Subject: Special Use Permit Case Number SW16-001
Applicant(s): West Meadows Investments LLC
Agenda Item Number: 9A
Project Summary: Construction and operation of a power pole to facilitate the relocation of a 120 kilovolt overhead powerline.
Recommendation: Approval with Conditions
Prepared by: Roger Pelham, MPA, Senior Planner
Planning and Development Division
Washoe County Community Services Department
Phone: 775.328.3622
E-Mail: rpelham@washoecounty.us

Description

Special Use Permit Case Number SW16-001 (West Meadows Estates Powerline Relocation) – Hearing, discussion, and possible action to approve a special use permit to allow the construction and operation of a power pole to facilitate the relocation of a 120 kilovolt overhead powerline (Major Services and Utilities, Utility Services Use Type). This is a Project of Regional Significance according to NRS 278.026(6)(b) and will not be effective until and unless it is approved by Truckee Meadows Regional Planning.

• Applicant: West Meadows Investments LLC, Attn.: Rob Fitzgerald, PO Box 8070, Reno, NV 89507
• Property Owner: Owners of Glenn Meadows Village, Attn.: Ken Whan, 10509 Professional Circle, suite 200, Reno, NV, 89521
• Location: Adjacent to, and south of, US Highway 40 in the Verdi area, approximately 600 feet east of its intersection with Summerset Drive.
• Assessor’s Parcel Number(s): 038-610-00
• Parcel Size: 11.81 acres
• Master Plan Category: Suburban Residential
• Regulatory Zone: Public and Semi Public Facilities
• Area Plan: Verdi
• Development Code: Article 810, Special Use Permits
• Commission District: 5 – Commissioner Herman
• Section/Township/Range: Section 9, T19N, R18E, MDM, Washoe County, NV
**Staff Report Contents**

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Special Use Permit

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

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

The Conditions of Approval for Special Use Permit Case Number SW16-001 are attached to this staff report and will be included with the Action Order.

This request is for the relocation of a 120 kilovolt power line. This is a Project of Regional significance according to NRS 278.026(6)(b). Such projects are heard by the Planning Commission, whereas most other special use permits are heard by the Board of Adjustment. This request is also subject to Washoe County Development Code Article 812, Projects of Regional Significance. Because this is a Project of Regional Significance, an approval will not be effective until and unless it is also approved by Truckee Meadows Regional Planning.
Vicinity Map
Project Evaluation

The applicant is seeking approval of a special use permit to allow the construction and operation of a power pole to facilitate the relocation of a 120 kilovolt overhead powerline. The portion of the project within Washoe County jurisdiction is limited to just one power pole. There are existing “H” – type power poles in the area at this time, several of which will be removed. The proposed power pole will be a single, metal pole (a representation of the proposed pole is included on page 7 of this report). Overall the special use permit requested represents a reduction in the impact of the existing 120 Kv power line upon most of the residents of the adjacent subdivision. It will however create greater impact upon one property owner, as there will be a new pole located approximately 50 feet from the existing dwelling where none are currently located.
The following photo shows one of the existing poles that will be removed, which is indicated by the yellow arrow. The red arrow shows the approximate location of the proposed power pole.

The overhead photo, below, indicates existing poles that will be removed, which are indicated by the yellow arrows. The red arrow shows the approximate location of the proposed power pole.

The visual impacts that may be anticipated with this project are generally mitigated by the topography between the proposed pole and the adjacent dwelling. The dwelling is located several feet lower in elevation, and there is a perimeter fence that will obscure the new pole somewhat from the view of the adjacent property owner. Conditions of approval have been included that standard landscaping requirements be included with the construction plans.
submitted and that emphasis be placed upon creating a visual barrier between the pole and the adjacent dwelling. The following photo is a visual simulation of the completed project.

Subject to the conditions of approval, as included with this report, staff can recommend that the necessary findings of fact can be made by the Planning Commission for approval of the requested special use permit.

If the request is approved by the Planning Commission, then approval of the Project of Regional Significance by the Truckee Meadows Regional Planning Commission, following a public hearing, will be required prior to construction of the pole.

**Verdi Citizen Advisory Board**

The Verdi Citizen Advisory Board is not active at this time.

**Reviewing Agencies**

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

- US Army Corps of Engineers
- National Resource Conservation Service
- US Fish and Wildlife Service
- US Postal Service
- State of Nevada
  - Environmental Protection
  - Endangered Species
  - Parks
Eight of the twenty-five above-listed agencies/departments provided comments and/or recommended conditions of approval in response to their evaluation of the project application. A summary of each agency’s comments and/or recommended conditions of approval and their contact information is provided. The Conditions of Approval document is attached to this staff report and will be included with the Action Order, if the special use permit application is approved by the Planning Commission.

