maximum slope of any cut and fill area is 6:1. The methods to prevent erosion are provided by the silt fence

11. Are you planning any berms?

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

A proposed rockery wall located at the southern boundary is a maximum of 6 ft tall.

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



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

No, the grading is intended to increase the survivability of trees planted on the property.

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?

The seed mix is call dryland wildflower mix by Comstock Feed. The recommended density is 1 lb per 3,000 sq foot.

16.	How are you provide	ng temporary irrigation to the disturbed area?	
	Water truck and	hose line.	
17.	Have you reviewed you incorporated th	the revegetation plan with the Washoe Storey Co eir suggestions?	onservation District? If yes, have
18.	Are there any resprohibit the reques	rictive covenants, recorded conditions, or deed ed grading?	I restrictions (CC&Rs) that may
	Yes NoX	If yes, please attach a copy.	

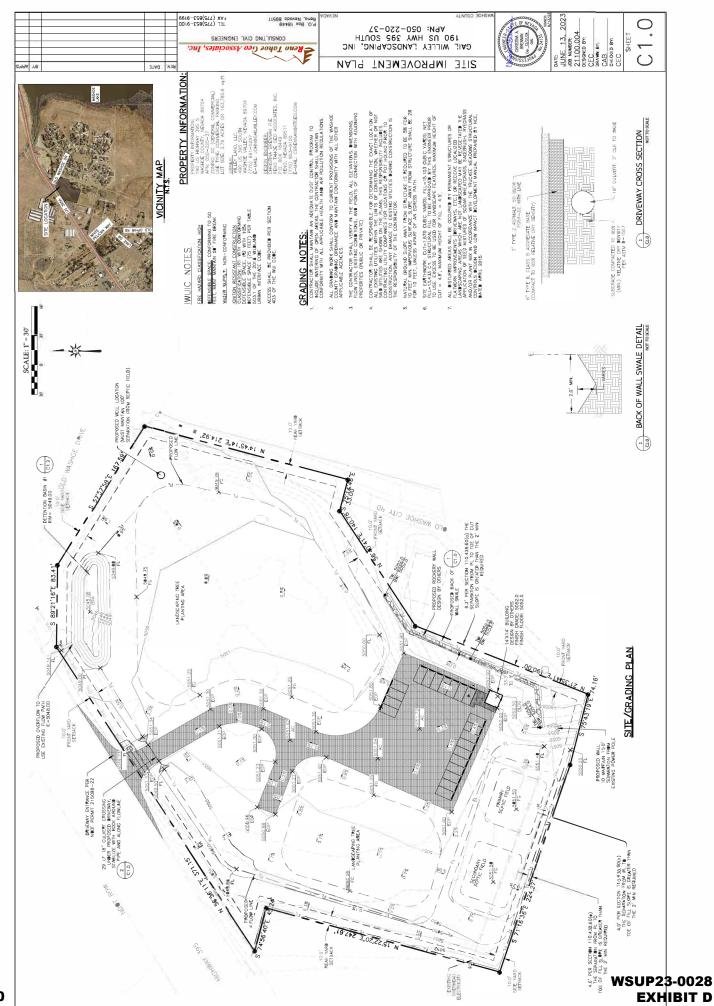
Special Use Permit Application for Stables Supplemental Information

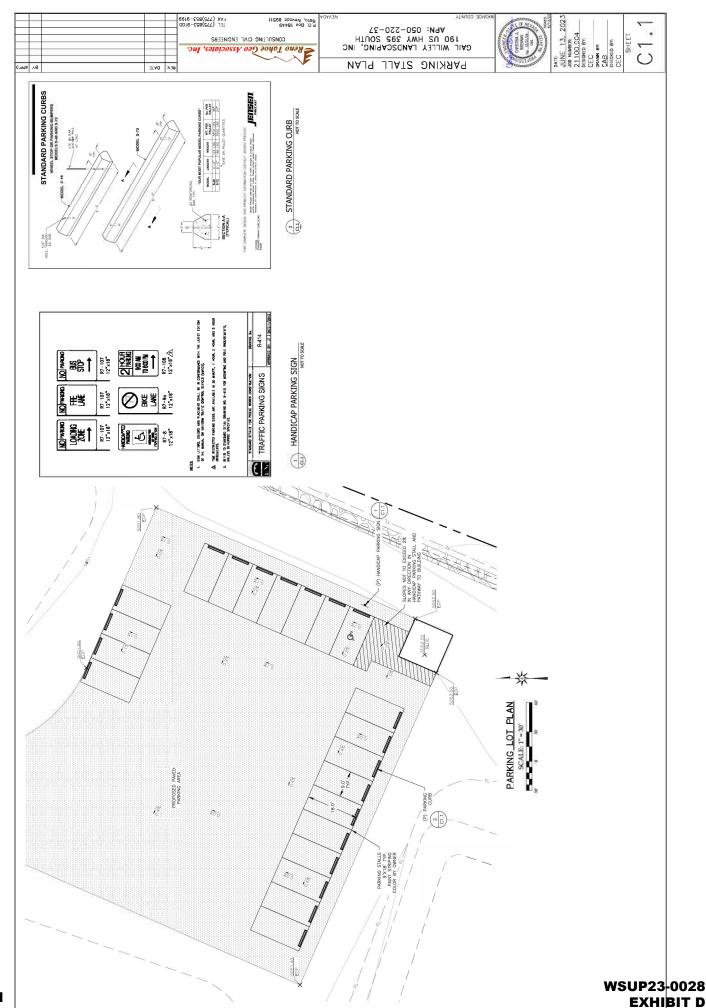
(All required information may be separately attached)

