



Planning Commission Staff Report

Meeting Date: December 7, 2021

Agenda Item: 9A

AMENDMENT OF CONDITIONS CASE NUMBER: WAC21-0007 Lemmon Dr Estates for WTM18-008

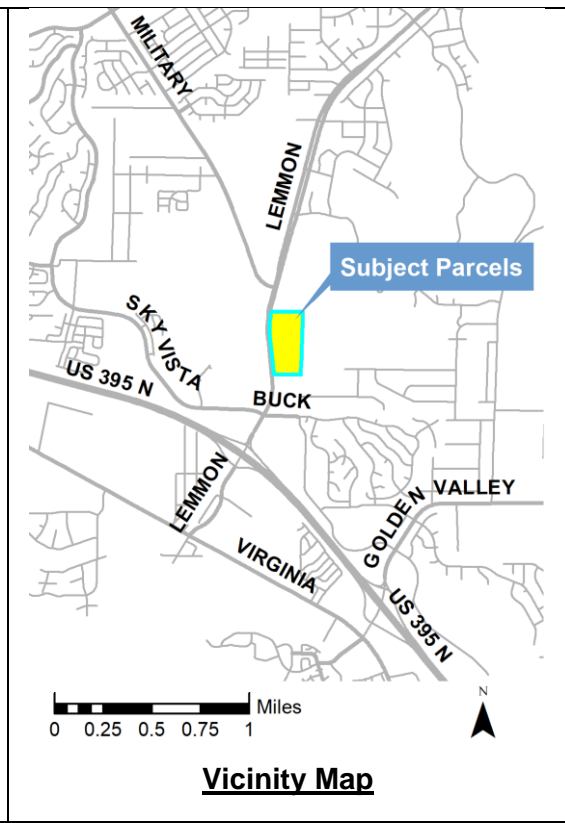
BRIEF SUMMARY OF REQUEST: Remove the condition requiring undergrounding of existing 60kV transmission line.

STAFF PLANNER: Planner's Name: Dan Cahalane
Phone Number: 775.328.3628
E-mail: dcahalane@washoecounty.gov

CASE DESCRIPTION

For hearing, discussion, and possible action to approve an amendment of conditions for WTM18-004 to remove condition 2(i) which requires undergrounding of electric transmission lines of 100kV or less and replace the condition with a new conditions 2(i) which will require undergrounding of electrical transmission lines of 35kV or less (and thus, will no longer require undergrounding of the existing 60kV transmission line).

Applicant:	Lafferty Communities
Property Owner:	BDF Trust
Location:	600ft south of Military and Lemmon Dr.
APN:	552-210-20
Parcel Size:	33.622 acres
Master Plan:	Suburban Residential
Regulatory Zone:	Medium Density Suburban
Area Plan:	North Valleys
Development Code:	Authorized in Article 616
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 approve Amendment of Conditions Case Number WAC21-0007 for Lafferty Communities, with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.608.25:

(Motion with Findings on Page 6)

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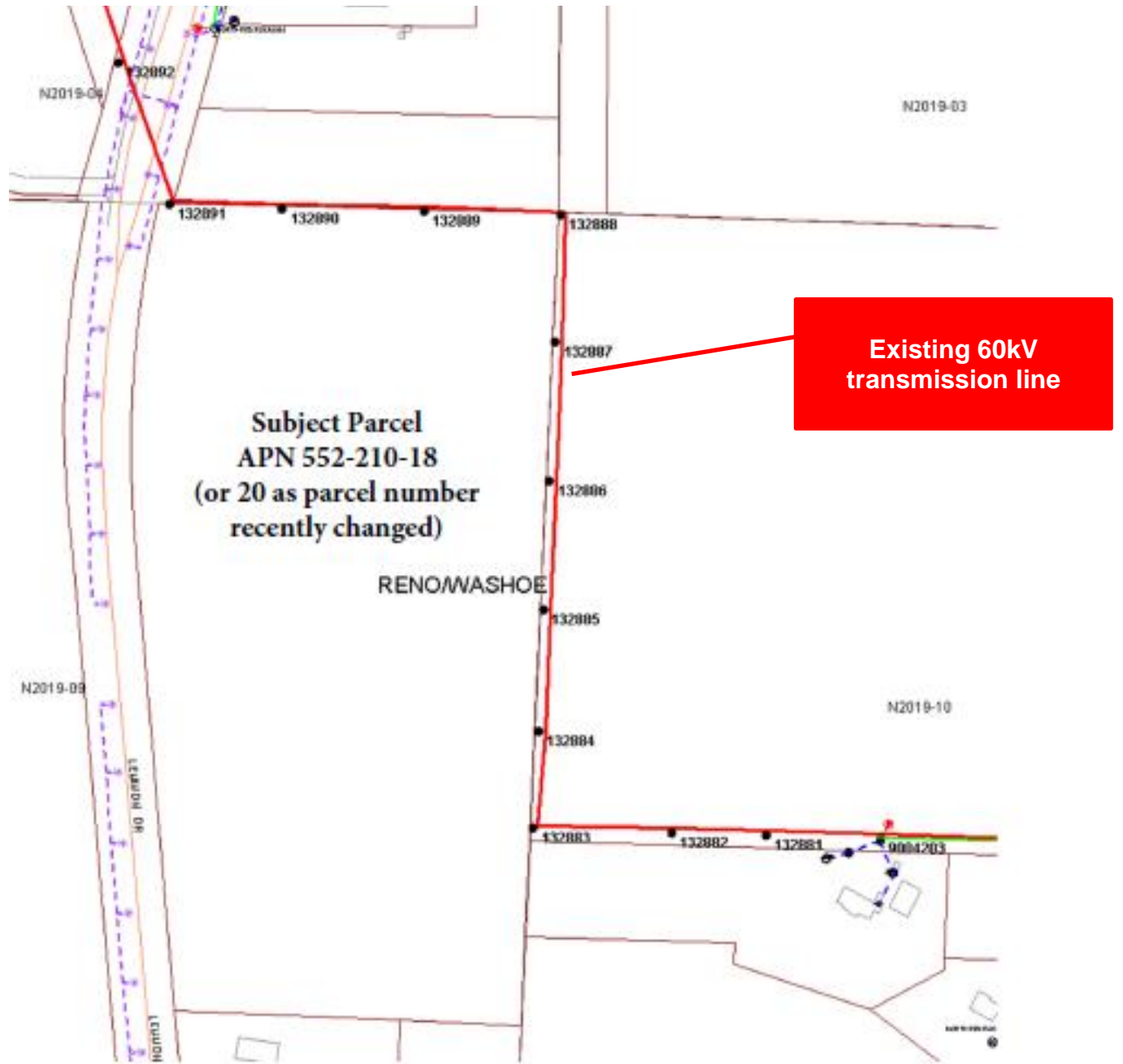
Amendment of Conditions

An amendment of conditions application may be 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, 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 amended conditions of approval for Amendment of Conditions Case Number WAC21-0007 is attached to this staff report and will be included with the amended action order.



Site Plan

Background and Evaluation of Amendment Request

The applicant is requesting to amend condition 2(i) of WTM18-0004 Lemmon Drive Estates:

Condition 2(i) - All existing overhead utility lines shall be placed underground, except electric transmission¹ lines greater than 100 kilovolts, which can remain above ground.

Currently, there is an existing 60kV transmission line traversing the north side of APN 552-210-20. This transmission line is currently listed as an above ground transmission corridor per Regional Plan Map 3, Utility Corridors. Any requirements to bury the transmission line would require a Regional Plan Amendment to Map 3.

The applicant has provided staff with correspondence from Washoe County Engineering stating that the 60kV line does not need to be buried. NV Energy provided additional commentary stating that the cut off between distribution² lines and transmission lines is at 35kV.

Condition 2(i) fits within the parameters of WCC 110.604.30 which states:

*Utilities - All public utilities shall be placed underground, **except in the case where underground placement of utilities is shown to not be feasible, in which case the County Engineer may approve exceptions to this requirement.***

This states that all public utilities, irrespective of the scale of the utility, shall be placed underground. Staff does not see any conflict between the current code and the originally approved condition. However, staff defers to the perspective of Washoe County Engineering, who is able to approve exceptions to the requirement of WCC 110.604.30. Washoe County Engineering supports changing condition 2(i) to:

*All existing utility lines shall be placed underground **except electric transmission lines greater than 35 kilovolts, which can remain above ground.***

This removes the requirement to bury the existing electrical transmission infrastructure and the subsequent need to amend Map 3 of the Truckee Meadows Regional Plan.

North Valleys Area Plan

The subject parcel is located within the North Valleys Area Plan. The following is the pertinent policy from the Area Plan:

Relevant Area Plan Policies Reviewed

Policy	Brief Policy Description	Complies	Condition of Approval
NV 9.1	Requirement to place underground utility distribution infrastructure. Utility Transmission facilities will be subject to a special use permit.	Yes	The current 60kV line is a transmission line. This does not require underground placement like a distribution line.

¹ Transmission lines are electrical lines designed to carry electricity at higher voltages in order to efficiently transport electricity over longer distances. Generally, this involves voltages over 35kV.

² Distribution lines are electrical lines designed to carry lower voltage electricity to homes for normal use and are stepped down in voltage further using localized transformers to ensure interoperability with electrical appliances. Normally, this involves voltages less than 35kV.

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 (Name/email)
Nevada Dept of Env Protection	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Nevada Div. of Wildlife	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Washoe County Parks & Open Spaces	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Washoe County Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Robert Wimer, PE Rwimer@washoecounty.gov
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"/>	
NV Energy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

All conditions required by the contacted agencies can be found in Exhibit A, Conditions of Approval.

Recommendation

Those agencies which reviewed the application recommended conditions in support of approval of the Amendment of Conditions request. Therefore, after a thorough review and analysis, Amendment of Conditions Case Number WAC21-0007 is being recommended for approval with the amended condition. Staff offers the following motion for the Commission'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 Planning Commission approve Amendment of Conditions Case Number WAC21-0007 for Lafferty Communities with the amended conditions included as Exhibit A to this matter, having made all the findings in accordance with Washoe County Code Section 110.608.25:

- a) Plan Consistency. That the proposed map is consistent with the Master Plan and any specific plan;
- b) Design or Improvement. That the design or improvement of the proposed subdivision is consistent with the Master Plan and any specific plan;
- c) Type of Development. That the site is physically suited for the type of development proposed;
- d) Availability of Services. That the subdivision will meet the requirements of Article 702, Adequate Public Facilities Management System;
- e) Fish or Wildlife. That neither the design of the subdivision nor any proposed improvements is likely to cause substantial environmental damage, or substantial and avoidable injury to any endangered plant, wildlife or their habitat;
- f) Public Health. That the design of the subdivision or type of improvement is not likely to cause significant public health problems;
- g) Easements. That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision;

- h) Access. That the design of the subdivision provides any necessary access to surrounding, adjacent lands and provides appropriate secondary access for emergency vehicles;
- i) Dedications. That any land or improvements to be dedicated to the County is consistent with the Master Plan; and
- j) Energy. That the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

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: Lafferty Communities, npocquette@laffertycommunities.com

Property Owner: BDF Trust, beddy@vandykmortgage.com

Representatives: CFA Inc, dsnelgrove@cfareno.com



Amended Conditions of Approval

Amendment of Conditions Case Number WAC21-0007 for Lemmon Drive Estates Permit Case Number WTM18-004

The project approved under Amendment of Conditions Case Number WAC21-0007 for Lemmon Drive Estates Permit Case Number WTM18-004 shall be carried out in accordance with the Amended Conditions of Approval granted by the Planning Commission on December 7, 2021. Note: These Amended Conditions of Approval are in addition to the conditions required in the Conditions of Approval for WTM18-004. Unless otherwise specified herein, all Conditions of Approval for WTM18-004 remain in full force and effect. 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 or to abide by all other generally applicable Codes, and neither these conditions nor the approval by the County of this project/use override or negate any other applicable restrictions on uses or development on the property.

Unless otherwise specified, all conditions related to the amendment of conditions approval regarding the Lemmon Drive Estates WTM18-004 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 amended conditions of approval related to the Lemmon Drive Estates WTM18-004 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 amended conditions imposed regarding the Lemmon Drive Estates WTM18-004 may result in the initiation of revocation procedures.

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 THE AMENDED CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. NOTE: THESE AMENDED CONDITIONS OF APPROVAL ARE IN ADDITION TO THE CONDITIONS REQUIRED IN THE CONDITIONS OF APPROVAL FOR WTM18-005. UNLESS OTHERWISE SPECIFIED HEREIN, ALL CONDITIONS OF APPROVAL FOR WTM18-004 REMAIN IN FULL FORCE AND EFFECT. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

Washoe County Planning and Building Division

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

Contact Name – Dan Cahalane, Planner, 775-328-3628, dcahalane@washoecounty.gov

- a. **The applicant shall attach a copy of the action order approving this project to all permits and applications (including building permits) applied for as part of this approval.**

Washoe County Engineering and Capital Projects

2. The following amended condition is a requirement of Engineering and Capitol Projects, which shall be responsible for determining compliance with this condition.

Contact Name – Robert Wimer, PE, rwimer@washoecounty.gov

- a. The Amendment of the tentative map/conditions case is to amend condition 2(i), which reads: “All existing utility lines shall be placed underground except electric transmission lines greater than 100 kilovolts, which can remain above ground.” This condition is hereby repealed and replaced with the amended condition, which reads:
 - i. All existing utility lines shall be placed underground except electric transmission lines greater than 35 kilovolts, which can remain above ground.”

*** End of Amended Conditions ***



WASHOE COUNTY

COMMUNITY SERVICES DEPARTMENT

Engineering and Capital Projects

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

Date: November 1, 2021

To: Chris Bronczyk, Planner

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

Re: **WAC21-0007 Lemmon Drive Estates**
Amendment of Conditions
APN: 552-210-20

Washoe County Engineering staff has reviewed the above referenced application. The Amendment of the tentative map/conditions case is to amend a condition that "all existing utility lines shall be placed underground except electric transmission lines greater than 100 kilovolts, which can remain above ground." The amended condition shall read "all existing utility lines shall be placed underground except electric transmission lines greater than 35 kilovolts, which can remain above ground." The Engineering and Capital Projects Division recommends approval with no changes to our other original conditions of approval.



INTEGRITY

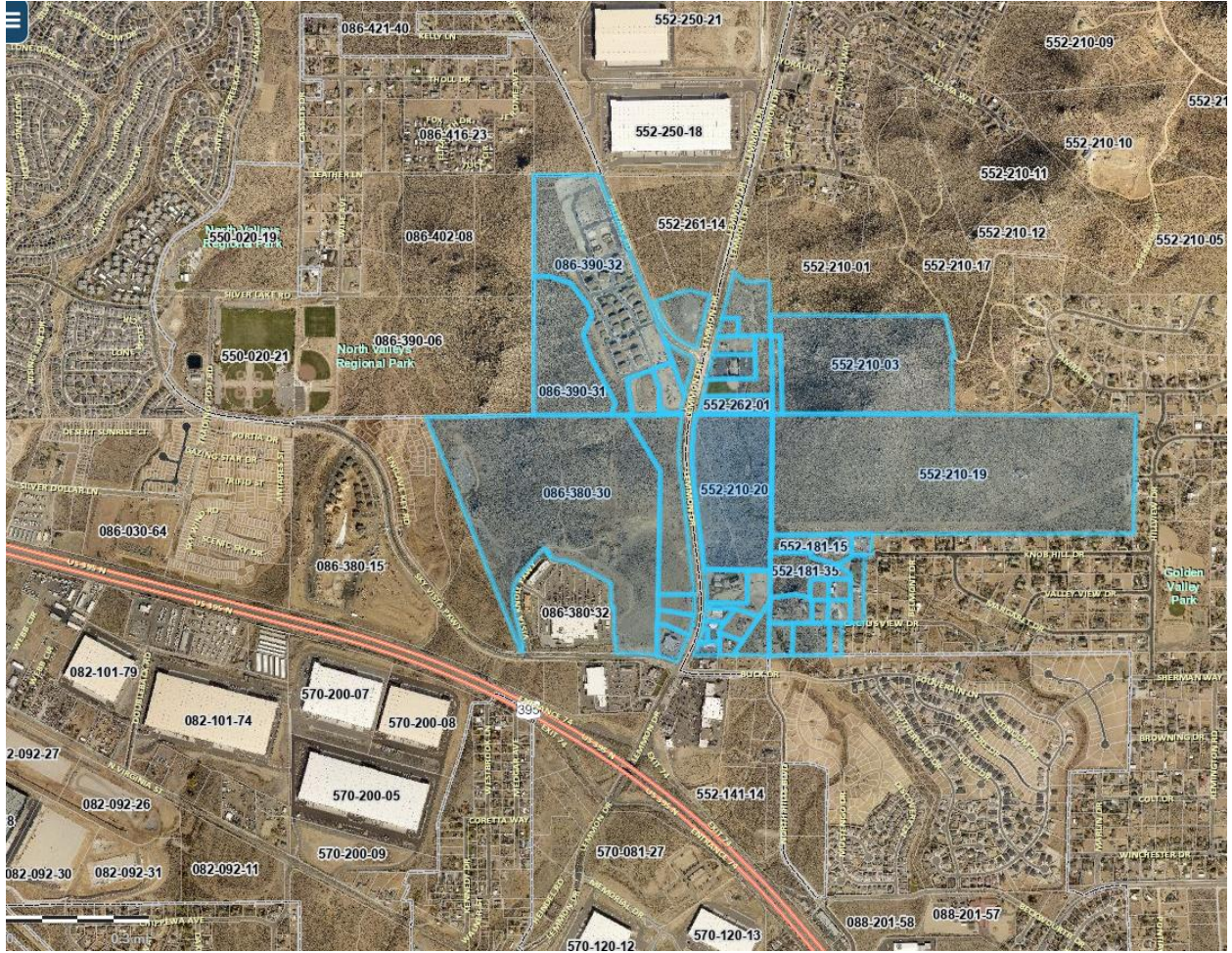


EFFECTIVE
COMMUNICATION



QUALITY
PUBLIC SERVICE

WAC21-0007
EXHIBIT B



Notice provided to 32 property owners

Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Building staff at 775.328.6100.

Project Information		Staff Assigned Case No.: _____	
Project Name: Lemmon Drive Estates Condition Amendment			
Project Description: 98-lot single-family residential, common open space subdivision			
Project Address: 0 Lemmon Drive ***APN has been updated since approval to 552-210-20 for mapping			
Project Area (acres or square feet): 33.622 +/-			
Project Location (with point of reference to major cross streets AND area locator): On the east side of Lemmon Drive, approximately 700 feet south of its intersection with Military Road			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
552-210-18 (20)	33.622		
Indicate any previous Washoe County approvals associated with this application: Case No.(s). WTM18-004			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name: BDF Trust		Name: CFA Inc	
Address: 82 Kittansett Loop		Address: 1150 Corporate Blvd	
Henderson, NV	Zip: 89052	Reno, NV	Zip: 89502
Phone: 702-683-8180	Fax:	Phone: 775-856-7073	Fax:
Email: beddy@vandykmortgage.com		Email: dsnelgrove@cfareno.com	
Cell: 702-683-8180	Other:	Cell: 775-737-8910	Other:
Contact Person:		Contact Person: R. David Snelgrove, AICP	
Applicant/Developer:		Other Persons to be Contacted:	
Name: Lafferty Communities		Name:	
Address: 2000 Crow Canyon Place Suite 350		Address:	
San Ramon, CA	Zip: 94583		Zip:
Phone: 925-355-1305	Fax:	Phone:	Fax:
Email: NPocquette@laffertycommunities.com		Email:	
Cell:	Other:	Cell:	Other:
Contact Person: Nick Pocquette		Contact Person:	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

Property Owner Affidavit

Applicant Name: Lafferty Communities

The receipt of this application at the time of submittal does not guarantee the application complies with all requirements of the Washoe County Development Code, the Washoe County Master Plan or the applicable area plan, the applicable regulatory zoning, or that the application is deemed complete and will be processed.

STATE OF NEVADA)
As Clerk
COUNTY OF WASHOE)

I, Brian Eddy
(please print name)

being duly sworn, depose and say that I am the owner* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true, and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of Planning and Building.

(A separate Affidavit must be provided by each property owner named in the title report.)

Assessor Parcel Number(s): 552-210-18 (or 20, as shown by Assessor/615)

Printed Name Brian Eddy

Signed [Signature]

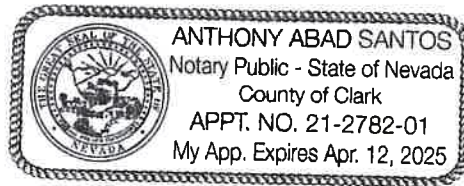
Address 82 Kiffansett Loop
Henderson, NV 89052

Subscribed and sworn to before me this 07 day of October, 2021.

[Signature]
Notary Public in and for said county and state

My commission expires: Apr. 12, 2025

(Notary Stamp)



*Owner refers to the following: (Please mark appropriate box.)

- Owner
- Corporate Officer/Partner (Provide copy of record document indicating authority to sign.)
- Power of Attorney (Provide copy of Power of Attorney.)
- Owner Agent (Provide notarized letter from property owner giving legal authority to agent.)
- Property Agent (Provide copy of record document indicating authority to sign.)
- Letter from Government Agency with Stewardship

PROOF OF PAYMENT OF TAXES DUE: Please note that this will reference APN 552-210-18 which was the parcel number for tax year 2021. The new parcel number is APN 552-210-20 which will go into effect July of 2022.

Reference Recorded Document: #5170467

From: Payments@Bill2Pay.com <Payments@Bill2Pay.com>
Sent: Thursday, October 7, 2021 12:22:22 PM (UTC-07:00) Mountain Time (US & Canada)
To: Brian Eddy <beddy@vandykmortgage.com>
Subject: Washoe County Treasurer Payment Confirmation

Please keep this confirmation for your records and if you have any questions, please contact us at..

Washoe County Treasurer
P.O. 30039, Reno, NV 89520-3039
ph: (775) 328-2510 fax: (775) 328-2500
Email: tax@washoecounty.us

Email alerts regarding property taxes are now available by signing up at the link below and selecting:
Treasurer-Property Taxes
https://www.washoecounty.us/county_news_update_subscription.php

Washoe County Treasurer - Tammi Davis

Your confirmation number is 0046948199.

Tax Payment - 55221018 \$1954.25

Service Fee: \$46.90
Total Payment Amount: \$2001.15

Note: This is an automated message. Please do not reply to this address.

Lemmon Drive Estates (WTM18-004) Condition Amendment

Project Request Narrative

It is requested that Washoe County Engineering and Capital Projects Condition "i" either be removed entirely or that the voltage requirement for undergrounding be reduced to only require undergrounding of distribution level power lines (35kV or less).

The existing condition states:

- i. All existing overhead utility lines shall be placed underground except electric transmission lines greater than 100 kilovolts, which can remain above ground.*

The condition recognizes that distribution power lines need to be undergrounded while transmission lines can remain above ground. The challenge exists in the voltage reference of 100kV. Per NV Energy standards, 35kV is the break between distribution and transmission level power lines.

The property owner and CFA have discussed this with NV Energy, and it was identified that NV Energy do not underground their transmission level power lines due to significant cost of doing so and difficulty in locating a damaged section of line and significantly higher time and expense to repair as opposed to an overhead line. Additionally, discussion has occurred with Washoe County Engineering staff regarding this condition, and it was identified that this line "would not be required to be placed underground." The property is currently in escrow for purchase by Lafferty Communities to develop the project per the approved plan and associated conditions, and it was requested by Lafferty Communities that this condition be formally reviewed for removal or modification to assure that undergrounding of the subject powerline would not be required.

The subject power line runs through an area that was identified within the application to be an area that would remain as natural common area. The only portion of line that is located on the subject property is the portion that runs from west to east along the northern property line. The portion of line running north to south near the eastern property line is not on the subject property and exists on Federal Land (assumed to be managed by the BLM – APN 552-210-19). As such, the north-south section of line is not within the purview of this condition.