- **Washoe County Planning and Development** addressed visual mitigation of the project.
  Contact: Roger Pelham, 775.328.3622, rpelham@washoecounty.us

- **Washoe County Traffic Engineer** addressed access to the project from State Route 425.
  Contact: Clara Lawson, 775.328.3603, clawson@washoecounty.us

- **Nevada Division of Water Resources** noted that no water rights are assigned to this proposal.
  Contact: Steve Shell, 775.684.2800

- **Washoe-Storey Conservation District** addressed the need for Best Management Practices, native seed mixes in the landscaping and requests to review any plans submitted to the Army Corps of Engineers.
  Contact: Kevin Roukey, 775.857.8700
Washoe County Roads, Engineering, Truckee Meadows Fire Protection and Regional Transportation Commission all responded that they had no comments on the project.

**Staff Comment on Required Findings**

Section 110.810.30 of Article 810, *Special Use Permits*, within the Washoe County Development Code, requires that all of the following findings be made to the satisfaction of the Washoe County Planning Commission before granting approval of the request. Staff has completed an analysis of the special use permit application and has determined that the proposal is in compliance with the required findings as follows.

1. **Consistency.** That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Verdi Area Plan.
   
   *Staff Comment: There are no action programs or policies of the Verdi Area Plan that are particularly applicable to the proposed powerline relocation.*

2. **Improvements.** That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven.
   
   *Staff Comment: Adequate infrastructure exists as the powerline is in place at this time and is simply proposed to be relocated.*

3. **Site Suitability.** That the site is physically suitable for a power pole to allow relocation of a power line, and for the intensity of such a development.
   
   *Staff Comment: The site is suitable for the power pole as the powerline is in place at this time and is simply proposed to be relocated.*

4. **Issuance Not Detrimental.** That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area.
   
   *Staff Comment: Issuance of the permit will not be significantly detrimental because the powerline is in place at this time and is simply proposed to be relocated.*

5. **Effect on a Military Installation.** Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.
   
   *Staff Comment: There is no military installation within 3000 feet of the proposed power pole therefore this finding is not required to be made.*

**Recommendation**

Those agencies which reviewed the application recommended conditions in support of approval of the project. Therefore, after a thorough analysis and review, Special Use Permit Case Number SW16-001 is recommended for approval with conditions. 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 with conditions Special Use Permit Case Number SW16-001 for West Meadows Investments LLC, having made all four findings in accordance with Washoe County Development Code Section 110.810.30, subject to approval of the Project of Regional Significance by the Truckee Meadows Regional Planning Commission:

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

2. **Improvements.** That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;

3. **Site Suitability.** That the site is physically suitable for a power pole to allow relocation of a power line, and for the intensity of such a development;

4. **Issuance Not Detrimental.** That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;

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

xc: Applicant: West Meadows Investments LLC, Attn.: Rob Fitzgerald, PO Box 8070, Reno, NV 89507

Property Owner: Owners of Glenn Meadows Village, Attn.: Ken Whan, 10509 Professional Circle, Suite 200, Reno, NV 89521

Representatives: KLS Planning and Design, Attn.: John Krmpotic, 9480 Double Diamond Parkway, Reno, NV 89521

Others to be Contacted: Venture Engineering, Attn.: John Munson, 681 Edison Way, Reno, NV 89502
The project approved under Special Use Permit Case Number SW16-001 shall be carried out in accordance with the Conditions of Approval granted by the Planning Commission on April 5, 2016. 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 approval of this Special Use Permit shall be met or financial assurance must be provided to satisfy the Conditions of Approval prior to issuance of a grading or building permit. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Development Division.

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

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

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

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

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

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

- The DISTRICT BOARD OF HEALTH, through the 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.

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 Development

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

Contact Name – Roger Pelham, 775.328.3622, rpelham@washoecounty.us

   a. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Planning and Development Division shall determine compliance with this condition.

   b. The applicant shall submit complete construction plans, and building permits shall be issued within two years from the date of approval by Washoe. The applicant shall complete construction within the time specified by the building permits.

   c. The applicant shall attach a copy of the action order approving this project to all administrative permit applications (including building permits) applied for as part of this administrative permit.