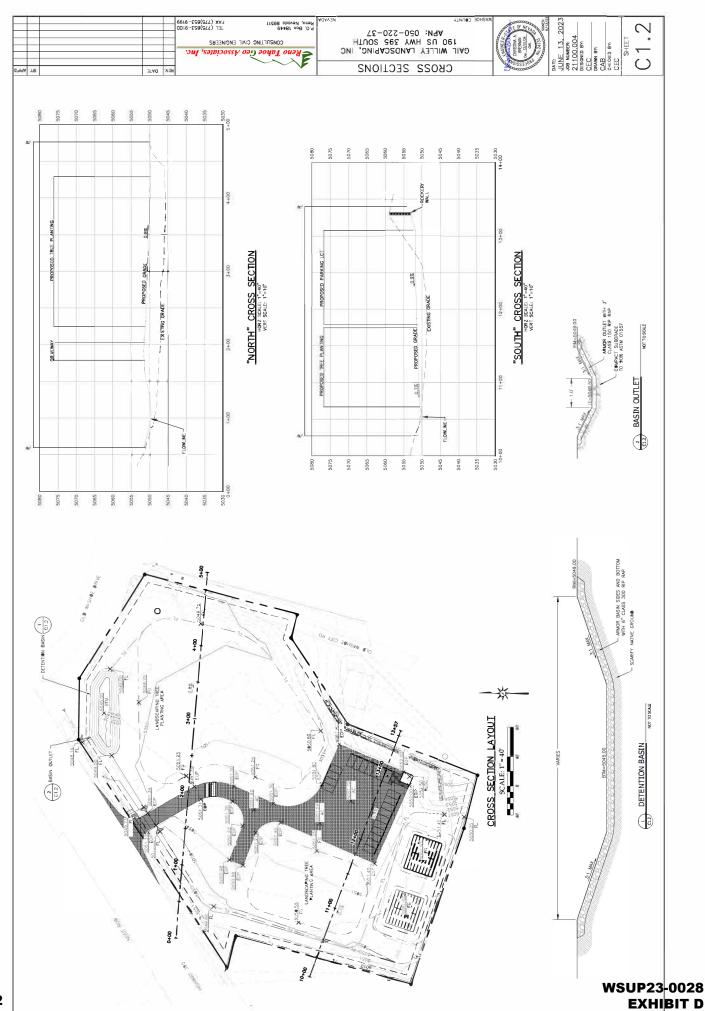
1.	What is the maximum number of horses to be boarded, both within stables and pastured?
	Landscaping to be added throughout the project and continued into post project timelines.
2.	What is the maximum number of horses owned/maintained by the owner/operator of the project, both within stables and pastured?
	N/A
3.	List any ancillary or additional uses proposed (e.g., tack and saddle sales, feed sales, veterinary services, etc.). Only those items that are requested may be permitted.
	N/A
4.	If additional activities are proposed, including training, events, competition, trail rides, fox hunts, breaking, roping, etc., only those items that are requested may be permitted. Clearly describe the number of each of the above activities which may occur, how many times per year and the number of expected participants for each activity.
	N/A
5.	What currently developed portions of the property or existing structures are going to be used with this permit?
	N/A
6.	To what uses (e.g., restrooms, offices, managers living quarters, stable area, feed storage, etc.) will the barn be put and will the entire structure be allocated to those uses? (Provide floor plans with dimensions).
	N/A
7.	Where are the living quarters for the operators of the stables and where will employees reside?
	N/A