Included is documentation to support the removal or modification of this condition:

1. Attachment A - Correspondence between BDF Trust/Dawn Anderson (property owner) and Nevada Energy. Nevada Energy confirms that they do not underground 60kV transmission lines.
2. Attachment B - Map showing the subject 60kV power line
3. Attachment C - Correspondence between BDF Trust/Dawn Anderson and Washoe County. Washoe Engineering identifying that the subject line will not need to be placed underground.
4. Attachment D – Copy of staff report for project (WTM18-004)
5. Attachment E – Copy of Action Order from Washoe County for approval of project
6. Attachment F – Copy of Court Order and Conditions of Approval

It is foreseen that leaving this powerline above ground would not present any public health or safety concern. This condition amendment request is made to conform with policy, and to address the concern and comments made by NV Energy relative to undergrounding of transmission power lines.

Attachment A

From: Powell, Toni (NV Energy) <Toni.Powell@nvenergy.com>
Sent: Friday, September 3, 2021 4:24 PM
To: Dawn Anderson <danderson@vandykmortgage.com>
Cc: Brian Eddy <beddy@vandykmortgage.com>; David Snelgrove <dsnelgrove@cfareno.com>
Subject: RE: WTM18-004: Lemmon Property Washoe County Approval

Hi Dawn,

I think Washoe County may not understand what voltage of wire is considered transmission. Their requirement concerns me. Any voltage over 35 kV is transmission level voltage, and NV Energy doesn't underground those lines as normal practice. I think the line you are referencing is a 60 kV transmission line, so we won't be undergrounding it. We can look at rerouting it overhead if it is in conflict with your building. If you give me an address or parcel number, I can take a look at what we are specifically talking about. Feel free to have your Washoe County contact give me a call or email to discuss this misguided requirement of theirs.

Please take note of my new email address: Toni.Powell@NVEnergy.com

*Toni Powell, P.E.
Director, Distribution Design
Northern Nevada
NV Energy
P.O. Box 10100
1 Ohm Place
Reno, NV 89520
phone: 775-834-7585
cell: 775-813-3985*



From: Powell, Toni (NV Energy) <Toni.Powell@nvernergy.com>

Sent: Tuesday, September 7, 2021 12:24 PM

To: Dawn Anderson <danderson@vandykmortgage.com>

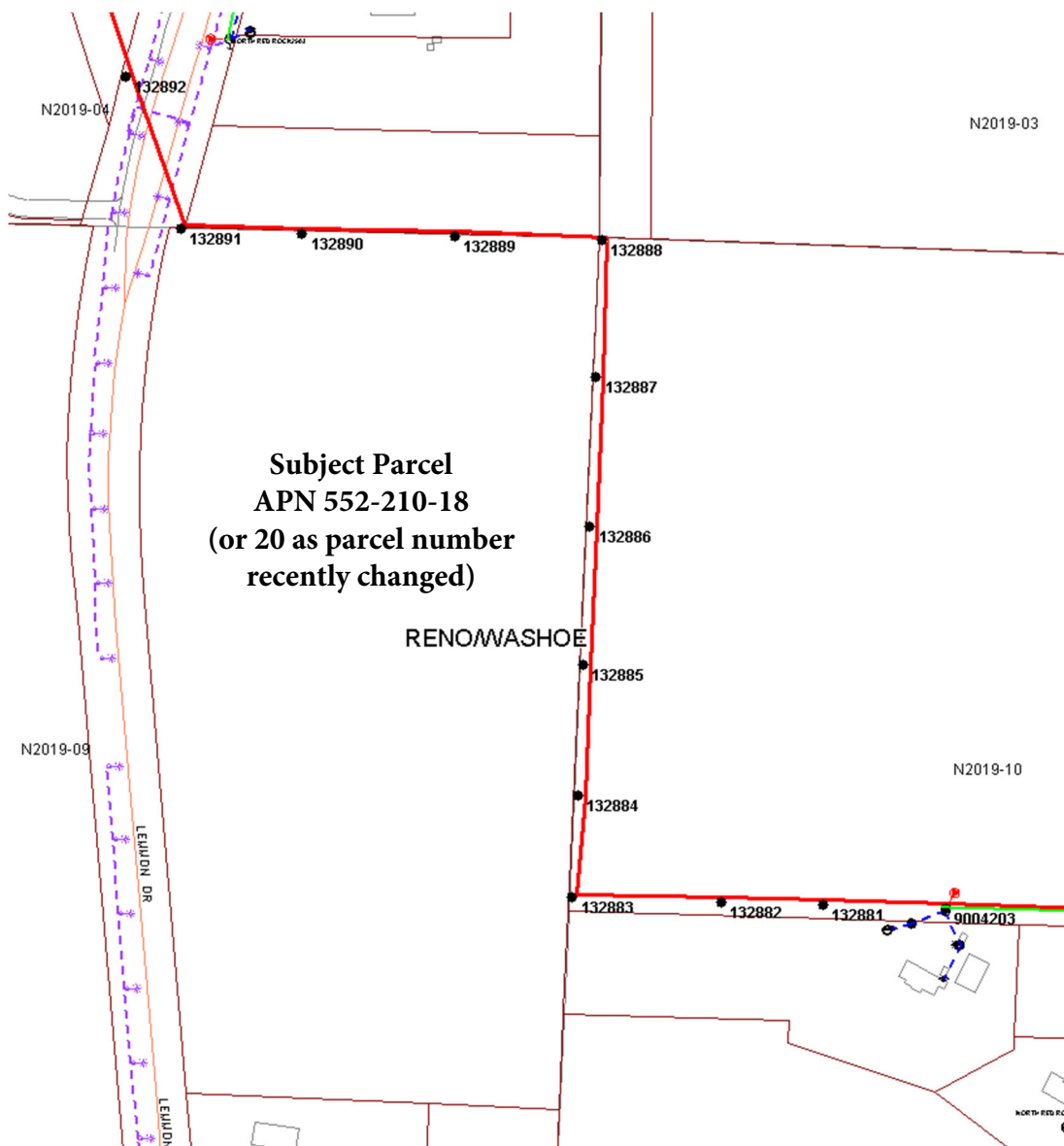
Cc: Brian Eddy <beddy@vandykmortgage.com>; David Snelgrove <dsnelgrove@cfareno.com>

Subject: RE: RE: WTM18-004: Lemmon Property Washoe County Approval

External Email: Use caution if opening links and attachments.

Hi Dawn,

It looks like the 60 kV line already follows the property lines, so you just need to ensure you stay a minimum of 15' away from it with your construction and you should be fine. You can let the County know NV Energy will not underground that line. Thanks!



Attachment C

From: West, Walt <WWest@washoecounty.us>
Sent: Wednesday, September 15, 2021 7:06 AM
To: Dawn Anderson <danderson@vandykmortgage.com>
Cc: Powell, Toni (NV Energy) <Toni.Powell@nvenergy.com>; Wimer, Robert <RWimer@washoecounty.us>; Heeran, Jennifer <JHeeran@washoecounty.us>; Lloyd, Trevor <TLloyd@washoecounty.us>
Subject: RE: RE: RE: WTM18-004: Lemmon Property Washoe County Approval

External Email: Use caution if opening links and attachments.

Staff has reviewed and determined that the 60kv line along the east and north boundary of the project would not be required to be placed underground.



Walter West, P.E.

Licensed Engineer | Community Services Department

wwest@washoecounty.us | Office: 775.328-2310 | Fax: 775.328.3699

1001 E. Ninth Street, Reno, NV 89512



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TENTATIVE SUBDIVISION MAP CASE NUMBER: WTM18-004 (Lemmon Drive Estates)

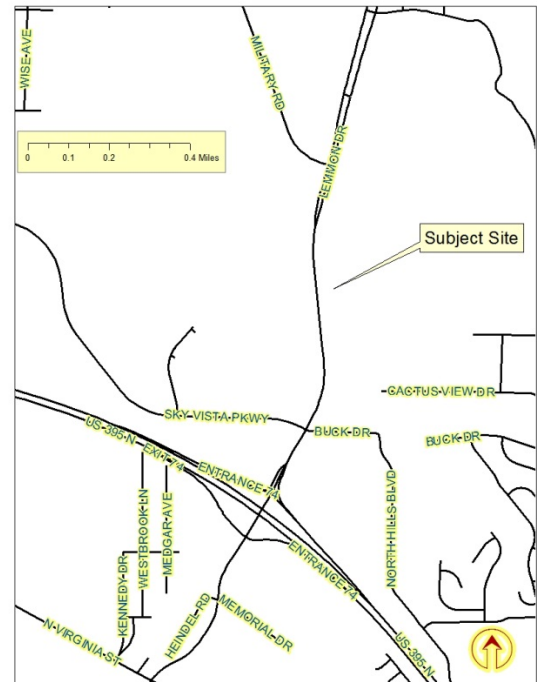
BRIEF SUMMARY OF REQUEST: 98-lot single-family residential, common open space subdivision.

STAFF PLANNER:	Planner's Name:	Roger Pelham, MPA, Senior Planner
	Phone Number:	775.328.3622
	E-mail:	rpelham@washoecounty.us

CASE DESCRIPTION

For possible action, hearing, and discussion to approve a tentative subdivision map for a 98-lot single-family residential, common open space subdivision. Lot sizes are proposed to range from a minimum size of 5,218 square feet (± .12 acres) to a maximum size of 10,811 square feet (± .25 acres) with an average size of 6,011 square feet (± .14 acres). Front yard setbacks are proposed to be reduced from a minimum of from 20 feet to a minimum of 10 feet adjacent to a public street or common driveway, and maintain 20 feet in front of each garage. Rear yard setbacks are proposed to be reduced from a minimum of 20 feet to a minimum of 10 feet. Side yard setbacks are proposed to be reduced from a minimum of 8 feet to a minimum of 5 feet. Required lot widths are proposed to be reduced from a minimum of 80 feet to a minimum of 75 feet.

Applicant:	Lakes at Lemmon Valley, LLC
Property Owner:	Lakes at Lemmon Valley, LLC
Location:	On the east side of Lemmon Drive, approximately 700 feet south of its intersection with Military Road
APN:	552-210-18
Parcel Size:	± 33.97 acres
Master Plan Category:	Suburban Residential (SR)
Regulatory Zone:	Medium Density Suburban (MDS, 3 dwellings per acre)
Area Plan:	North Valleys
Citizen Advisory Board:	North Valleys
Development Code:	Authorized in: Article 608, Tentative Subdivision Maps; Article 408, Common Open Space Development and Article 424, Hillside Development
Commission District:	5 – Commissioner Herman
Section/Township/Range:	Section 09, T20N, R19E, MDM, Washoe County, NV



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 approve Tentative Subdivision Map Case Number WTM18-004 for Lakes at Lemmon Valley, LLC, having made all ten findings in accordance with Washoe County Development Code Section 110.608.25

(Motion with Findings on Page 14)

Staff Report Contents

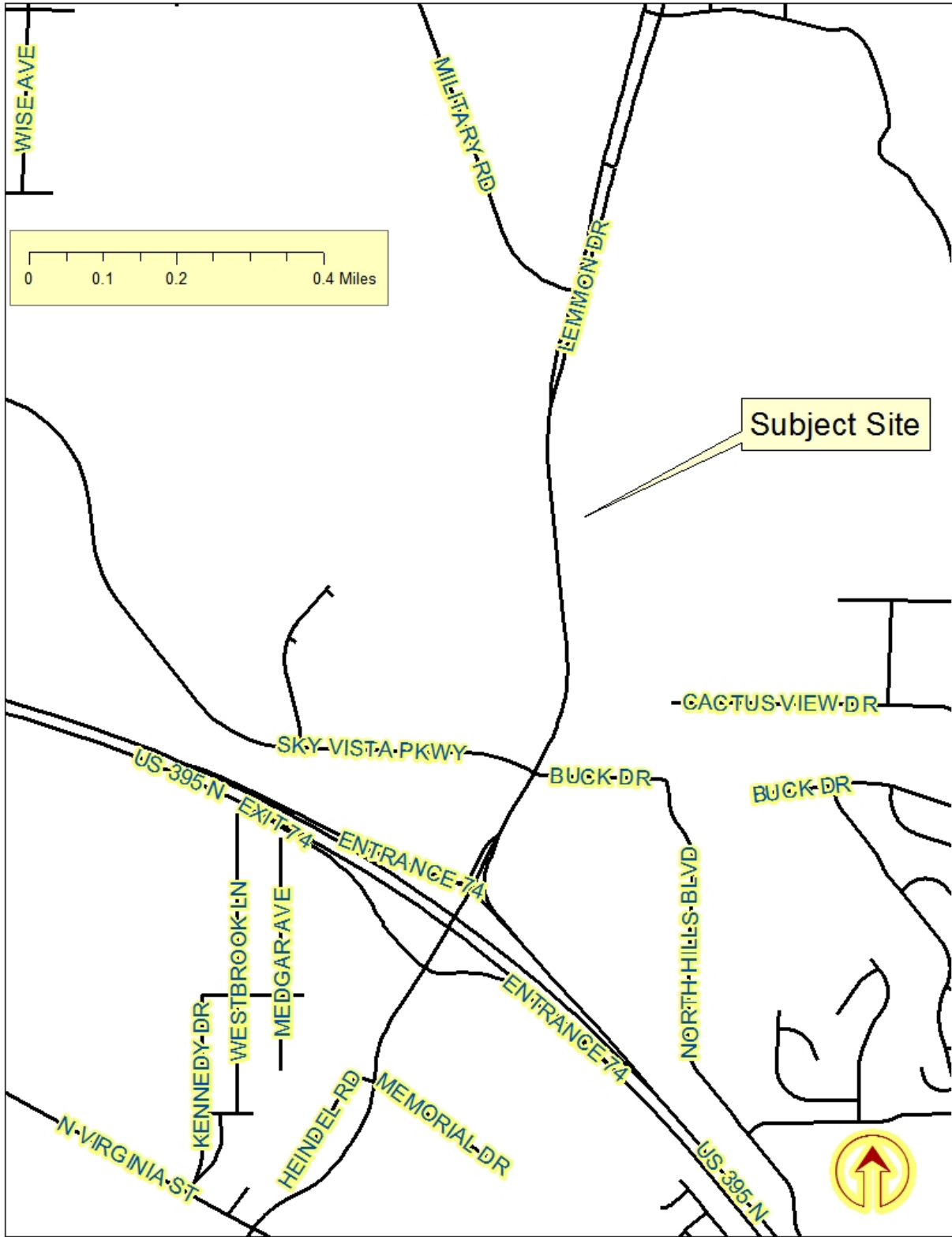
Vicinity Map 4
Site Plan 5
Tentative Subdivision Map Explanation..... 6
Project Evaluation 6
North Valleys Citizen Advisory Board (NVCAB) 11
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Staff Comment on Required Findings 12
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Exhibits Contents

Conditions of Approval Exhibit A
Citizen Advisory Board Minutes Exhibit B
Agency Comments and Conditions Exhibit C
Silver State Kennel Letter Exhibit D
Applicant Response to Silver State Kennel Letter Exhibit E
Public Notice Exhibit F
Project Application (without technical reports)..... Exhibit G

Please note: The technical reports submitted with the project application are very lengthy. To review the complete project application with the technical reports, contact the planning Division for a paper or email copy or go the following web link to view those reports under WTM18-004.

https://www.washoecounty.us/csd/planning_and_development/applications/current-applications.php



Vicinity Map

Tentative Subdivision Map Explanation

The purpose of a Tentative Subdivision Map is:

- To allow the creation of saleable lots;
- To implement the Washoe County Master Plan, including the Area Plans, and any specific plans adopted by the County;
- To establish reasonable standards of design and reasonable procedures for subdivision and re-subdivision in order to further the orderly layout and use of land and insure proper legal descriptions and monumenting of subdivided land; and;
- To safeguard the public health, safety and general welfare by establishing minimum standards of design and development for any subdivision platted in the unincorporated area of Washoe County.

If the Planning Commission grants an approval of the Tentative Subdivision Map, 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 recordation of a final map.
- 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 project.

The Conditions of Approval for Tentative Subdivision Map Case Number WTM18-004 are attached to this staff report and will be included with the Action Order, if the Tentative Subdivision Map is approved by the Washoe County Planning Commission.

The subject property has a regulatory zone of Medium Density Suburban (MDS). The total number of residences allowed, based upon the existing zoning is 101. The applicant is requesting to create 98 residential lots. This is permissible based upon the approval of a Tentative Subdivision Map by Washoe County and compliance with all generally applicable provisions of the Development Code.

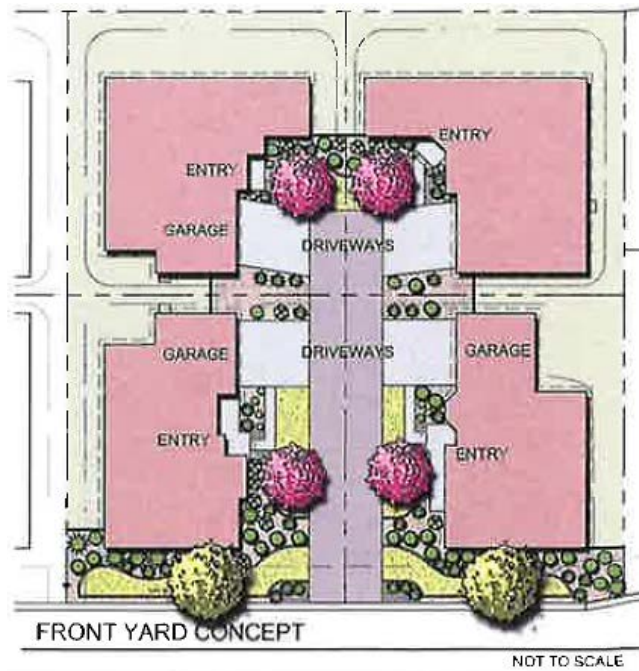
Article 408, Common Open Space Development, allows general development standards to be varied with the approval of a tentative subdivision map. In this case, front yard setbacks are proposed to be reduced from a minimum of from 20 feet to a minimum of 10 feet adjacent to a public street or common driveway, and maintain 20 feet in front of each garage. Rear yard setbacks are proposed to be reduced from a minimum of 20 feet to a minimum of 10 feet. Side yard setbacks are proposed to be reduced from a minimum of 8 feet to a minimum of 5 feet. Required lot widths are proposed to be reduced from a minimum of 80 feet to a minimum of 75 feet.

Project Evaluation

The applicant has requested approval of a Tentative Subdivision Map to create a 98-lot single-family residential, common open space subdivision. Lot sizes are proposed to range from a minimum size of 5,218 square feet (\pm .12 acres) to a maximum size of 10,811 square feet (\pm .25 acres) with an average size of 6,011 square feet (\pm .14 acres). Most of the homes are proposed to be designed in four-pack clusters that share one common driveway. However, it is anticipated

that there will be two-pack, three-pack and single access home designs as well. The project area includes approximately 33.97 acres of area that has a regulatory zone of Medium Density Suburban (MDS) which allows three dwellings to the acre. Approximately 12 acres of the site will be used as common open space and will include steep slopes and drainage improvements. The common areas and drainage improvements are proposed to be maintained by a Home Owners Association (HOA) that will be established by the developer.

LEMMON DRIVE ESTATES
 TENTATIVE MAP
 PRELIMINARY LANDSCAPE PLAN



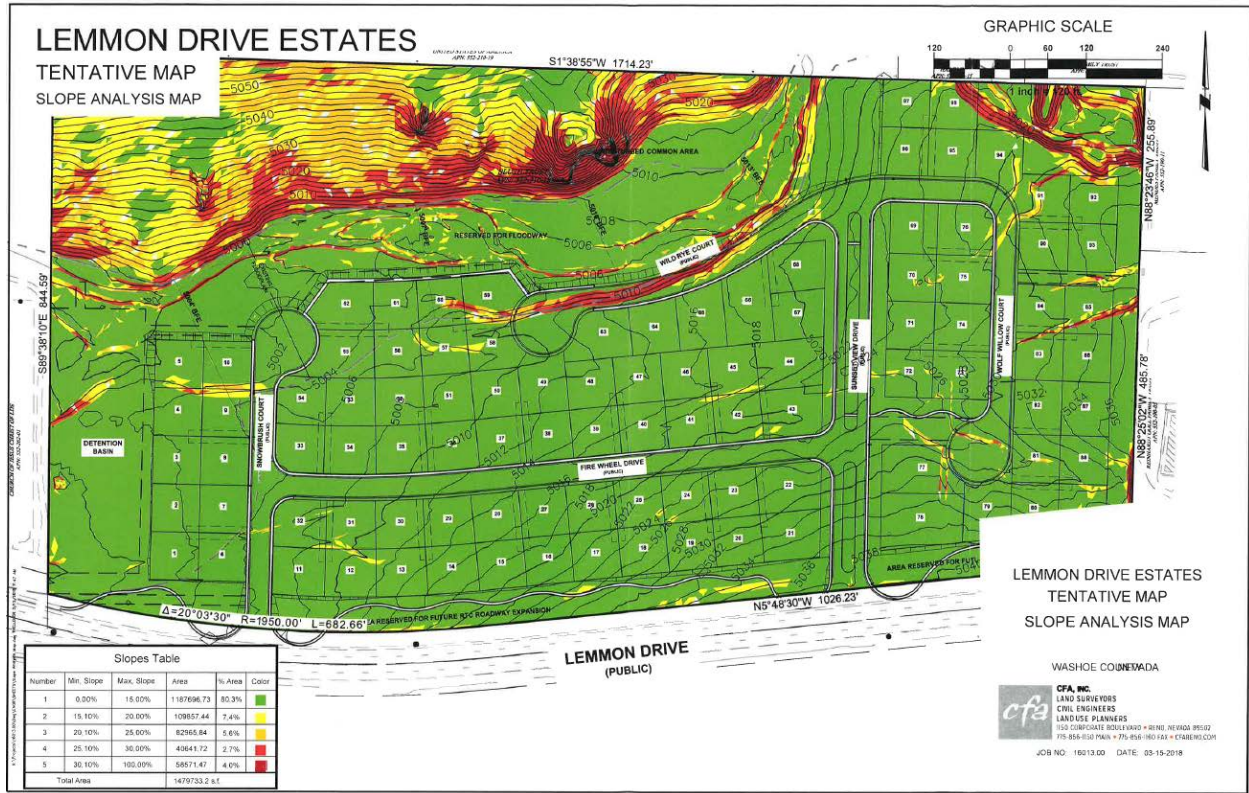
The proposed configuration of the subdivision seeks to create minimal disturbance of steep slopes. Because more than 20 percent of the site includes slopes that are 15 percent or greater this proposed subdivision is subject to Hillside Development standards as required by Article 424 of the Washoe County Development Code.

Among the requirements of Article 424 is the requirement for a site analysis, map of the developable area of the project site and a slope map. Those maps and analysis are included with the application materials (see Exhibit G to this report). The analysis indicates that development is proposed to take place on the suitable areas and is proposed to leave most of the steep hillsides in a native condition.

