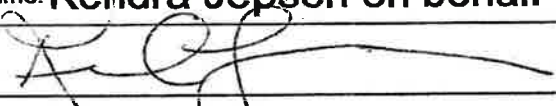


Appealed Decision Information (continued)	
<p>Describe why the decision should or should not have been made:</p> <p>The Special Use Permit application should not have been denied as substantial evidence was presented to support the five findings made by Washoe County. The Board of Adjustment based its decision on false public comment and inapplicable county code.</p>	
<p>Cite the specific outcome you are requesting with this appeal:</p> <p>It is requested that the Board of County Commissioners overturn the Board of Adjustment's denial of WSUP22-0019 and approve Safe Embrace's Special Use Permit.</p>	
<p>Did you speak at the public hearing when this item was considered?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Did you submit written comments prior to the action on the item being appealed?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
Appellant Signature	
<p>Printed Name: Kendra Jepsen on behalf of Safe Embrace</p>	
<p>Signature: </p>	
<p>Date: August 17, 2023</p>	

Thus, despite the neighbors' objections, the site is particularly well suited for a group care facility. Finally, Safe Embrace built additional facilities in reliance upon the SUP the City of Sparks granted them in 2018. The facilities are brand new and suitable for any families in need of shelter during their attempted escape from domestic violence.

While one of the commissioners denied the application for SUP based upon failure to establish this finding, his decision was in error. He had not seen the property in person and relied upon outdated pictures provided by members of the public. Another commissioner stated that he had driven the road the day of the hearing, and the Safe Embrace property did not look any different than the other properties on Ponderosa Drive. The site is suitable to the neighborhood and does not stick out like a sore thumb.

Issuance Not Detrimental (WCC 110.810.30(d) – The issuance of the SUP 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. Again, Safe Embrace has been operating as a domestic violence shelter at this site since 2001. In the 22 years in operation, there has not been one incident in or around the shelter that was detrimental to the health, safety or welfare of the public. Indeed, at a neighborhood meeting regarding the SUP, a neighbor stated that while the neighbors of Safe Embrace are afraid for their safety from the abusers of the residents of the shelter, they are also suffering from ongoing gang activity in and around the neighborhood that has no connection to Safe Embrace whatsoever.

Issuing an SUP extending the number of beds from 10 to 18 or 25 will not be detrimental to the neighborhood in any manner. Additionally, Safe Embrace has offered to put policies and procedures into place to address the concerns of their neighbors on Ponderosa Drive. Safe Embrace offered to allow access to a staff member 24 hours a day, upgrade security, share in the cost of road maintenance, maintain its landscaping pursuant to code, etc. Additionally, the neighbors have been repeatedly informed of staff emails and the 24-hour live call number for Safe Embrace if they needed to report or discuss anything happening in the neighborhood and no calls have been received. Further, a member of the BOA stated during the hearing that no citations have been issued against Safe Embrace for the purported wrongdoings alleged by the neighbors in their public comment.

Effect on Military Installation (WCC 110.810.30(e) – There are no military installations in the area. Therefore, there is no detrimental effect.

2. ONGOING LITIGATION

Certain neighbors of Safe Embrace initiated litigation against the City of Sparks, Washoe County and Safe Embrace in 2020. Inaccurate statements regarding the ongoing litigation were made during public comment. The litigation that specifically applies to Safe Embrace is ongoing and only concerns certain deed restrictions recorded on the lots back in approximately 1960, and whether the homeowners on Ponderosa Drive have standing to enforce these restrictions. Safe Embrace does not believe the plaintiffs in this matter have standing, but the judge has not ruled in anyone's favor, as of yet. There are currently competing motions for summary judgment pending

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B. VOLK 8F

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MEMORANDUM

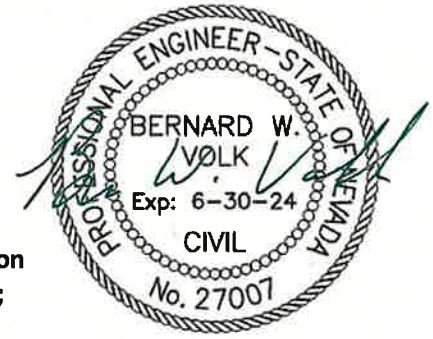
DATE: 09-26-2023

TO: Tom Ghidossi, Last Chance Irrigation and Canal Company

CC:

FROM: Ben Volk, P.E.; Jeff Weagel, P.E., Elana Ketchian, EIT

SUBJECT: **Pro Pony LLC Potential Impacts on the Last Chance Canal and Irrigation Company (LCIC), APN 040-670-12, 3400 Holcomb Ranch Lane, Reno, NV 89511; Addressing September 1, 2023 Special Use Permit Application WSUP23-0029**



The purpose of this memorandum is to document the potential impacts of development at 3400 Holcomb Ranch Lane, Reno, NV owned by Pro Pony, LLC (Property) to the Last Chance Canal and Irrigation Company (LCIC). The development evaluated in this memorandum was initially represented in an application to Washoe County for a Special Use Permit (SUP) WSUP21-0036, prepared by Summit Engineering dated December 8, 2021. This SUP involved not only the grading of one arena but both indoor and outdoor arenas and included a proposed onsite borrow area. A subsequent SUP Application, WSUP23-0029, dated September 1, 2023, and prepared by Soils Engineering, LLC was also evaluated. WSUP23-0029 shows construction of a new indoor arena and does not mention relocating one outdoor arena elsewhere. Whether the indoor arena is built at existing grade, or at an elevated grade, LCIC is concerned about the potential impacts to the canal and associated infrastructure. In particular, LCIC is concerned about the following statements in WSUP23-0029:

1. Page 16, Item #12, "The Dry Creek Floodway will not be impacted by this construction.
2. Page 23, Sheet SUP 4, "Note: Site drainage patterns will not change as a result of this project.
3. Page 23, Sheet SUP 4, "The thresholds of a grading permit are not met by this project."

Fill in a Special Flood Hazard Area

The proposed indoor arena is shown within a FEMA Special Flood Hazard Area (SFHA) Zone AE. Approximately 17,430 SF of fill, 92% of the total fill, appears to be proposed within the Zone AE associated with the indoor arena and the surrounding gravel area. A total of 1, 814 cubic yards (cy) is reported to be excavated onsite in the September 1, 2023, SUP application. Based on our



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calculations, approximately 1,777 cy total will be placed for the indoor arena with 1634 cy within the SFHA. The Base Flood Elevation (BFE) in this area is estimated to be at 4623' while the indoor arena appears to be at an elevation of 4622-4623'.

The proposed structure appears to be at the BFE reported on the Flood Insurance Rate Map (FIRM) in this location. With the fill in SFHA Zone AE, local hydraulics are likely to change. Development and fill within the floodplain will have impacts upstream and downstream of the floodplain encroachment. The impacts were not reported in the Special Use Permit application. Flood impacts could include additional inundation at or upstream of the site of encroachment and increases in velocity and shear stress at and downstream of the encroachment site. Even if the indoor arena is not elevated within the SFHA, the impacts may be significant.

The primary risks to the LCIC from this SFHA encroachment include:

- Increased likelihood of scour of the bypass structure just downstream of the encroachment. A reduction in flow area just upstream of the bypass structure may increase velocity and erosive force on the soil around the structure during high flow events. This could lead to scour and undermining of the structure.
- Fill placed in floodplain for the indoor arena, and existing embankment materials and fill, may become eroded, entrained in flood flow, and deposited in flatter areas downstream. This may include portions of the LCIC channel and Dry Creek.
- Increased risk of building debris blocking the bypass structure or entering the LCIC channel. For flood flows exceeding that of the 1% annual chance flood (100-year flood), damage to the proposed building may occur, and siding panels or other building debris may impact flood conveyance in the vicinity of LCIC improvements.

It is not uncommon for floodplain encroachments such as these to be accompanied by FEMA Letter of Map Change (LOMC) applications. In this context, a Conditional Letter of Map Revision/Letter of Map Revision (CLOMR/LOMR) or Letter of Map Revision – Fill (LOMR-F) may be appropriate. These applications to FEMA are typically conditioned by the regulating agency (Washoe County in this case) and include hydraulic modeling that compares the existing and proposed conditions and specifies changes to the SFHA.

