



# Planning Commission Staff Report

Meeting Date: November 2, 2021

Agenda Item: 8B

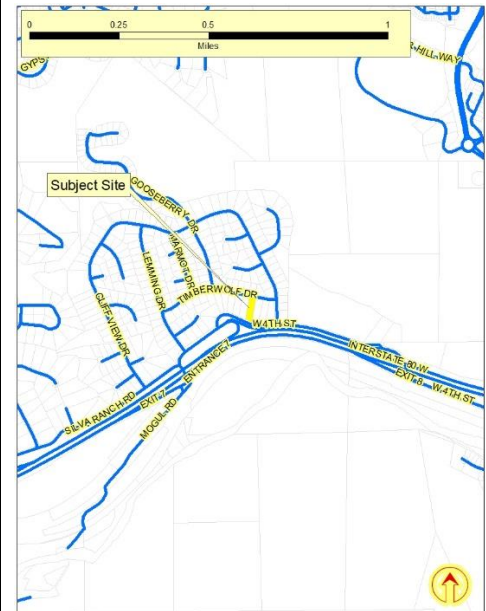
AMENDMENT OF CONDITIONS CASE NUMBER: WAC21-0005 (Truckee Meadows Water Authority) for Special Use Permit Case No. SW07-017 and Variance Case No. VA07-021

BRIEF SUMMARY OF REQUEST: Extend the expiration dates of these approvals from December 4, 2021 to December 4, 2023

STAFF PLANNER: Planner's Name: Roger Pelham, MPA, Senior Planner  
Phone Number: 775.328.3622  
E-mail: [rpelham@washoecounty.gov](mailto:rpelham@washoecounty.gov)

## CASE DESCRIPTION

**Amendment of Conditions Case Number WAC21-0005 (Truckee Meadows Water Authority)** – For hearing, discussion, and possible action to amend condition number 2 of Special Use Permit Case No. SW07-017 and condition number 1 of Variance Case No. VA07-021 in order to extend the expiration dates of these approvals from December 4, 2021 to December 4, 2023. The approved special use permit allowed the construction of a booster pumping facility to convey potable water through the Mogul area, as authorized by Table 110.302.05.2 of the Washoe County Development Code. The approved variance allowed for varied grading standards within Washoe County Development Code Sections 110.438.45(b)(1) and (2), as those subsections existed in 2007, allowing for 2:1 slopes instead of 3:1 slopes, and allowing fills higher than 48 inches within fifty (50) feet of a shared property line; and to vary the front yard setback standards of Section 110.406.50(b), allowing a retaining wall of up to 8 feet in height, approximately 8 feet from the front property line. The grading for the project approved in 2007 includes approximately 540 cubic yards of excavation, 400 cubic yards of exported material and a retaining wall ranging from 3 feet to 8 feet in height.



**Vicinity Map**

Applicant: Truckee Meadows Water Authority  
Property Owner: Paul & Daphne Mullen  
Location: 10200 Timberwolf Dr.  
APN: 038-461-06  
Parcel Size: ±0.793 acre (± 34,543 S.F.)  
Master Plan: Suburban Residential  
Regulatory Zone: Medium Density Suburban  
Area Plan: Verdi  
Development Code: Authorized in Article 810, (Special Use Permits) and Article 804 (Variances)  
Commission District: 5 - Commissioner Herman

## 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 Planning Commission **deny** Amendment of Conditions Case Number WAC21-0005 for Truckee Meadows Water Authority, no longer being able to make all five findings in accordance with Washoe County Code Section 110.810.30 and all five findings in accordance with Washoe County Code Section 110.804.25.

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**Exhibits Contents**

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Public Notice..... Exhibit B

Project Application ..... Exhibit C

**Amendment of Conditions**

An amendment of conditions application is necessary in order to change a condition(s) of an approved discretionary permit, such as a special use permit, a variance, an abandonment of an easement or a tentative subdivision map. Some examples of why an amendment of conditions application is submitted are listed below:

- Change in operating hours
- Physical expansion
- Extend the expiration date of the discretionary permit
- Extend the time to complete phases of the approved project

The amendment of conditions request is required to be heard by the same board that approved the original application and only the specific amendment may be discussed and considered for approval. The amendment of conditions application is processed in the same manner as the original discretionary permit application, including a public hearing, noticing, a possible neighborhood meeting, agency review and analysis, and satisfying the required findings. If the Planning Commission grants an approval of the amendment of conditions request, an amended Action Order is created along with amended conditions of approval.

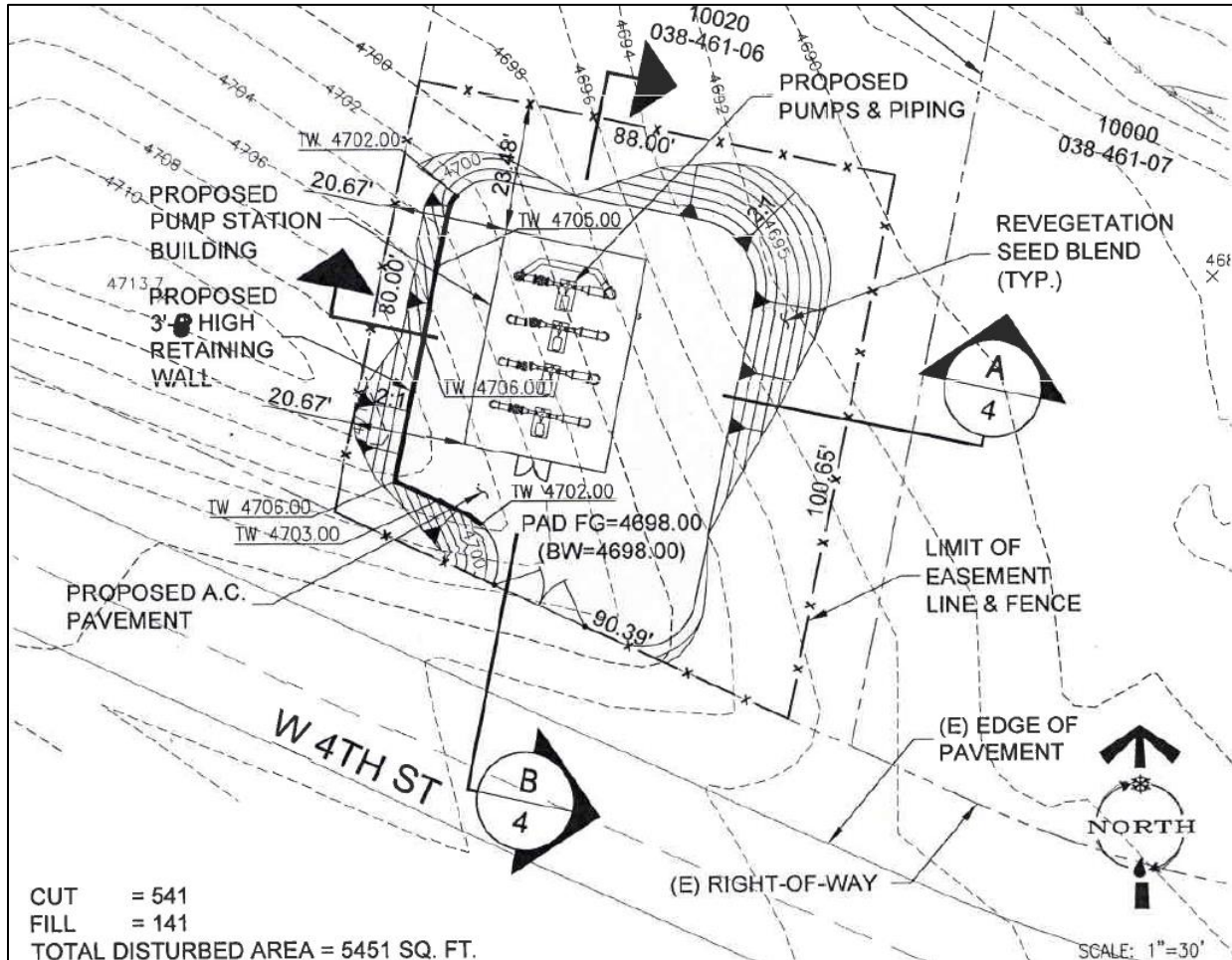
The subject property has a master plan designation of Suburban Residential (SR) and a regulatory zone of Medium Density Suburban (MDS). Utility Services use type is permissible in the MDS zone, subject to

the approval of a special use permit by Washoe County. Variances to required standards are permissible in the MDS zone subject to approval of a variance by Washoe County.