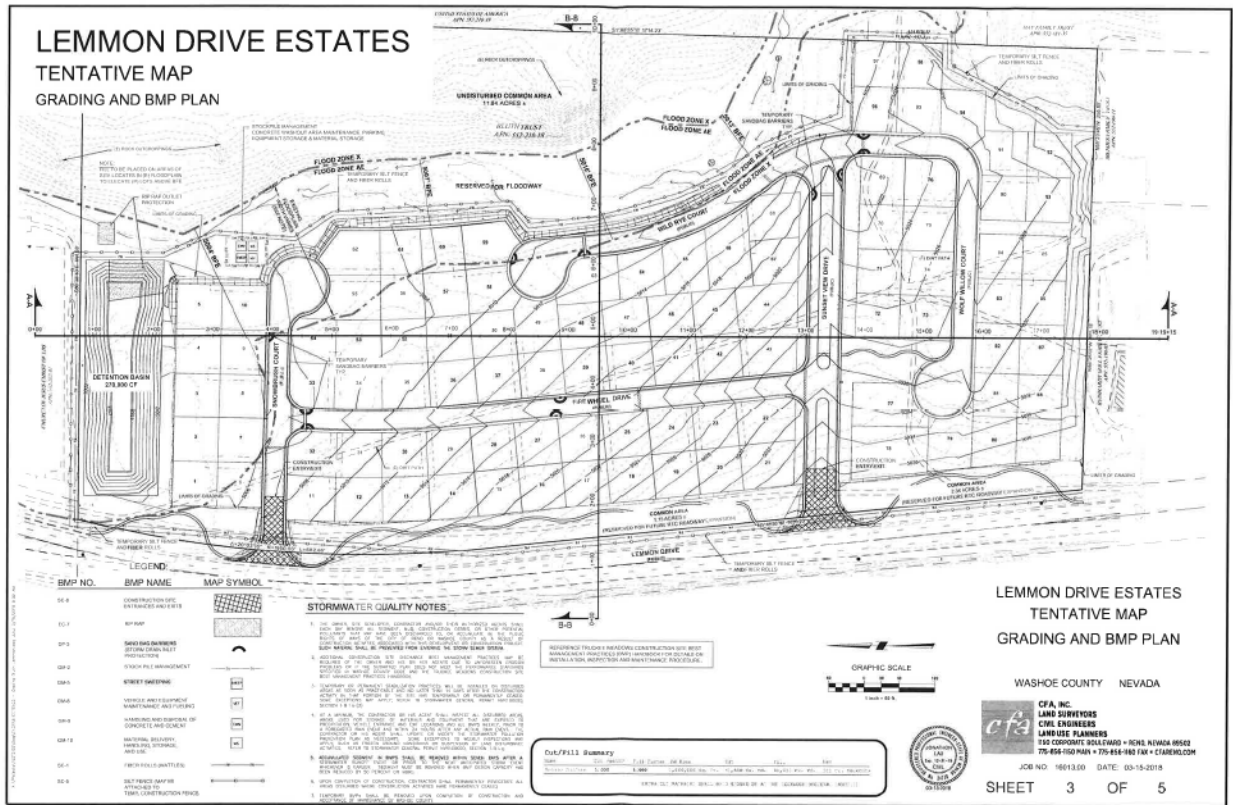
Additionally, Article 424 requires that any portion of a hillside development which has been deemed unsuitable for development must be designated as permanent open space and the uses shall be limited to paths, trails, outdoor recreation, utilities and drainage improvements. The land is also required to be offered for dedication. However, it is unlikely that the County will accept the dedication at this time. The proposed subdivision application materials comply with these requirements.

Article 424 also requires standards for the locations of dwellings, including clustering, placing dwellings on the natural slope and preserving the hillside. Likewise, there are standards for parking, building envelopes, fences, preservation of natural features, open space and trail easements, grading must mimic the natural contour of the land and all areas are required to be revegetated. The proposed subdivision application materials, along with the proposed conditions of approval (see Exhibit A to this report) will ensure that the development complies with these requirements. In keeping with Article 424, the subdivision has been designed to maximize the preservation of the steeper slopes while clustering the development on the more gently sloped portion of the property. The design of the proposed subdivision also complies with the generally applicable standards for fire protection and for street design.

The proposed configuration of the subdivision also seeks to create common open space. For this reason the project is subject to Common Open Space Development standards as required by Article 408 of the Washoe County Development Code. As previously stated, among the provisions of Article 408 is the requirement for a site analysis and map of the developable area of the project site. The proposed subdivision application materials comply with these requirements and the proposed configuration of the subdivision seeks to create minimal disturbance of steep slopes, and to maintain the existing drainage way. Conditions of approval are required by Article 408 to provide for on-going maintenance of the common open space area by the HOA. These conditions have been included in the recommended conditions of approval (see Exhibit A to this report).



Article 438, Grading, includes many standards regarding the proposed changes to the landform that are applicable to this project. The proposed subdivision application materials show general compliance with the applicable standards. The application materials also indicate that all proposed slopes are 3 horizontal to 1 vertical (3H:1V) or flatter, which is compliant with the provisions of Article 438. The total amount of grading is proposed to be approximately 41,500 cubic yards, and is proposed to balance on site to a large extent. About 500 cubic yards of earthen material may be exported to an approved location. Because the grading plans for the project have been submitted and reviewed as part of the tentative subdivision map application, a separate Special Use Permit for grading is not required.



Article 420, Storm Drainage Standards, provides standards for managing storm-water on projects like the proposed tentative subdivision map. The County Engineer is primarily responsible for ensuring compliance with these standards. The Lemmon Valley area has experienced substantial flooding within the last year. The proposed subdivision application materials indicate that any additional runoff created by the new development, will be captured in a detention basin on the subject site. At the North Valleys Citizen Advisory Board the Applicant's representative indicated that the proposed detention basin is twice the minimum size required. The application materials indicate that the necessary volume of retention for a 100-year, 10-day storm event is 113,347 cubic feet of water. The proposed basin will hold 270,000 cubic feet of water. The plans for this subdivision have been reviewed by the County Engineer who has recommended approval, subject to conditions of approval to ensure that storm-water runoff is appropriately mitigated. Storm-water runoff will continue to flow across the site after development, as it does in the pre-development condition, however, the increased run off volume of 113,347 cubic feet of water will be retained, along with an additional 156,653 cubic feet of water. For this reason staff is of the opinion that the requirements of Article 420 have been appropriately addressed.

Article 422, Water and Sewer Resource Requirements, provides standards for provision of water and sewer to new subdivisions. The County Engineer is primarily responsible for ensuring compliance with sewer requirements. The County Engineer has reviewed the plans for this development and has recommended approval with conditions. Those conditions of approval have been included in the recommendation attached to this report. Effluent treatment may take place at the Lemmon Valley or Stead treatment plant, infrastructure improvements will be necessary and the conditions of approval have been crafted to ensure capacity is available. The proposed subdivision application materials indicate that the necessary services are available and will be extended to serve the new dwellings. Water will be provided by the Truckee Meadows Water Authority (TMWA) to the new dwellings. Again, service will be

extended to the new dwellings and all applicable provisions requiring dedication of water rights will be required to be complied with, prior to approval of new dwellings.

The proposed configuration of the lots and grading of the land within the subdivision is also subject to the requirements of the North Valleys Area Plan. Among the applicable provisions are requirements for the grading to: minimize disruption to natural topography; utilize natural contours and slopes; complement the natural characteristics of the landscape; and preserve existing vegetation and ground coverage to minimize erosion and minimize cuts and fills. The proposed subdivision application materials show general compliance with these requirements.

The North Valleys Area Plan includes several design features that are required to be included in subdivisions in the “Lemmon Valley Suburban Character Management Area.” These policies require that the applicant shall: provide for perimeter parcel sizes that match the existing residential parcels; limit all dwellings to a single story located on the perimeter when adjacent to or across a street from existing residential development; vary setbacks and driveway design; construct no more than 25% of the total residential units in the same architectural elevation; limit the use of block, concrete, or similar material to posts, pillars and similar uses for fence construction; minimize the use of street lighting; establish landscape designs that emphasize the use of native vegetation, with non-native and atypical vegetation integrated sparingly into any landscaped area. These provisions have been included in the recommended conditions of approval (see Exhibit A to this report). One tree in the front yard of each dwelling and additional street trees are required and homebuilders must offer at least two separate xeriscape options. Appropriate recommended conditions of approval have been included. These standards are also included in the CC&Rs (Conditions, Covenants and Restrictions) for this development.

The proposed subdivision is adjacent to Silver State Kennels on the southern property line. The kennel has been in operation for approximately 45 years. The owners of the kennel have expressed concern regarding complaints from residents that may be adjacent to the kennel regarding noise from barking dogs. The owners of the kennel have spoken with the Applicant’s representative and both indicated a willingness to work together to achieve mitigation of that concern. Conditions of approval have been included to require the applicant to construct a berm and sound wall along the southern property line as well as include sound-attenuating features in homes adjacent to that property line. Disclosures to all future home-buyers are also required. Staff believes that the concerns will have been appropriately mitigated with the conditions of approval as recommended.

Fire services will be provided by the Truckee Meadows Fire Protection District (TMFPD). The nearest fire station is located on Silver Lake Boulevard approximately two miles from the development site. Fire hydrants will be required to meet minimum location and fire flow requirements. TMFPD will review proposed landscaping and fencing materials pursuant to Fire Codes. Any developments on the property shall meet the requirements of Washoe County Code Chapter 60.

The subdivision request conforms to all generally and specifically applicable provisions of the Development Code, Master Plan and Area Plan. For this reason staff recommends approval of the subdivision, with the conditions of approval included as Exhibit A.

North Valleys Citizen Advisory Board (NVCAB)

The proposed project was presented by the applicant’s representative, David Snelgrove, at the regularly scheduled North Valleys Citizen Advisory Board meeting on April 9, 2018. The attached CAB minutes (Exhibit B) reflect the discussion by the CAB and public present at that

meeting, in opposition to approval of the project based upon storm water run-off and impacts to roads, sewer capacity and traffic flow.

It was generally expressed that additional development should not be allowed until the impacts associated with flooding in the Lemmon Valley Areas have been addressed.

The CAB took action to not recommend approval of the project with a vote of five in favor and none opposed.

Reviewing Agencies

Those agencies that provided substantive comments and conditions include:

- Washoe County Planning and Building Division addressed construction hours, buffering and compliance with grading and Development Code provisions.

Contact: Roger Pelham, 775.328.3622, rpelham@washoecounty.us

- Washoe County Public Works and Engineering Division addressed drainage, street connections, standards for sewer and water connections, as well as general standards and conditions for tentative subdivision maps.

Contacts: Clara Lawson, PE, PTOE, Licensed Engineer, 775.328.3603 and Leo R. Vesely, PE, CFM, 775.328.2313 and Timothy Simpson, P.E., 775.954.4648

- Truckee Meadows Fire Protection District noted that compliance with the 2012 International Fire Code, Chapter 60 of the Washoe County Code, the 2010 WUI code and all applicable NFPA codes is required.

Contact: Lisa Beaver, 775.326.6000

- Nevada Department of Environmental Protection provided comments indicating that the project will be served by Washoe County sewer services and that an intent-to-serve letter is required prior to final map review.

Contact: Patrick Mohn, 775.687.9419, pmohn@ndep.nv.gov

- Washoe County Planning and Building Division (Water Rights) noted that the proposed project does not have water rights at this time and must acquire them and that the project must be annexed into the service territory for the Truckee Meadows Water Authority.

Contact: Vahid Behmaram, 775.328.3600, vbehmaram@washoecounty.us

Staff Comment on Required Findings

Washoe County Code Section 110.608.25 of Article 608, *Tentative Subdivision Maps*, requires that all of the following findings be made to the satisfaction of the Washoe County Planning Commission before granting approval of the abandonment request. Staff has completed an analysis of the application and has determined that the proposal is in compliance with the required findings as follows.

- 1) Plan Consistency. That the proposed map is consistent with the Master Plan and any specific plan.

Staff Comment: The proposed map is consistent with all goals and policies of the Master Plan including the residential density and lot design required by the Master Plan and the North Valley Area Plan. There are no specific plans associated with this property.

- 2) Design or Improvement. That the design or improvement of the proposed subdivision is consistent with the Master Plan and any specific plan.

Staff Comment: As detailed in this report all applicable design features that are required to be included in subdivisions in the “Lemmon Valley Suburban Character Management Area” have been included in the application submittal.

- 3) Type of Development. That the site is physically suited for the type of development proposed.

Staff Comment: The number of dwellings and configuration of the proposed subdivision is consistent with the requirements of the master plan; impacts associated with the proposed subdivision will be appropriately mitigated, based upon the imposition of appropriate conditions of approval as included at Exhibit A to this report. For this reason it is the opinion of staff that the site is physically suited for the type of development proposed.

- 4) Availability of Services. That the subdivision will meet the requirements of Article 702, Adequate Public Facilities Management System.

Staff Comment: The proposed subdivision will meet the requirements of Article 702, Adequate Public Facilities Management System, as sanitary sewer service will be provided to all new dwellings and there is sufficient capacity in the sewage system to accommodate the sewage created.

- 5) Fish or Wildlife. That neither the design of the subdivision nor any proposed improvements is likely to cause substantial environmental damage, or substantial and avoidable injury to any endangered plant, wildlife or their habitat.

Staff Comment: Neither the design of the proposed subdivision nor any proposed improvements is likely to cause substantial environmental damage, or substantial and avoidable injury to any endangered plant, wildlife or their habitat, because the proposed subdivision is located adjacent to existing development of a similar pattern and sufficient open space is being preserved within and around the development.

- 6) Public Health. That the design of the subdivision or type of improvement is not likely to cause significant public health problems.

Staff Comment: Community water service and community sewer service will be provided to all proposed dwellings. The proposed subdivision application was provided to the Washoe County Health District, and no recommendations for denial were received. Therefore staff has determined that the design of the subdivision or type of improvement is not likely to cause significant public health problems.

- 7) Easements. That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision.

Staff Comment: Walking trails and emergency access have been included in the proposed subdivision application materials. Therefore staff has determined that the design of the subdivision or the type of improvements will not conflict with easements

acquired by the public at large for access through, or use of property within, the proposed subdivision.

- 8) Access. That the design of the subdivision provides any necessary access to surrounding, adjacent lands and provides appropriate secondary access for emergency vehicles.

Staff Comment: Walking trails, emergency access and public roadways have been included in the proposed subdivision application materials. Therefore staff has determined that the design of the subdivision provides any necessary access to surrounding, adjacent lands and provides appropriate secondary access for emergency vehicles.

- 9) Dedications. That any land or improvements to be dedicated to the County is consistent with the Master Plan.

Staff Comment: The open space associated with this proposed subdivision will remain in the ownership of the proposed Home Owners Association (HOA). Infrastructure improvements built to County standards may be accepted by the appropriate agencies. For this reason staff has determined that any land or improvements to be dedicated to the County is consistent with the Master Plan.

- 10) Energy. That the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

Staff Comment: To the extent feasible, the design of the subdivision provides for future passive or natural heating or cooling opportunities.

Recommendation

Those agencies which reviewed the application recommended conditions in support of approval of the project. Therefore, after a thorough analysis and review, Tentative Subdivision Map Case Number WTM18-004 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 Planning Commission approve Tentative Subdivision Map Case Number WTM18-004 for Lakes at Lemmon Valley, LLC, having made all ten findings in accordance with Washoe County Code Section 110.608.25:

- 1) Plan Consistency. That the proposed map is consistent with the Master Plan and any specific plan;
- 2) Design or Improvement. That the design or improvement of the proposed subdivision is consistent with the Master Plan and any specific plan;
- 3) Type of Development. That the site is physically suited for the type of development proposed;

- 4) Availability of Services. That the subdivision will meet the requirements of Article 702, Adequate Public Facilities Management System;
- 5) Fish or Wildlife. That neither the design of the subdivision nor any proposed improvements is likely to cause substantial environmental damage, or substantial and avoidable injury to any endangered plant, wildlife or their habitat;
- 6) Public Health. That the design of the subdivision or type of improvement is not likely to cause significant public health problems;
- 7) Easements. That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision;
- 8) Access. That the design of the subdivision provides any necessary access to surrounding, adjacent lands and provides appropriate secondary access for emergency vehicles;
- 9) Dedications. That any land or improvements to be dedicated to the County is consistent with the Master Plan; and
- 10) Energy. That the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

Appeal Process

Planning Commission action will be effective 10 calendar days after the written decision is filed with the Secretary to the Planning Commission, 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.

xc: Applicant: Lakes at Lemmon Valley, LLC, Attn: Chuck Bluth, 4655 Longley Lane, Reno, NV 89502

Property Owner: Lakes at Lemmon Valley, LLC, Attn: Chuck Bluth, 4655 Longley Lane, Reno, NV 89502

Representatives: CFA, Inc., Attn: Dave Snelgrove, 1150 Corporate Boulevard, Reno, NV 89502



The project approved under Tentative Subdivision Map Case Number WTM18-004 shall be carried out in accordance with the Conditions of Approval granted by the Planning Commission on May 1, 2018. 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 Tentative Subdivision Map 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 Tentative Subdivision Map 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 Tentative Subdivision Map may result in the institution of revocation procedures.

Washoe County reserves the right to review and revise the conditions of approval related to this Tentative Subdivision Map 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 recordation of a final map.
- 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.

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

- **The DISTRICT BOARD OF HEALTH, through the Washoe County Health District, has jurisdiction over all public health matters in the Health District.**

Any conditions set by the Health District must be appealed to the District Board of Health.

STANDARD CONSIDERATIONS FOR SUBDIVISIONS
Nevada Revised Statutes 278.349

Pursuant to NRS 278.349, when contemplating action on a tentative subdivision map, the governing body, or the planning commission if it is authorized to take final action on a tentative map, shall consider:

- (a) Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;
- (b) The availability of water which meets applicable health standards and is sufficient for the reasonably foreseeable needs of the subdivision;
- (c) The availability and accessibility of utilities;
- (d) The availability and accessibility of public services such as schools, police and fire protection, transportation, recreation and parks;
- (e) Conformity with the zoning ordinances and master plan, except that if any existing zoning ordinance is inconsistent with the master plan, the zoning ordinance takes precedence;
- (f) General conformity with the governing body's master plan of streets and highways;
- (g) The effect of the proposed subdivision on existing public streets and the need for new streets and highways to serve the subdivision;
- (h) Physical characteristics of the land such as floodplain, slope and soil;
- (i) The recommendations and comments of those entities reviewing the tentative map pursuant to NRS 278.330 and 278.335; and
- (j) The availability and accessibility of fire protection, including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires, including fires in wild lands.

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

Washoe County Planning and Building Division

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

Contact Names – Roger Pelham, 775.328.3622, rpelham@washoecounty.us and Vahid Behmaram, (775) 328-3600, vbehmaram@washoecounty.us

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit.
- b. The subdivision shall specifically be in substantial conformance with the provisions of Washoe County Development Code Article 604, Design Requirements, Article 608, Tentative Subdivision Maps, Article 424 Hillside Development, Article 406, Common Open Space Development, Article 438, Grading as well as all other generally applicable provisions of Washoe County Code.
- c. Final maps and final construction drawings shall comply with all applicable statutes, ordinances, rules, regulations and policies in effect at the time of submittal of the tentative map or, if requested by the developer and approved by the applicable agency, those in effect at the time of approval of the final map.
- d. In accordance with NRS 278.360, the sub-divider shall present to Washoe County a final map, prepared in accordance with the tentative map, for the entire area for which a tentative map has been approved, or one of a series of final maps, each covering a portion of the approved tentative map, within four years after the date of approval of the tentative map or within one year of the date of approval for subsequent final maps. On subsequent final maps, that date may be extended by two years if the extension request is received prior to the expiration date.
- e. Final maps shall be in substantial compliance with all plans and documents submitted with and made part of this tentative map request, as may be amended by action of the final approving authority.
- f. All final maps shall contain the applicable portions of the following jurat:

Jurat for FIRST FINAL MAP

THE TENTATIVE MAP FOR WTM18-004 (Lemmon Drive Estates) WAS APPROVED BY THE WASHOE COUNTY PLANNING COMMISSION ON MAY 1, 2018.

THIS FINAL MAP, <subdivision name and unit/phase #>, MEETS ALL APPLICABLE STATUTES, ORDINANCES AND CODE PROVISIONS; IS IN SUBSTANTIAL CONFORMANCE WITH THE TENTATIVE MAP; AND ALL CONDITIONS HAVE BEEN MET.

[Omit the following paragraph if this is the first and last (only) final map.]

THE NEXT FINAL MAP FOR WTM18-004 (Lemmon Drive Estates) MUST BE APPROVED AND ACCEPTED FOR RECORDATION BY THE PLANNING AND BUILDING DIRECTOR ON OR BEFORE THE EXPIRATION DATE, THE ____ DAY OF _____, 20____, OR AN EXTENSION OF

TIME FOR THE TENTATIVE MAP MUST BE APPROVED BY THE WASHOE COUNTY PLANNING COMMISSION ON OR BEFORE SAID DATE.

THIS FINAL MAP IS APPROVED AND ACCEPTED FOR RECORDATION THIS ____ DAY OF _____, 20____ BY THE WASHOE COUNTY PLANNING AND BUILDING DIRECTOR. THE OFFER OF DEDICATION FOR <streets, sewers> IS REJECTED AT THIS TIME, BUT WILL REMAIN OPEN IN ACCORDANCE WITH NRS CHAPTER 278.

MOJRA HAUENSTEIN, DIRECTOR,
PLANNING AND BUILDING DIVISION

Jurat for ALL SUBSEQUENT FINAL MAPS

THE TENTATIVE MAP for WTM18-004 (Lemmon Drive Estates) was APPROVED <denied> BY THE WASHOE COUNTY PLANNING COMMISSION ON <date>. [If the TM had been appealed to the BCC --- Add:] THE WASHOE COUNTY COMMISSION APPROVED THE TENTATIVE MAP ON APPEAL ON <date>.

THE FIRST FINAL MAP FOR THIS TENTATIVE MAP WAS APPROVED AND ACCEPTED FOR RECORDATION ON <date of Planning and Building Director's signature on first final map>. [Omit the following if second map.] THE MOST RECENTLY RECORDED FINAL MAP, <subdivision name and prior unit/phase #> FOR THIS TENTATIVE MAP WAS APPROVED AND ACCEPTED FOR RECORDATION ON <date of Planning and Building Director's signature on most recent final map> [If an extension has been granted after that date – add the following]: A TWO YEAR EXTENSION OF TIME FOR THE TENTATIVE MAP WAS APPROVED BY THE WASHOE COUNTY PLANNING COMMISSION ON <date of last Planning Commission action to extend the tentative map>.

THIS FINAL MAP, <subdivision name and unit/phase #>, MEETS ALL APPLICABLE STATUTES, ORDINANCES AND CODE PROVISIONS; IS IN SUBSTANTIAL CONFORMANCE WITH THE TENTATIVE MAP; AND ALL CONDITIONS HAVE BEEN MET.

[Omit the following paragraph if this is the last final map.]

THE NEXT FINAL MAP FOR WTM18-004 (Lemmon Drive Estates) MUST BE APPROVED AND ACCEPTED FOR RECORDATION BY THE PLANNING AND BUILDING

DIRECTOR ON OR BEFORE THE EXPIRATION DATE, THE _____ DAY OF _____, 20____, <add two years to the current expiration date unless that date is more than two years away> OR AN EXTENSION OF TIME FOR THE TENTATIVE MAP MUST BE APPROVED BY THE WASHOE COUNTY PLANNING COMMISSION ON OR BEFORE SAID DATE.

<Insert Merger and Re-subdivision option as applicable>

THIS FINAL MAP IS APPROVED AND ACCEPTED FOR RECORDATION THIS _____ DAY OF _____, 20____ BY THE WASHOE COUNTY PLANNING AND BUILDING DIRECTOR. THE OFFER OF DEDICATION FOR <streets, sewers> IS REJECTED AT THIS TIME, BUT WILL REMAIN OPEN IN ACCORDANCE WITH NRS CHAPTER 278.

MOJRA HAUENSTEIN, DIRECTOR,
PLANNING AND BUILDING DIVISION

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

NOTE

Should any cairn or grave of a Native American be discovered during site development, work shall temporarily be halted at the specific site and the Sheriff's Office as well as the State Historic Preservation Office of the Department of Conservation and Natural Resources shall be immediately notified per NRS 383.170.

- h. The final map shall designate faults that have been active during the Holocene epoch of geological time, and the final map shall contain the following note:

NOTE

No habitable structures shall be located on a fault that has been active during the Holocene epoch of geological time.

- i. The developer and all successors shall direct any potential purchaser of the site to meet with the Planning and Building Division to review conditions of approval prior to the final sale of the site. Any subsequent purchasers of the site shall notify the Planning and Building Division of the name, address, telephone number and contact person of the new purchaser within thirty (30) days of the final sale.
- j. Lot standards for this development shall include: Minimum Lot Dimension: 75 feet; Front Yard Setbacks: 10 feet adjacent to a public street or common driveway, and 20 feet in front of each garage; Side Yard Setback: 5 feet; Rear Yard Setback: 10 feet. Minimum lot width shall be 75 feet.
- k. Failure to comply with all conditions of approval shall render this approval null and void.

