



Board of Adjustment Staff Report

Meeting Date: October 5, 2017

Subject: Special Use Permit Case Number WSUP17-0017
Applicant: Incline Village General Improvement District (IVGID)
Agenda Item Number: 9B
Project Summary: To allow earthen structures (bike jumps and landings) taller than 6 feet in height
Recommendation: Approval with Conditions
Prepared by: Trevor Lloyd, Senior Planner
Washoe County Community Services Department
Planning and Building Division
Phone: 775.328.3620
E-Mail: tlloyd@washoecounty.us

Description

Special Use Permit Case Number WSUP17-0017 (IVGID Bike Park) – For possible action, hearing, and discussion to approve the site grading and construction of earthen structures used for jumps and landing features taller than 6 feet in height for a Bike Park in Incline Village. The earthen structures will not exceed 10 feet in height.

- Owner/Applicant: Incline Village General Improvement District (IVGID)
- Location: 969 Tahoe Blvd, Incline Village
- Assessor's Parcel Number: 127-030-31
- Parcel Size: ±18.36 Acres
- Master Plan Category: Rural (R)
- Regulatory Zone: Parks and Recreation (PR)
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village/Crystal Bay
- Development Code: Authorized in Article 810, Special Use Permits
- Commission District: 1 – Commissioner Berkbigler
- Section/Township/Range: Section 15, T16N, R18E, MDM, Washoe County, NV

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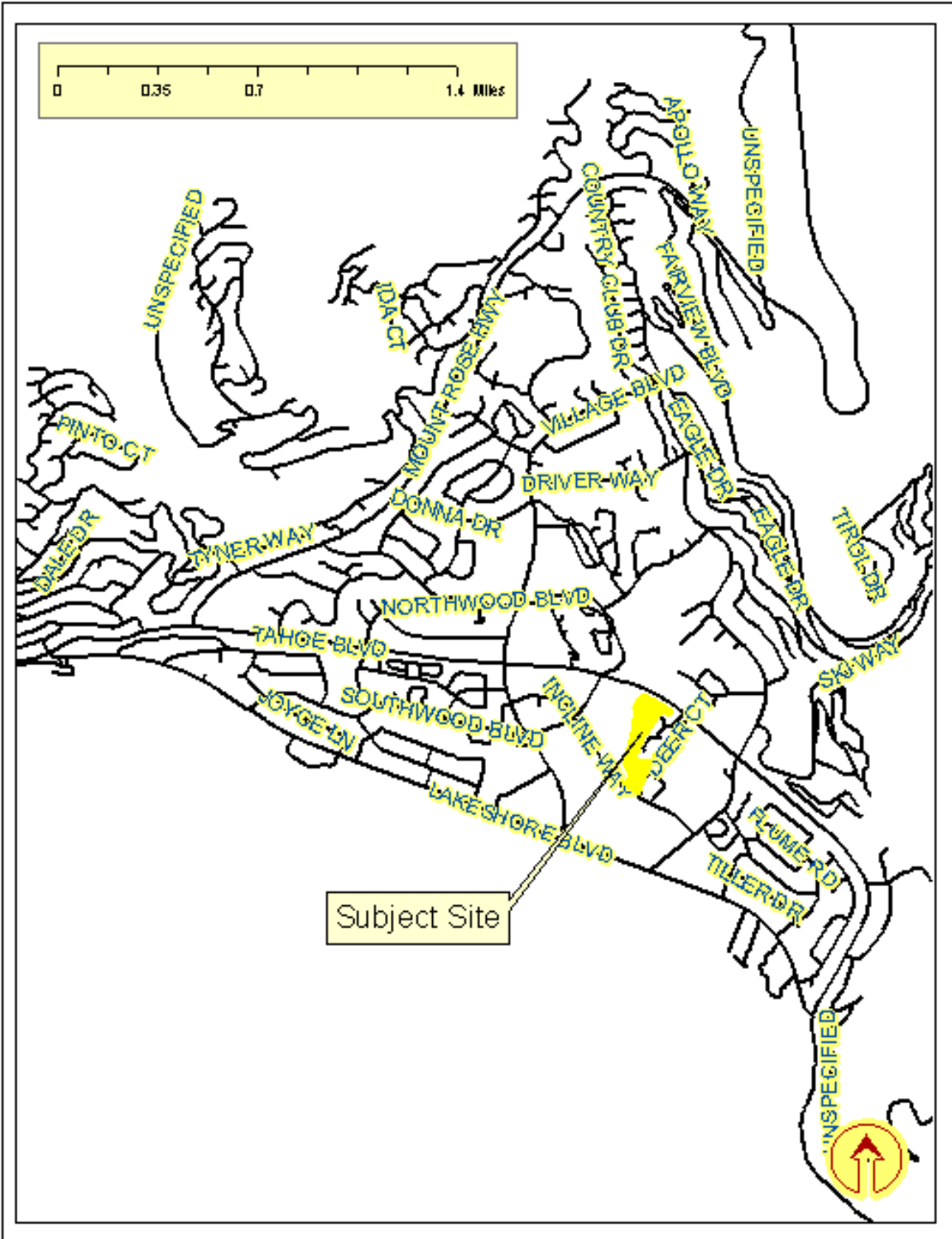
Special Use Permit