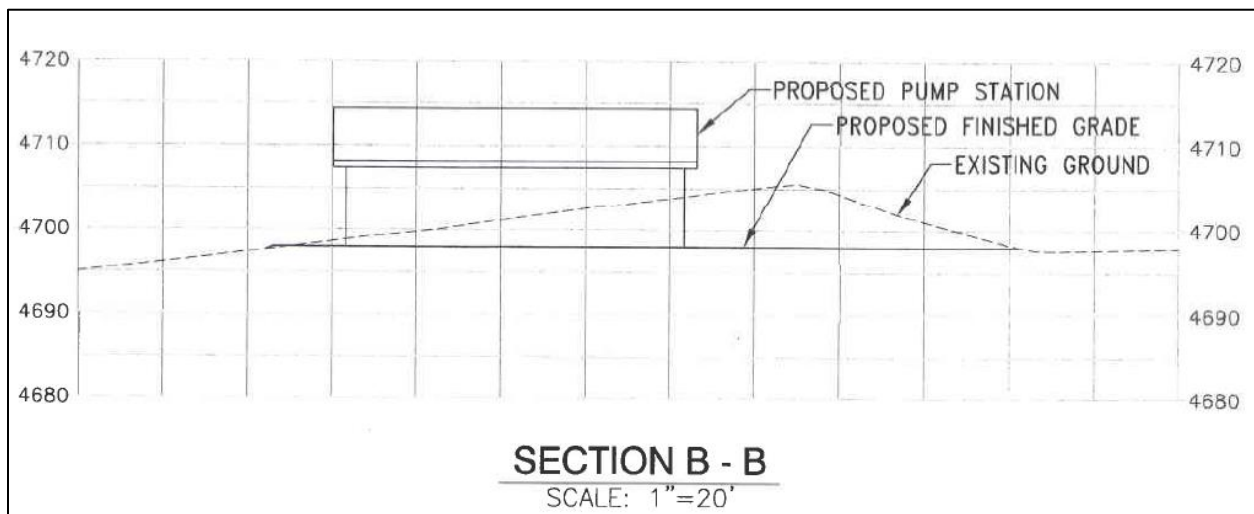
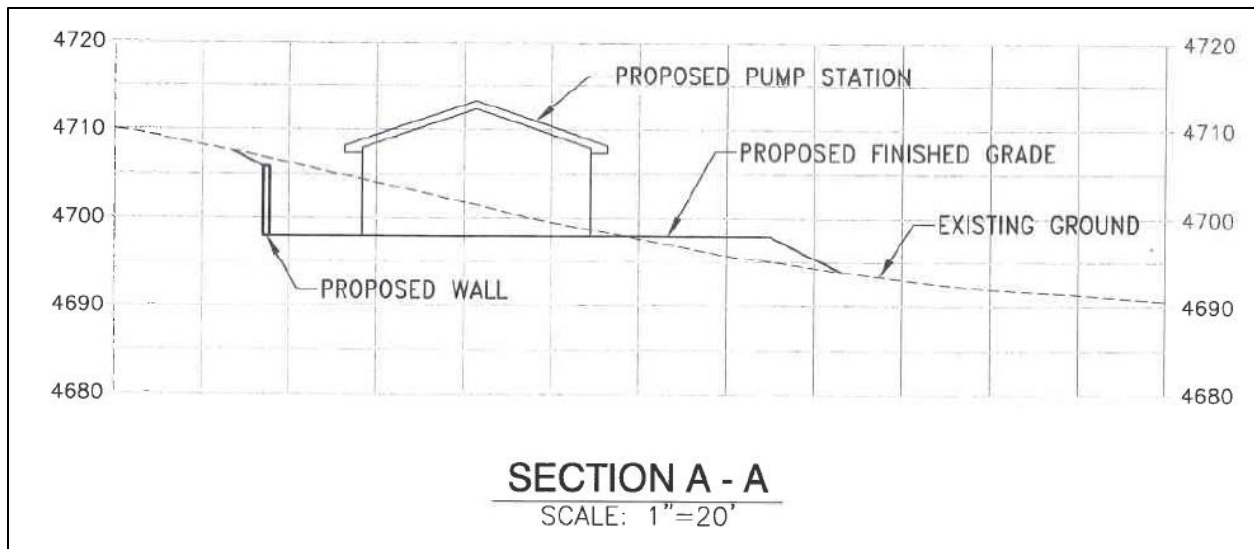
Staff is recommending that the Planning Commission deny the amendment request, for reasons described in the staff report analysis below. However, the amended conditions of approval for Amendment of Conditions Case Number WAC21-0005 are attached to this staff report and will be included with the amended action order, in the event that approval is granted.

**Background and Evaluation of Amendment Request**

The proposed site plan from the special use permit as submitted in 2007 follows:



**Site Plan**



The history surrounding this project is rather long. The Washoe County Planning Commission approved Special Use Permit Case Number SW07-017 and Variance Case Number VA07-021 for the construction and operation of the Mogul booster pump station in December of 2007. The applicant failed to begin construction or to obtain necessary permits within two years of the original date of approval of the special use permit.

In February of 2010 the Washoe County Planning Commission approved Amendment of Conditions Case Number AC10-001 amending Condition number two (2) of the approved Special Use Permit (SW07-017) and Condition number one (1) of the approved Variance (VA07-021) to extend the time for issuance of building permits for the project. As a result of the approval, the new date for building permit submittal became December 4, 2014. Again, the applicant failed to begin construction or to obtain necessary permits within that 5-year time period.

In December of 2014 the Washoe County Planning Commission approved another extension of the deadline to submit construction plans and obtain building permits for Special Use Permit Case Number SW07-017 and Variance Case Number VA07-021 (TMWA-Mogul Booster Pumping Facility) from December 4, 2014 to December 4, 2021. Again, the applicant failed to begin construction or obtain necessary permits within that 7-year time period. It has now been 14 years since this project was

approved. Approval of an extension of a special use permit for 14 years without any work started nor building permits applied for, is unprecedented in the experience of staff.

Many things have changed, both in the standards, as required by the Washoe County Development Code and in the Mogul area in general. The situation is very different in the year 2021 than it was in 2007. While the following examples are illustrative of the changes to the applicable Development Code standards and to the nature of the surrounding area, they are not necessarily exhaustive.

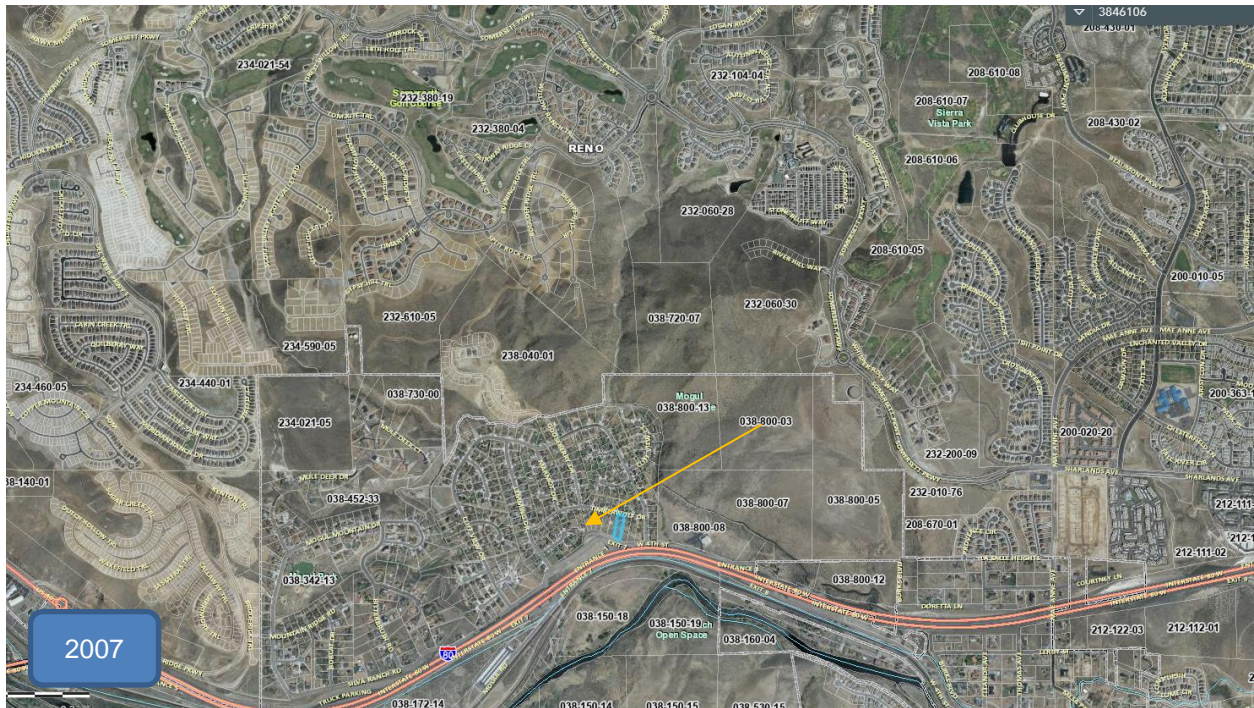
**Examples of Changes Which Warrant Submission of a New Special Use Permit/Variance Request:**