- l. Grading shall comply with all applicable provisions of Article 438, of the Washoe County Development Code. Specifically, no slopes shall be greater than 10 feet in elevation. Retaining walls may be required. All retaining walls shall be stained with a permanent desert varnish product to mimic the color of the surrounding undisturbed hillside.
- m. At least one tree shall be installed with irrigation on each residential lot. Trees and irrigation shall be shown on each building permit application for a dwelling.
- n. Street trees shall be installed as shown in the application materials. 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 Planning and Building Division, prior to a Certificate of Occupancy. The plan shall be wet-stamped.
- o. The applicant shall construct an earthen berm with a sound-attenuating wall along the southern property line of the subject site. The berm shall be at least 4 feet in height. The wall shall be at least 6 feet in height. The wall shall be of durable materials acceptable to the Director of Planning and Building. The colors shall be muted and blend with the surrounding area. The area between the sound-attenuating wall and the dwellings shall be landscaped and shall include evergreen trees.
- p. Limit all dwellings to a single story located on the perimeter when adjacent to or across a street from residential development in existence as of the final adoption of this plan.
- q. New residential parcels shall not front on existing streets.
- r. Vary setbacks and driveway design.
- s. Construct no more than 25% of the total residential units in the same architectural elevation.
- t. Limit the use of block, concrete, or similar material to posts, pillars and similar uses when constructing fences and / or walls. These materials are not to be used for panel or wall sections. Plans for the maintenance of perimeter fences will be submitted with tentative map applications.
- u. Minimize the use of street lighting. Any lighting proposed must show how it is consistent with current best practice "dark-sky" standards. Exterior lighting fixtures mounted on the homes or units shall be no higher than the line of the first story eave or, where no eave exists, no higher than 15 feet above finished grade. Lights shall be shielded to prevent light spillage onto adjacent properties or streets.
- v. Establish landscape designs that emphasize the use of native vegetation, with non-native and atypical vegetation integrated sparingly into any landscaped area. Homebuilders must offer at least two separate xeriscape options.

- w. Conditions, covenants, and restrictions (CC&Rs), including any supplemental CC&Rs, shall be submitted to Planning and Building staff for review and subsequent forwarding to the District Attorney for review and approval. The final CC&Rs shall be signed and notarized by the owner(s) and submitted to Planning and Building with the recordation fee prior to the recordation of the final map. The CC&Rs shall require all phases and units of the subdivision approved under this tentative map to be subject to the same CC&Rs. Washoe County shall be made a party to the applicable provisions of the CC&Rs to the satisfaction of the District Attorney's Office. Said CC&Rs shall specifically address the potential for liens against the properties and the individual property owners' responsibilities for the funding of maintenance, replacement, and perpetuation of the following items, at a minimum:
1. Maintenance of public access easements, common areas, and common open spaces. Provisions shall be made to monitor and maintain, for a period of three (3) years regardless of ownership, a maintenance plan for the common open space area. The maintenance plan for the common open space area shall, as a minimum, address the following:
 - a. Vegetation management;
 - b. Watershed management;
 - c. Debris and litter removal;
 - d. Fire access and suppression; and
 - e. Maintenance of public access and/or maintenance of limitations to public access.
 2. All drainage facilities and roadways not maintained by Washoe County shall be privately maintained and perpetually funded by the homeowners association.
 3. All open space identified as common area on the final map shall be privately maintained and perpetually funded by the homeowners association. The deed to the open space and common area shall reflect perpetual dedication for that purpose. The maintenance of the common areas and related improvements shall be addressed in the CC&Rs to the satisfaction of the District Attorney's Office.
 4. The project and adjacent to undeveloped land shall maintain a fire fuel break of a minimum 30 feet in width until such time as the adjacent land is developed.
 5. Locating habitable structures on potentially active (Holocene) fault lines, whether noted on the recorded map or disclosed during site preparation, is prohibited.
 6. All outdoor lighting on buildings and streets within the subdivision shall be down-shielded.

7. No motorized vehicles shall be allowed on the platted common area.
8. Washoe County will not assume responsibility for maintenance of the private street system of the development nor will Washoe County accept the streets for dedication to Washoe County unless the streets meet those Washoe County standards in effect at the time of offer for dedication.
9. Mandatory solid waste collection.
10. Fence material (if any), height, and location limitations, and re-fencing standards. Replacement fence must be compatible in materials, finish and location of existing fence.
11. At least one tree shall be installed with irrigation on each residential lot. Trees and irrigation shall be shown on each building permit application for a dwelling.
12. Street trees shall be installed as shown in the application materials. 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 Planning and Building Division, prior to a Certificate of Occupancy. The plan shall be wet-stamped.
13. When adjacent to or across a street from residential development in existence as of the final adoption of this plan, provide a minimum 30-foot wide open-space buffer, containing a minimum 8-foot wide decomposed granite trail, on the perimeter AND maintain a minimum parcel size of 15,000 square feet for any parcel located on the perimeter; OR, provide for perimeter parcel sizes that match the existing residential parcels.
14. Limit all dwellings to a single story located on the perimeter when adjacent to or across a street from residential development in existence as of the final adoption of this plan.
15. Provide a statement regarding how the proposed design responds to the community input received during the tentative map review process must be made available to staff and the Planning Commission.
16. In regulatory zones LDS 1; LDS 2; MDS 3 and MDS 4, new residential parcels shall not front on existing streets.
17. Vary setbacks and driveway design.
18. Construct no more than 25% of the total residential units in the same architectural elevation.
19. Limit the use of block, concrete, or similar material to posts, pillars and similar uses. These materials are not to be used for panel or wall

sections. Plans for the maintenance of perimeter fences will be submitted with tentative map applications.

20. Minimize the use of street lighting. Any lighting proposed must show how it is consistent with current best practice “dark-sky” standards. Exterior lighting fixtures mounted on the homes or units shall be no higher than the line of the first story eave or, where no eave exists, no higher than 15 feet above finished grade. Lights shall be shielded to prevent light spillage onto adjacent properties or streets.
 21. Establish landscape designs that emphasize the use of native vegetation, with non-native and atypical vegetation integrated sparingly into any landscaped area. Homebuilders must offer at least two separate xeriscape options.
 22. Evergreen planting in the common area at the south end of the proposed subdivision along the length of the wall, adjacent to the existing kennel shall be maintained with an average spacing of one tree every 25 feet in staggered rows with the intention of creating a year-round landscaped screen. All trees shall be at least six feet in height at the time of planting. Permanent irrigation shall be provided to each tree. All trees shall be maintained in a healthy condition. Any dead trees shall be replaced for the life of the subdivision.
- x. The common open space owned by the homeowners association shall be noted on the final map as “common open space” and the related deed of conveyance shall specifically provide for the preservation of the common open space in perpetuity. The deed to the open space and common area shall reflect perpetual dedication for that purpose. The deed shall be presented with the CC&Rs for review by Planning and Building staff and the District Attorney.
 - y. Construction activities shall be limited to the hours between 7AM and 6PM on Mondays, Tuesdays, Wednesdays, Thursdays, Fridays and Saturdays. Construction activities shall be limited to the hours between 8AM and 5PM on Sundays.
 - z. Address numbers shall be clearly marked on each dwelling and on the curb in front of each dwelling.
 - aa. The applicant shall attach a copy of this action order to all subsequent submittals to Washoe County, including final maps and construction permits.
 - bb. The developer shall include sound-attenuating windows and wall materials in all south-facing walls on parcels numbered 85 through 89 and 92 and 93. (Those parcels that are proposed to be located adjacent to the existing kennel.)
 - cc. The applicant shall disclose to all homebuyers that the adjacent kennel is a permitted use which has been in operation since the 1970’s and that noise from barking dogs is understood and accepted by the homebuyers.

- dd. The applicant shall include a note on all final maps that the adjacent kennel is a permitted use which has been in operation since the 1970's and that noise from barking dogs is understood and accepted by any homebuyer.
- ee. The following note shall be included on all title documents and shall be included in all subsequent sales of all lots within the subdivision:

NOTE

The adjacent kennel (to the south of the subdivision) is a permitted use which has been in operation since the 1970's. Noise from barking dogs is understood and accepted by the homebuyers.

- ff. The applicant shall construct a wall along the south property line beginning 20 feet east of the right-of-way for Lemmon Drive and extending east to a point 20 feet east of the edge of proposed parcel number 92. The wall shall be six feet in height. The wall shall be constructed of masonry or other sound-attenuating material that is acceptable to the Director of Planning and Building. The wall shall be neutral, earth-tone in color.
- gg. In addition to all landscaping shown in the application, the applicant shall install evergreen trees in the common area at the south end of the proposed subdivision along the length of the wall required in condition # 1ff, above. Evergreen planting shall be provided with an average spacing of one tree every 25 feet in staggered rows with the intention of creating a year-round landscaped screen. All trees shall be at least six feet in height at the time of planting. Permanent irrigation shall be provided to each tree. All trees shall be maintained in a healthy condition. Any dead trees shall be replaced for the life of the subdivision.

Washoe County Engineering and Capital Projects

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

Contact Names – Clara Lawson, PE, PTOE, Licensed Engineer, 775.328.3603 and Leo R. Vesely, PE, CFM, 775.328.2313 and Timothy Simpson, P.E., 775.954.4648

- a. Final maps and final construction drawings shall comply with all applicable statutes, ordinances, rules, regulations, and policies in effect at the time of submittal of the tentative map or, if requested by the developer and approved by the applicable agency, those in effect at the time of approval of the final map.
- b. Prior to acceptance of public improvements and release of any financial assurances, the developer shall furnish to the water and sewer provider(s) and Engineering and Capital Projects Division a complete set of reproducible as-built construction drawings in an approved digital format, prepared by a civil engineer registered in the State of Nevada.
- c. The developer shall be required to participate in any applicable General Improvement District or Special Assessment District formed by Washoe County.

The applicable County Department shall be responsible for determining compliance with this condition.

- d. The developer shall provide written approval from the U.S. Postal Service concerning the installation and type of mail delivery facilities. The system, other than individual mailboxes, must be shown on the project construction plans and installed as part of the onsite improvements.
- e. A complete set of construction improvement drawings, including an onsite grading plan, shall be submitted to the County Engineer for approval prior to finalization of any portion of the tentative map. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading and drainage on each lot, erosion control (including BMP locations and installation details), slope stabilization and mosquito abatement. Placement or disposal of any excavated material shall be indicated on the grading plan.
- f. All open space shall be identified as common open space on the final map. A note on the final map shall indicate that all common open space shall be privately maintained and perpetually funded by the Homeowners Association. The maintenance of the common open space shall also be addressed in the CC&Rs to the satisfaction of the District Attorney's Office.
- g. Any existing easements or utilities that conflict with the development shall be relocated, quitclaimed, and/or abandoned, as appropriate.
- h. Any easement documents recorded for the project shall include an exhibit map that shows the location and limits of the easement in relationship to the project.
- i. All existing overhead utility lines shall be placed underground, except electric transmission lines greater than 100 kilovolts, which can remain above ground.
- j. With each affected final map, provide written approval from NV Energy for any improvements located within their easement or under their facilities.
- k. Appropriate easements shall be granted for any existing or new utilities, with each affected final map. This includes, but is not limited, to electrical lines, water lines, and drainage maintenance access.
- l. Appropriate easements shall be granted to perpetuate/relocate existing access roads and easements.
- m. A 10 foot Public Utilities Easement and a 10 foot easement for traffic control signage, plowed snow storage and sidewalks shall be granted adjacent to all rights-of-way.
- n. A design level geotechnical investigation with fault study shall be provided with the submittal of each final map.
- o. Cut slopes, fill slopes, and berms shall be setback from parcel lines and access easements in accordance with Washoe County Code Article 438.

- p. Slope easements shall be provided for areas of cut or fill that fall outside of the subdivision boundary.
- q. The conditional approval of this tentative map shall not be construed as final approval of the drainage facilities shown on the tentative map. Final approval of the drainage facilities will occur during the final map review and will be based upon the final hydrology report.
- r. Prior to finalization of the first final map, a master hydrology/hydraulic report and a master storm drainage plan shall be submitted to the County Engineer for approval.
- s. Prior to finalization of any portion of the tentative map, a final, detailed hydrology/hydraulic report for that unit shall be submitted to the County Engineer. All storm drainage improvements necessary to serve the project shall be designed and constructed to County standards and specifications and/or financial assurances in an appropriate form and amount shall be provided.
- t. Any increase in peak stormwater runoff flow rate resulting from the development and based on the 5 year and 100 storm(s) shall be detained onsite.
- u. The 100-year floodplain boundaries and flood elevations shall appear on each final map. If the floodplain boundary has been conditionally changed by a Federal Emergency Management Agency (FEMA) Conditional Letter of Map Amendment or Conditional Letter of Map Revision, the date of that letter and a note to that effect shall appear on the final map. All grading and construction in these areas shall be in conformance with the Washoe County Code Article 416.
- v. Prior to placement of any fill material within a FEMA Special Flood Hazard Area, an approved Conditional Letter of Map Revision (CLOMR) shall be obtained from FEMA.
- w. An approved Letter of Map Revision (LOMR) shall be obtained from FEMA prior to issuance of a Certificate of Occupancy for any structures within the Special Flood Hazard Area.
- x. Standard reinforced concrete headwalls or other approved alternatives shall be placed on the inlet and outlet of all drainage structures, and grouted rock riprap shall be used to prevent erosion at the inlets and outlets of all culverts to the satisfaction of the Engineering and Capital Projects Division.
- y. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage leaving the site to the satisfaction of the Engineering and Capital Projects Division.
- z. The Truckee Meadows Regional Stormwater Quality Management Program Construction Permit Submittal Checklist and Inspection Fee shall be submitted with each final map.
- aa. In medians with irrigated landscaping adjacent to the curb, a subdrain system shall be installed a minimum of one foot behind the back face of curb to intercept

drainage from the landscaping. The system shall be tied to the storm drain system or an acceptable alternative drainage system.

- bb. Drainage swales that drain more than two lots are not allowed to flow over the curb into the street; these flows shall be intercepted by an acceptable storm drain inlet and routed into the storm drain system.
- cc. A note on the final map shall indicate that all drainage facilities not maintained by Washoe County shall be privately maintained and perpetually funded by a homeowners association. As an alternative to a homeowners association, the developer may request the establishment of a County Utility Service Area under which fees would be paid for maintenance of the proposed storm drainage detention facility. The fee amount will be based on the additional service above that normally provided by the County to maintain new stormwater facilities dedicated by the developer (i.e., curb and gutter, drop inlets and piping). The County Engineer shall determine compliance with this condition. The maintenance and funding of these drainage facilities shall also be addressed in the CC&Rs to the satisfaction of the District Attorney's Office.
- dd. The maximum permissible flow velocity (that which does not cause scour) shall be determined for all proposed channels and open ditches. The determination shall be based on a geotechnical analysis of the channel soil, proposed channel lining and channel cross section, and it shall be in accordance with acceptable engineering publications/calculations. Appropriate linings shall be provided for all proposed channels and open ditches such that the 100-year flows do not exceed the maximum permissible flow velocity.
- ee. Prior to issuance of a grading permit or finalization of the first final map, a wetlands delineation must be approved by the United States Army Corps of Engineers (COE). A copy of the wetlands delineation and the COE approval shall be submitted to the County Engineer.
- ff. Prior to issuance of a grading permit or approval of the affected final map, the developer shall obtain a permit from the COE for any work within the wetlands/waters of the U.S., or a letter from the COE indicating that a permit is not required. A copy of the permit/letter shall be submitted to the County Engineer.
- gg. Maintenance access and drainage easements shall be provided for all existing and proposed drainage facilities. All drainage facilities located within Common Area shall be constructed with an adjoining minimum 12' wide gravel access road. Maintenance access road shall be provided to the bottom of proposed detention basins as well as over County owned and maintained storm drainage facilities.
- hh. Drainage easements shall be provided for all storm runoff that crosses more than one lot.
- ii. The project shall mitigate the increased stormwater volume produced from the development based on the 100 year–10 day storm event. Alternatives for mitigation include excavation of material within or adjacent to the existing flood

zone creating additional effective flood volume or other means subject to approval by the County Engineer.

- jj. Prior to the finalization of the first final map, a maintenance and operation plan for the maintenance of the project's detention/retention basins and Volume Replacement Area shall be developed in accordance with the Washoe County Code Article 421.
- kk. A note shall be added to the final map and similar language contained with the project CC&R's stating that owners of parcels created by final map within this development shall not protest the formation of a Storm Water Utility District, Flood Control District, Special Assessment District or other funding mechanism which is approved and created for the purpose of storm water and/or flood water management.
- ll. Offsite drainage and common area drainage draining onto residential lots shall be perpetuated around the residential lots, and drainage facilities capable of passing a 100-year storm shall be constructed with the subdivision improvements to perpetuate the storm water runoff to improved or natural drainage facilities. The maintenance of these drainage facilities shall be addressed in the CC&Rs to the satisfaction of the District Attorney's Office.
- mm. All roadway improvements necessary to serve the project shall be designed and constructed to County standards and specifications and/or financial assurances in an appropriate form and amount shall be provided.
- nn. An Occupancy Permit shall be obtained from the City of Reno for all construction within the Lemmon Drive right-of-way, and a copy of said permit shall be submitted to the County Engineer prior to finalization of the affected final map.
- oo. The applicant shall dedicate any additional right-of-way, as needed, to the City of Reno for Lemmon Drive to accommodate the planned widening from 4 lanes to 6 lanes as stated in the 2040 RTC Regional Transportation Plan.
- pp. Street names shall be reviewed and approved by the Regional Street Naming Coordinator.
- qq. Proposed landscaping and/or fencing along street rights-of-way and within median islands shall be designed to meet American Association of State Highway and Transportation Officials (AASHTO) sight distances and safety guidelines. No tree shall overhang the curb line of any public street.
- rr. A note on each affected final map shall state that no direct access from individual lots shall be allowed onto Lemmon Drive. This note shall also be included in the CC&Rs to the satisfaction of the District Attorney's Office.
- ss. For any utilities placed in existing County streets, the streets shall be repaired to the satisfaction of the County Engineer. At a minimum, this will require full depth removal and replacement of asphalt for half the street width, or replacement of non-woven pavement reinforcing fabric with a 2" asphalt overlay for half the street width. Type II slurry seal is required for the entire street width with either

option. Full width street improvements may be required if the proposed utility location is too close to the centerline of the existing street.

- tt. Streetlights shall be constructed to Washoe County standards at locations to be determined at the final design stage.
- uu. AASHTO clear zones shall be determined for all streets adjacent to retaining walls or slopes steeper than 3:1. If a recoverable or traversable clear zone cannot be provided, an analysis to determine if barriers are warranted shall be submitted for approval.
- vv. All retaining walls that are adjacent to, provide support for or retain soil from the County right-of-way shall be constructed of reinforced masonry block or reinforced concrete and designed by an engineer licensed in the State of Nevada.
- ww. All retaining walls that are within the slope failure wedge from Washoe County right-of-way shall be constructed of reinforced masonry block or reinforced concrete and designed by an engineer licensed in the State of Nevada. Retaining walls shall not be located within Washoe County right-of-way. The maintenance of the retaining walls shall be by Homeowners Association and the CCR's shall clearly identify the HOA's maintenance responsibilities of retaining walls.
- xx. No retaining walls that retain soil from the County right-of-way shall be located within a plowed snow storage easement.
- yy. Sidewalks shall be constructed on both sides of the street and shall meet ADA requirements.
- zz. Curb and gutter shall be standard Type I per Washoe County standard details.
- aaa. Prior to recordation of the final map, an environmental study that confirms no hazardous materials exist in the property to be dedicated to Washoe County.
- bbb. Appropriate transitions shall be provided between the existing and proposed improvements at all proposed street connections. This may include removal of existing pavement.
- ccc. Any streetlights that do not meet Washoe County standards shall be placed outside Washoe County right-of-way. These streetlights shall be private, and the CC&R's shall indicate operation and maintenance of the streetlights shall be the responsibility of the Homeowners Association. The County Engineer and the District Attorney's Office shall determine compliance with this condition.
- ddd. Adequate snow storage easements shall be identified on the final plat.
- eee. The conditions, covenants and restrictions (CC&Rs) shall prominently note to the satisfaction of the District Attorney's Office and the County Engineer that Washoe County will not assume responsibility for maintenance of the development's median islands.

- fff. Signing, striping and traffic control improvements shall comply with American Association of State Highway and Transportation Officials Design guidelines, the Manual of Uniform Traffic Control Devices and Washoe County requirements and where applicable Nevada Department of Transportation requirements.
- ggg. Access from Lemmon Drive to Sunset View Drive and Snowbrush Court shall be constructed as right-in/right-out only.
- hhh. The proposed project should modify the channelizing island on the west side of Lemmon Drive at the Lemmon Drive/Military Road intersection to provide enough space for large passenger vehicles to make northbound to southbound U-turns.
- iii. A deceleration lane shall be constructed on Lemmon Drive at the intersection of Sunset View Drive to the satisfaction of the City of Reno.
- jjj. The applicant shall conform to all conditions imposed by intergovernmental agreements required to provide sewer service to the subject project, and, if required, be a party to any such agreements.
- kkk. All fees shall be paid or deferred in accordance with Washoe County Ordinance prior to the approval of each final map.
- lll. Improvement plans shall be submitted and approved by the Engineering and Capital Projects Division prior to approval of the final map. They shall be in compliance with Washoe County Design Standards and be designed by a Professional Engineer licensed to practice in the State of Nevada.
- mmm. The applicant shall submit an electronic copy of the street and lot layout for each final map at initial submittal time. The files must be in a format acceptable to Washoe County.
- nnn. The applicant shall construct and/or provide the financial assurance for the construction of any on-site and off-site sanitary sewer collection systems prior to signature on each final map. The financial assurance must be in a form and amount acceptable to the Engineering and Capital Projects Division.
- ooo. Approved improvement plans shall be used for the construction of on-site and off-site sanitary sewer collection system. The Engineering and Capital Projects Division will be responsible to inspect the construction of the sanitary sewer collection system.
- ppp. The sanitary sewer collection system must be offered for dedication to Washoe County along with the recordation of each final map.
- qqq. Easements and real property for all sanitary sewer collection systems and appurtenances shall be in accordance with Washoe County Design Standards and offered for dedication to Washoe County along with the recordation of each final map.
- rrr. A master sanitary sewer report for the entire tentative map shall be prepared and submitted by the applicant's engineer at the time of the initial submittal for the first final map which addresses:

- i. the estimated sewage flows generated by this project,
 - ii. projected sewage flows from potential or existing development within tributary areas,
 - iii. the impact on capacity of existing infrastructure,
 - iv. slope of pipe, invert elevation and rim elevation for all manholes,
 - v. proposed collection line sizes, on-site and off-site alignment, and half-full velocities.
- sss. No Certificate of Occupancy will be issued until all the sewer collection facilities necessary to serve each final map have been completed, accepted and engineer prepared as-built drawings are delivered to the utility. As-built drawings must be in a format acceptable to Washoe County.
- ttt. No permanent structures (including rockery or retaining walls, building's, etc.) shall be allowed within or upon any County maintained utility easement.
- uuu. A minimum 30-foot sanitary sewer and access easement shall be dedicated to Washoe County over any facilities not located in a dedicated right of way.
- vvv. A minimum 12-foot wide all weather sanitary sewer access road shall be constructed to facilitate access to off-site sanitary sewer manholes.
- www. The existing sewer main to be realigned shall be abandoned to the satisfaction of the County Engineer.
- xxx. The developer will be responsible to fund the design and construction of major infrastructure such as pump structures, controls, telemetry and appurtenances, lift stations, force mains, sewer mains, interceptor and wastewater treatment facilities necessary to accommodate the project. However, the actual design will be the responsibility of the Engineering and Capital Projects Division. Prior to initiation of design the Developer shall pay the estimated design costs to Washoe County. The Engineering and Capital Projects Division may either provide such design in-house, or select an outside consultant. When an outside consultant is to be selected, the Engineering and Capital Projects Division and the Developer shall jointly select that consultant.
- yyy. The Engineering and Capital Projects Division shall reserve the right to over-size or realign the design of infrastructure to accommodate future development as determined by accepted engineering calculations. Funding shall be the responsibility of Washoe County. Washoe County shall either participate monetarily at the time of design and/or shall credit an appropriate dollar amount to the Developer at the time of recordation of the subdivision map.