The purpose of a Special Use Permit is to allow a method of review to identify any potential harmful impacts on adjacent properties or surrounding areas for uses that may be appropriate within a regulatory zone; and to provide for a procedure whereby such uses might be permitted by further restricting or conditioning them so as to mitigate or eliminate possible adverse impacts. If the Board of Adjustment (Board) grants an approval of the Special Use Permit, that approval is subject to Conditions of Approval. Conditions of Approval are requirements that need to be completed during different stages of the proposed project. Those stages are typically:

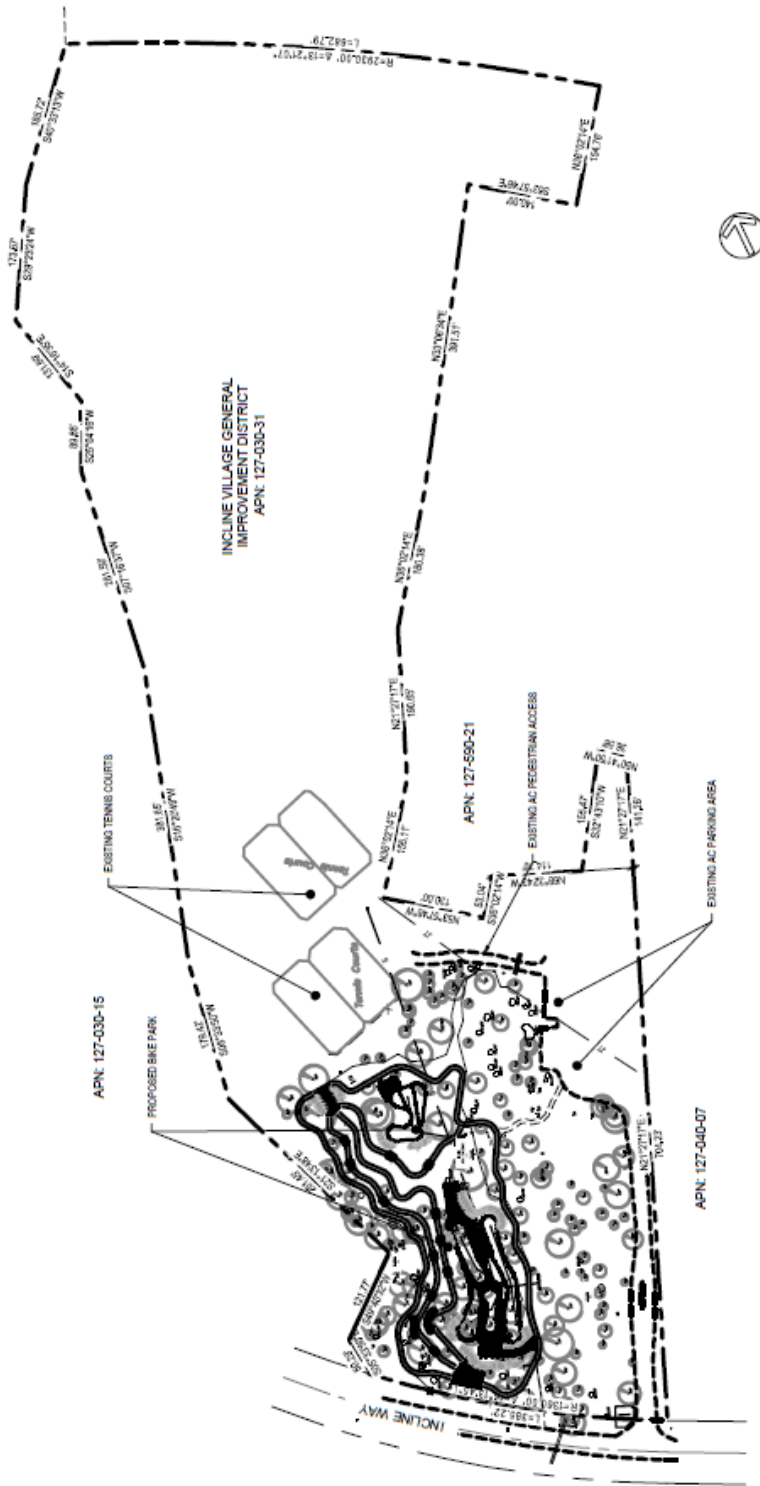
- Prior to permit issuance (i.e. a grading permit, a building permit, etc.)
- Prior to obtaining a final inspection and/or a certificate of occupancy on a structure
- Prior to the issuance of a business license or other permits/licenses
- Some Conditions of Approval are referred to as "Operational Conditions." These conditions must be continually complied with for the life of the business or project.