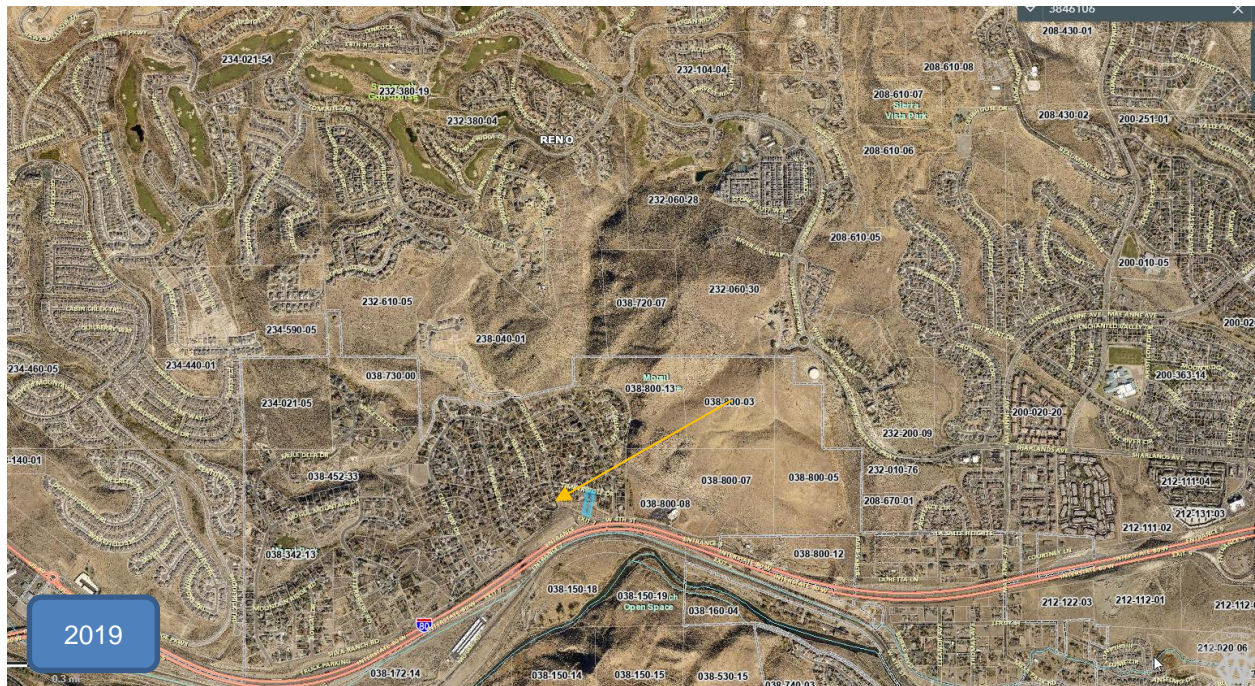
In 2007, this special use permit and variance requests were reviewed by the Planning Commission. Since that time Article 302 of the Development Code has been amended and now such requests would be reviewed by the Board of Adjustment.

The grading code (Article 438) has been substantially amended. A comprehensive revision to that article was approved in 2012. A quick review of the plans provided in 2007 show significant discrepancies between that plan and current code, including grading directly up to the property lines, rather than maintaining a setback, possible grading over the property line to create a new access to the proposed facility, slopes that are significantly steeper than currently allowed, and retaining walls higher than are currently allowed.

The variance related to this request removed all required landscaping, among several other modifications, to generally applicable code requirements. The landscaping code (Article 412) has been updated substantially within the last 2 years and now addresses the impacts of civic projects, such as this, and helps mitigate the visual impacts of such projects in a more comprehensive manner.

Further, generally speaking, the nature of the surrounding area has changed significantly since 2007. While the subject parcel itself, and the parcels that are directly adjacent to it have not changed, the population of the overall area has increased dramatically. The first photo below shows the surrounding area in 2007. As evidenced in this photo, while many parcels were recorded, many were unbuilt. The second photo shows the area in 2019. That photo clearly shows that dozens, if not hundreds, of additional dwellings have been constructed in the areas to the north, west and east of the subject site.





The changes to the Code and to the area are undeniable. Extension of the approval of a special use permit for 14 years is unprecedented, extension beyond that time is inappropriate. If and when the applicant is prepared to begin construction on this project or a similar project, review of a new special use permit, and possible variance to standards, according to the current code and evaluation of the project in context of the current surroundings is appropriate. For these reasons, staff recommends that the Planning Commission deny the request for another extension of time.

**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
Washoe County Water Rights	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Washoe County Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Robert Wimer, rwimer@washoecounty.gov
Washoe County Sherriff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
WCHD – Air Quality	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Genine Rosa, grosa@washoecounty.gov
WCHD – Environment Health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Truckee Meadows Fire Protection District	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Brittany Lemon, blemon@tmfpd.us
RTC Washoe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Washoe-Storey Conservation District	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

**Recommendation**

Those agencies which reviewed the application provided no comments that compel a recommendation of approval of the Amendment of Conditions request. Therefore, after a thorough review and analysis, Amendment of Conditions Case Number WAC21-0005 is being recommended for denial. Staff offers the following motion for the Commission’s consideration.

**Staff Comments on Required Findings of Fact**

Staff believes that the Planning Commission cannot make the following required findings of fact for extension of the special use permit:

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

**Staff Comment:** The standards of the Washoe County Development Code, which is a part of the Master Plan are not met, most particularly Article 438, Grading, as noted in this report.

- (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.

**Staff Comment:** Impact of access to the facility from public roadways has not undergone thorough evaluation in 14 years, the nature of the area has changed significantly, as shown in this report. Public facilities may, or may not, be adequate. Lacking thorough analysis, the findings cannot be made.

Staff believes that the Planning Commission cannot make the following required findings of fact for extension of the variance:

- (c) **Special Circumstances.** Because of the special circumstances applicable to the property, including either the: (1) Exceptional narrowness, shallowness or shape of the specific piece of property, or (2) By reason of exceptional topographic conditions, or (3) Other extraordinary and exceptional situation or condition of the property and/or location of surroundings, the strict application of the regulation results in exceptional and undue hardships upon the owner of the property.

**Staff Comment:** The subject site is of a regular shape, is consistent with the size of lot required for the regulatory zone and contains no extraordinary topographic conditions. The small hill area where the proposed facility was proposed to be located could easily be avoided by modifying the location of the proposed facility slightly.

- (d) **No Special Privileges.** The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated.

**Staff Comment:** Extension of a project beyond 14 years without any progress toward completion is unprecedented in the knowledge of staff. Extension beyond that time can be considered a special privilege inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated.

**Motion for Denial**

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 Planning Commission deny Amendment of Conditions Case Number WAC21-0005 for Truckee Meadows Water Authority, no longer being able to make all five findings in accordance with Washoe County Code Section 110.810.30 and all five findings in accordance with Washoe County Code Section 110.804.25:

*Special Use Permit:*

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

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

*Variance:*

- (a) Special Circumstances. Because of the special circumstances applicable to the property, including either the: (1) Exceptional narrowness, shallowness or shape of the specific piece of property, or (2) By reason of exceptional topographic conditions, or (3) Other extraordinary and exceptional situation or condition of the property and/or location of surroundings, the strict application of the regulation results in exceptional and undue hardships upon the owner of the property;
- (b) No Detriment. The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted;
- (c) No Special Privileges. The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated; and
- (d) Use Authorized. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property.
- (e) Effect on a Military Installation. The variance will not have a detrimental effect on the location, purpose and mission of the military installation.

**Motion for Approval**

Should the Planning Commission disagree with the recommendation of staff and choose to grant an extension of time, a possible motion would be:

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 Planning Commission approve Amendment of Conditions Case Number WAC21-0005 for Truckee Meadows Water Authority, extending the date to December 4, 2023, subject to the previously-approved conditions of approval as included in the project application at Exhibit C to the staff report, having made all five findings in accordance with Washoe County Code Section 110.810.30 and all five findings in accordance with Washoe County Code Section 110.804.25, with the original conditions of approval included at Exhibit C to the staff report.

*Special Use Permit:*

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



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

*Variance:*

- (a) Special Circumstances. Because of the special circumstances applicable to the property, including either the: (1) Exceptional narrowness, shallowness or shape of the specific piece of property, or (2) By reason of exceptional topographic conditions, or (3) Other extraordinary and exceptional situation or condition of the property and/or location of surroundings, the strict application of the regulation results in exceptional and undue hardships upon the owner of the property;
- (b) No Detriment. The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted;
- (c) No Special Privileges. The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated; and
- (d) Use Authorized. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property.
- (e) Effect on a Military Installation. The variance will not have a detrimental effect on the location, purpose and mission of the military installation.

**Appeal Process**

Planning Commission action will be effective 10 calendar days after the written decision is filed with the Secretary to the Planning Commission and mailed to the applicant(s), 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 Planning Commission and mailed to the applicant(s).

Applicant: Truckee Meadows Water Authority  
 Attn: Juan Esparza  
 PO Box 30013 Reno, NV 89520  
[jesparza@tmwa.com](mailto:jesparza@tmwa.com)

Property Owner: Paul and Daphne Mullen  
 10385 Mountain Dew Circle  
 Reno, NV 89523

**From:** [Rosa, Genine](#)  
**To:** [Pelham, Roger](#)  
**Subject:** First Review of Applications Submitted September 2021  
**Date:** Wednesday, September 22, 2021 4:49:05 PM

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**Amendment of Conditions Case Number WAC21-0005 (TMWA-Verdi Booster Pump Station)**

If there will be an emergency generator associated with this it may require permitting. They can contact me directly if this is the case.

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.gov](mailto:grosa@washoecounty.gov) | 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](http://www.OurCleanAir.com) | [Subscribe to get Air Quality Updates!](#)

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Please take our customer satisfaction survey by clicking [here](#)



**Washoe-Storey Conservation District**

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

1365 Corporate Blvd.  
Reno NV 89502  
775 857-8500 ext. 131  
nevadaconservation.com

September 23, 2021

Washoe County Community Services Department

C/O Roger Pelham, Senior Planner

1001 E Ninth Street, Bldg. A

Reno, NV 89512

R: WAC21-0005 TMWA-Verdi Booster Pump Station

Dear Roger,

In reviewing to approve an amendment of conditions, the District supports the amendment if all previous conditions as agreed are adhered to.