Nevada Division of Environmental Protection

3. The following conditions are requirements of the Nevada Division of Environmental Protection, which shall be responsible for determining compliance with these conditions.

Contact Name – Patrick Mohn, 775.687.9419, pmohn@ndep.nv.gov

- a. An intent-to-serve letter for sewer will be required for Tentative Map review and a formal Will-Serve for sewer will be required for the NDEP Final Map review.

Truckee Meadows Fire Protection District

4. The following conditions are requirements of the Truckee Meadows Fire Protection District, which shall be responsible for determining compliance with these conditions.

Contact Name – Lisa Beaver, 775.326.6000, LBeaver@tmfpd.us

- a. The project must comply with the following codes for fire and life safety;
 - i. 2012 International Fire Code
 - ii. Chapter 60 Washoe County Code
 - iii. 2012 WUI Code
 - iv. All Applicable NFPA codes

Regional Transportation Commission

5. The following conditions are requirements of the Regional Transportation Commission, which shall be responsible for determining compliance with these conditions.

Contact Name – Rebecca Kapuler, 775.332.0174, rkapuler@rtcwashoe.com

- a. The developer shall contact Tina Wu, RTC Senior Transit Planner, at 775.335.1908 or twu@rtcwashoe.com, to discuss future transit improvements for this project.

*** End of Conditions ***



Exhibit B

North Valleys Citizens Advisory Board

MEMORANDUM

Date: April 9, 2018
To: Roger Pelham, Washoe County Planners
Re: Tentative Subdivision Map Case Number WTM18-004 (Lemmon Drive Estates)
From: Misty Moga, Recording Secretary

The following is an excerpt from the North Valleys Citizen Advisory Board on April 9, 2018.

7. DEVELOPMENT PROJECTS- The project description is provided below with links to the application or you may visit the Planning website and select the Applications tab and then the Applications Commission District Four: https://www.washoecounty.us/csd/planning_and_development/index.php.

6.B. Tentative Subdivision Map Case Number WTM18-004 (Lemmon Drive Estates) – Request for community feedback, discussion and possible action to forward community and Citizen Advisory Board comments to Washoe County staff on a request for a 98-lot single-family residential, common open space subdivision. Lot sizes are proposed to range from a minimum size of 5,218 square feet (\pm .12 acres) to a maximum size of 10,811 square feet (\pm .25 acres) with an average size of 6,011 square feet (\pm .14 acres). Front yard setbacks are proposed to be reduced from a minimum of from 20 feet to a minimum of 10 feet adjacent to a public street or common driveway, and maintain 20 feet in front of each garage. Rear yard setbacks are proposed are proposed to be reduced from a minimum of 20 feet to a minimum of 10 feet. Side yard setbacks are proposed to be reduced from a minimum of 8 feet to a minimum of 5 feet. Required lot widths are proposed to be reduced from a minimum of 80 feet to a minimum of 75 feet. (for Possible Action)

- Applicant: Lakes at Lemmon Valley, LLC.
- Property Owner: Lakes at Lemmon Valley, LLC.
- Location: On the east side of Lemmon Drive, approximately 700 feet south of its intersection with Military Road.
- Assessor's Parcel Number: 552-201-18
- Staff: Roger Pelham, Senior Planner; 775-328-3622; rpelham@washoecounty.us
- Reviewing Body: Tentatively scheduled for Planning Commission, May 1, 2018
 - Roger Pelham, Washoe County Planning, introduced himself. He said he is available for process and procedure questions. He said the tentative subdivision map is the first step for a developer.
 - Roger Edwards asked about utility; where will the sewer be pumped. A public member said Stead.

Dave S., Project representative, gave an overview:

- Lemmon Estates, a common open space subdivision
- The flood channel is not being disturbed
- Detention basin is larger than it needs to be
- Proposed common open space subdivision; leaving the scenic features of the natural landscape
- Current project allows for 101 units at medium density. They are proposing 98 units.
- Exploring trail connectivity within common open space
- Expansion of the road
- Subdivision with sidewalks
 - miles of paths around the subdivision.

Public comment:

Danny Cleous said all the runoff will go into Swan Lake. It's full. There doesn't need houses there. Lemmon Drive is always a mess. Stead Sewer Plant is already full. This development is not needed.

Denise Ross said the FEMA application was posted on FB. They have changed the application. We don't need any changes to our flood plan at this time. This project's geotechnical report states concerns. She said there will be more impervious surfaces as a result of more buildings and coverage; where does that water go. It runs into Swan Lake. 50% of water usage in the home leaves as sewage. They will import from Fish Springs. We are in the middle of a catastrophic event. Build infrastructure. There is a need for housing, but not here. Let's figure it out first.

Joe Reinhardt said he is the Silver State Kennel co-owner. The kennel has been in existence since 70s. He said the kennel is good neighbors. He said they are concerned when there will be houses built within 40 feet of the kennel. The new neighbors will complain about barking dogs. He said they are working with the project manager to install a wall, include a disclosure to the new homeowners, and other things. If this does go through, we will work with them to be good neighbors.

Tammy Holt-Still, a member of the Swan Lake Recovery Committee, said follow NRS 278.828, the Health Department says you need to have sewer, water, fire police, and schools. The elementary school is full. 395 is already at capacity. A boy had a seizer, and it took 20 minutes for him to get service.

Maureen O'Brien said she is concerned with fire and emergency medical responses. She asked if this project is in the sphere of influence. The representative said it would be serviced by TMFPD. Reno/Stead corridor plan will be revised.

Teresa Aquila asked about access. The representative said Traffic Worx and RTC have looked at access. It will be right-in, right-out movement. They will work with the geography for a U-turn. Teresa asked about the traffic study. The representative said approximately 900+/- trips. It's less than ¼ mile to the shopping node. It's an opportunity for people to walk to the shopping rather than drive. Teresa said that will create an increase in pedestrian activity.

Roger Edwards said he doesn't have problem with this kind of development. He said he doesn't like that the Setbacks are 10 feet down to 0 feet. He said the open space includes the retention basins. He said this is a way to get away from not dedicating open space. The development will be 1 foot above elevation. Roger said unless there will be excavation, it won't do anything. Roger Edwards said he won't vote for anymore development in this basin.

Chief Charlie Moore of TMFPD said we do not have a mutual aid with the City of Reno for EMT services. He said TMFPD won't be the first to respond if this is in the City of Reno. He said they have automatic aid for brush and structure fire. You won't get rapid service from City of Reno.

Ray Lake asked for clarification regarding the fills of 4-5 feet in-fill on the east end of the property in order to get out of the flood zone. The representative said the elevation will change. Ray Lake said there will be 463 trips per day according to the traffic study, with the majority of the traffic heading south. There will be approximately 417 u-turns at Military Road; there needs to be another way. The sewer and run-off needs to be addressed.

Jean Harris said she echoes what has been said. No more development needs to happen in this basin. There needs to be remediation. There needs to be change. She said the density is too high. Cluster homes don't belong in the North Valley. Not one more thing should be built out here until there is mitigation with flooding.

MOTION: Roger Edwards moved to recommend denial; the board is not in favor of this project. The Board will forward comments to the Planning and County Commission. Teresa Aquila seconded the motion to recommend denial. Motion carried unanimously.



WASHOE COUNTY
COMMUNITY SERVICES DEPARTMENT
Engineering and Capital Projects

1001 EAST 9TH STREET
 PO BOX 11130
 RENO, NEVADA 89520-0027
 PHONE (775) 328-3600
 FAX (775) 328.3699

Date: April 3, 2018

To: Roger Pelham, Senior Planner

From: Leo Vesely, P.E., Licensed Engineer

Re: Lemmon Drive Estates WTM18-004 (98 Lots)
 APN 552-201-18

GENERAL PROJECT DISCUSSION

Washoe County Engineering and Capital Project staff has reviewed the above referenced application. The proposed project consists of a 98-lot subdivision and is located on approximately 34 acres along the east side of Lemmon Drive and north of Buck Drive. Sanitary sewer service will be provided by Washoe County. The Engineering and Capital Projects Division recommends approval with the following comments and conditions of approval which supplement applicable County Code and are based upon our review of the site and the tentative map application prepared by CFA, Inc. The County Engineer shall determine compliance with all the following conditions of approval.

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

GENERAL CONDITIONS

Contact Information: Leo Vesely, P.E. (775) 328-2313

1. Final maps and final construction drawings shall comply with all applicable statutes, ordinances, rules, regulations, and policies in effect at the time of submittal of the tentative map or, if requested by the developer and approved by the applicable agency, those in effect at the time of approval of the final map.
2. Prior to acceptance of public improvements and release of any financial assurances, the developer shall furnish to the water and sewer provider(s) and Engineering and Capital Projects Division a complete set of reproducible as-built construction drawings in an approved digital format, prepared by a civil engineer registered in the State of Nevada.
3. The developer shall be required to participate in any applicable General Improvement District or Special Assessment District formed by Washoe County. The applicable County Department shall be responsible for determining compliance with this condition.
4. The developer shall provide written approval from the U.S. Postal Service concerning the installation and type of mail delivery facilities. The system, other than individual mailboxes, must be shown on the project construction plans and installed as part of the onsite improvements.
5. A complete set of construction improvement drawings, including an onsite grading plan, shall be submitted to the County Engineer for approval prior to finalization of any portion of the tentative map. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading and drainage on each lot, erosion control (including BMP locations and



INTEGRITY



EFFECTIVE
COMMUNICATION



QUALITY
PUBLIC SERVICE

WWW.WASHOECOUNTY.NV.US

Subject: **Lemmon Drive Estates WTM18-004** (98 Lots)
Date: April 3, 2018
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installation details), slope stabilization and mosquito abatement. Placement or disposal of any excavated material shall be indicated on the grading plan.

6. All open space shall be identified as common area on the final map. A note on the final map shall indicate that all common areas shall be privately maintained and perpetually funded by the Homeowners Association. The maintenance of the common areas shall also be addressed in the CC&Rs to the satisfaction of the District Attorney's Office.
7. Any existing easements or utilities that conflict with the development shall be relocated, quitclaimed, and/or abandoned, as appropriate.
8. Any easement documents recorded for the project shall include an exhibit map that shows the location and limits of the easement in relationship to the project.
9. All existing overhead utility lines shall be placed underground, except electric transmission lines greater than 100 kilovolts, which can remain above ground.
10. With each affected final map, provide written approval from NV Energy for any improvements located within their easement or under their facilities.
11. Appropriate easements shall be granted for any existing or new utilities, with each affected final map. This includes, but is not limited, to electrical lines, water lines, and drainage maintenance access.
12. Appropriate easements shall be granted to perpetuate/relocate existing access roads and easements.
13. A 10 foot Public Utilities Easement and a 10 foot easement for traffic control signage, plowed snow storage and sidewalks shall be granted adjacent to all rights-of-way.
14. A design level geotechnical investigation with fault study shall be provided with the submittal of each final map.
15. Cut slopes, fill slopes, and berms shall be setback from parcel lines and access easements in accordance with Washoe County Code Article 438.
16. Slope easements shall be provided for areas of cut or fill that fall outside of the subdivision boundary.

DRAINAGE (COUNTY CODE 110.420)

Contact Information: Leo Vesely, P.E. (775) 328-2313

1. The conditional approval of this tentative map shall not be construed as final approval of the drainage facilities shown on the tentative map. Final approval of the drainage facilities will occur during the final map review and will be based upon the final hydrology report.
2. Prior to finalization of the first final map, a master hydrology/hydraulic report and a master storm drainage plan shall be submitted to the County Engineer for approval.
3. Prior to finalization of any portion of the tentative map, a final, detailed hydrology/hydraulic report for that unit shall be submitted to the County Engineer. All storm drainage improvements necessary to serve the project shall be designed and constructed to County standards and specifications and/or financial assurances in an appropriate form and amount shall be provided.
4. Any increase in peak stormwater runoff flow rate resulting from the development and based on the 5 year and 100 storm(s) shall be detained onsite.

Subject: **Lemmon Drive Estates WTM18-004** (98 Lots)
Date: April 3, 2018
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5. The 100-year floodplain boundaries and flood elevations shall appear on each final map. If the floodplain boundary has been conditionally changed by a Federal Emergency Management Agency (FEMA) Conditional Letter of Map Amendment or Conditional Letter of Map Revision, the date of that letter and a note to that effect shall appear on the final map. All grading and construction in these areas shall be in conformance with the Washoe County Code Article 416.
6. Prior to placement of any fill material within a FEMA Special Flood Hazard Area, an approved Conditional Letter of Map Revision (CLOMR) shall be obtained from FEMA.
7. An approved Letter of Map Revision (LOMR) shall be obtained from FEMA prior to issuance of a Certificate of Occupancy for any structures within the Special Flood Hazard Area.
8. Standard reinforced concrete headwalls or other approved alternatives shall be placed on the inlet and outlet of all drainage structures, and grouted rock riprap shall be used to prevent erosion at the inlets and outlets of all culverts to the satisfaction of the Engineering and Capital Projects Division.
9. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage leaving the site to the satisfaction of the Engineering and Capital Projects Division.
10. The Truckee Meadows Regional Stormwater Quality Management Program Construction Permit Submittal Checklist and Inspection Fee shall be submitted with each final map.
11. In medians with irrigated landscaping adjacent to the curb, a subdrain system shall be installed a minimum of one foot behind the back face of curb to intercept drainage from the landscaping. The system shall be tied to the storm drain system or an acceptable alternative drainage system.
12. Drainage swales that drain more than two lots are not allowed to flow over the curb into the street; these flows shall be intercepted by an acceptable storm drain inlet and routed into the storm drain system.
13. A note on the final map shall indicate that all drainage facilities not maintained by Washoe County shall be privately maintained and perpetually funded by a homeowners association. As an alternative to a homeowners association, the developer may request the establishment of a County Utility Service Area under which fees would be paid for maintenance of the proposed storm drainage detention facility. The fee amount will be based on the additional service above that normally provided by the County to maintain new stormwater facilities dedicated by the developer (i.e., curb and gutter, drop inlets and piping). The County Engineer shall determine compliance with this condition. The maintenance and funding of these drainage facilities shall also be addressed in the CC&Rs to the satisfaction of the District Attorney's Office.
14. The maximum permissible flow velocity (that which does not cause scour) shall be determined for all proposed channels and open ditches. The determination shall be based on a geotechnical analysis of the channel soil, proposed channel lining and channel cross section, and it shall be in accordance with acceptable engineering publications/calculations. Appropriate linings shall be provided for all proposed channels and open ditches such that the 100-year flows do not exceed the maximum permissible flow velocity.
15. Prior to issuance of a grading permit or finalization of the first final map, a wetlands delineation must be approved by the United States Army Corps of Engineers (COE). A copy of the wetlands delineation and the COE approval shall be submitted to the County Engineer.
16. Prior to issuance of a grading permit or approval of the affected final map, the developer shall obtain a permit from the COE for any work within the wetlands/waters of the U.S., or a letter from the COE indicating that a permit is not required. A copy of the permit/letter shall be submitted to the County Engineer.

Subject: **Lemmon Drive Estates WTM18-004**(98 Lots)
Date: April 3, 2018
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17. Maintenance access and drainage easements shall be provided for all existing and proposed drainage facilities. All drainage facilities located within Common Area shall be constructed with an adjoining minimum 12' wide gravel access road. Maintenance access road shall be provided to the bottom of proposed detention basins as well as over County owned and maintained storm drainage facilities.
18. Drainage easements shall be provided for all storm runoff that crosses more than one lot.
19. The project shall mitigate the increased stormwater volume produced from the development based on the 100 year–10 day storm event. Alternatives for mitigation include excavation of material within or adjacent to the existing flood zone creating additional effective flood volume or other means subject to approval by the County Engineer.
20. Prior to the finalization of the first final map, a maintenance and operation plan for the maintenance of the project's detention/retention basins and Volume Replacement Area shall be developed in accordance with the Washoe County Code Article 421.
21. A note shall be added to the final map and similar language contained with the project CC&R's stating that owners of parcels created by final map within this development shall not protest the formation of a Storm Water Utility District, Flood Control District, Special Assessment District or other funding mechanism which is approved and created for the purpose of storm water and/or flood water management.
22. Offsite drainage and common area drainage draining onto residential lots shall be perpetuated around the residential lots, and drainage facilities capable of passing a 100-year storm shall be constructed with the subdivision improvements to perpetuate the storm water runoff to improved or natural drainage facilities. The maintenance of these drainage facilities shall be addressed in the CC&Rs to the satisfaction of the District Attorney's Office.

TRAFFIC AND ROADWAY (COUNTY CODE 110.436)

Contact Information: Clara Lawson, P.E. (775) 328-3603

1. All roadway improvements necessary to serve the project shall be designed and constructed to County standards and specifications and/or financial assurances in an appropriate form and amount shall be provided.
2. An Occupancy Permit shall be obtained from the City of Reno for all construction within the Lemmon Drive right-of-way, and a copy of said permit shall be submitted to the County Engineer prior to finalization of the affected final map.
3. The applicant shall dedicate any additional right-of-way, as needed, to the City of Reno for Lemmon Drive to accommodate the planned widening from 4 lanes to 6 lanes as stated in the 2040 RTC Regional Transportation Plan.
4. Street names shall be reviewed and approved by the Regional Street Naming Coordinator.
5. Proposed landscaping and/or fencing along street rights-of-way and within median islands shall be designed to meet American Association of State Highway and Transportation Officials (AASHTO) sight distances and safety guidelines. No tree shall overhang the curb line of any public street.
6. A note on each affected final map shall state that no direct access from individual lots shall be allowed onto Lemmon Drive. This note shall also be included in the CC&Rs to the satisfaction of the District Attorney's Office.

Subject: **Lemmon Drive Estates WTM18-004**(98 Lots)
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7. For any utilities placed in existing County streets, the streets shall be repaired to the satisfaction of the County Engineer. At a minimum, this will require full depth removal and replacement of asphalt for half the street width, or replacement of non-woven pavement reinforcing fabric with a 2" asphalt overlay for half the street width. Type II slurry seal is required for the entire street width with either option. Full width street improvements may be required if the proposed utility location is too close to the centerline of the existing street.
8. Streetlights shall be constructed to Washoe County standards at locations to be determined at the final design stage.
9. AASHTO clear zones shall be determined for all streets adjacent to retaining walls or slopes steeper than 3:1. If a recoverable or traversable clear zone cannot be provided, an analysis to determine if barriers are warranted shall be submitted for approval.
10. All retaining walls that are adjacent to, provide support for or retain soil from the County right-of-way shall be constructed of reinforced masonry block or reinforced concrete and designed by an engineer licensed in the State of Nevada.
11. All retaining walls that are within the slope failure wedge from Washoe County right-of-way shall be constructed of reinforced masonry block or reinforced concrete and designed by an engineer licensed in the State of Nevada. Retaining walls shall not be located within Washoe County right-of-way. The maintenance of the retaining walls shall be by Homeowners Association and the CCR's shall clearly identify the HOA's maintenance responsibilities of retaining walls.
12. No retaining walls that retain soil from the County right-of-way shall be located within a plowed snow storage easement.
13. Sidewalks shall be constructed on both sides of the street and shall meet ADA requirements.
14. Curb and gutter shall be standard Type I per Washoe County standard details.
15. Prior to recordation of the final map, an environmental study that confirms no hazardous materials exist in the property to be dedicated to Washoe County.
16. Appropriate transitions shall be provided between the existing and proposed improvements at all proposed street connections. This may include removal of existing pavement.
17. Any streetlights that do not meet Washoe County standards shall be placed outside Washoe County right-of-way. These streetlights shall be private, and the CC&R's shall indicate operation and maintenance of the streetlights shall be the responsibility of the Homeowners Association. The County Engineer and the District Attorney's Office shall determine compliance with this condition.
18. Adequate snow storage easements shall be identified on the final plat.
19. The conditions, covenants and restrictions (CC&Rs) shall prominently note to the satisfaction of the District Attorney's Office and the County Engineer that Washoe County will not assume responsibility for maintenance of the development's median islands.
20. Signing, striping and traffic control improvements shall comply with American Association of State Highway and Transportation Officials Design guidelines, the Manual of Uniform Traffic Control Devices and Washoe County requirements and where applicable Nevada Department of Transportation requirements.
21. Access from Lemmon Drive to Sunset View Drive and Snowbrush Court shall be constructed as right-in/right-out only.

Subject: **Lemmon Drive Estates WTM18-004** (98 Lots)
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22. The proposed project should modify the channelizing island on the west side of Lemmon Drive at the Lemmon Drive/Military Road intersection to provide enough space for large passenger vehicles to make northbound to southbound U-turns.
23. A deceleration lane shall be constructed on Lemmon Drive at the intersection of Sunset View Drive to the satisfaction of the City of Reno.

UTILITIES (County Code 422 & Sewer Ordinance)

Contact Information: Tim Simpson, P.E. (775) 954-4648

1. The applicant shall conform to all conditions imposed by intergovernmental agreements required to provide sewer service to the subject project, and, if required, be a party to any such agreements.
2. All fees shall be paid or deferred in accordance with Washoe County Ordinance prior to the approval of each final map.
3. Improvement plans shall be submitted and approved by the Engineering and Capital Projects Division prior to approval of the final map. They shall be in compliance with Washoe County Design Standards and be designed by a Professional Engineer licensed to practice in the State of Nevada.
4. The applicant shall submit an electronic copy of the street and lot layout for each final map at initial submittal time. The files must be in a format acceptable to Washoe County.
5. The applicant shall construct and/or provide the financial assurance for the construction of any on-site and off-site sanitary sewer collection systems prior to signature on each final map. The financial assurance must be in a form and amount acceptable to the Engineering and Capital Projects Division.
6. Approved improvement plans shall be used for the construction of on-site and off-site sanitary sewer collection system. The Engineering and Capital Projects Division will be responsible to inspect the construction of the sanitary sewer collection system.
7. The sanitary sewer collection system must be offered for dedication to Washoe County along with the recordation of each final map.
8. Easements and real property for all sanitary sewer collection systems and appurtenances shall be in accordance with Washoe County Design Standards and offered for dedication to Washoe County along with the recordation of each final map.
9. A master sanitary sewer report for the entire tentative map shall be prepared and submitted by the applicant's engineer at the time of the initial submittal for the first final map which addresses:
 - a. the estimated sewage flows generated by this project,
 - b. projected sewage flows from potential or existing development within tributary areas,
 - c. the impact on capacity of existing infrastructure,
 - d. slope of pipe, invert elevation and rim elevation for all manholes,
 - e. proposed collection line sizes, on-site and off-site alignment, and half-full velocities.
10. No Certificate of Occupancy will be issued until all the sewer collection facilities necessary to serve each final map have been completed, accepted and engineer prepared as-built drawings are delivered to the utility. As-built drawings must be in a format acceptable to Washoe County.
11. No permanent structures (including rockery or retaining walls, buildings, etc.) shall be allowed within or upon any County maintained utility easement.

Subject: **Lemmon Drive Estates WTM18-004**(98 Lots)
Date: April 3, 2018
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12. A minimum 30-foot sanitary sewer and access easement shall be dedicated to Washoe County over any facilities not located in a dedicated right of way.
13. A minimum 12-foot wide all weather sanitary sewer access road shall be constructed to facilitate access to off-site sanitary sewer manholes.
14. The existing sewer main to be realigned shall be abandoned to the satisfaction of the County Engineer.
15. The developer will be responsible to fund the design and construction of major infrastructure such as pump structures, controls, telemetry and appurtenances, lift stations, force mains, sewer mains, interceptor and wastewater treatment facilities necessary to accommodate the project. However, the actual design will be the responsibility of the Engineering and Capital Projects Division. Prior to initiation of design the Developer shall pay the estimated design costs to Washoe County. The Engineering and Capital Projects Division may either provide such design in-house, or select an outside consultant. When an outside consultant is to be selected, the Engineering and Capital Projects Division and the Developer shall jointly select that consultant.
16. The Engineering and Capital Projects Division shall reserve the right to over-size or realign the design of infrastructure to accommodate future development as determined by accepted engineering calculations. Funding shall be the responsibility of Washoe County. Washoe County shall either participate monetarily at the time of design and/or shall credit an appropriate dollar amount to the Developer at the time of recordation of the subdivision map.