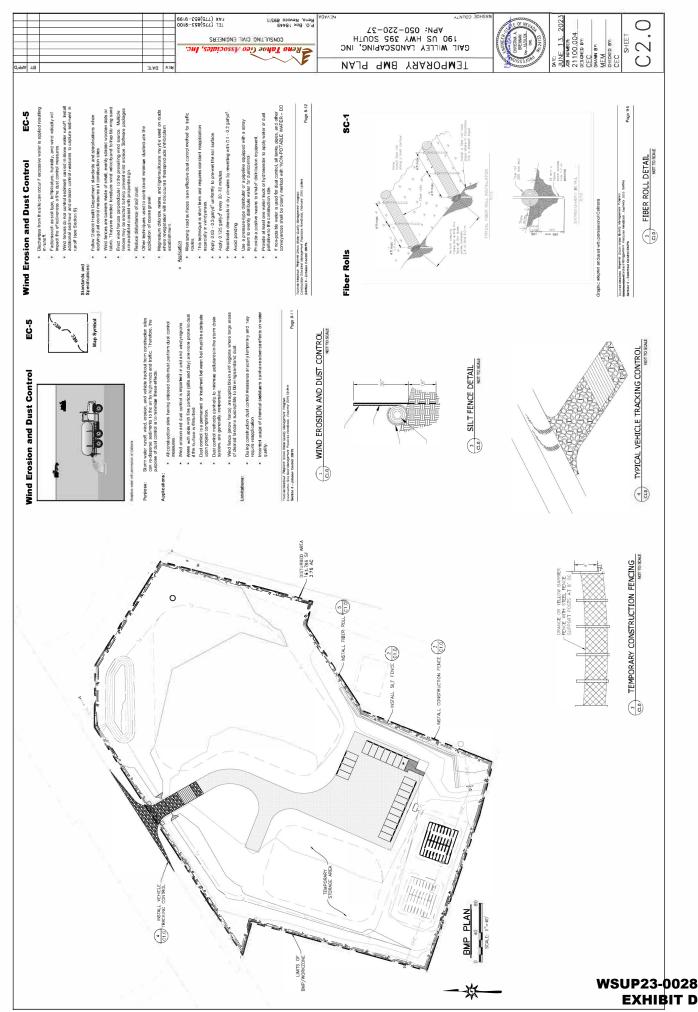
	N/A
	What are the planned hours of operation?
	N/A
i	What improvements (e.g. new structures including the square footage, roadway/drivewments, utilities, sanitation, water supply, drainage, parking, signs, etc.) will have to be constructed or installed and what is the projected time frame for the completion of each?
	N/A
1	What is the intended phasing schedule for the construction and completion of the project?
	N/A
	What physical characteristics of your location and/or premises are especially suited to deal with t
ı	
	impacts and the intensity of your proposed use?
	Ease of access to the site from the highway, natural drainage paths, site shape and orientation, benefit to neighboring properties. What are the anticipated beneficial aspects or affects your project will have on adjacent properties.
	Ease of access to the site from the highway, natural drainage paths, site shape and orientation, benefit to neighboring properties. What are the anticipated beneficial aspects or affects your project will have on adjacent properties.
	Ease of access to the site from the highway, natural drainage paths, site shape and orientation, benefit to neighboring properties. What are the anticipated beneficial aspects or affects your project will have on adjacent propertient the community? N/A What are the adverse impacts upon the surrounding community (including traffic, noise, odors, dugroundwater contamination, flies, rats, mice, etc.) and what will you do to minimize the anticipate
	Ease of access to the site from the highway, natural drainage paths, site shape and orientation, benefit to neighboring properties. What are the anticipated beneficial aspects or affects your project will have on adjacent propertient and the community?
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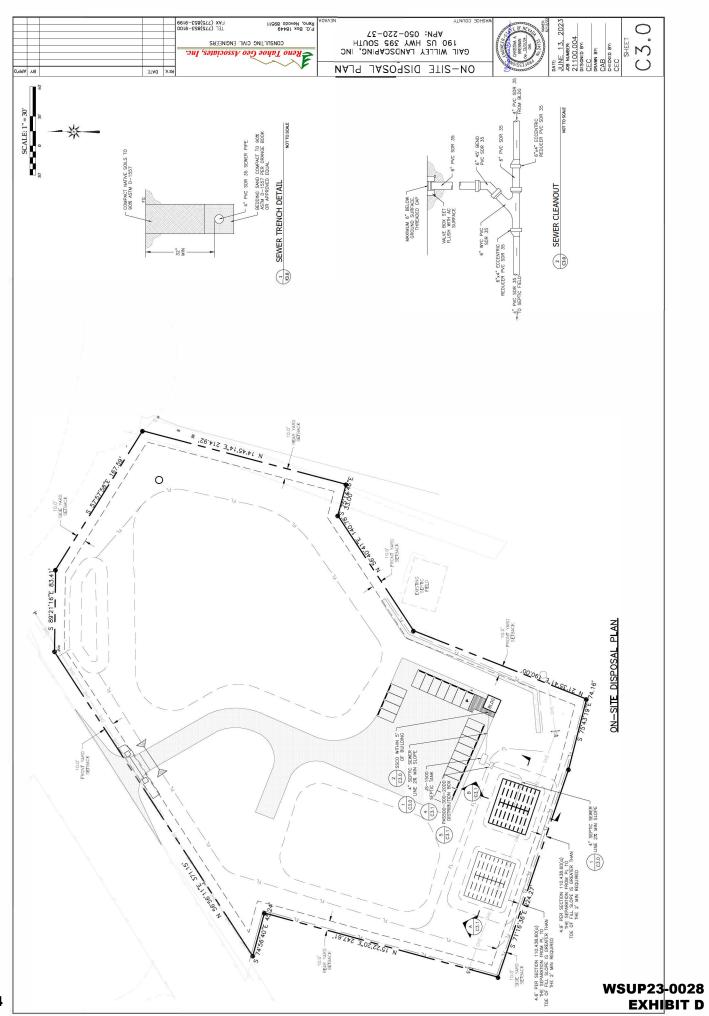
16.	What types of landscaping (e.g. shrubs, trees, fencing, painting scheme, etc.) are proposed? (Please indicate location on site plan.)
	N/A
17.	What type of signs and lighting will be provided? On a separate sheet, show a depiction (height, width, construction materials, colors, illumination methods, lighting intensity, base landscaping, etc.) of each sign and the typical lighting standards. (Please indicate location of signs and lights on site plan.)
	N/A
18.	Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that apply to the area subject to the administrative permit request? (If so, please attach a copy.)
	☐ Yes ☐ No
19.	Community Sewer
	☐ Yes ☐ No
20.	Community Water
	☐ Yes ☐ No