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

Sincerely,

Shaffer-Tyler



**WASHOE COUNTY**  
COMMUNITY SERVICES DEPARTMENT  
Engineering and Capital Projects

1001 EAST 9<sup>TH</sup> STREET  
RENO, NEVADA 89512  
PHONE (775) 328-3600  
FAX (775) 328.3699

Date: September 24, 2021

To: Roger Pelham, Planner

From: Robert Wimer, P.E., Licensed Engineer

Re: **WAC21-0005 – TMWA-Verdi Booster Pump Station  
Amendment of Conditions**  
APN: 038-461-06

Washoe County Engineering staff has reviewed the above referenced application. The Amendment of the tentative map/conditions case is to extend the expiration date from December 4, 2021 to December 4, 2023 to construct a potable water booster pumping facility to convey water to the Verdi area. The Engineering and Capital Projects Division recommends approval with no changes to our original conditions of approval.

**From:** [Lemon, Brittany](#)  
**To:** [Pelham, Roger](#)  
**Cc:** [Way, Dale](#)  
**Subject:** WAC21-0005 (TMWA-Verdi Booster Pump Station) Conditions of Approval  
**Date:** Monday, September 27, 2021 3:30:09 PM  
**Attachments:** [image001.png](#)

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Hi Roger,

“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/>

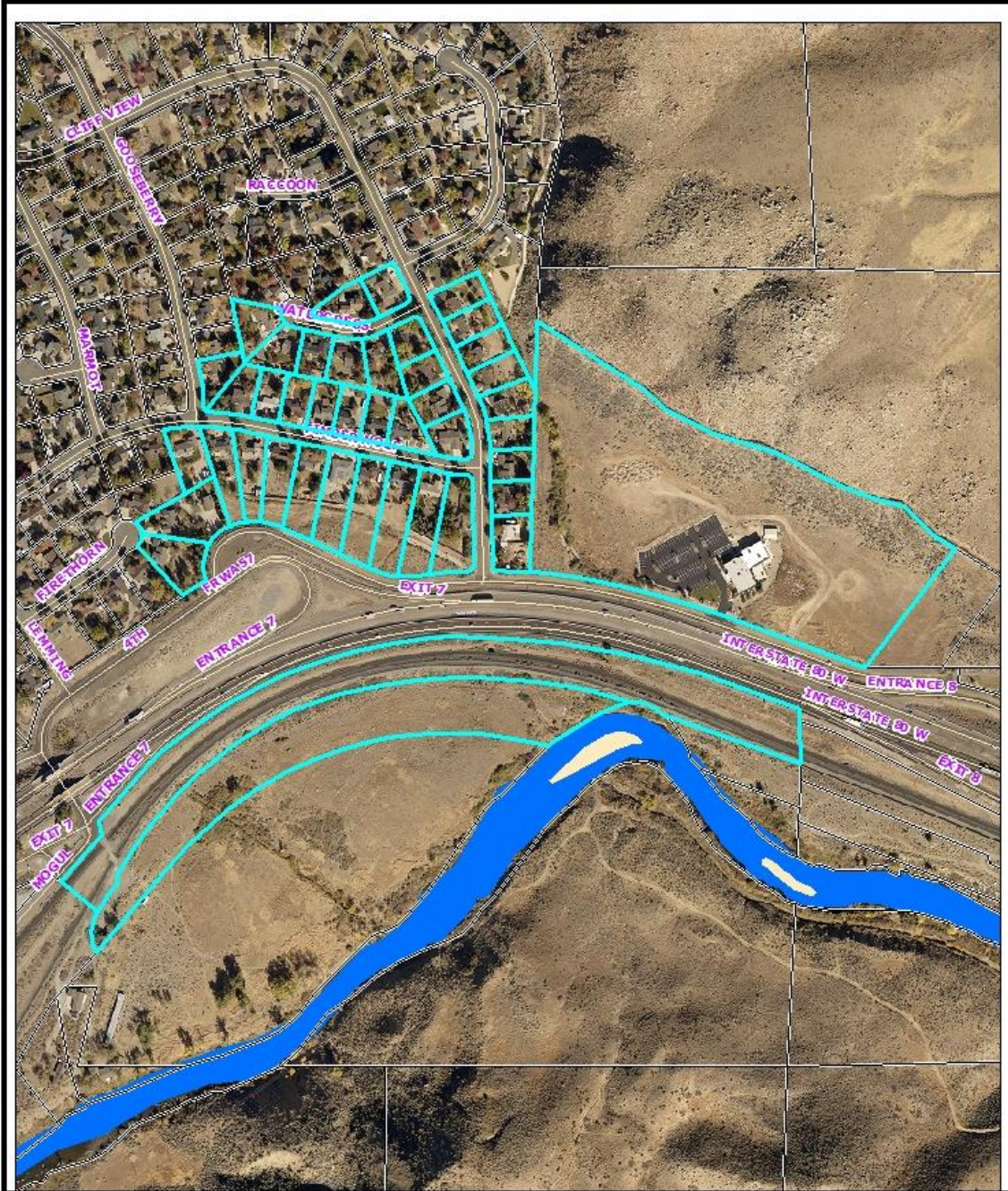
Thank you!

**Brittany Lemon**

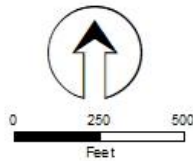
**Fire Captain - Fire Prevention | Truckee Meadows Fire & Rescue**

[blemon@tmfpd.us](mailto:blemon@tmfpd.us) | Office: 775.326.6079 | Cell: 775.379.0584

3663 Barron Way, Reno, NV 89511



WAC21-0005 TMWA -Verdi  
 Noticing Map- 500 feet from site



Community Services  
 Department

**WA SHOE COUNTY**  
 NEVADA

1001 E Ninth St  
 Reno, Nevada 89512 (775) 328-3600

Source: Planning and Building Division

Date: 9/13/2021



September 10, 2021

Mr. Trevor Lloyd, Planning Mngr, Planning & Bldg Division  
Washoe County Community Service Dept  
1001 East 9<sup>th</sup> Street  
Reno, NV 89512

**Subject:** Special Use Permit Case Number SW07-017 and Variance Case Number VA07-021 (TMWA-Mogul Booster Pumping Facility)

Dear Mr. Lloyd,

The Truckee Meadows Water Authority (TMWA) is requesting an extension of twenty-four (24) months to the above referenced Special Use Permit and Variance for our Verdi-Mogul Booster pump facility.

Development within the Verdi area has lagged behind other areas of Reno/Sparks since the downturn of 2008 and potential demands for the booster facility have not been firmly established until recently. This will necessitate the construction of this project and additional infrastructure to serve growth in the Verdi area.

While this SUP and Variance have already been extended previously, TMWA is confident that firm commitments for water service to this area will require this facility in the immediate future. This project was not controversial for the area during the original application process and it is TMWA's belief that it remains that way today. Granting the extension would serve to save time, effort and money for a project that is of regional importance and significant benefit to the already overburdened groundwater resources in this area of our community.

Thank you very much for your consideration

Sincerely,

Juan C. Esparza, P.E., Principal Engineer  
Truckee Meadows Water Authority

/je

## 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.

<b>Project Information</b>		Staff Assigned Case No.: _____	
Project Name:			
Project Description:			
Project Address:			
Project Area (acres or square feet):			
Project Location (with point of reference to major cross streets <b>AND</b> area locator):			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
Indicate any previous Washoe County approvals associated with this application: Case No.(s).			
<b>Applicant Information</b> (attach additional sheets if necessary)			
<b>Property Owner:</b>		<b>Professional Consultant:</b>	
Name:		Name:	
Address:		Address:	
Zip:		Zip:	
Phone:                      Fax:		Phone:                      Fax:	
Email:		Email:	
Cell:                              Other:		Cell:                              Other:	
Contact Person:		Contact Person:	
<b>Applicant/Developer:</b>		<b>Other Persons to be Contacted:</b>	
Name:		Name:	
Address:		Address:	
Zip:		Zip:	
Phone:                      Fax:		Phone:                      Fax:	
Email:		Email:	
Cell:                              Other:		Cell:                              Other:	
Contact Person:		Contact Person:	
<b>For Office Use Only</b>			
Date Received:                      Initial:		Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	





# Amendment of Conditions Application Supplemental Information

(All required Information may be separately attached)

## Required Information

1. The following information is required for an Amendment of Conditions:
  - a. Provide a written explanation of the proposed amendment, why you are asking for the amendment, and how the amendment will modify the approval.
  - b. Identify the specific Condition or Conditions that you are requesting to amend.
  - c. Provide the requested amendment language to each Condition or Conditions, and provide both the *existing* and *proposed condition(s)*.

2. Describe any potential impacts to public health, safety, or welfare that could result from granting the amendment. Describe how the amendment affects the required findings as approved.