March 30, 2018

Roger Pelham, MPA, Senior Planner
Washoe County Community Services
Planning and Development Division
PO Box 11130
Reno, NV 89520-0027

RE: WTM18-004 Lemmon Drive Estates; [Click here to enter text.](#)
[Click here to enter text.](#); [Click here to enter text.](#)

Dear Mr. Pelham:

The Washoe County Health District, Environmental Health Services Division (WCHD) has reviewed the above referenced project. Approval by the WCHD is subject to the following conditions:

1. The project must comply with the following codes for fire and life safety;
2. 2012 International Fire Code
3. Chapter 60 Washoe County Code
4. 2012 WUI Code
5. All Applicable NFPA codes

Please contact me for additional questions

Sincerely,

Denise Reynolds

TRUCKEE MEADOWS FIRE PROTECTION DISTRICT
1001 E. Ninth St. Bldg. D 2nd Floor • Reno, Nevada 89512 • PO Box 11130 • Reno, Nevada 89520
Office 775.326.6000 Fax 775.326.6003

WAC21-0007
EXHIBIT D

From: John Christopherson [<mailto:jchrist@forestry.nv.gov>]
Sent: Wednesday, March 28, 2018 2:09 PM
To: Stark, Katherine
Subject: RE: Added Traffic Impact Study - March Agency Review Memo II

Hello Katherine,

The Division of Forestry has not comments on the Lemmon Drive Estates tentative subdivision map case.

Thank you.

John



John Christopherson
Natural Resource Program Manager
Nevada Division of Forestry
2478 Fairview Drive, Carson City, NV 89701
ph: (775) 684-2507 | fax: (775) 684-2571
jchrist@forestry.nv.gov

From: Patrick Mohn
To: [Pelham, Roger](#)
Subject: WTM18-004 Lemmon Drive Estates
Date: Thursday, March 22, 2018 8:31:28 AM

The NDEP will do a detailed review of the Tentative Map when it is submitted to the NDEP with proper fees. The NDEP understands that the development will be served by Washoe County for sewer. Intent-to-Serve letter for sewer will be required for Tentative Map review, and a formal Will Serve for sewer will be required for the NDEP Final Map review.

Pat



Patrick A. Mohn, M.Sc., P.E.
UIC Compliance Coordinator
Bureau of Water Pollution Control (BWPC)
Nevada Division of Environmental Protection
901 South Stewart Street, Suite 4001
Carson City, NV 89701
p: 775.687.9419 fax: 775.687.4684
pmohn@ndep.nv.gov



REGIONAL TRANSPORTATION COMMISSION

Metropolitan Planning - Public Transportation & Operations - Engineering & Construction

Metropolitan Planning Organization of Washoe County, Nevada

April 3, 2018

FR: Chrono/PL 183-17

Mr. Roger Pelham, Senior Planner
Community Services Department
Washoe County
PO Box 11130
Reno, NV 89520

RE: WTM18-004 (Lemmon Drive Estates)

Dear Mr. Pelham,

We have reviewed the subject application and have the following comments and recommendations.

Comments and Recommendations:

1. The 2040 Regional Transportation Plan (RTP) identifies Lemmon Drive as an arterial with Moderate-Access control. To maintain arterial capacity, the following RTP access management standards should be maintained.

Access Management Standards-Arterials ¹ and Collectors							
Access Management Class	Posted Speeds	Signals Per Mile and Spacing ²	Median Type	Left From Major Street? (Spacing from signal)	Left From Minor Street or Driveway?	Right Decel Lanes at Driveways?	Driveway Spacing ³
Moderate Access Control	40-45 mph	3 or less Minimum spacing 1590 feet	Raised or painted w/turn pockets	Yes 500 ft. minimum	No, on 6 or 8-lane roadways w/o signal	Yes ⁴	200 ft./300 ft.

¹ On-street parking shall not be allowed on any new arterials. Elimination of existing on-street parking shall be considered a priority for major and minor arterials operating at or below the policy level of service.

² Minimum signal spacing is for planning purposes only; additional analysis must be made of proposed new signals in the context of planned signalized intersections, and other relevant factors impacting corridor level of service.

³ Minimum spacing from signalized intersections/spacing other driveways.

⁴ If there are more than 60 inbound, right-turn movements during the peak-hour.

2. The policy Level of Service (LOS) standard for Lemmon Drive is LOS D. Policy LOS for intersections shall be designed to provide a level of service consistent with maintaining the policy level of service of the intersection corridor. This project should be required to meet all the conditions necessary to complete road improvements to maintain policy LOS standards.
3. The 2040 RTP identifies Lemmon Drive from US 395 to Military Road to be widened from 4 to 6 lanes by 2026. Dedication of right of way or setbacks adequate to complete RTP improvements should be required as a condition of approval. See the attached typical 120' right of way section for a 6-lane facility. Additional right-of-way may be required for dedicated turn lanes at intersections.

RTC Board: Ron Smith (Chair) · Bob Lucey (Vice Chair) · Paul McKenzie · Vaughn Hartung · Neoma Jardon
PO Box 30002, Reno, NV 89520 · 1105 Terminal Way, Reno, NV 89502 · 775-348-0400 · rtcwashoe.com

4. The applicant may be eligible for RRIF waivers for right-of-way and/or construction of improvements to Lemmon Drive through a RRIF Offset Agreement. To be eligible for RRIF waivers, the capital improvements to Lemmon Drive must be included in the RRIF Capital Improvement Plan (CIP). RRIF eligible intersection improvements are limited to the intersection of two regional roadways. The project access roadways are not regional roadways and therefore, not eligible for RRIF Waivers the RRIF Offset program. The 6th Edition RRIF CIP is currently under development and will include the widening of Lemmon Drive to 6 lanes. Once the RRIF CIP is adopted, the developer may request to enter into a RRIF Offset Agreement through a letter of intent. Questions regarding RRIF waivers should be directed to Julie Masterpool, RTC Engineering Manager – RRIF Traffic Engineer (348-0171).
5. Please have the developer contact Tina Wu, RTC Senior Transit Planner, at 775-335-1908 or twu@rtcwashoe.com, to discuss future transit improvements for this project.
6. The RTP, the RTC Bicycle/Pedestrian Master Plan and the Nevada Department of Transportation Pedestrian Safety Action Plan, all indicate that new development and re development will be encouraged to construct pedestrian and bicycle facilities, internal and/or adjacent to the development, within the regional road system. Also, these plans recommend that the applicant be required to design and construct any sidewalks along the frontage of the property in conformance with the stated ADA specifications.

Thank you for the opportunity to comment on these applications. Please feel free to contact me at 775-332-0174 or email me at rkapuler@rtcwashoe.com if, you have any questions or comments.

Sincerely,



Rebecca Kapuler
Planner

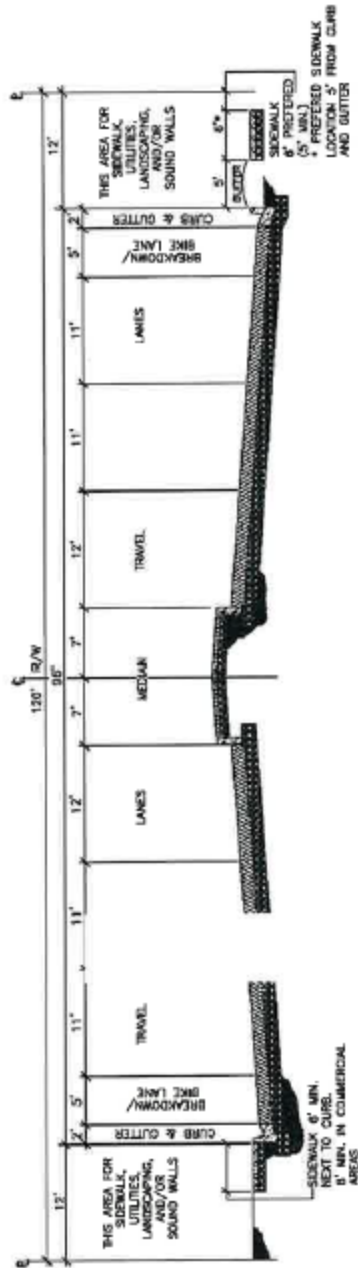
RK/jm

Attachment

Copies: Mojra Hauenstein, Washoe County Community Services
Trevor Lloyd, Washoe County Community Services
Jae Pullen, Nevada Department of Transportation, District II
Daniel Doenges, Regional Transportation Commission
Tina Wu, Regional Transportation Commission
Mark Maloney, Regional Transportation Commission
Julie Masterpool, Regional Transportation Commission
David Jickling, Regional Transportation Commission

/807 Lemmon Drive Estates

TYPICAL 6-LANE RIGHT-OF-WAY SECTION



TYPICAL 120' RIGHT-OF-WAY SECTION
SIX TRAVEL LANES

REGIONAL TRANSPORTATION COMMISSION
RIGHT-OF-WAY SECTION



From: [Kaneyuki, Bradley](#)
To: [Pelham, Roger](#)
Cc: [Kaneyuki, Bradley](#)
Subject: re: Lemmon Drive Estates - Tentative Map WTM18-004 (CFA - Dave Snelgrove for Lakes at Lemmon Valley - Chuck Bluth)
Date: Wednesday, March 21, 2018 5:29:36 PM

Roger,

For the purposes of Emergency Management, these street names have been **rejected** because the street name already exists or sounds phonetically similar to an existing street name:

1. WILD RYE rejected on WILD RYE

****Note:** Washoe County GIS reserves the right to rescind any reserved street name before recordation, in accordance with public safety concerns.

****Note:** A street name reservation is valid for one year after it is ACCEPTED. If the name does not appear on a recorded document within one year of acceptance, then there is no obligation to honor the reservation. Notify GIS for renewal.

Attention: All future street name requests:

1. Download the form from:
https://www.washoecounty.us/csd/engineering_capitalprojects/files-engineering-capital-projects/mapping_streets_roads/New%20street_reservation.pdf
2. Fill out *Request to Reserve New Street Name(s)*. Do **NOT** include USPS suffix types (e.g. AVE, ST, RD, CT, DR, LN, WAY, CIR, PL, TRL, etc.); that comes later.
3. No more than 14 letters, 15 if there is an "i" in the name (spaces count as a character).
4. Special characters are **NOT** allowed (', ", ~, /, \, -, *, #, &, @, %, +).
5. Abbreviations for MOUNT (MT) and SAINT (ST) are **NOT** allowed.
6. E-mail form to: Addressing@Washoecounty.us Do **NOT** fax or e-mail a photo-copy.

For the purposes of Emergency Management, street names will **reject** if the street name already exists or sounds similar, phonetically, to an existing street name. For street names that already exist or reserved in the Washoe County Master Street Directory click:

https://www.washoecounty.us/csd/engineering_capitalprojects/street_directory_naming.php

1. Existing streets: Click [11X17 Regional Street Directory](#)
2. Reserved streets: Click [Reservation Street Name Listing](#)

Bradley Kaneyuki
Technology Systems Developer II
Regional Services/GIS
(775) 328-2344
1001 E 9th St, Bldg C, Reno, NV 89512

From: [Kaneyuki, Bradley](#)
Subject: re: Tentative Map WTM18-004: Lemmon Drive Estates - Reserved Street Names
Date: Wednesday, March 21, 2018 5:19:00 PM

Reserved Street Name Recipients:

These street name(s) have been **accepted** and reserved into the Washoe County Master Street Directory Reservation table:

In Washoe County APN 552-210-18

Reservations		
Date Submitted	Fullname	Description
3/21/2018	FIRE WHEEL	Lemmon Drive Estates - Tentative Map WTM18-004 (CFA - Dave Snelgrove for Lakes at Lemmon Valley - Chuck Bluth)
3/21/2018	SNOWBRUSH	Lemmon Drive Estates - Tentative Map WTM18-004 (CFA - Dave Snelgrove for Lakes at Lemmon Valley - Chuck Bluth)
3/21/2018	SUNSET VIEW	Lemmon Drive Estates - Tentative Map WTM18-004 (CFA - Dave Snelgrove for Lakes at Lemmon Valley - Chuck Bluth)
3/21/2018	WOLF WILLOW	Lemmon Drive Estates - Tentative Map WTM18-004 (CFA - Dave Snelgrove for Lakes at Lemmon Valley - Chuck Bluth)

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3. No more than 14 letters, 15 if there is an "i" in the name (spaces count as a character).
4. Special characters are **NOT** allowed (' , " , ; , ~ , / , \ , - , * , # , & , @ , % , +).
5. Abbreviations for MOUNT (MT) and SAINT (ST) are **NOT** allowed.
6. E-mail form to: Addressing@Washoecounty.us Do **NOT** fax or e-mail a photo-copy.

For the purposes of Emergency Management, street names will **reject** if the street name already exists or sounds similar, phonetically, to an existing street name. For street names that already exist or reserved in the Washoe County Master Street Directory click:

https://www.washoecounty.us/csd/engineering_capitalprojects/street_directory_naming.php

1. Existing streets: Click [11X17 Regional Street Directory](#)
2. Reserved streets: Click [Reservation Street Name Listing](#)

Bradley Kaneyuki
Technology Systems Developer II
Regional Services/GIS
(775) 328-2344
1001 E 9th St, Bldg C, Reno, NV 89512



WASHOE COUNTY
COMMUNITY SERVICES
INTEGRITY COMMUNICATION SERVICE

P.O. Box 11130
Reno, Nevada 89520-0027
Phone: (775) 328-3600
Fax: (775) 328-3699

March 22, 2018

TO: Roger Pelham, MPA, Senior Planner, CSD, Planning & Development Division
FROM: Vahid Behmaram, Water Management Planner Coordinator, CSD
SUBJECT: Tentative Subdivision Map Case Number WTM18-004 (Lemmon Drive Estates).

Project description:

The applicant is proposing the approval of Tentative Subdivision Map consisting of a 98-lot single-family residential, common open space subdivision.

The property is located on the east side of Lemmon Drive, approximately 700 feet south of its intersection with Military Road, Assessor's Parcel Number: 552-201-18, Parcel Size: ± 33.97 acres.

Water service is to be provided by the Truckee Meadows Water Authority (TMWA) and Sanitary Sewer service to be provided by Washoe County.

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

- 1) There are no water rights conditions or comments for approval.
- 2) Following the possible approval of the tentative subdivision map, the potential future project will require water supply and sewer service which in turn will require the expansion of water and sewer services and annexation to TMWA service area. This project is located within Washoe County sewer service area.
- 3) Application indicates TMWA discovery process completed.



Silver State Kennel

600 Lemmon Drive
Reno, Nevada 89506
775-677-2442

April 9, 2018

CFA, Inc.
1150 Corporate Boulevard
Reno, Nevada 89502

Dear Sirs,

Silver State Kennel owned by Carolyn Goll and Joe Reinhardt is located at 600 Lemmon Drive and is adjacent to the southern border of the proposed Lemmon Drive Estates. The Kennel has been in operation for 45 years in its present location with a number of owners over the years. The kennel was established as Silver State Kennel in November, 1989. The original special use permit has been updated and amended over the years with the latest special use permit amendment (Special Use Permit Case No. SB02-001) approved and issued March 11, 2002. In addition to conforming to the use on the designated land use category, the amendment focused on updates of General Conditions addressing construction for sound attenuation associated with Kennel operation. In addition, Operational Conditions were stipulated to go along with the noise management for the kennel. These conditions include hours of operation limited to 7:00 to 6:00 pm and that all dogs shall be contained inside within the kennel building for the night no later than 8:00 pm and not let out earlier than 7:00. Our hours of operation (open for clients) are currently 8:00am to 5:00 pm with letting out the dogs at 7:00 am. Silver State Kennel has been abiding by these conditions with no known complaints and we intend to continue our practices as stipulated.

The proposed Lemmon Drive Estates will result in a number of homes that will be constructed within 40 feet of the Silver State Kennel property line. We realize that dogs will bark and we make every effort to minimize the barking during the day. We also realize that barking dogs can be an impact on neighbors. The Kennel was established at its location due to the rural setting and lack of close neighbors. We have a number of concerns associated with the construction of homes so close to our operation and the possibility of noise issues. We feel that with cooperation with planners, Lakes at Lemmon Valley LLC, and potential homeowners we can all exist with minimal impact.

We would like to propose for your consideration some Conditions of Design and Construction for the subdivision to address sound attenuation and that these be addressed as part of approval of the application. These include and are not limited to:

1. Construction of a low maintenance sound wall. The wall constructed of materials that are durable, sound attenuating and visually attractive. The wall shall extend from the Lemmon Drive easement and along the adjoining property line to the end.
 - a. In conjunction with a sound attenuating wall evergreen vegetation planted along the planned natural vegetation strip along the property line.
 - b. Extend the width of the planned natural vegetation strip to 80 feet.
2. Home construction techniques conducive to sound attenuation. These techniques should be utilized on homes constructed within 200 feet of the Silver State Kennel property line.

Silver State Kennel

600 Lemmon Drive
Reno, Nevada 89506
775-677-2442

- a. Exterior walls, especially on the south facing walls of those homes directly adjacent to the Silver State Kennel property line, be constructed utilizing sound board and any other sound attenuation techniques.
 - b. No windows on the south facing walls of those homes directly adjacent to the Silver State Kennel property line.
 - c. Windows/ sliding glass doors and doors rated for maximum sound attenuation.
3. No construction shall commence prior to 7:00 am nor shall go on past 6:00 pm. We are restricted to letting dogs out at 7:00 am. Any activity and noise next door wakes those dogs up and becomes a hardship on us with extra barking as well as sanitary issues for the dogs.

We would also like to propose for your consideration some Conditions of Notification and Disclosure for the subdivision to address notification of potential home buyers of the presence of Silver State Kennel in proximity to their home and that these be addressed as part of approval of the application. These include and are not limited to:

1. Applicant shall recognize and acknowledge in writing, the existence of the established Silver State Kennel and all aspects of the operation of said Kennel.
2. Applicant shall signify and notify on final planning maps the existence of the established Silver State Kennel and all aspects of the operation of said Kennel.
3. Applicant shall signify and notify on all sales documents, contracts, etc. that the home buyer acknowledges and understand that they are purchasing a home next door to a long established Kennel operation and all aspects of the operation of said kennel. Signed acknowledgement of the disclosure shall be included in all sales.
4. All disclosures shall be included for any future resale documents, stated in any CCR's and/or any HOA requirements.
5. All disclosures shall be developed jointly with Silver State Kennel so that there is a thorough understanding of residing near a kennel and signed copies shall be made available to Silver State Kennel for file.

Silver State Kennel has been dedicated to maintaining our operation as a good neighbor. To that end we replaced all outdoor kennels with indoor/outdoor kennels so the dogs are inside at night and noise is mitigated. We intend to continue our good neighbor philosophy, without compromising our current operations, employees and business. Thank you for your consideration of the above conditions.

Sincerely,

Carolyn Goll
Owner
Silver State Kennel

Joe Reinhardt
Co-owner
Silver State Kennel

Cc:
North Valleys CAB
Roger Pelham, MPA, W.C. Senior Planner

From: David Snelgrove
To: [Pelham, Roger](#)
Subject: Very Rough Condition :Language Suggestion Relative to Silver State Kennels
Date: Wednesday, April 11, 2018 10:43:33 AM

Roger:

Per our telephone conversation, I spoke to Chuck Bluth (the applicant on the Lemmon Drive Estates project) after he had a chance to review the letter submitted by Silver State Kennels. Following are the (very rough) condition suggestions that he would be accepting of:

- Disclosure – The developer shall provide a disclosure statement within the sales documents for the homes within the project notifying each owner that a dog kennel exists at the south end, adjacent to the housing development.
- Sound Wall – A 6' high sound wall shall be constructed from the point where the southwesternmost lot (#89) begins eastward along the southern property line of the project to the point where the Kennel Property (APN 522-190-05) ends.
- Intensified Planting – Planting consisting of 100% evergreen trees shall be provided within the common area at the south end of the property, adjacent to the proposed new lots. Evergreen planting shall be provided with an average spacing of one tree every 25 feet in staggered rows with the intention of creating a year-round landscaped screen.

The other conditional items that were suggested by Silver State Kennels were not agreeable to the project applicant.

I realize that there will need to be some wording adjustment to make these condition read appropriately and have necessary county or agency checks. I greatly appreciate your time in discussion of these as well as the owners of Silver State Kennels in the time that they put in to thinking about possible conditions.

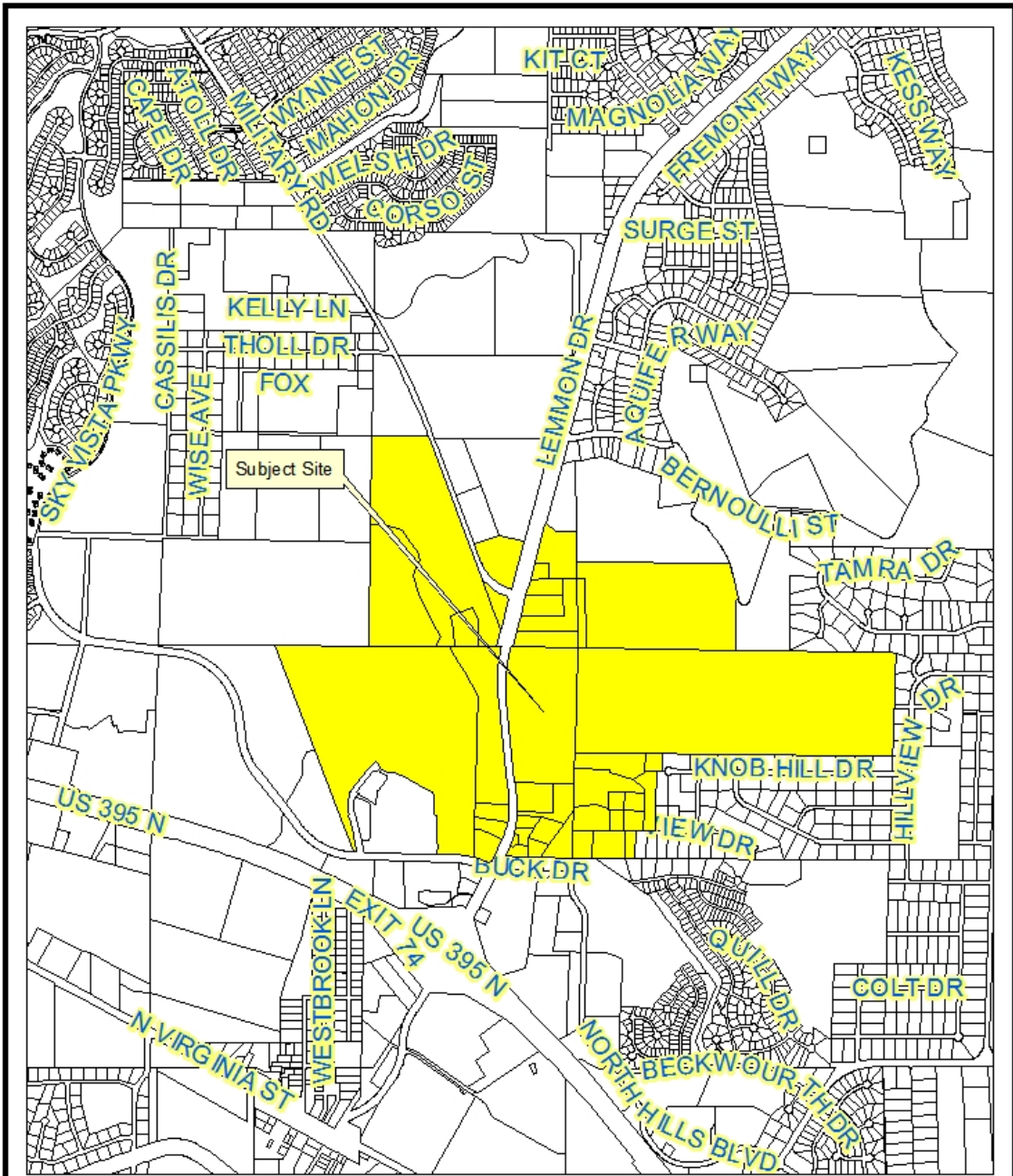
Please feel free to call with any questions, comments or concerns.