The Conditions of Approval for Special Use Permit Case Number WSUP17-0017 are attached to this staff report and will be included with the Action Order.

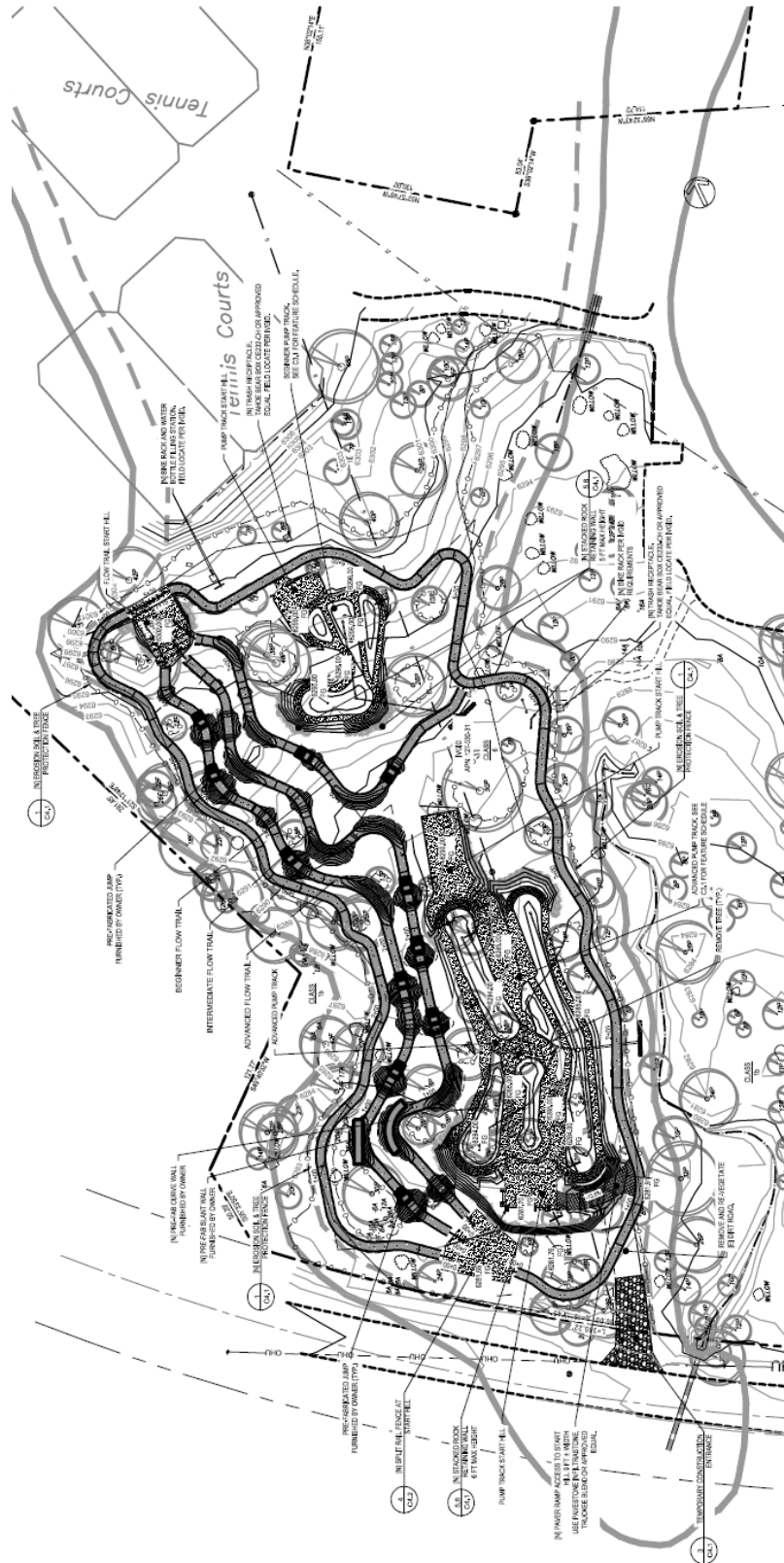
The subject property is designated as Parks and Recreation (PR). The proposed use of a bike park is classified as an active recreation use type which is permitted in the PR regulatory zone by right per the Incline Village Commercial Community Plan, a part of the Washoe County Master Plan. The special use permit is required to accommodate the earthen structures taller than 6 feet in height, per WCC Section 110.438.35, which will be used for jumps and landings for the proposed bike park. Therefore, the applicant is seeking approval of this SUP from the Board.