Bill Detail

[Back to Account Detail](#)

[Change of Address](#)

[Print this Page](#)

**Washoe County Parcel Information**

Parcel ID	Status	Last Update
03846106	Active	9/9/2021 1:39:17 AM
<b>Current Owner:</b> MULLEN, PAUL K & DAPHNE S 10385 MOUNTAIN DEW CIR RENO, NV 89523		<b>SITUS:</b> 10020 TIMBERWOLF DR
<b>Taxing District</b> 4011		<b>Geo CD:</b>
Legal Description		
Range 18 Township 19 Section Lot 4 Block C SubdivisionName MOGUL MEADOWS 1		

**Installments**

Period	Due Date	Tax Year	Tax	Penalty/Fee	Interest	Total Due
INST 1	8/16/2021	2021	\$0.00	\$0.00	\$0.00	\$0.00
INST 2	10/4/2021	2021	\$571.19	\$0.00	\$0.00	\$571.19
INST 3	1/3/2022	2021	\$571.18	\$0.00	\$0.00	\$571.18
INST 4	3/7/2022	2021	\$571.18	\$0.00	\$0.00	\$571.18
<b>Total Due:</b>			<b>\$1,713.55</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$1,713.55</b>

**Tax Detail**

	Gross Tax	Credit	Net Tax
<u>Remediation</u>	\$6.08	\$0.00	\$6.08
<u>State of Nevada</u>	\$123.02	(\$3.36)	\$119.66
<u>Truckee Meadows Fire Dist</u>	\$390.78	(\$10.68)	\$380.10
<u>Washoe County</u>	\$1,007.13	(\$27.54)	\$979.59
<u>Washoe County Sc</u>	\$823.90	(\$22.51)	\$801.39
<u>Water District</u>	\$7.80	\$0.00	\$7.80
<u>TRUCKEE CANYON SEG WATER BASIN</u>	\$2.05	\$0.00	\$2.05
<u>RECLAMATION DAM SAFETY</u>	\$4.00	\$0.00	\$4.00
Total Tax	<b>\$2,364.76</b>	<b>(\$64.09)</b>	<b>\$2,300.67</b>

**Payment History**

Tax Year	Bill Number	Receipt Number	Amount Paid	Last Paid
2021	2021247960	B21.76408	\$587.12	8/12/2021

**Pay By Check**

Please make checks payable to:  
**WASHOE COUNTY TREASURER**

**Mailing Address:**  
P.O. Box 30039  
Reno, NV 89520-3039

**Overnight Address:**  
1001 E. Ninth St., Ste D140  
Reno, NV 89512-2845

**Change of Address**

All requests for a mailing address change must be submitted in writing, including a signature (unless using the online form).

To submit your address change online [click here](#)

Address change requests may also be faxed to: (775) 328-3642

Address change requests may also be mailed to:  
Washoe County Assessor  
1001 E 9th Street  
Reno, NV 89512-2845

# **ATTACHMENT A**

**ORIGINAL STAFF REPORT for EXTENSION REQUEST**

Verdi-Mogul Booster Pump Station

Subject: Extension of Time Request for  
Special Use Permit Case Number SW07-017  
And Variance Case Number VA07-021

Applicant: Truckee Meadows Water Authority (TMWA)

**Consent Item No.:** 7.A.

Project Summary: Extension of deadline to submit construction plans and obtain building permits on Special Use Permit Case Number SW07-017 and Variance Case Number VA07-021 (TMWA-Mogul Booster Pumping Facility) from December 4, 2014 to December 4, 2021.

**Recommendation:** **Approval**

Prepared by: Sandra Monsalvè, AICP, Senior Planner  
Washoe County Community Services Department  
Planning and Development Division

Phone: 775.328.3608

E-Mail: [smonsalve@washoecounty.us](mailto:smonsalve@washoecounty.us)

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**Description:**

**Extension of Time Request (TMWA – Mogul Booster Pumping Facility)** – To extend the deadline to submit construction plans and obtain building permits on Special Use Permit Case Number SW07-017 and Variance Case Number VA07-021, TMWA-Mogul Booster Pumping Facility, from December 4, 2014 to December 4, 2021.

**Application Information:**

- Property Owner: Paul and Dahne Mullen  
10385 Mountain Dew Circle  
Reno, NV 89523
- Professional Consultant: Truckee Meadows Water Authority (TMWA)  
Attn: Juan Esparza  
P.O. Box 30013  
Reno, NV 89520-3013
- Location: 10020 Timberwolf Drive, Reno, NV, approximately  
300 feet west of its intersection with Cliff View Drive
- Assessor’s Parcel Number: 038-461-06
- Parcel Size: ±.79
- Master Plan Category: Suburban Residential (SR)
- Regulatory Zone: Medium Density Suburban (MDS)
- Area Plan: Verdi
- Citizen Advisory Board: Verdi
- Development Code: Authorized in Article 302.05.2, Allowed Uses and  
Article 810, Special Use Permits
- Commission District: 5 – Commissioner Weber

**Staff Report Contents**

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**Exhibits Contents**

Applicant Request Letter for Extension ..... Exhibit A

Staff Report of Amendment of Conditions AC10-001 ..... Exhibit B

Original Final Action Order, dated December 10, 2007 ..... Exhibit C

VICINITY MAP



## **Review of Application Request/Background**

### **October 30, 2014:**

- The applicant, Truckee Meadows Water Authority (TMWA), submitted a letter requesting an additional extension of time to submit construction plans for building permits for the booster pump station project. This extension of time is for Special Use Permit Case Number SW07-017 and Variance Case Number VA07-021 for the construction and operation of the Mogul booster pump station.
- The applicant has stated that due to the dramatic downturn in the economy affecting the building industry, the funding necessary to construct a booster pump station and all associated appurtenances was also greatly affected. The overall improvement to the economy has been slow, thus necessitating a request for additional time to construct this project.

### **February 3, 2010:**

- The Washoe County Planning Commission approved Amendment of Conditions Case Number AC10-001 amending Condition number two (2) of the approved Special Use Permit (SW07-017) and Condition number one (1) of the approved Variance (VA07-021) to extend the time for issuance of building permits for the project. As a result of the approval, the new dates for building permit submittal became December 4, 2014.

### **December 4, 2007:**

- The Washoe County Planning Commission approved Special Use Permit Case Number SW07-017 and Variance Case Number VA07-021 for the construction and operation of the Mogul booster pump station.

All other aspects of the original Conditions will remain as previously approved for both SW07-017 and VA07-021.

Because the project has not substantially changed, and the applicant submitted a timely request for an extension of time, staff is in full support of recommending that the Planning Commission agree to the extension of time request.

## **Recommendation**

It is recommended that after a review of the request to extend the deadline for an additional extension of time to submit construction plans for building permits for Special Use Permit Case Number SW07-017 and Variance Case Number VA07-021 for the construction and operation of the Mogul booster pump station, the Planning Commission agrees and approves the request. Staff offers the following motion for the Planning Commission's consideration:

## **Motion**

"I move that, the Washoe County Planning Commission approve, per agreement under WCC 110.810.65 (a) and (b), the Extension of Time Request until December 4, 2021, for Special Use Permit Case Number SW07-017 and Variance Case Number VA07-021 for the construction and operation of the Mogul Booster Pump Station subject to the attached Amended Conditions of Approval from Amendment of Conditions Case Number AC10-001 having made the finding that the original findings remain valid, and that the circumstances have not appreciably changed since the project original approval, and subsequent Amendment of Conditions (AC10-001) approval. Counsel for the Planning Commission and the Planning Commission Secretary are hereby directed to prepare a written Action Order consistent with this motion".

Property Owner: Paul and Dahne Mullen  
10385 Mountain Dew Circle  
Reno, NV 89523

Applicant: Truckee Meadows Water Authority (TMWA)  
Attn: Juan Esparza  
P.O. Box 30013  
Reno, NV 89520-3013



NOV 13 2014

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30 October 2014

Ms. Sandra Monsalve, AICP, Sr. Planner  
Washoe County Community Development  
P.O. Box 11130  
Reno, NV 89520-0037

Re: Request for Extension for Special Use Permit SW07-017 and Variance VA07-021

Dear Ms. Monsalve,

The Truckee Meadows Water Authority (TMWA) would like to request a seven (7) year extension to the above-referenced Special Use Permit and Variance for our property in Mogul. When TMWA originally made application for the project, it was anticipated that the pump station facility would be constructed within the timeframes called for in the permits. The dramatic downturn in commercial and residential development, that occurred shortly thereafter, resulted in a lack of funding to construct the facility. During the ensuing years, economic conditions have not changed substantially and TWMA has been unable to move forward with the project due to funding shortfalls and lack of new customer demands. We cannot anticipate when the pump station will be required.

TMWA committed to the project and acquired the property, at a cost of approximately \$80,000, based upon issuance of the SUP and variance. Having to go through the permitting process again would add costs for a project that was never controversial for the neighborhood. For these reasons, we would ask the County to extend the SUP and associated variance.

Thank you very much for your consideration.

Sincerely,



Juan C. Esparza, P.E.  
Truckee Meadows Water Authority

/je



# Community Development

"Dedicated to Excellence in Public Service"  
Adrian P. Freund, FAICP, Community Development Director



(February 3, 2010)  
Consent Item A

Staff Recommendation: **CONDITIONAL APPROVAL**

**WASHOE COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT  
STAFF REPORT**

**To:** Washoe County Planning Commission

**Re:** Amendment of Conditions Case Number AC10-001 (Amendment of Special Use Permit Case No. SW07-017 and Variance Case No. VA07-021 TMWA – Mogul Booster Pumping Facility)

**Date:** January 21, 2010

**Prepared By:** Sandra Monsalvè, AICP, Senior Planner

**GENERAL INFORMATION SUMMARY**

**Applicant:** Truckee Meadows Water Authority (TMWA)

**Requested Action:**

**(Truckee Meadows Water Authority, Amendment of Conditions Case Number AC10-001)** To amend condition number 2 of Special Use Permit Case No. SW07-017 and condition number 1 of Variance Case No. VA07-021. The original request was to construct a booster pumping facility to convey potable water through the Mogul area, as authorized by Table 110.302.05.2 of the Washoe County Development Code. The grading for the project will include approximately 540 cubic yards of excavation, 400 cubic yards of exported material and a retaining wall ranging from 3 feet to 8 feet in height.

**AND**

To vary the grading standards within Washoe County Development Code Sections 110.438.45(b)(1) and (2), allowing for 2:1 slopes instead of 3:1 slopes, and allowing fills higher than 48 inches within fifty (50) feet of a shared property line; and to vary the front yard setback standards of Section 110.406.50(b), allowing a retaining wall of up to 8 feet in height approximately 8 feet from the front property line.