R. DAVID SNELGROVE, A.I.C.P., PLANNING AND RIGHT-OF-WAY MANAGER



CFA, INC.
LAND SURVEYORS
CIVIL ENGINEERS
LAND USE PLANNERS

1150 CORPORATE BOULEVARD | RENO, NEVADA 89502
MAIN 775-856-1150 | EXT 102 | DIRECT 775-856-7073 | CFARENO.COM



Mailing Label Map
Tentative Subdivision Map Case Number WTM18-004
(Lemmon Drive Estates)

41 Parcels selected at 900 feet.

Source: Planning and Building Division



Date: March 2016

Community Services
 Department
 Planning and
 Development Division
WASHOE COUNTY
NE VADA
 Post Office Box 11120
 Reno, Nevada 89520
 (775) 228-2600



OFFICE OF THE COUNTY CLERK

SUBJECT: Clerk's Letter re: Lakes at Lemmon Valley, LLC v. Washoe County

To whom it may concern,

Pursuant to a settlement agreement between the above parties, please be advised of final action by the Washoe County Board of County Commissioners ("Board") on December 17, 2019 in the above referenced case. The Board's final action was to approve a settlement of Lakes at Lemmon Valley, LLC vs. Washoe County (2nd Judicial District Court case number CV18-02374 and associated Nevada Supreme Court case numbers 79469 and 79788), a judicial review case in which this Board had denied a 98-lot single family residential subdivision along the eastern edge of Lemmon Drive just south of the intersection with Military Road (APN 552- 210-18).

The settlement agreement followed a settlement conference at the Supreme Court which occurred on November 13, 2019, and which was subject to approval by a majority of the Washoe County Board of County Commissioners. Settlement terms include the following:

- Authorize the withdrawal and dismissal of the county's appeal,
- Effective upon remittitur from the Nevada Supreme Court, the Board of County Commissioners approve the subdivision pursuant to the district court's July 2019 order overturning the Board's denial of the tentative map;
- Prohibit any individual units from being sold within the subdivision before December 1, 2021;
- Require a median device proposal by the developer's engineer to the Regional Transportation Commission that would allow a left hand turn out of the subdivision;
- If the median device is okayed by RTC, require the developer to construct it;
- Require the developer to waive all claims for damages arising out of or related to the subject matter of this litigation, including but not limited to any claim for damages based on the alleged loss of an approximately \$2 million sale due to the litigation;
- Require the parties to bear their own costs and attorney's fees;
- Provide other matters pertinent to the resolution of the case; and

- Authorize the Board's Chair to sign a settlement agreement and any other documents necessary to effectuate the settlement.

On December 17, 2019, the Board took final action to approve the settlement agreement. The Board's action was approved on a vote of five (5) in favor and none opposed.

Sincerely,



Janis Galassini

Washoe County Clerk

SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS

This Settlement Agreement and Release of Claims ("Agreement") is entered into by and between Plaintiff Lakes at Lemmon Valley, LLC ("Plaintiff") and Defendant WASHOE COUNTY, a political subdivision of the State of Nevada ("Defendant"). As used herein, the terms Defendant or county or Washoe County include Washoe County and its administrators, agencies, agents, assignees, attorneys, contractors, departments, directors, divisions, employees, employers, executors, heirs, insurers, officers, principals, representatives, servants, subrogees, subsidiaries and successors; likewise, the term Plaintiff includes its administrators, agencies, agents, assignees, attorneys, contractors, departments, directors, divisions, employees, employers, executors, heirs, insurers, officers, principals, owners, shareholders, representatives, servants, subrogees, subsidiaries and successors.

WHEREAS, on December 4, 2018, Plaintiff filed a Petition for Judicial Review against Defendant in the Second Judicial District Court of the State of Nevada in and for the County of Washoe, Case No. CV18-02374 (hereinafter referred to as the "Litigation");

WHEREAS, Plaintiff alleged that there was no substantial evidence to support Defendant's November 13, 2018, decision to deny Plaintiff's application for a tentative map on a 98-lot single family residential subdivision along the eastern side of Lemmon Drive just south of its intersection with Military Road in Washoe County;

WHEREAS, after briefing and oral argument in the Second Judicial District Court, Defendant's decision was overturned on July 19, 2019, and the matter was ordered remanded to the county commission for approval of the tentative map with conditions;

WHEREAS, on August 20, 2019, Defendant voted to authorize an appeal of the district court's order;

WHEREAS, on August 20, 2019, Defendant appealed the district court's order to the Nevada Supreme Court;

WHEREAS, after briefing and oral argument, the district court on September 26, 2019, granted Defendant's motion to stay its order pending Defendant's appeal to the Nevada Supreme Court;

WHEREAS, once in the Nevada Supreme Court, the case was assigned number 79469, which is a companion case to Plaintiff's own appeal to the Nevada Supreme Court of the district court's decision to stay its underlying order, which was given case number 79788;

WHEREAS, both Defendant's and Plaintiff's appeals were assigned to the Nevada Supreme Court's settlement program under the supervision of Settlement Judge David Wasick;

WHEREAS, on November 13, 2019, the settlement judge convened a settlement conference with the parties at the Nevada Supreme Court in Carson City, Defendant represented by counsel as well as 2 county commissioners and the county risk manager, Plaintiff represented by counsel and appearing through the principal owner of Lakes at Lemmon Valley, LLC;

WHEREAS, Plaintiff and the Defendant desire to resolve and settle all existing claims in the litigation that, as of the date of this Agreement, have been or could have been raised in the Litigation and concerning all matters relating to its subject matter and any and all disputes between themselves.

NOW, THEREFORE, in consideration of the mutual covenants and promises and other good and valuable consideration set forth herein, Plaintiff and Defendant agree as follows:

A. Specific Terms

1. **DISMISSAL OF APPEALS:** In exchange for the settlement of all claims against all parties, Defendant authorizes the dismissal of its appeal in the Nevada Supreme Court

(79469), and Plaintiff agrees to a dismissal of its companion appeal in the Nevada Supreme Court (79788); a stipulation to dismiss the appeals will be filed after approval of this settlement agreement.

2. **APPROVAL OF SUBDIVISION:** Effective upon dismissal of the appeals and remittitur by the Nevada Supreme Court, Defendant approves the tentative map involved in the Litigation pursuant to the district court's July 19, 2019, order, and the County Clerk shall forthwith issue its letter of approval of the same.
3. **WAITING PERIOD ON SALE OF LOTS WITHIN SUBDIVISION:** Defendant will not close sales on any individual units within the subdivision before December 1, 2021.
4. **SUBMISSION OF LEFT-TURN MEDIAN DEVICE TO RTC:** Defendant will submit a proposal, through a qualified engineer, to the Regional Transportation Commission (RTC) for a median device that would allow a left-hand turn onto Lemmon Drive (southbound) for traffic leaving the subdivision; if RTC approves the proposal, then construction of the device by the developer will become a condition of the tentative map approval; if not, then the approval of the subdivision will go forward without the left-hand turn condition.
5. **EACH SIDE TO BEAR THEIR OWN COSTS AND ATTORNEY'S FEES:** Defendant and Plaintiff will each bear their own costs and attorney's fees in this matter.
6. **WAIVER OF DAMAGES:** Plaintiff waives and releases all damages or claims for damages of any kind arising out of or relating to the subject matter of the Litigation,

including any claim for damages based on the alleged loss of a sale of the subdivision property by Plaintiff as a result of Defendant's appeal and the district court's stay;

B. General Terms

There are no third party beneficiaries of this Agreement.

Plaintiff and Defendant understand and agree that this Agreement represents a compromise settlement of various matters, and that the promises of payment made in consideration of this Agreement shall not be construed to be an admission of any liability or obligation by any party hereto.

Plaintiff represent that they have not previously assigned any claims, demands, actions or causes of action arising out of or in any way related to the Litigation.

Both Plaintiff and Defendant have participated in the preparation and drafting of this Agreement. As such, the parties acknowledge that any doctrine of law which may operate to imply any ambiguity in this Agreement against any party hereto as the proffcor of the Agreement is not applicable to this Agreement. Accordingly, this Agreement shall be interpreted as if the parties jointly and equally prepared and drafted each word, sentence and paragraph.

This Agreement is entered into, construed and enforced in accordance with the laws of the State of Nevada, as applied to contracts made and to be performed entirely within Nevada. The parties consent to the exclusive jurisdiction of the Second Judicial District Court of the State of Nevada in and for the County of Washoe for the enforcement of this Agreement.

This Agreement shall inure to the benefit of each party and their affiliates, agencies, agents, assigns, contractors, departments, divisions, heirs, officers, directors, employees, independent representatives, parent corporations, partners, personal representatives, servants, shareholders, spouses, subsidiary corporations and successors.

The illegality or invalidity of any provision or portion of this Agreement shall not affect the validity of the remainder of the Agreement. This Agreement shall be construed as if such provision did not exist. To the extent practicable, the unenforceability of such provision shall not be held to render any other provision(s) of this Agreement unenforceable.

Plaintiff and Defendant have carefully read this Agreement in its entirety before signing the same, and understand that this Agreement constitutes the entire Agreement of the parties, and as such, is intended as a complete and exclusive statement of the promises, representations, negotiations, discussions and other agreements that may have been made in connection with the subject matter hereof. This Agreement contains the entire agreement between the parties and all the terms and provisions of this Agreement are contractual and are not merely recitals. This Agreement was signed and executed voluntarily and without reliance upon any statement or representation not specifically set forth in this Agreement. No modification or amendment to this Agreement shall be binding upon the parties unless the same is in writing and signed by the respective parties hereto.

The parties represent that they have the authority to execute this Agreement on behalf of the persons and entities on whose behalf they are signing. The parties further represent that the signatures on this Agreement are the genuine, usual and customary signatures of the persons executing this Agreement and are fully binding on such persons and entities, and each person signing is legally and mentally competent to sign this Agreement and is fully authorized by law to bind himself or the principal on whose behalf he is signing.

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WHEREFORE, THE FOLLOWING PERSONS FREELY AND VOLUNTARILY SIGN
THIS AGREEMENT ON THE DATES INDICATED BELOW:

DATED this 9 day of December, 2019.

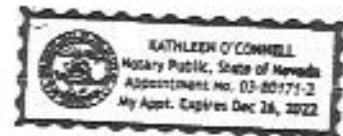
Lakes at Lemmon Valley, LLC
By: [Signature]
Charles Bluth
Title: MANAGER / OWNER

STATE OF NEVADA

COUNTY OF WASHOE

On this 9th day of December, 2019, before me the undersigned, a Notary Public in and for said County and State, appeared CHARLES BLUTH, known to me, or proven to me by reliable evidence, to be the person who executed the above and foregoing instrument, SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS, and who acknowledged to me that this instrument is freely and voluntarily executed for the purposes therein mentioned.

[Signature]
NOTARY PUBLIC



[Intentionally left blank]

Washoe County:

By: _____
Washoe County Commission Chair

Date: _____

Attest:

Washoe County Clerk

APPROVED AS TO FORM AND CONTENT:

Dated this ___ day of _____, 2019.

CHRISTOPHER J. HICKS
Washoe County District Attorney

By: _____
NATHAN J. EDWARDS
Deputy District Attorney
Attorney for Washoe County

DELIVERY RECEIPT

Delivery Date: **December 10, 2019**

Delivered From: **THE LAKES AT LEMMON VALLEY**
4655 Longley Lane, Suite 107
Reno, Nevada 89502
Telephone Number: (775) 359-1191

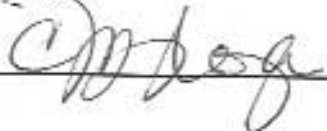
Delivered To: **Cynthia Mendoza, Legal Secretary**
Washoe County District Attorney | Civil Division
One South Sierra Street
Reno, Nevada 89501
Telephone Number: (775) 337-5709

Document Delivered: **Settlement Agreement and Release of Claims**

Received By:

Cynthia Mendoza
(PRINT NAME)

Recipient Signature:



Delivered By:

Noreen J. Burgess
(PRINT NAME)

Delivery Person Signature:

Noreen J. Burgess

From: Stephen C. Mollath <stephen@prezantmollath.com>
To: Charles P Bluth <cpbluth@aol.com>
Cc: Nathan Edwards <nedwards@da.washoecounty.us>
Subject: Fwd: Settlement Agreement Lakes at Lemmon Valley
Date: Mon, Dec 9, 2019 1:12 pm
Attachments: image001.gif (2K), image003.png (26K), image004.png (1K), image005.png (1K), image006.png (1K), image007.png (1K), Settlement Agreement and Release of Claims-Final.pdf (114K)

Here is the settlement agreement

Sent from my iPhone

Begin forwarded message:

From: "Mendoza, Cynthia" <CMendoza@da.washoecounty.us>
Date: December 9, 2019 at 1:08:33 PM PST
To: "stephen@prezantmollath.com" <stephen@prezantmollath.com>
Cc: "Edwards, Nathan" <nedwards@da.washoecounty.us>
Subject: Settlement Agreement Lakes at Lemmon Valley

Good afternoon~

Attached is the settlement agreement. Please execute and return the original to our office before the Commission meeting of December 17, 2019. If you have any questions, please do not hesitate to call.

Thank you,

|
|
| *Cynthia Mendoza*
| Civil Division|District Attorney
| Legal Secretary
| (775) 337-5709
| One South Sierra Street, Reno, NV 89501

This communication, including attachments, is for the exclusive use of addressee and may contain proprietary, confidential and/or privileged information. If you are not the intended recipient, any use, copying, disclosure, dissemination or distribution is strictly prohibited. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this communication and destroy all copies.

6Attached Images



EXHIBIT "E"

Exhibit A - CONDITIONS OF APPROVAL - WASHOE COUNTY

WTM 18-004

(see attached)



MAY 2018

Exhibit A Conditions of Approval

Tentative Subdivision Map Case Number WTM18-004

The project approved under Tentative Subdivision Map Case Number WTM18-004 shall be carried out in accordance with the Conditions of Approval granted by the Planning Commission on May 1, 2018. 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 Tentative Subdivision Map 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 Tentative Subdivision Map 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 Tentative Subdivision Map may result in the institution of revocation procedures.

Washoe County reserves the right to review and revise the conditions of approval related to this Tentative Subdivision Map 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 recordation of a final map.
- 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.

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

- The DISTRICT BOARD OF HEALTH, through the Washoe County Health District, has jurisdiction over all public health matters in the Health District.

Any conditions set by the Health District must be appealed to the District Board of Health.

STANDARD CONSIDERATIONS FOR SUBDIVISIONS
Nevada Revised Statutes 278.349

Pursuant to NRS 278.349, when contemplating action on a tentative subdivision map, the governing body, or the planning commission if it is authorized to take final action on a tentative map, shall consider:

- (a) Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;
- (b) The availability of water which meets applicable health standards and is sufficient for the reasonably foreseeable needs of the subdivision;
- (c) The availability and accessibility of utilities;
- (d) The availability and accessibility of public services such as schools, police and fire protection, transportation, recreation and parks;
- (e) Conformity with the zoning ordinances and master plan, except that if any existing zoning ordinance is inconsistent with the master plan, the zoning ordinance takes precedence;
- (f) General conformity with the governing body's master plan of streets and highways;
- (g) The effect of the proposed subdivision on existing public streets and the need for new streets and highways to serve the subdivision;
- (h) Physical characteristics of the land such as floodplain, slope and soil;
- (i) The recommendations and comments of those entities reviewing the tentative map pursuant to NRS 278.330 and 278.335; and
- (j) The availability and accessibility of fire protection, including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires, including fires in wild lands.

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

Washoe County Planning and Building Division

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

Contact Names – Roger Pelham, 775.328.3622, rpelham@washoeocounty.us and Vahid Behmaram, (775) 328-3600, vbehmaram@washoeocounty.us

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit.
- b. The subdivision shall specifically be in substantial conformance with the provisions of Washoe County Development Code Article 604, Design Requirements, Article 608, Tentative Subdivision Maps, Article 424 Hillside Development, Article 406, Common Open Space Development, Article 438, Grading as well as all other generally applicable provisions of Washoe County Code.
- c. Final maps and final construction drawings shall comply with all applicable statutes, ordinances, rules, regulations and policies in effect at the time of submittal of the tentative map or, if requested by the developer and approved by the applicable agency, those in effect at the time of approval of the final map.
- d. In accordance with NRS 278.360, the sub-divider shall present to Washoe County a final map, prepared in accordance with the tentative map, for the entire area for which a tentative map has been approved, or one of a series of final maps, each covering a portion of the approved tentative map, within four years after the date of approval of the tentative map or within one year of the date of approval for subsequent final maps. On subsequent final maps, that date may be extended by two years if the extension request is received prior to the expiration date.
- e. Final maps shall be in substantial compliance with all plans and documents submitted with and made part of this tentative map request, as may be amended by action of the final approving authority.
- f. All final maps shall contain the applicable portions of the following jurat:

Jurat for FIRST FINAL MAP

THE TENTATIVE MAP FOR WTM18-004 (Lemmon Drive Estates) WAS APPROVED BY THE WASHOE COUNTY PLANNING COMMISSION ON MAY 1, 2018.

THIS FINAL MAP, <subdivision name and unit/phase #>, MEETS ALL APPLICABLE STATUTES, ORDINANCES AND CODE PROVISIONS; IS IN SUBSTANTIAL CONFORMANCE WITH THE TENTATIVE MAP; AND ALL CONDITIONS HAVE BEEN MET.

[Omit the following paragraph if this is the first and last (only) final map.]

THE NEXT FINAL MAP FOR WTM18-004 (Lemmon Drive Estates) MUST BE APPROVED AND ACCEPTED FOR RECORDATION BY THE PLANNING AND BUILDING DIRECTOR ON OR BEFORE THE EXPIRATION DATE, THE _____ DAY OF _____, 20____, OR AN EXTENSION OF

TIME FOR THE TENTATIVE MAP MUST BE APPROVED BY THE WASHOE COUNTY PLANNING COMMISSION ON OR BEFORE SAID DATE.

THIS FINAL MAP IS APPROVED AND ACCEPTED FOR RECORDATION THIS ____ DAY OF _____, 20____ BY THE WASHOE COUNTY PLANNING AND BUILDING DIRECTOR. THE OFFER OF DEDICATION FOR <streets, sewers> IS REJECTED AT THIS TIME, BUT WILL REMAIN OPEN IN ACCORDANCE WITH NRS CHAPTER 278.

MOJRA HAUENSTEIN, DIRECTOR,
PLANNING AND BUILDING DIVISION

Jurat for ALL SUBSEQUENT FINAL MAPS

THE TENTATIVE MAP for WTM18-004 (Lemmon Drive Estates) was APPROVED <denied> BY THE WASHOE COUNTY PLANNING COMMISSION ON <date>. [If the TM had been appealed to the BCC -- Add:] THE WASHOE COUNTY COMMISSION APPROVED THE TENTATIVE MAP ON APPEAL ON <date>.

THE FIRST FINAL MAP FOR THIS TENTATIVE MAP WAS APPROVED AND ACCEPTED FOR RECORDATION ON <date of Planning and Building Director's signature on first final map>. [Omit the following if second map.] THE MOST RECENTLY RECORDED FINAL MAP, <subdivision name and prior unit/phase #> FOR THIS TENTATIVE MAP WAS APPROVED AND ACCEPTED FOR RECORDATION ON <date of Planning and Building Director's signature on most recent final map> [If an extension has been granted after that date - add the following]: A TWO YEAR EXTENSION OF TIME FOR THE TENTATIVE MAP WAS APPROVED BY THE WASHOE COUNTY PLANNING COMMISSION ON <date of last Planning Commission action to extend the tentative map>.

THIS FINAL MAP, <subdivision name and unit/phase #>, MEETS ALL APPLICABLE STATUTES, ORDINANCES AND CODE PROVISIONS; IS IN SUBSTANTIAL CONFORMANCE WITH THE TENTATIVE MAP; AND ALL CONDITIONS HAVE BEEN MET.

[Omit the following paragraph if this is the last final map.]

THE NEXT FINAL MAP FOR WTM18-004 (Lemmon Drive Estates) MUST BE APPROVED AND ACCEPTED FOR RECORDATION BY THE PLANNING AND BUILDING

DIRECTOR ON OR BEFORE THE EXPIRATION DATE, THE _____ DAY OF _____, 20____, <add two years to the current expiration date unless that date is more than two years away> OR AN EXTENSION OF TIME FOR THE TENTATIVE MAP MUST BE APPROVED BY THE WASHOE COUNTY PLANNING COMMISSION ON OR BEFORE SAID DATE.

<Insert Merger and Re-subdivision option as applicable>

THIS FINAL MAP IS APPROVED AND ACCEPTED FOR RECORDATION THIS _____ DAY OF _____, 20____ BY THE WASHOE COUNTY PLANNING AND BUILDING DIRECTOR. THE OFFER OF DEDICATION FOR <streets, sewers> IS REJECTED AT THIS TIME, BUT WILL REMAIN OPEN IN ACCORDANCE WITH NRS CHAPTER 278.

MOJRA HAUENSTEIN, DIRECTOR,
PLANNING AND BUILDING DIVISION

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

NOTE

Should any cairn or grave of a Native American be discovered during site development, work shall temporarily be halted at the specific site and the Sheriff's Office as well as the State Historic Preservation Office of the Department of Conservation and Natural Resources shall be immediately notified per NRS 383.170.

- h. The final map shall designate faults that have been active during the Holocene epoch of geological time, and the final map shall contain the following note:

NOTE

No habitable structures shall be located on a fault that has been active during the Holocene epoch of geological time.

- i. The developer and all successors shall direct any potential purchaser of the site to meet with the Planning and Building Division to review conditions of approval prior to the final sale of the site. Any subsequent purchasers of the site shall notify the Planning and Building Division of the name, address, telephone number and contact person of the new purchaser within thirty (30) days of the final sale.
- j. Lot standards for this development shall include: Minimum Lot Dimension: 75 feet; Front Yard Setbacks: 10 feet adjacent to a public street or common driveway, and 20 feet in front of each garage; Side Yard Setback: 5 feet; Rear Yard Setback: 10 feet. Minimum lot width shall be 75 feet.
- k. Failure to comply with all conditions of approval shall render this approval null and void.

- l. Grading shall comply with all applicable provisions of Article 438, of the Washoe County Development Code. Specifically, no slopes shall be greater than 10 feet in elevation. Retaining walls may be required. All retaining walls shall be stained with a permanent desert varnish product to mimic the color of the surrounding undisturbed hillside.
- m. At least one tree shall be installed with irrigation on each residential lot. Trees and irrigation shall be shown on each building permit application for a dwelling.
- n. Street trees shall be installed as shown in the application materials. 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 Planning and Building Division, prior to a Certificate of Occupancy. The plan shall be wet-stamped.
- o. The applicant shall construct an earthen berm with a sound-attenuating wall along the southern property line of the subject site. The berm shall be at least 4 feet in height. The wall shall be at least 6 feet in height. The wall shall be of durable materials acceptable to the Director of Planning and Building. The colors shall be muted and blend with the surrounding area. The area between the sound-attenuating wall and the dwellings shall be landscaped and shall include evergreen trees.
- p. Limit all dwellings to a single story located on the perimeter when adjacent to or across a street from residential development in existence as of the final adoption of this plan.
- q. New residential parcels shall not front on existing streets.
- r. Vary setbacks and driveway design.
- s. Construct no more than 25% of the total residential units in the same architectural elevation.
- t. Limit the use of block, concrete, or similar material to posts, pillars and similar uses when constructing fences and / or walls. These materials are not to be used for panel or wall sections. Plans for the maintenance of perimeter fences will be submitted with tentative map applications.
- u. Minimize the use of street lighting. Any lighting proposed must show how it is consistent with current best practice "dark-sky" standards. Exterior lighting fixtures mounted on the homes or units shall be no higher than the line of the first story eave or, where no eave exists, no higher than 15 feet above finished grade. Lights shall be shielded to prevent light spillage onto adjacent properties or streets.
- v. Establish landscape designs that emphasize the use of native vegetation, with non-native and atypical vegetation integrated sparingly into any landscaped area. Homebuilders must offer at least two separate xeriscape options.