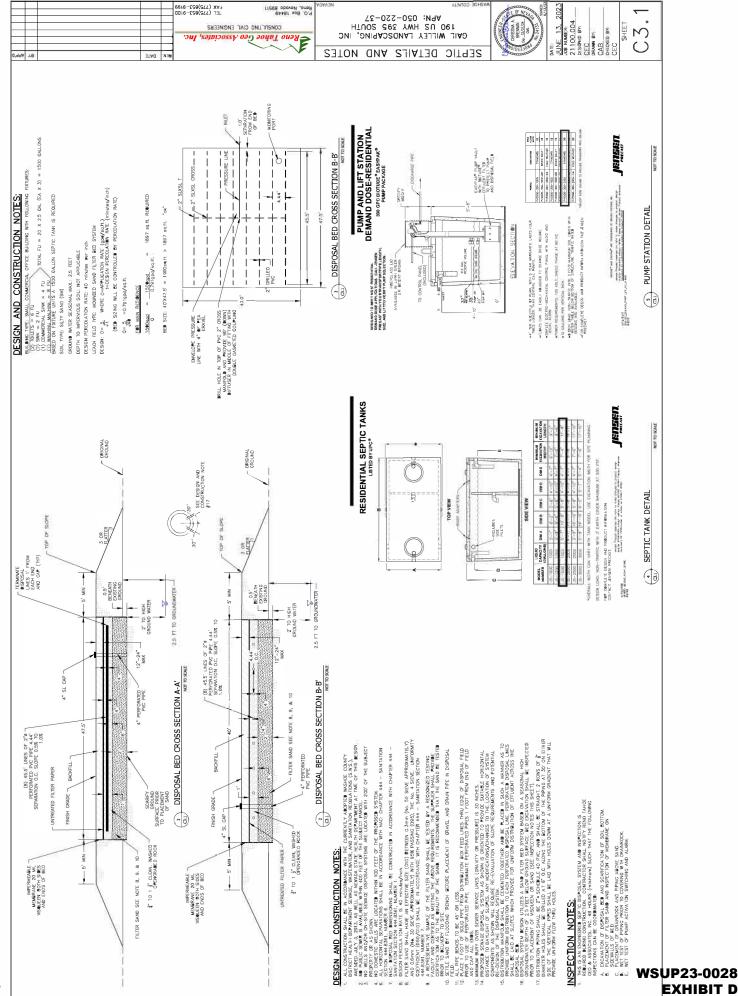


EXHIBIT D