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

      NOTE

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

   e. Prior to any ground disturbing activity, the applicant shall submit a landscaping plan to the Planning and Development Division for review with the construction permit. The plans shall comply with all applicable standards of Article 412 of the Development Code. Emphasis shall be placed upon creating a visual barrier between the pole and the adjacent dwelling.

   f. A certification letter or series of letters by a registered landscape architect or other persons permitted to prepare landscaping and irrigation plans pursuant to N.R.S. 623A shall be submitted to and approved by Planning and Development Division. The letter(s) shall certify that all applicable landscaping provisions of Article 412 of the Development Code have been met. Any landscaping plans and the letter shall be wet-stamped. The letter shall indicate any provisions of the code that the Director of Planning and Development has waived.
g. 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 Development Division, prior to a Certificate of Occupancy. The plan shall be wet-stamped.

h. The following Operational Conditions shall be required for the life of the project:

1. This special use permit shall remain in effect until or unless it is revoked or is inactive for one year.

2. Failure to comply with the Conditions of Approval shall render this approval null and void. Compliance with this condition shall be determined by the Planning and Development Division.

3. The applicant and any successors shall direct any potential purchaser and/or the special use permit to meet with the Planning and Development Division to review Conditions of Approval prior to the final sale of the site and/or the special use permit. Any subsequent purchaser/operator of the site and/or the special use permit shall notify the Planning and Development Division of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.

Washoe County Engineering and Capital Projects

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

Contact Name – Clara Lawson, 775.328.3603, clawson@washoecounty.us

a. If access from SR 425 is needed, then the applicant must obtain an NDOT encroachment permit to access the property prior to approval of any building permit.

Washoe County Health District

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

Contact Name – James English, 775.328.2434, jenglish@washoecounty.us

a. The applicant must provide a complete plan for all existing infrastructure and all easements to ensure that the proposed relocation will not adversely affect the existing on site municipal water system.

b. All alterations must be reviewed with the identified existing municipal services.

c. The applicant must provide documentation from the operator of the municipal water system stating agreement with any proposed alteration or plan set that is submitted for review.
Washoe-Storey Conservation District

4. The following conditions are requirements of the Washoe–Storey Conservation District (WSCD), which shall be responsible for determining compliance with these conditions.

Contact Name – Kevin Roukey, 775.857.8700

a. Coordinate with WSCD regarding native seed for revegetation.


c. Coordinate with WSCD regarding review of any plans submitted to the Army Corps of Engineers.

*** End of Conditions ***
Exhibit B – Special Use Permit SW16-001

From: Corbridge, Kimble
Sent: Tuesday, March 08, 2016 10:05 AM
To: Pelham, Roger
CC: Searcy, Adam; Vesely, Leo; Crump, Eric S
Subject: SB16-003 West Meadows Estates Powerline Relocation

Roger,
I have reviewed the referenced special use permit for Roads and have no comments or conditions.
Thx,
Kimble

From: Lawson, Clara
Sent: Wednesday, February 24, 2016 11:07 AM
To: Pelham, Roger
Subject: FW: SB16-003 West Meadows Estates Powerline

Revise
I recommend a condition of approval that if access from SR 425 is needed the applicant obtain an NDOT encroachment permit to access the property.

Clara Lawson, Washoe County
clawson@washoe county.us | 775-328-3603
Connect with us: eMail | Twitter | Facebook | www.washoe county.us

From: Lawson, Clara
Sent: Tuesday, February 23, 2016 4:28 PM
To: Pelham, Roger
Subject: SB16-003 West Meadows Estates Powerline

I recommend a condition of approval that the applicant obtain an NDOT encroachment permit to access the property.

Clara Lawson, PE, PTOE, Licensed Engineer
Washoe County | Community Services Dept | Engineering Division 1001 E. Ninth St., Reno NV 89520
clawson@washoe county.us | o 775-328-3603 | fax 775-328-3699
Connect with us: eMail | Twitter | Facebook | www.washoe county.us
Exhibit B – Special Use Permit SW16-001

WASHOE COUNTY
COMMUNITY SERVICES DEPARTMENT
Engineering and Capital Projects Division
"Dedicated to Excellence in Public Service"
1001 East 5th Street PO Box 11130 Reno, Nevada 89520 Telephone: (775) 328-2940 Fax: (775) 328-3699

INTEROFFICE MEMORANDUM

DATE:       March 10, 2016
TO:         Roger Pelham, Planning and Development Division
FROM:       Leo R. Vesely, P.E., Engineering and Capitol Projects Division
SUBJECT:    SB16-003
            APN 038-610-00
            WEST MEADOWS ESTATES POWERLINE RELOCATION

I have reviewed the referenced special use permit case and have no conditions or comments.