- w. Conditions, covenants, and restrictions (CC&Rs), including any supplemental CC&Rs, shall be submitted to Planning and Building staff for review and subsequent forwarding to the District Attorney for review and approval. The final CC&Rs shall be signed and notarized by the owner(s) and submitted to Planning and Building with the recordation fee prior to the recordation of the final map. The CC&Rs shall require all phases and units of the subdivision approved under this tentative map to be subject to the same CC&Rs. Washoe County shall be made a party to the applicable provisions of the CC&Rs to the satisfaction of the District Attorney's Office. Said CC&Rs shall specifically address the potential for liens against the properties and the individual property owners' responsibilities for the funding of maintenance, replacement, and perpetuation of the following items, at a minimum:
1. Maintenance of public access easements, common areas, and common open spaces. Provisions shall be made to monitor and maintain, for a period of three (3) years regardless of ownership, a maintenance plan for the common open space area. The maintenance plan for the common open space area shall, as a minimum, address the following:
 - a. Vegetation management;
 - b. Watershed management;
 - c. Debris and litter removal;
 - d. Fire access and suppression; and
 - e. Maintenance of public access and/or maintenance of limitations to public access.
 2. All drainage facilities and roadways not maintained by Washoe County shall be privately maintained and perpetually funded by the homeowners association.
 3. All open space identified as common area on the final map shall be privately maintained and perpetually funded by the homeowners association. The deed to the open space and common area shall reflect perpetual dedication for that purpose. The maintenance of the common areas and related improvements shall be addressed in the CC&Rs to the satisfaction of the District Attorney's Office.
 4. The project and adjacent to undeveloped land shall maintain a fire fuel break of a minimum 30 feet in width until such time as the adjacent land is developed.
 5. Locating habitable structures on potentially active (Holocene) fault lines, whether noted on the recorded map or disclosed during site preparation, is prohibited.
 6. All outdoor lighting on buildings and streets within the subdivision shall be down-shielded.

7. No motorized vehicles shall be allowed on the platted common area.
8. Washoe County will not assume responsibility for maintenance of the private street system of the development nor will Washoe County accept the streets for dedication to Washoe County unless the streets meet those Washoe County standards in effect at the time of offer for dedication.
9. Mandatory solid waste collection.
10. Fence material (if any), height, and location limitations, and re-fencing standards. Replacement fence must be compatible in materials, finish and location of existing fence.
11. At least one tree shall be installed with irrigation on each residential lot. Trees and irrigation shall be shown on each building permit application for a dwelling.
12. Street trees shall be installed as shown in the application materials. 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 Planning and Building Division, prior to a Certificate of Occupancy. The plan shall be wet-stamped.
13. When adjacent to or across a street from residential development in existence as of the final adoption of this plan, provide a minimum 30-foot wide open-space buffer, containing a minimum 8-foot wide decomposed granite trail, on the perimeter AND maintain a minimum parcel size of 15,000 square feet for any parcel located on the perimeter; OR, provide for perimeter parcel sizes that match the existing residential parcels.
14. Limit all dwellings to a single story located on the perimeter when adjacent to or across a street from residential development in existence as of the final adoption of this plan.
15. Provide a statement regarding how the proposed design responds to the community input received during the tentative map review process must be made available to staff and the Planning Commission.
16. In regulatory zones LDS 1; LDS 2; MDS 3 and MDS 4, new residential parcels shall not front on existing streets.
17. Vary setbacks and driveway design.
18. Construct no more than 25% of the total residential units in the same architectural elevation.
19. Limit the use of block, concrete, or similar material to posts, pillars and similar uses. These materials are not to be used for panel or wall

- sections. Plans for the maintenance of perimeter fences will be submitted with tentative map applications.
20. Minimize the use of street lighting. Any lighting proposed must show how it is consistent with current best practice "dark-sky" standards. Exterior lighting fixtures mounted on the homes or units shall be no higher than the line of the first story eave or, where no eave exists, no higher than 15 feet above finished grade. Lights shall be shielded to prevent light spillage onto adjacent properties or streets.
 21. Establish landscape designs that emphasize the use of native vegetation, with non-native and atypical vegetation integrated sparingly into any landscaped area. Homebuilders must offer at least two separate xeriscape options.
 22. Evergreen planting in the common area at the south end of the proposed subdivision along the length of the wall, adjacent to the existing kennel shall be maintained with an average spacing of one tree every 25 feet in staggered rows with the intention of creating a year-round landscaped screen. All trees shall be at least six feet in height at the time of planting. Permanent irrigation shall be provided to each tree. All trees shall be maintained in a healthy condition. Any dead trees shall be replaced for the life of the subdivision.
- x. The common open space owned by the homeowners association shall be noted on the final map as "common open space" and the related deed of conveyance shall specifically provide for the preservation of the common open space in perpetuity. The deed to the open space and common area shall reflect perpetual dedication for that purpose. The deed shall be presented with the CC&Rs for review by Planning and Building staff and the District Attorney.
 - y. Construction activities shall be limited to the hours between 7AM and 6PM on Mondays, Tuesdays, Wednesdays, Thursdays, Fridays and Saturdays. Construction activities shall be limited to the hours between 8AM and 5PM on Sundays.
 - z. Address numbers shall be clearly marked on each dwelling and on the curb in front of each dwelling.
 - aa. The applicant shall attach a copy of this action order to all subsequent submittals to Washoe County, including final maps and construction permits.
 - bb. The developer shall include sound-attenuating windows and wall materials in all south-facing walls on parcels numbered 85 through 89 and 92 and 93. (Those parcels that are proposed to be located adjacent to the existing kennel.)
 - cc. The applicant shall disclose to all homebuyers that the adjacent kennel is a permitted use which has been in operation since the 1970's and that noise from barking dogs is understood and accepted by the homebuyers.

- dd. The applicant shall include a note on all final maps that the adjacent kennel is a permitted use which has been in operation since the 1970's and that noise from barking dogs is understood and accepted by any homebuyer.
- ee. The following note shall be included on all title documents and shall be included in all subsequent sales of all lots within the subdivision:

NOTE

The adjacent kennel (to the south of the subdivision) is a permitted use which has been in operation since the 1970's. Noise from barking dogs is understood and accepted by the homebuyers.

- ff. The applicant shall construct a wall along the south property line beginning 20 feet east of the right-of-way for Lemmon Drive and extending east to a point 20 feet east of the edge of proposed parcel number 92. The wall shall be six feet in height. The wall shall be constructed of masonry or other sound-attenuating material that is acceptable to the Director of Planning and Building. The wall shall be neutral, earth-tone in color.
- gg. In addition to all landscaping shown in the application, the applicant shall install evergreen trees in the common area at the south end of the proposed subdivision along the length of the wall required in condition # 1ff, above. Evergreen planting shall be provided with an average spacing of one tree every 25 feet in staggered rows with the intention of creating a year-round landscaped screen. All trees shall be at least six feet in height at the time of planting. Permanent irrigation shall be provided to each tree. All trees shall be maintained in a healthy condition. Any dead trees shall be replaced for the life of the subdivision.

Washoe County Engineering and Capital Projects

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

Contact Names – Clara Lawson, PE, PTOE, Licensed Engineer, 775.328.3603 and Leo R. Vesely, PE, CFM, 775.328.2313 and Timothy Simpson, P.E., 775.954.4648

- a. Final maps and final construction drawings shall comply with all applicable statutes, ordinances, rules, regulations, and policies in effect at the time of submittal of the tentative map or, if requested by the developer and approved by the applicable agency, those in effect at the time of approval of the final map.
- b. Prior to acceptance of public improvements and release of any financial assurances, the developer shall furnish to the water and sewer provider(s) and Engineering and Capital Projects Division a complete set of reproducible as-built construction drawings in an approved digital format, prepared by a civil engineer registered in the State of Nevada.
- c. The developer shall be required to participate in any applicable General Improvement District or Special Assessment District formed by Washoe County.

- The applicable County Department shall be responsible for determining compliance with this condition.
- d. The developer shall provide written approval from the U.S. Postal Service concerning the installation and type of mail delivery facilities. The system, other than individual mailboxes, must be shown on the project construction plans and installed as part of the onsite improvements.
 - e. A complete set of construction improvement drawings, including an onsite grading plan, shall be submitted to the County Engineer for approval prior to finalization of any portion of the tentative map. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading and drainage on each lot, erosion control (including BMP locations and installation details), slope stabilization and mosquito abatement. Placement or disposal of any excavated material shall be indicated on the grading plan.
 - f. All open space shall be identified as common open space on the final map. A note on the final map shall indicate that all common open space shall be privately maintained and perpetually funded by the Homeowners Association. The maintenance of the common open space shall also be addressed in the CC&Rs to the satisfaction of the District Attorney's Office.
 - g. Any existing easements or utilities that conflict with the development shall be relocated, quitclaimed, and/or abandoned, as appropriate.
 - h. Any easement documents recorded for the project shall include an exhibit map that shows the location and limits of the easement in relationship to the project.
 - i. All existing overhead utility lines shall be placed underground, except electric transmission lines greater than 100 kilovolts, which can remain above ground.
 - j. With each affected final map, provide written approval from NV Energy for any improvements located within their easement or under their facilities.
 - k. Appropriate easements shall be granted for any existing or new utilities, with each affected final map. This includes, but is not limited, to electrical lines, water lines, and drainage maintenance access.
 - l. Appropriate easements shall be granted to perpetuate/relocate existing access roads and easements.
 - m. A 10 foot Public Utilities Easement and a 10 foot easement for traffic control signage, plowed snow storage and sidewalks shall be granted adjacent to all rights-of-way.
 - n. A design level geotechnical investigation with fault study shall be provided with the submittal of each final map.
 - o. Cut slopes, fill slopes, and berms shall be setback from parcel lines and access easements in accordance with Washoe County Code Article 438.

- p. Slope easements shall be provided for areas of cut or fill that fall outside of the subdivision boundary.
- q. The conditional approval of this tentative map shall not be construed as final approval of the drainage facilities shown on the tentative map. Final approval of the drainage facilities will occur during the final map review and will be based upon the final hydrology report.
- r. Prior to finalization of the first final map, a master hydrology/hydraulic report and a master storm drainage plan shall be submitted to the County Engineer for approval.
- s. Prior to finalization of any portion of the tentative map, a final, detailed hydrology/hydraulic report for that unit shall be submitted to the County Engineer. All storm drainage improvements necessary to serve the project shall be designed and constructed to County standards and specifications and/or financial assurances in an appropriate form and amount shall be provided.
- t. Any increase in peak stormwater runoff flow rate resulting from the development and based on the 5 year and 100 storm(s) shall be detained onsite.
- u. The 100-year floodplain boundaries and flood elevations shall appear on each final map. If the floodplain boundary has been conditionally changed by a Federal Emergency Management Agency (FEMA) Conditional Letter of Map Amendment or Conditional Letter of Map Revision, the date of that letter and a note to that effect shall appear on the final map. All grading and construction in these areas shall be in conformance with the Washoe County Code Article 416.
- v. Prior to placement of any fill material within a FEMA Special Flood Hazard Area, an approved Conditional Letter of Map Revision (CLOMR) shall be obtained from FEMA.
- w. An approved Letter of Map Revision (LOMR) shall be obtained from FEMA prior to issuance of a Certificate of Occupancy for any structures within the Special Flood Hazard Area.
- x. Standard reinforced concrete headwalls or other approved alternatives shall be placed on the inlet and outlet of all drainage structures, and grouted rock riprap shall be used to prevent erosion at the inlets and outlets of all culverts to the satisfaction of the Engineering and Capital Projects Division.
- y. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage leaving the site to the satisfaction of the Engineering and Capital Projects Division.
- z. The Truckee Meadows Regional Stormwater Quality Management Program Construction Permit Submittal Checklist and Inspection Fee shall be submitted with each final map.
- aa. In medians with irrigated landscaping adjacent to the curb, a subdrain system shall be installed a minimum of one foot behind the back face of curb to intercept

- drainage from the landscaping. The system shall be tied to the storm drain system or an acceptable alternative drainage system.
- bb. Drainage swales that drain more than two lots are not allowed to flow over the curb into the street; these flows shall be intercepted by an acceptable storm drain inlet and routed into the storm drain system.
 - cc. A note on the final map shall indicate that all drainage facilities not maintained by Washoe County shall be privately maintained and perpetually funded by a homeowners association. As an alternative to a homeowners association, the developer may request the establishment of a County Utility Service Area under which fees would be paid for maintenance of the proposed storm drainage detention facility. The fee amount will be based on the additional service above that normally provided by the County to maintain new stormwater facilities dedicated by the developer (i.e., curb and gutter, drop inlets and piping). The County Engineer shall determine compliance with this condition. The maintenance and funding of these drainage facilities shall also be addressed in the CC&Rs to the satisfaction of the District Attorney's Office.
 - dd. The maximum permissible flow velocity (that which does not cause scour) shall be determined for all proposed channels and open ditches. The determination shall be based on a geotechnical analysis of the channel soil, proposed channel lining and channel cross section, and it shall be in accordance with acceptable engineering publications/calculations. Appropriate linings shall be provided for all proposed channels and open ditches such that the 100-year flows do not exceed the maximum permissible flow velocity.
 - ee. Prior to issuance of a grading permit or finalization of the first final map, a wetlands delineation must be approved by the United States Army Corps of Engineers (COE). A copy of the wetlands delineation and the COE approval shall be submitted to the County Engineer.
 - ff. Prior to issuance of a grading permit or approval of the affected final map, the developer shall obtain a permit from the COE for any work within the wetlands/waters of the U.S., or a letter from the COE indicating that a permit is not required. A copy of the permit/letter shall be submitted to the County Engineer.
 - gg. Maintenance access and drainage easements shall be provided for all existing and proposed drainage facilities. All drainage facilities located within Common Area shall be constructed with an adjoining minimum 12' wide gravel access road. Maintenance access road shall be provided to the bottom of proposed detention basins as well as over County owned and maintained storm drainage facilities.
 - hh. Drainage easements shall be provided for all storm runoff that crosses more than one lot.
 - ii. The project shall mitigate the increased stormwater volume produced from the development based on the 100 year-10 day storm event. Alternatives for mitigation include excavation of material within or adjacent to the existing flood

- zone creating additional effective flood volume or other means subject to approval by the County Engineer.
- jj. Prior to the finalization of the first final map, a maintenance and operation plan for the maintenance of the project's detention/retention basins and Volume Replacement Area shall be developed in accordance with the Washoe County Code Article 421.
 - kk. A note shall be added to the final map and similar language contained with the project CC&R's stating that owners of parcels created by final map within this development shall not protest the formation of a Storm Water Utility District, Flood Control District, Special Assessment District or other funding mechanism which is approved and created for the purpose of storm water and/or flood water management.
 - ll. Offsite drainage and common area drainage draining onto residential lots shall be perpetuated around the residential lots, and drainage facilities capable of passing a 100-year storm shall be constructed with the subdivision improvements to perpetuate the storm water runoff to improved or natural drainage facilities. The maintenance of these drainage facilities shall be addressed in the CC&Rs to the satisfaction of the District Attorney's Office.
 - mm. All roadway improvements necessary to serve the project shall be designed and constructed to County standards and specifications and/or financial assurances in an appropriate form and amount shall be provided.
 - nn. An Occupancy Permit shall be obtained from the City of Reno for all construction within the Lemmon Drive right-of-way, and a copy of said permit shall be submitted to the County Engineer prior to finalization of the affected final map.
 - oo. The applicant shall dedicate any additional right-of-way, as needed, to the City of Reno for Lemmon Drive to accommodate the planned widening from 4 lanes to 6 lanes as stated in the 2040 RTC Regional Transportation Plan.
 - pp. Street names shall be reviewed and approved by the Regional Street Naming Coordinator.
 - qq. Proposed landscaping and/or fencing along street rights-of-way and within median islands shall be designed to meet American Association of State Highway and Transportation Officials (AASHTO) sight distances and safety guidelines. No tree shall overhang the curb line of any public street.
 - rr. A note on each affected final map shall state that no direct access from individual lots shall be allowed onto Lemmon Drive. This note shall also be included in the CC&Rs to the satisfaction of the District Attorney's Office.
 - ss. For any utilities placed in existing County streets, the streets shall be repaired to the satisfaction of the County Engineer. At a minimum, this will require full depth removal and replacement of asphalt for half the street width, or replacement of non-woven pavement reinforcing fabric with a 2" asphalt overlay for half the street width. Type II slurry seal is required for the entire street width with either

- option. Full width street improvements may be required if the proposed utility location is too close to the centerline of the existing street.
- tt. Streetlights shall be constructed to Washoe County standards at locations to be determined at the final design stage.
 - uu. AASHTO clear zones shall be determined for all streets adjacent to retaining walls or slopes steeper than 3:1. If a recoverable or traversable clear zone cannot be provided, an analysis to determine if barriers are warranted shall be submitted for approval.
 - vv. All retaining walls that are adjacent to, provide support for or retain soil from the County right-of-way shall be constructed of reinforced masonry block or reinforced concrete and designed by an engineer licensed in the State of Nevada.
 - ww. All retaining walls that are within the slope failure wedge from Washoe County right-of-way shall be constructed of reinforced masonry block or reinforced concrete and designed by an engineer licensed in the State of Nevada. Retaining walls shall not be located within Washoe County right-of-way. The maintenance of the retaining walls shall be by Homeowners Association and the CCR's shall clearly identify the HOA's maintenance responsibilities of retaining walls.
 - xx. No retaining walls that retain soil from the County right-of-way shall be located within a plowed snow storage easement.
 - yy. Sidewalks shall be constructed on both sides of the street and shall meet ADA requirements.
 - zz. Curb and gutter shall be standard Type I per Washoe County standard details.
 - aaa. Prior to recordation of the final map, an environmental study that confirms no hazardous materials exist in the property to be dedicated to Washoe County.
 - bbb. Appropriate transitions shall be provided between the existing and proposed improvements at all proposed street connections. This may include removal of existing pavement.
 - ccc. Any streetlights that do not meet Washoe County standards shall be placed outside Washoe County right-of-way. These streetlights shall be private, and the CC&R's shall indicate operation and maintenance of the streetlights shall be the responsibility of the Homeowners Association. The County Engineer and the District Attorney's Office shall determine compliance with this condition.
 - ddd. Adequate snow storage easements shall be identified on the final plat.
 - eee. The conditions, covenants and restrictions (CC&Rs) shall prominently note to the satisfaction of the District Attorney's Office and the County Engineer that Washoe County will not assume responsibility for maintenance of the development's median islands.

- fff. Signing, striping and traffic control improvements shall comply with American Association of State Highway and Transportation Officials Design guidelines, the Manual of Uniform Traffic Control Devices and Washoe County requirements and where applicable Nevada Department of Transportation requirements.
- ggg. Access from Lemmon Drive to Sunset View Drive and Snowbrush Court shall be constructed as right-in/right-out only.
- hhh. The proposed project should modify the channelizing island on the west side of Lemmon Drive at the Lemmon Drive/Military Road intersection to provide enough space for large passenger vehicles to make northbound to southbound U-turns.
- iii. A deceleration lane shall be constructed on Lemmon Drive at the intersection of Sunset View Drive to the satisfaction of the City of Reno.
- jjj. The applicant shall conform to all conditions imposed by intergovernmental agreements required to provide sewer service to the subject project, and, if required, be a party to any such agreements.
- kkk. All fees shall be paid or deferred in accordance with Washoe County Ordinance prior to the approval of each final map.
- lll. Improvement plans shall be submitted and approved by the Engineering and Capital Projects Division prior to approval of the final map. They shall be in compliance with Washoe County Design Standards and be designed by a Professional Engineer licensed to practice in the State of Nevada.
- mmm. The applicant shall submit an electronic copy of the street and lot layout for each final map at initial submittal time. The files must be in a format acceptable to Washoe County.
- nnn. The applicant shall construct and/or provide the financial assurance for the construction of any on-site and off-site sanitary sewer collection systems prior to signature on each final map. The financial assurance must be in a form and amount acceptable to the Engineering and Capital Projects Division.
- ooo. Approved improvement plans shall be used for the construction of on-site and off-site sanitary sewer collection system. The Engineering and Capital Projects Division will be responsible to inspect the construction of the sanitary sewer collection system.
- ppp. The sanitary sewer collection system must be offered for dedication to Washoe County along with the recordation of each final map.
- qqq. Easements and real property for all sanitary sewer collection systems and appurtenances shall be in accordance with Washoe County Design Standards and offered for dedication to Washoe County along with the recordation of each final map.
- rrr. A master sanitary sewer report for the entire tentative map shall be prepared and submitted by the applicant's engineer at the time of the initial submittal for the first final map which addresses:

- i. the estimated sewage flows generated by this project,
 - ii. projected sewage flows from potential or existing development within tributary areas,
 - iii. the impact on capacity of existing infrastructure,
 - iv. slope of pipe, invert elevation and rim elevation for all manholes,
 - v. proposed collection line sizes, on-site and off-site alignment, and half-full velocities.
- sss. No Certificate of Occupancy will be issued until all the sewer collection facilities necessary to serve each final map have been completed, accepted and engineer prepared as-built drawings are delivered to the utility. As-built drawings must be in a format acceptable to Washoe County.
- ttt. No permanent structures (including rockery or retaining walls, building's, etc.) shall be allowed within or upon any County maintained utility easement.
- uuu. A minimum 30-foot sanitary sewer and access easement shall be dedicated to Washoe County over any facilities not located in a dedicated right of way.
- vvv. A minimum 12-foot wide all weather sanitary sewer access road shall be constructed to facilitate access to off-site sanitary sewer manholes.
- www. The existing sewer main to be realigned shall be abandoned to the satisfaction of the County Engineer.
- xxx. The developer will be responsible to fund the design and construction of major infrastructure such as pump structures, controls, telemetry and appurtenances, lift stations, force mains, sewer mains, interceptor and wastewater treatment facilities necessary to accommodate the project. However, the actual design will be the responsibility of the Engineering and Capital Projects Division. Prior to initiation of design the Developer shall pay the estimated design costs to Washoe County. The Engineering and Capital Projects Division may either provide such design in-house, or select an outside consultant. When an outside consultant is to be selected, the Engineering and Capital Projects Division and the Developer shall jointly select that consultant.
- yyy. The Engineering and Capital Projects Division shall reserve the right to over-size or realign the design of infrastructure to accommodate future development as determined by accepted engineering calculations. Funding shall be the responsibility of Washoe County. Washoe County shall either participate monetarily at the time of design and/or shall credit an appropriate dollar amount to the Developer at the time of recordation of the subdivision map.

Nevada Division of Environmental Protection

3. The following conditions are requirements of the Nevada Division of Environmental Protection, which shall be responsible for determining compliance with these conditions.

Contact Name – Patrick Mohn, 775.687.9419, pmohn@ndep.nv.gov

- a. An intent-to-serve letter for sewer will be required for Tentative Map review and a formal Will-Serve for sewer will be required for the NDEP Final Map review.

Truckee Meadows Fire Protection District

4. The following conditions are requirements of the Truckee Meadows Fire Protection District, which shall be responsible for determining compliance with these conditions.

Contact Name – Lisa Beaver, 775.326.6000, LBeaver@tmfpd.us

- a. The project must comply with the following codes for fire and life safety;
 - i. 2012 International Fire Code
 - ii. Chapter 60 Washoe County Code
 - iii. 2012 WUI Code
 - iv. All Applicable NFPA codes

Regional Transportation Commission

5. The following conditions are requirements of the Regional Transportation Commission, which shall be responsible for determining compliance with these conditions.

Contact Name – Rebecca Kapuler, 775.332.0174, rkapuler@rtcwashoe.com

- a. The developer shall contact Tina Wu, RTC Senior Transit Planner, at 775.335.1908 or twu@rtcwashoe.com, to discuss future transit improvements for this project.

*** End of Conditions ***