Other Construction in a Special Flood Hazard Area

The proposed relocation of the outdoor arena which was to be located within the Zone AE SFHA in the 2021 SUP Application has been removed from the 2023 SUP Application. This original location of the outdoor area appeared to be in a cut condition, which in combination with the removal of trees and vegetation may have negative impacts on the LCIC canal. In addition, the construction of perimeter fencing of the arena could cause negative impacts. The primary risk is of the perimeter fencing in the SFHA is the potential for accumulation of debris during flood events. These accumulations may result in blocking of flow through the fence, temporary impoundment of flood flows, and subsequent cascading failure during flooding.

Increased Site Runoff

J-U-B estimated the existing and proposed peak runoff during the 25-year 24-hour and 100-year 24-hour storms for the indoor arena site using the Rational Method. Tables 1 and 2 below show the estimated existing conditions and post-development conditions respectively based on the previous understanding of the drainage area of 0.36 acres from the 2021 SUP. The location of the proposed indoor arena was slightly rotated to preserve tree coverage, and acreage was measured in the SUP submitted September 1, 2023 and found to be updated to 0.30 acres. The change in peak flow for this revised drainage area is shown in Tables 3 and 4.

Table 1: Existing Conditions Peak Flows

Rational Method Pre-Development				
Storm Event	Run-Off Coefficient 'C'	Rainfall Intensity 'I', in/hr	Drainage Area 'A', acres	Peak Flow 'Q', cfs'
25-yr	0.45	2.36	0.36	0.39
100-yr	0.45	3.52	0.36	0.57

Table 2: Post Development Peak Flows

Rational Method Post-Development				
Storm Event	Run-Off Coefficient 'C'	Rainfall Intensity 'I', in/hr	Drainage Area 'A', acres	Peak Flow 'Q', cfs'
25-yr	0.85	2.36	0.36	0.73
100-yr	0.85	3.52	0.36	1.09

Table 3: Existing Conditions Peak Flows

Rational Method Pre-Development				
<i>Storm Event</i>	<i>Run-Off Coefficient 'C'</i>	<i>Rainfall Intensity 'I', in/hr</i>	<i>Drainage Area 'A', acres</i>	<i>Peak Flow 'Q', cfs'</i>
25-yr	0.45	2.36	0.30	0.32
100-yr	0.45	3.52	0.30	0.48

Table 4: Post Development Peak Flows

Rational Method Post-Development				
<i>Storm Event</i>	<i>Run-Off Coefficient 'C'</i>	<i>Rainfall Intensity 'I', in/hr</i>	<i>Drainage Area 'A', acres</i>	<i>Peak Flow 'Q', cfs'</i>
25-yr	0.85	2.36	0.30	0.61
100-yr	0.85	3.52	0.30	0.91

The Time of Concentration was assumed to be 10 minutes which is the minimum time of concentration in Washoe County for non-urbanized watersheds (Truckee Meadows Regional Drainage Manual, 2009). The rainfall intensities were derived from the NOAA Atlas 14 for the property location; latitude of 39.4432° and longitude of -119.8049°. The drainage area represents the proposed building area only and excludes the proposed gravel parking lots and areas surrounding the proposed building.

While the peak flow increases represented here may not be representative of peak flow increases across the site, they do demonstrate that peak flow increases should be expected. No detention basins, channels, or storm drains were apparent on the plans reviewed. Without provisions for stormwater management on the site to be developed, the LCIC channel is at risk of additional sedimentation from upstream erosion and subsequent deposition across a range of flow rates. In addition, increases in runoff from the site during high flow events may result in scour damage to the bypass structure and the LCIC channel itself. As noted earlier in this memo, the concern of increased sedimentation to the canal is valid whether the indoor arena is built at existing grade or at an elevated grade. If the indoor arena is placed at the existing grade, the special materials used for arena footing, such as rubber products, clay, or diatomaceous earth could potentially be washed into the canal in the event of a flood. The indoor arena also

increases the potential runoff from the site which would further exacerbate the sedimentation problem.