LRV/lrv
March 8, 2016

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

RE: West Meadows Estates; APN: 038-610-00
Special Use Permit; SB16-003

Dear Mr. Pelham:

The Washoe County Health District, Environmental Health Services Division (Division) Engineering and Vector have reviewed the above referenced project. This special use permit is for the relocation of power lines and associated easements on a parcel with existing municipal infrastructure that is not a part of this application. Approval by this Division is subject to the following conditions:

1. The proposed alteration of the existing utility may impact the existing infrastructure on the site that provides municipal water to the Verdi Meadows Subdivision. Prior to any approval the applicant must provide a complete plan for all existing infrastructure and all easements to ensure the proposed relocation will not adversely affect the existing site municipal water system.
   a. Since the existing infrastructure is not a part of the current proposal, all alterations must be reviewed with the existing municipal services identified.
2. The applicant must provide documentation from the municipal water system stating agreement with any proposed alteration or plan set that is submitted for review.
3. Vector does not have any comments or conditions for this application.

If you have any questions regarding the foregoing, please call James English at 328-2610 or Jim Shaffer 785-4599 regarding engineering or vector comments, respectively.

Sincerely,

James English
Environmental Health Specialist Supervisor
Environmental Health Services

J.L. Shaffer
Program Coordinator/Planner
Vector-Borne Diseases Program
Environmental Health Services

JES/-je

cc: File - Washoe County Health District
John Munson, P.E. jmunson@att.net
February 22, 2016

RE: Comments on Special Use Permit SB16-003

To: Donna Fagan
Washoe County Community Services Department
1001 East Ninth Street, Building A
Reno, NV 89512

Name: West Meadows Estates Powerline Relocation

County: Washoe County – Lemmon Drive and Arkansas Drive

Location: A portion of Sections 8 & 9, Township 19 North, Range 18, East, MDB&M.

Plat: Tentative: 11.81 acres and being Washoe County Assessor’s Parcel Number 038-610-00.

Water Service Commitment

Allocation: No water is committed at this time.

Owner-Developer: West Meadows Investments, LLC
P. O. Box 8070
Reno, NV 89507

Engineer: KLS Planning and Design, Inc.
9480 Double Diamond Parkway
Reno, NV 89521

Water Supply: Truckee Meadows Water Authority
General: There are no active water rights appurtenant to the described lands in this proposed project. The lands of the proposed project lie within the Truckee Meadows Water Authority service area. Any water used on the described lands should be provided by an established utility or under permit issued by the State Engineer’s Office.

All waters of the State belong to the public and may be appropriated for beneficial use pursuant to the provisions of Chapters 333 and 334 of the Nevada Revised Statutes (NRS), and not otherwise.

Any water or monitor wells, or boreholes that may be located on either acquired or transferred lands are the ultimate responsibility of the owner of the property at the time of the transfer and must be plugged and abandoned as required in Chapter 334 of the Nevada Administrative Code. If artesian water is encountered in any well or borehole it shall be controlled as required in NRS § 334.060(3).

Municipal water service is subject to Truckee Meadows Water Authority rules and regulations and approval by the Office of the State Engineer regarding water quantity and availability.

Action: Tentative approval of West Meadows Estates Powerline Relocation.

Best regards,

Steve Shell
Water Resource Specialist II
Roger Pelham, MPA, Senior Planner
Kelly Mullin, Planner
Eva M. Krause, AICP, Planner
Washoe County Community Services Department
Planning and Development Division
1001 E. Ninth St., Bldg. A
Reno, NV 89512

February 29, 2016

Subject: February Agency Review – Case Nos. – SB16-001 (North Carson SC1 Wireless Communication Facility); SB16-002 (TMWA Lemmon Drive Service Yard); SB16-003(West Meadows Estates Power Line Relocation); VA16-001(Collins)

Roger, et al,

Thank you for providing us the February Agency Review and the opportunity to review and provide comments. We have reviewed the subject proposed projects as requested and we have the following comments:

**Special Use Permit Case Number SB16-001 (North Carson SC1 Wireless Communication Facility)**

The proposed project is to approve a Special Use Permit to allow the construction and operation of a wireless communication facility consisting of four poles, each 17 feet in height, with one panel antenna attached to pole. Additionally there will be a two-foot-diameter microwave dish attached to one of the poles. We have the following comments on this proposed project.