Vicinity Map

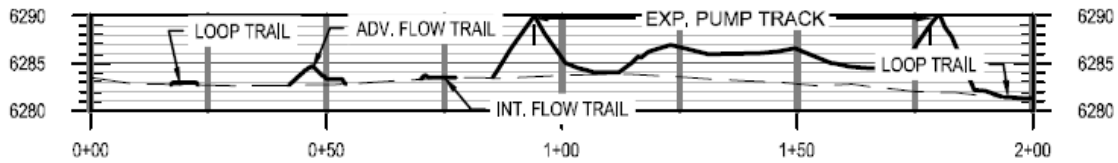


Site Plan A

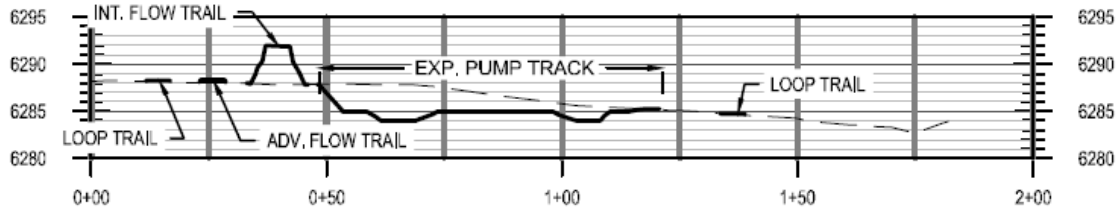


Site Plan B

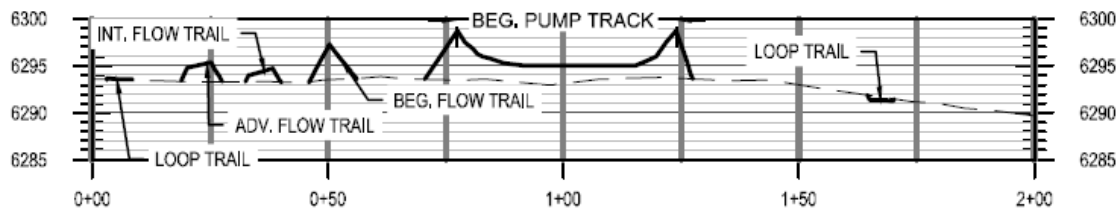
CROSS SECTION 1



CROSS SECTION 2



CROSS SECTION 3



Cross Sections

Project Evaluation

The purpose of this special use permit is to allow for the approval of earthen structures larger than 6 feet in height within a Bike Park to be constructed by the Incline Village General Improvement District (IVGID) on property owned by the GID. Most of the earthen jumps will be smaller than 6 feet in height but several jumps shall be taller than 6 feet. None of the earthen jumps will be larger than 10 feet in height. Washoe County has already granted approval of the use of the facility as a bike park as well as the initial grading. However, in order to fully support the desired design of the park as requested by the applicants, a special use permit is needed to fulfill that request.

The bike park is centrally located in Incline Village adjacent to other recreational facilities owned and operated by IVGID. The park has been designed to preserve as many trees on the property as possible. The property is a developed site that includes paved parking, tennis courts, and other recreational facilities. Existing utilities on the site include sewer, water, and power.