Summary of Potential Impacts to LCIC, Washoe County, NDOT

The potential risks to the LCIC from this construction include:

- Increased likelihood of scour of the bypass structure just downstream of the encroachment.
 - A reduction in flow area just upstream of the bypass structure may increase velocity and erosive force on the soil around the structure during high flow events. This could lead to scour and undermining of the structure.
- Existing fill and new fill placed in floodplain may become eroded, entrained in flood flow, and deposited in flatter areas downstream.
 - This may include portions of the LCIC channel and Dry Creek. This may increase the likelihood of a breach or overtopping of the LCIC channel.
- Increased risk of building debris blocking the bypass structure or entering the LCIC channel.
 - For flood flows exceeding that of the 1% annual chance flood (100-year flood), damage to the proposed building may occur, and siding panels or other building debris may impact flood conveyance in the vicinity of LCIC improvements.
- Increased maintenance for LCIC
 - In the event of a flood, the debris entering the canal would reduce canal capacity. The debris will need to be removed from the canal after each flood event to restore the canal to full capacity.
- Risk to Dry Creek Culvert under Holcomb Lane in the event of a large flood causing a breach of LCIC.
 - In the event of a flood, the debris entering the canal could cause the canal to breach and cause flooding to homes in the vicinity.
- Risk to NDOT SR-671 (Holcomb Ranch Road) in the event of a large flood causing a breach of LCIC
 - In the event of a flood, the debris entering the canal could cause the canal to breach which could then also impact Holcomb Ranch Road (NDOT SR-671).
- Downstream/Upstream Potential Impacts



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- In the event of a flood, the cumulative impacts to LCIC and Holcomb Ranch Road (SR-671) could be exacerbated. In addition, if Dry Creek or LCIC becomes blocked or impaired, the flooding impacts could extend both upstream and downstream of the proposed indoor arena.

Conclusions

LCIC is concerned about the long-term impacts of the site to the safety and operation of the irrigation canal. LCIC encourages Washoe County to address these potential safety concerns prior to issuing a Building Permit, Grading Permit, or SUP for the indoor arena.

In summary, regarding WSUP23-0029, LCIC is concerned that:

1. The Dry Creek Floodway and LCIC Canal will be impacted by this construction;
2. Site drainage patterns will change as a result of this project; and
3. The thresholds of a grading permit are met by this project.

Please advise if you need any further analysis regarding this property.

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Fwd: In Support of the proposed Inclement Riding Arena at the Historic Silver Circle Ranch

From: Landess Witmer (witmers2@live.com)

To: luke@lukeandrewbusbyltd.com; pairofacadesstables@yahoo.com; hugh10000@aol.com

Date: Wednesday, November 1, 2023 at 06:53 PM PDT

Could someone print this, as I fear it arrived too late for the BOA to read it...??? And I'm not home tonight. Thanks.
Landess

----- Forwarded message -----

From: **Scott K. Greene, DVM** <sgreenedvm@aol.com>

Date: Wed, Nov 1, 2023, 6:32 PM

Subject: In Support of the proposed Inclement Riding Arena at the Historic Silver Circle Ranch

To: jolander@washoecounty.gov <jolander@washoecounty.gov>, witmers2@live.com <witmers2@live.com>

Hello Julee,

I am writing in support of the indoor riding arena at the Silver Circle Ranch owned by Landess and Bruce Witmer. I've been a practicing equine veterinarian in the Reno-Sparks area for 35 years. Although I do not provide veterinary services to horses at the Silver Circle ranch, I did work there during the late 1980 thru early 2000s. The ranch was a working boarding and training facility with a consistent population of 20+ horses. The local area is in dire need of more facilities that enable horse owners to have safe riding facilities through out the year. This is especially true during the heat of summer and the winter months when inclement weather is the norm. I have numerous clients and patients that live in this area of Reno, as it has been a mecca for livestock and horse owners since the time the area was developed. It should be noted that there are 3 other comparable buildings (in height and square footage) in the area that function as private indoor riding facilities, hence this proposed structure is not unique to the area. These other buildings are not including the Ranch Harrah indoor arena that has recently closed. The proposed building does not detract from the community, as the owner of Silver Circle have been very conscientious in the design and proposed placement of the structure. I strongly support the approval of the permit for this building, as an additional inclement riding facility is a much needed addition to our community.

Sincerely, Scott

Scott K. Greene, DVM

PO Box 60009

Reno, NV 89506

sgreenedvm@aol.com

ph: 775-826-6233

SensibleHorseDentistry.com



8F
Exhibit

8E









Picture 15