**The subject parcel is located at 10020 Timberwolf Drive, approximately 300 feet west of its intersection with Cliff View Drive. The booster pumping facility is located at the rear of the property and will be accessed off West 4<sup>th</sup> Street. The ±0.793-acre parcel is designated Medium Density Suburban (MDS) in the Verdi Area Plan, and is situated in a portion of Section 14, T19N, R18E, MDM, Washoe County, Nevada. The property is located in the Verdi Township Citizen Advisory Board boundary and Washoe County Commission District No. 5. (APN 038-461-06)**

To: Washoe County Planning Commission  
Re: Amendment of Conditions Case Number AC10-001  
Date: February 3, 2010  
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<b>RECOMMENDATION/FINDINGS</b>
--------------------------------

Based upon the staff analysis, comments received, and the site inspection, staff recommends approval of the request with conditions and offers the following motion for your consideration:

I move that the Washoe County Planning Commission approve with conditions Amendment of Conditions Case Number AC10-001 for Truckee Meadows Water Authority (TMWA) having made the following findings in accordance with Washoe County Development Code Section 110.810.30 :

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Comprehensive Plan and the Verdi Area Plan;
2. 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;
3. Site Suitability. That the site is physically suitable for the type of development and for the intensity of the development;
4. 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;
5. Reasoned Consideration. That the Planning Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.

AND

I move that the Washoe County Planning Commission approve with conditions Variance Case No. VA07-021 for the Truckee Meadows Water Authority having made the following findings in accordance with Washoe County Development Code Section 110.804.25:

1. Special Circumstances. That because of the special circumstances applicable to the property, including the narrowness of the property and exceptional topographic conditions, the strict application of the regulation results in exceptional and undue hardships upon the applicant and the community;

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Re: Amendment of Conditions Case Number AC10-001  
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2. No Detriment. That the relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted;
3. No Special Privileges. That the granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated;
4. Use Authorized. That the variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property; and
5. Reasoned Consideration. That the Planning Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.

<b>ANALYSIS</b>
-----------------

**Background:**

On December 4, 2007 the Washoe County Planning Commission approved a special use permit request for the construction and operation of a booster pump station, and a variance for the excess associated grading. This Amendment of Conditions request is for an amendment to condition number two (2) of the approved special use permit (SW07-017) and condition number one (1) of the approved variance (VA07-021).

Condition number 2 of the General Conditions of SW07-017, requires the applicant to apply for building permits for all structures within two (2) years from the date of approval by Washoe County. Additionally, condition number one (1) of the General Conditions for VA07-021 also stipulates that the applicant apply for building permits within two (2) years of the date of approval from Washoe County.

On October 14, 2009 the Washoe County Department of Community Development received a letter (Attached) from the applicant requesting a time extension. Specifically, the applicant is requesting an indefinite period of time extension for both approved discretionary permits for building permit issuance. The reasons stated by the applicant are the dramatic downturn in the economy, affecting the building industry which has subsequently affected the required necessary funding to construct a booster pump station all associated appurtenances.

Although this is a very significant reason for the time extension request, staff has concerns about an indefinite period of time. There could be a plethora of unforeseen

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circumstances that could arise over such a long period. Therefore, staff has recommended, with approval from the Planning Commission, a five (5) year time extension related to building permit issuance for both permits. Staff believes five (5) years is a reasonable time extension, thereby giving new expiration dates of December 4, 2014 for both SW07-017 and VA07-021. All other aspects of the original conditions will remain as previously approved for both SW07-017 and VA07-021.

<b>APPLICABLE REGULATIONS</b>
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Nevada Revised Statutes Chapter 278; Washoe County Code Chapter 110.

Attachments: Letter from the Applicant dated, October 14, 2009.

xc: Applicant: Truckee Meadows Water Authority (TMWA), Attn: Juan Esparza,  
P.O. Box 30013, Reno, NV 89520-3013.

Property Owner: Michael & Carrie Farquhar, 10020 Timberwolf Drive, Reno, NV  
89439.

Agencies: Verdi Township Citizen Advisory Board, Chair.

To: Washoe County Planning Commission  
Re: Amendment of Conditions Case Number AC10-001  
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**CONDITIONS FOR  
AMENDMENT OF CONDITIONS CASE NUMBER AC10-001**

(Amendment of Special Use Permit Case No. SW07-017 and Variance Case No. VA07-021 for the Mogul Booster Pumping Facility)

(As recommended by Department of Community Development and attached to Staff Report dated January 21, 2010)

**\*\*\*IMPORTANT—PLEASE READ\*\*\***

UNLESS OTHERWISE SPECIFIED, ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES MUST BE PROVIDED TO SATISFY THE CONDITIONS PRIOR TO SUBMITTAL FOR A 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 ASSURANCES. ALL AGREEMENTS, EASEMENTS, OR OTHER DOCUMENTATION REQUIRED BY THESE CONDITIONS SHALL HAVE A COPY FILED WITH THE COUNTY ENGINEER AND THE DEPARTMENT OF COMMUNITY DEVELOPMENT.

COMPLIANCE WITH THE CONDITIONS OF THIS AMENDMENT OF CONDITIONS IS THE RESPONSIBILITY OF THE APPLICANT, ITS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST. FAILURE TO COMPLY WITH ANY CONDITIONS IMPOSED IN THE ISSUANCE 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 THIS APPROVAL SHOULD IT DETERMINE THAT A SUBSEQUENT LICENSE OR PERMIT ISSUED BY WASHOE COUNTY VIOLATES THE INTENT OF THIS APPROVAL.

FOR THE PURPOSES OF CONDITIONS IMPOSED BY WASHOE COUNTY, "MAY" IS PERMISSIVE AND "SHALL" OR "MUST" IS MANDATORY.

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Re: Amendment of Conditions Case Number AC10-001  
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### GENERAL CONDITIONS

1. The applicant shall demonstrate conformance to the plans approved as part of this special use permit. The Department of Community Development shall determine compliance with this condition.
2. The applicant shall apply for building permits for all structures used to further the operation within ~~two~~ **seven (7)** years from the **original** date of approval (**December 4, 2007**) by Washoe County. The Department of Community Development shall determine compliance with this condition.
3. This special use permit shall remain in effect until or unless it is revoked or is inactive for one year.
4. Failure to comply with the conditions of approval shall render this approval null and void. Compliance with this condition shall be determined by the Department of Community Development.
5. A copy of the Final Order stating conditional approval of this special use permit shall be attached to all applications for administrative permits, including building and grading permits issued by Washoe County.
6. The applicant and any successors shall direct any potential purchaser/operator of the special use permit to meet with the Department of Community Development to review conditions of approval prior to the final sale of the special use permit. The subsequent purchaser/operator of the special use permit shall notify the Department of Community Development of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.
7. A note shall be placed on all construction drawings and grading plans stating:

#### NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts, shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

8. Construction hours shall be limited to 7 a.m. to 6 p.m., Monday through Saturday only. Allowable construction hours shall be extended to 7 p.m., May 1 through November 30 only. Machinery and construction vehicles shall not be started, or arrive on the site, prior to 7 a.m. Compliance with this condition shall be determined by the Department of Community Development.

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Re: Amendment of Conditions Case Number AC10-001  
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### **LANDSCAPING AND DESIGN CONDITIONS**

9. The following conditions are requirements of the Department of Community Development and it shall be responsible for determining compliance with these conditions:
- a. Prior to any ground disturbing activity, the applicant shall submit a landscaping/architectural design plan to the Department of Community Development. Said plan shall address, but not be limited to: type and color of building materials, general architectural design, parking, parking lot circulation and striping, signage, exterior lighting, fencing, trash enclosures, landscaping material (if plant material: type, size at time of planting, maturation size at full growth, period of time between planting and full growth), landscaping location, landscaping irrigation system, and financial assurances that landscaping will be planted and maintained.
  - b. A certification letter or series of letters by a landscape architect registered in the State of Nevada shall be submitted to the Department of Community Development. The letter(s) shall certify that all applicable landscaping provisions of Articles 410 and 412 of the Development Code have been met. Any landscaping plans and the letter shall be wet-stamped. The letter shall indicate any provisions of the Code that the Director of Community Development has waived.
  - c. All landscaping shall be maintained in accordance with the provisions found in Section 110.412.75, Maintenance. A three-year maintenance plan shall be submitted by a licensed landscape architect registered in the State of Nevada to the Department of Community Development, prior to a Certificate of Occupancy. The plan shall be wet-stamped.
  - d. Prior to the issuance of any building or grading permit, all landscaping information indicated in Condition 9(a) shall be submitted to the Department of Community Development for review and approval by the Design Review Committee. Landscaping material shall also be reviewed for its resistance to fire.
  - e. Prior to the issuance of any building or grading permit, the landscaping plan approved by the Design Review Committee shall be deemed acceptable by the Washoe County Fire Services Coordinator.
  - f. Prior to being issued a Certificate of Occupancy or Final Inspection, the applicant shall revegetate all disturbed areas on the subject site, including cut and fill slopes, with native vegetation, except those areas permanently stabilized by a structure, pavement or ornamental landscaping that provides 50% or greater coverage by living plant material. Temporary irrigation shall be provided to all disturbed areas for a time period of not less than three years.