The earthen structures will be used as jumps and landings by the bike riders and will be constructed in compliance with all Washoe County grading standards including a maximum of a 3 to 1 slope. A total of 80,000 square feet and 370 cubic yards of disturbance (excavation) will

be needed for this facility. The bike park is designed to be used by all levels of bike riders including beginner, intermediate and advanced riders.

The site is heavily wooded and additional vegetative screening is proposed between Incline Way and the proposed project site to mitigate the visual impacts of the proposed project.

Based on staff's review and analysis, there does not appear to be any significant detrimental impacts associated with this request. Staff is recommending approval of the special use permit subject to the findings and conditions included with this staff report. **Incline Village Crystal Bay Citizen Advisory Board (IVCBCAB)**

The proposed project is scheduled to be presented by the applicant's representative at the September 25, 2017 Citizen Advisory Board meeting. Staff will provide the Board of Adjustment with a summary of the comments raised at the CAB meeting prior to the Board of Adjustment meeting.

Reviewing Agencies

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

- Washoe County Community Services Department
 - Planning and Building Division
 - Engineering and Capital Projects Division
 - Parks and Open Spaces
- Washoe County Health District
- North Lake Tahoe Fire Protection District
- Tahoe Regional Planning Agency
- Washoe Story Conservation District
- Nevada Department of Transportation (NDOT)

Two out of the eight above listed agencies/departments provided comments and/or recommended conditions of approval in response to their evaluation of the project application. A **summary** of each agency's comments and/or recommended conditions of approval and their contact information is provided. The Conditions of Approval document is attached to this staff report and will be included with the Action Order, if the application is approved by the Board.

- Washoe County Planning and Building Division addressed the grading standards for the earthen jumps.
Contact: Trevor Lloyd, 775.328.3620, tlloyd@washoecounty.us
- Washoe County Engineering and Capital Projects addressed the requirement for construction improvement plans and the requirement for a stormwater discharge permit.
Contact: Leo Vesely, 775.328.2313, lvesely@washoecounty.us

Staff Comment on Required Findings

WCC Section 110.810.30 requires that all of the following findings be made to the satisfaction of the Board before granting approval of the request. Staff has completed an analysis of the special use permit application and has determined that the proposal is in compliance with the required findings as follows.

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Tahoe Area Plan.

Staff Comment: The Tahoe Area Plan places a high priority on enhancing parks and recreation opportunities. The proposed use is consistent with the policies, standards and maps of the Master Plan and Tahoe 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.

Staff Comment: Per Division 7 of the Washoe County Development Code, adequate facilities will be provided or are planned for with this permit.

3. Site Suitability. That the site is physically suitable for the earthen structures to be used in support of the bike park and for the intensity of such a development.

Staff Comment: The site has historically been used for active and passive recreational activities. The proposed request will enhance the recreational opportunities available for the Incline Village residents.

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.

Staff Comment: The proposed request does not include the establishment of a bike park which has already been established by right. The request is for the enhancement of the bike park with earthen structures taller than 6 feet in height and does not result in a significant detriment to the public health, safety or welfare or injurious to the property or adjacent properties and the character of the surrounding area.

5. 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.

Staff Comment: There are no military installations within 3,000 feet of the development or use, therefore the use is not detrimental to location, purpose or mission of any military installation.

Recommendation

Those agencies which reviewed the application recommended conditions in support of approval of the project, or provided no comment. Therefore, after a thorough analysis and review, Special Use Permit Case Number WSUP17-0017 is being recommended for approval with conditions. Staff offers the following motion for the Board's consideration.

Motion

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve, with the conditions contained in Exhibit A to this matter, Special Use Permit Case Number WSUP17-0017 for IVGID Bike Park, having made all five findings in accordance with Washoe County Code Section 110.810.30:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Tahoe 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 earthen structures to be used in support of the bike park and for the intensity of such a 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. 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.

Appeal Process

Board of Adjustment action will be effective 10 calendar days after the written decision is filed with the Secretary to the Board of Adjustment and mailed to the applicant, unless the action is appealed to the Washoe County Board of County Commissioners, in which case the outcome of the appeal shall be determined by the Washoe County Board of County Commissioners. Any appeal must be filed in writing with the Planning and Building Division within 10 calendar days after the written decision is filed with the Secretary to the Board of Adjustment and mailed to the applicant.