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- g. The architectural design, color palette, and roofing materials of the proposed structure shall complement existing residential structures in the immediate vicinity. All exterior materials and colors shall be non-reflective.
- h. Any chain-link fencing surrounding the facility shall be of non-reflective, vinyl-coated chain link. The color of the chain link shall be a tan or dark brown to blend with surrounding environment.
- i. All proposed lighting at this facility shall be down-shielded to prevent spillover onto adjacent properties.
- j. Retaining walls shall be treated with "Permeon" simulated desert varnish or an equivalent product to ensure that the walls match the color of the surrounding hillside as closely as practicable. Final construction drawings shall include a note indicating compliance with this condition.

#### **SOUND CONDITIONS**

10. The following conditions are requirements of the Department of Community Development and it shall be responsible for determining compliance with these conditions:
- a. Sound emissions, as measured from the closest property line external to the project, from any source or operations on the property shall not exceed any of the following noise levels. Noise levels shall be measured as A-weighted sound pressure levels, using fast response setting on a Type 1 or a Type 2 sound level meter:
    - i. 65 dB  $L_{eq(10)}$  during the hours of 7:00 a.m. to 7:00 p.m.
    - ii. 55 dB  $L_{eq(10)}$  during the hours of 7:01 p.m. to 6:59 a.m.
    - iii. 85 dB instantaneous maximum noise levels, measured at least three (3) times over any 10-minute period.
    - iv. 75 dB instantaneous maximum noise levels, measured at least three (3) times over any 10-minute period, during the hours of 10:01 p.m. to 6:59 a.m.
    - v. 120 dB instantaneous peak measures at any time.
  - b. Construction noise and on-going operational noise associated with the project shall meet all noise standards of the Development Code and those listed in Condition 10(a). Upon verifiable unresolved complaint from surrounding property owner(s) of excessive noise, Washoe County may secure the services of a qualified noise consultant. The applicant shall be responsible for reimbursing the County for all costs incurred to complete two 24-hour monitorings of the operation to assure compliance with noise standards. Failure to compensate the County within 30 days of presentation of the

To: Washoe County Planning Commission  
Re: Amendment of Conditions Case Number AC10-001  
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contract fee shall render the special use permit null and void. Should the noise monitoring report substantiate non-compliance with noise standards, within one (1) week, the applicant shall secure the services of a qualified noise consultant to promptly prepare a noise attenuation plan for submittal to the Department of Community Development. Upon approval of the submittal by Department of Community Development staff, the plan shall be immediately implemented and continuing monitoring shall be established. All cost incurred shall be funded by the applicant to ensure compliance with noise standards.

### **ENGINEERING CONDITIONS**

11. The following conditions are requirements of the County Engineer and it shall be responsible for determining compliance with these conditions:
  - a. A complete set of construction improvement drawings, including an on-site grading plan shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMPs) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site by BMPs.
  - b. An approved occupancy permit shall be obtained from the Nevada Department of Transportation (NDOT), for access to, from, or under roads and highways maintained by NDOT and a copy of said permit sent to the Engineering Division.

**AND**

### **SPECIFIC CONDITIONS FOR VARIANCE CASE NO. VA07-021**

1. The applicant shall apply for building permits for all structures used to further the operation within ~~two~~ **seven (7)** years from the **original** date of approval (**December 4, 2007**) by Washoe County.. The Department of Community Development shall determine compliance with this condition.
2. The applicant shall demonstrate conformance with the plans approved as part of this variance. Modification to the site plan may require amendment to and reprocessing of the variance. The Department of Community Development shall determine compliance with this condition.
3. A copy of the Final Order and approved site plan for the variance shall be attached to all building permit applications issued by Washoe County. Building plans will not be reviewed unless the Final Order and site plan are attached. The

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Re: Amendment of Conditions Case Number AC10-001  
Date: February 3, 2010  
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Department of Community Development shall determine compliance with this condition.

4. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts, shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

5. Construction hours shall be limited to 7 a.m. to 6 p.m., Monday through Saturday only. Allowable construction hours shall be extended to 7 p.m., May 1 through November 30 only. Machinery and construction vehicles shall not be started, or arrive on the site, prior to 7 a.m. Compliance with this condition shall be determined by the Department of Community Development.

**LANDSCAPING AND DESIGN CONDITIONS**

6. The following conditions are requirements of the Department of Community Development and it shall be responsible for determining compliance with these conditions:
- a. Prior to any ground disturbing activity, the applicant shall submit a landscaping/architectural design plan to the Department of Community Development. Said plan shall address, but not be limited to: type and color of building materials, general architectural design, parking, parking lot circulation and striping, signage, exterior lighting, fencing, trash enclosures, landscaping material (if plant material: type, size at time of planting, maturation size at full growth, period of time between planting and full growth), landscaping location, landscaping irrigation system, and financial assurances that landscaping will be planted and maintained.
  - b. A certification letter or series of letters by a landscape architect registered in the State of Nevada shall be submitted to the Department of Community Development. The letter(s) shall certify that all applicable landscaping provisions of Articles 410 and 412 of the Development Code have been met. Any landscaping plans and the letter shall be wet-stamped. The letter shall indicate any provisions of the Code that the Director of Community Development has waived.
  - c. All landscaping shall be maintained in accordance with the provisions found in Section 110.412.75, Maintenance. A three-year maintenance plan shall be submitted by a licensed landscape architect registered in the State of Nevada

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to the Department of Community Development, prior to a Certificate of Occupancy. The plan shall be wet-stamped.

- d. Prior to the issuance of any building or grading permit, all landscaping information indicated in Condition 6(a) shall be submitted to the Department of Community Development for review and approval by the Design Review Committee. Landscaping material shall also be reviewed for its resistance to fire.
- e. Prior to the issuance of any building or grading permit, the landscaping plan approved by the Design Review Committee shall be deemed acceptable by the Washoe County Fire Services Coordinator.
- f. Prior to being issued a Certificate of Occupancy or Final Inspection, the applicant shall revegetate all disturbed areas on the subject site, including cut and fill slopes, with native vegetation, except those areas permanently stabilized by a structure, pavement or ornamental landscaping that provides 50% or greater coverage by living plant material. Temporary irrigation shall be provided to all disturbed areas for a time period of not less than three years.
- g. Retaining walls shall be treated with "Permeon" simulated desert varnish or an equivalent product to ensure that the walls match the color of the surrounding hillside as closely as practicable. Final construction drawings shall include a note indicating compliance with this condition.

**\*\*\* END OF CONDITIONS \*\*\***



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☎ 775.834.8080 • 📠 775.834.8003

14 October 2009

Mr. Paul Kelly  
Washoe County Community Development  
P.O. Box 11130  
Reno, NV 89520-0037

Re: Request for Extension for Special Use Permit SW07-017 and Variance VA07-021

Dear Mr. Kelly,

The Truckee Meadows Water Authority (TMWA) would like to request an indefinite extension of the above-referenced Special Use Permit and Variance. When TMWA made application for the project, it was anticipated that the pump station facility would be constructed within the timeframes called for in the permits. The dramatic downturn in commercial and residential development that occurred shortly thereafter resulted in a lack of funding to construct the facility. As economic conditions have not changed substantially during the past two years, TWMA has been unable to move forward with the project and cannot anticipate when the pump station will be required.

TMWA committed to the project and acquired the property, at a cost of approximately \$80,000, based upon issuance of the SUP and variance. Having to go through the permitting process again would add costs for a project that was not controversial for the neighborhood.

Thank you very much for your consideration.

Sincerely,

Juan C. Esparza, P.E.  
Truckee Meadows Water Authority

/je



# Community Development

"Dedicated to Excellence in Public Service"

Adrian P. Freund, AICP, Community Development Director



## ACTION ORDER

December 10, 2007

Truckee Meadows Water Authority  
Attn: Juan Esparza and Heather Edmunson  
P.O. Box 30013  
Reno, NV 89520

Michael and Carrie Farquhar  
10020 Timberwolf Drive  
Reno, NV 89439

Dear Applicant and Property Owner:

As filed with the Department of Community Development, the Washoe County Planning Commission, at its regular meeting of December 4, 2007, approved the following with eleven (11) conditions.

**SPECIAL USE PERMIT CASE NO. SW07-017 (MOGUL BOOSTER PUMPING FACILITY)** – To construct a booster pumping facility to convey potable water through the Mogul area, as authorized by Table 110.302.05.2 of the Washoe County Development Code. The grading for the project will include approximately 540 cubic yards of excavation, 400 cubic yards of exported material and a retaining wall ranging from 3 feet to 8 feet in height. The subject parcel is located at 10020 Timberwolf Drive, approximately 300 feet west of its intersection with Cliff View Drive. The booster pumping facility is located at the rear of the property and will be accessed off West 4<sup>th</sup> Street. The ±.793-acre parcel is designated Medium Density Suburban (MDS) in the Verdi Area Plan, and is situated in a portion of Section 14, T19N, R18E, MDM, Washoe County, Nevada. The property is located in the Verdi Township Citizen Advisory Board boundary and Washoe County Commission District No. 5. (APN 038-461-06)

The approval of the special use permit was based on the following findings:

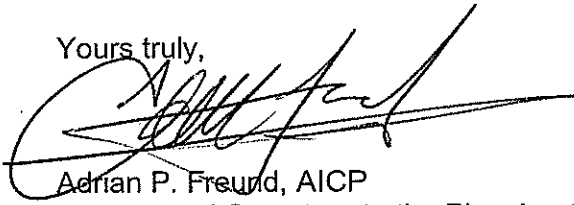
1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Comprehensive Plan, the land use of Public Semi-Public Facilities, the Verdi Area Plan;
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided for the construction and operation of the water storage tank; the operations improvements are properly related to existing and proposed roadways; and an adequate public facilities determination has been made in accordance with Division Seven;
3. Site Suitability. After an extensive analysis of potential site, it was determined that the proposed site is most suitable for the water tank as conditioned;

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4. Issuance Not Detrimental. That the continuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; injurious to surrounding land uses and the environment in general; or detrimental to the character of the surrounding area as conditioned;
5. Reasoned Consideration. That the Planning Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.