Owner/Applicant: Incline Village General Improvement District (IVGID)
Attn: Brad Johnson
1220 Sweetwater Rd.
Incline Village, NV 89451

Representatives: PR Design and Engineering
Attn: Andrew Ryan
PO Box 1847
Kings Beach, CA 96143



Conditions of Approval

Special Use Permit Case Number WSUP17-0017

The project approved under Special Use Permit Case Number WSUP17-0017 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on October 5, 2017. Conditions of Approval are requirements placed on a permit or development by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act.

Unless otherwise specified, all conditions related to the approval of this Special Use Permit shall be met or financial assurance must be provided to satisfy the conditions of approval prior to issuance of a grading or building permit. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Building Division.

Compliance with the conditions of approval related to this Special Use Permit is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. Failure to comply with any of the conditions imposed in the approval of the Special Use Permit may result in the institution of revocation procedures.

Washoe County reserves the right to review and revise the conditions of approval related to this Special Use Permit should it be determined that a subsequent license or permit issued by Washoe County violates the intent of this approval.

For the purpose of conditions imposed by Washoe County, “may” is permissive and “shall” or “must” is mandatory.

Conditions of Approval are usually complied with at different stages of the proposed project. Those stages are typically:

- Prior to permit issuance (i.e., grading permits, building permits, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy.
- Prior to the issuance of a business license or other permits/licenses.
- Some “Conditions of Approval” are referred to as “Operational Conditions.” These conditions must be continually complied with for the life of the project or business.

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

Washoe County Planning and Building Division – Planning Program

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

Contact Name – Trevor Lloyd, (775) 328-3617, tlloyd@washoecounty.us

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Planning and Building Division shall determine compliance with this condition.
- b. The applicant shall submit complete construction plans and building permits shall be issued within two years from the date of approval by Washoe County and the Tahoe Regional Planning Agency. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Planning and Building Division.
- c. 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.

- d. The following **Operational Conditions** shall be required for the life of the development:
 1. This special use permit shall remain in effect until or unless it is revoked or is inactive for one year.
 2. Failure to comply with the conditions of approval shall render this approval null and void. Compliance with this condition shall be determined by the Planning and Building Division.
 3. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with the Planning and Building Division to review conditions of approval prior to the final sale of the site and/or the special use permit. Any subsequent purchaser/operator of the site and/or the special use permit shall notify the Planning and Building Division of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.

Washoe County Engineering and Capital Projects, Engineering Program

2. The following conditions are requirements of the Engineering Program, which shall be responsible for determining compliance with these conditions.

Contact Name – Leo Vesely, (775) 328-2313, lvesely@washoecounty.us

- a. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials

shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.

- b. The applicant/owner shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit for construction and submit a copy to the Engineering Program prior to issuance of a grading permit.

*** End of Conditions ***



WASHOE COUNTY

COMMUNITY SERVICES DEPARTMENT

Engineering and Capital Projects Division

"Dedicated to Excellence in Public Service"

1001 East 9th Street PO Box 11130 Reno, Nevada 89520 Telephone: (775) 328-2040 Fax: (775) 328-3699

INTEROFFICE MEMORANDUM

DATE: August 30, 2017
TO: Trevor Lloyd, Planning and Development Division
FROM: Leo R. Vesely, P.E., Engineering and Capitol Projects Division
SUBJECT: **WSUP17-0017**
APN 127-030-31
IVGID BIKE PARK

I have reviewed the referenced special use permit and have the following conditions:

1. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.
2. The applicant/owner shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit for construction and submit a copy to the Engineering Division prior to issuance of a grading permit.

LRV/Irv

WSUP17-0017
EXHIBIT B

OFFICIAL NOTICE OF PUBLIC HEARING

DATE: September 22, 2017

You are hereby notified that the **Washoe County Board of Adjustment** will conduct a public hearing at the following time and location:

1:30 p.m., Thursday, October 5, 2017

County Commission Chambers, 1001 East Ninth Street, Reno, NV 89512

RE: Special Use Permit Case Number WSUP17-0017 (IVGID Bike Park) – For possible action, hearing, and discussion to approve the site grading and construction of earthen structures used for jumps and landing features taller than 6 feet in height for a Bike Park in Incline Village. The earthen structures will not exceed 10 feet in height.

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- Staff: Trevor Lloyd, Senior Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3620
- E-mail: tlloyd@washoecounty.us

As an owner of property in the vicinity, you are invited to present testimony relative to these matters.

To access additional information about this item, please visit our website at www.washoecounty.us/csd/planning_and_development/, choose **Boards and Commissions**, then **Board of Adjustment, Meetings, +2017**. Then click on the above referenced meeting date.