Unless appeals are filed in the time period stipulated in the Washoe County Development Code, the decision by the Planning Commission is final.

Yours truly,



Adrian P. Freund, AICP  
Director and Secretary to the Planning Commission

APF/KM/cm (SW07-017F1)

xc: Blaine Cartlidge, Esq. District Attorney's Office; Marge Clausen, Assessor's Office (CAAS); Theresa Wilkins, Assessor's Office; David Lindsey, Utility Division; Engineering Division; Sierra Fire Protection District; District Health; Gene Gardella, Chair, Verdi Township Citizen Advisory Board; Commissioner Bonnie Weber.

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**CONDITIONS FOR  
SPECIAL USE PERMIT CASE NUMBER SW07-017  
TRUCKEE MEADOWS WATER AUTHORITY  
(As Approved by the Washoe County Planning Commission on December 4, 2007)**

**\*\*\*IMPORTANT—PLEASE READ\*\*\***

UNLESS OTHERWISE SPECIFIED, ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES MUST BE PROVIDED TO SATISFY THE CONDITIONS PRIOR TO SUBMITTAL FOR A 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 ASSURANCES. ALL AGREEMENTS, EASEMENTS, OR OTHER DOCUMENTATION REQUIRED BY THESE CONDITIONS SHALL HAVE A COPY FILED WITH THE COUNTY ENGINEER AND THE DEPARTMENT OF COMMUNITY DEVELOPMENT.

COMPLIANCE WITH THE CONDITIONS OF THIS SPECIAL USE PERMIT IS THE RESPONSIBILITY OF THE APPLICANT, ITS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST. FAILURE TO COMPLY WITH ANY CONDITIONS IMPOSED IN THE ISSUANCE OF THE SPECIAL USE PERMIT MAY RESULT IN THE INSTITUTION OF REVOCATION PROCEDURES.

ANY OPERATIONS CONDITIONS ARE SUBJECT TO REVIEW BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT PRIOR TO THE RENEWAL OF A BUSINESS LICENSE EACH YEAR. FAILURE TO ADHERE TO THE CONDITIONS MAY RESULT IN WITHHOLDING RENEWAL OF THE BUSINESS LICENSE UNTIL CONDITIONS ARE COMPLIED WITH TO THE SATISFACTION OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT.

WASHOE COUNTY RESERVES THE RIGHT TO REVIEW AND REVISE THE CONDITIONS OF THIS APPROVAL SHOULD IT DETERMINE THAT A SUBSEQUENT LICENSE OR PERMIT ISSUED BY WASHOE COUNTY VIOLATES THE INTENT OF THIS APPROVAL.

FOR THE PURPOSES OF CONDITIONS IMPOSED BY WASHOE COUNTY, "MAY" IS PERMISSIVE AND "SHALL" OR "MUST" IS MANDATORY.



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### GENERAL CONDITIONS

1. The applicant shall demonstrate conformance to the plans approved as part of this special use permit. The Department of Community Development shall determine compliance with this condition.
2. The applicant shall apply for building permits for all structures used to further the operation within two years from the date of approval by Washoe County. The Department of Community Development shall determine compliance with this condition.
3. This special use permit shall remain in effect until or unless it is revoked or is inactive for one year.
4. Failure to comply with the conditions of approval shall render this approval null and void. Compliance with this condition shall be determined by the Department of Community Development.
5. A copy of the Final Order stating conditional approval of this special use permit shall be attached to all applications for administrative permits, including building and grading permits issued by Washoe County.
6. The applicant and any successors shall direct any potential purchaser/operator of the special use permit to meet with the Department of Community Development to review conditions of approval prior to the final sale of the special use permit. The subsequent purchaser/operator of the special use permit shall notify the Department of Community Development of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.
7. A note shall be placed on all construction drawings and grading plans stating:

#### NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts, shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

8. Construction hours shall be limited to 7 a.m. to 6 p.m., Monday through Saturday only. Allowable construction hours shall be extended to 7 p.m., May 1 through November 30 only. Machinery and construction vehicles shall not be started, or arrive on the site, prior to 7 a.m. Compliance with this condition shall be determined by the Department of Community Development.

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### LANDSCAPING AND DESIGN CONDITIONS

9. The following conditions are requirements of the Department of Community Development and it shall be responsible for determining compliance with these conditions:
- a. Prior to any ground disturbing activity, the applicant shall submit a landscaping/architectural design plan to the Department of Community Development. Said plan shall address, but not be limited to: type and color of building materials, general architectural design, parking, parking lot circulation and striping, signage, exterior lighting, fencing, trash enclosures, landscaping material (if plant material: type, size at time of planting, maturation size at full growth, period of time between planting and full growth), landscaping location, landscaping irrigation system, and financial assurances that landscaping will be planted and maintained.
  - b. A certification letter or series of letters by a landscape architect registered in the State of Nevada shall be submitted to the Department of Community Development. The letter(s) shall certify that all applicable landscaping provisions of Articles 410 and 412 of the Development Code have been met. Any landscaping plans and the letter shall be wet-stamped. The letter shall indicate any provisions of the Code that the Director of Community Development has waived.
  - c. All landscaping shall be maintained in accordance with the provisions found in Section 110.412.75, Maintenance. A three-year maintenance plan shall be submitted by a licensed landscape architect registered in the State of Nevada to the Department of Community Development, prior to a Certificate of Occupancy. The plan shall be wet-stamped.
  - d. Prior to the issuance of any building or grading permit, all landscaping information indicated in Condition 9(a) shall be submitted to the Department of Community Development for review and approval by the Design Review Committee. Landscaping material shall also be reviewed for its resistance to fire.
  - e. Prior to the issuance of any building or grading permit, the landscaping plan approved by the Design Review Committee shall be deemed acceptable by the Washoe County Fire Services Coordinator.
  - f. Prior to being issued a Certificate of Occupancy or Final Inspection, the applicant shall revegetate all disturbed areas on the subject site, including cut and fill slopes, with native vegetation, except those areas permanently stabilized by a structure, pavement or ornamental landscaping that provides 50% or greater coverage by living plant material. Temporary irrigation shall be provided to all disturbed areas for a time period of not less than three years.
  - g. The architectural design, color palette, and roofing materials of the proposed structure shall complement existing residential structures in the immediate vicinity. All exterior materials and colors shall be non-reflective.

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- h. Any chain-link fencing surrounding the facility shall be of non-reflective, vinyl-coated chain link. The color of the chain link shall be a tan or dark brown to blend with surrounding environment.
- i. All proposed lighting at this facility shall be down-shielded to prevent spillover onto adjacent properties.
- j. Retaining walls shall be treated with "Permeon" simulated desert varnish or an equivalent product to ensure that the walls match the color of the surrounding hillside as closely as practicable. Final construction drawings shall include a note indicating compliance with this condition.

### SOUND CONDITIONS

10. The following conditions are requirements of the Department of Community Development and it shall be responsible for determining compliance with these conditions:
- a. Sound emissions, as measured from the closest property line external to the project, from any source or operations on the property shall not exceed any of the following noise levels. Noise levels shall be measured as A-weighted sound pressure levels, using fast response setting on a Type I or a Type 2 sound level meter:
    - i. 65 dB  $L_{eq(10)}$  during the hours of 7:00 a.m. to 7:00 p.m.
    - ii. 55 dB  $L_{eq(10)}$  during the hours of 7:01 p.m. to 6:59 a.m.
    - iii. 85 dB instantaneous maximum noise levels, measured at least three (3) times over any 10-minute period.
    - iv. 75 dB instantaneous maximum noise levels, measured at least three (3) times over any 10-minute period, during the hours of 10:01 p.m. to 6:59 a.m.
    - v. 120 dB instantaneous peak measures at any time.
  - b. Construction noise and on-going operational noise associated with the project shall meet all noise standards of the Development Code and those listed in Condition 10(a). Upon verifiable unresolved complaint from surrounding property owner(s) of excessive noise, Washoe County may secure the services of a qualified noise consultant. The applicant shall be responsible for reimbursing the County for all costs incurred to complete two 24-hour monitorings of the operation to assure compliance with noise standards. Failure to compensate the County within 30 days of presentation of the contract fee shall render the special use permit null and void. Should the noise monitoring report substantiate non-compliance with noise standards, within one (1) week, the applicant shall secure the services of a qualified noise consultant to promptly prepare a noise attenuation plan for submittal to the Department of Community Development. Upon approval of the submittal by Department of Community Development staff, the plan shall be immediately

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implemented and continuing monitoring shall be established. All cost incurred shall be funded by the applicant to ensure compliance with noise standards.

#### **ENGINEERING CONDITIONS**

11. The following conditions are requirements of the County Engineer and it shall be responsible for determining compliance with these conditions:
  - a. A complete set of construction improvement drawings, including an on-site grading plan shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMPs) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site by BMPs.
  - b. An approved occupancy permit shall be obtained from the Nevada Department of Transportation (NDOT), for access to, from, or under roads and highways maintained by NDOT and a copy of said permit sent to the Engineering Division.

**\*\*\* END OF CONDITIONS \*\*\***