1. Regarding Supplemental Information item 3 - The applicant states that each of the four poles will have 1 antenna on each pole, but the Detail Antenna Area Plan, Sheet A.2 and A.3, indicates a total of four total on each pole and this needs to be clarified as this conflicts with Item 7 in which they state that the poles were kept as small as possible to hide the antennas better. the increase in the number of antennas and RRUs. This along with the stone-faced wall and the above ground propane tank could increase the negative impacts or effects the project will have on adjacent properties, yet the applicant makes no mention of any plans to mitigate this potential impact.

2. Regarding Supplemental Information item 10 - The applicant states that no landscaping is necessary. We would recommend that the County require the applicant to coordinate with the Washoe-Storey Conservation District (WSCD) to develop a revegetation plan for all exposed graded areas after construction. The coordination would include WSCD coordination with the Natural Resources Conservation Service (NRCS) to obtain an approved seed mixture for replanting these areas to prevent chick weed or other invasive species from taking over these graded areas.

**Special Use Permit Case Number SB16-021 (TMWA Lemmon Drive Service Yard)**

The proposed project is to approve the creation of a Public Service Yard on a 1.25 acre parcel located on the southeast corner of Lemmon Drive and Arkansas Drive and a major grading permit for grading within a special flood area zone that results in the importation of more than 1,000 cubic yards of fill material.

1. Supplemental Information items - The applicant did not provide a Special Use Permit Application - Supplemental Information Sheet. Although the
applicant’s submittal does provide much of the information needed for review and comment, we request the County require the applicant to provide the Supplemental Information Sheet.

2. General Comments:
   a. The applicant states on page 2, paragraph four, that the off-site storm water currently runs across the site and travels through a 24" storm drain pipe under Lemmon Drive into Swan Lake. This flow will be maintained and a detention basin installed on the southwestern portion of the property.
   b. The drainage on the site does flow into Swan Lake which may be considered a Jurisdictional Water of the United States and therefore may require a Jurisdictional Determination (JD) and a Department of the Army Permit under Section 404 of the Clean Water Act. We recommend the County require the applicant to contact the Sacramento District Corps of Engineers, Reno Field Office, 300 Booth Street, Reno, NV, Ms. Kristine Hansen, Office Chief to obtain a determination whether or not a JD and Department of the Army Permit may be necessary for the project.
   c. The County should require the applicant to coordinate with the Washoe County Health Department, Vector Control, to ascertain if any treatment will be required for the detention basin.
   d. The applicant states on Page 2, paragraph 2 that the site is required to be landscaped. We request the County require the applicant to coordinate with the WSCD to develop the landscaping plan to include native vegetation and a seed mix approved by the NRCS.
   e. The applicant states on page 2, paragraph 1 states that the top section of the proposed 4,200 cubic yards of fill will be constructed with Asphalt Concrete (AC) pavement. We recommend the County require the applicant to utilize an LID pervious AC to allow precipitation to absorb into the landscape rather than run off into the drainage system.

Special Use Permit Case Number SB16-003 (West Meadows Power Line Relocation)

The proposed project is to allow for the construction and operation of a power pole to facilitate the relocation of a 120 kilovolt overhead powerline. We have the following comments on this proposed project:

1. Supplemental Information item 10 – The applicant indicates there is landscaping proposed. We request the County require the applicant to coordinate with the Washoe-Storey Conservation District and NRCS to review and approve the proposed revegetation of any excavated areas and approve a seed mix to ensure that native species are utilized.

2. Engineering Plans Set – Aerial Overlay – The proposed project is adjacent to a drainage channel that flows directly to the Truckee River (Approximately 600 feet away). Neither the application nor the plan drawings submitted contain any information regarding planning, installation and maintenance of Best Management Practices during the construction of the project. We request the County require the applicant to provide this information for review and comments. This is a critical element due to the fact that the site is adjacent to stream environment zone.

3. General Comments:
   a. Corps of Engineers Approval – The applicant states that the two diversion structures will require approval from the Corps of Engineers. We request that the County require the applicant to coordinate with the Corps of Engineers to determine if any permitting will be required for the project. And provide the Washoe-Storey Conservation District to review and comment on.
Administrative Review Case Number VA16-001 (Collins)

The proposed project is to allow for approval of a variance reducing the rear yard setback from 20-feet to 2.5 feet for an addition to the existing residence. This project is located outside of the Washoe/Storey Conservation District Service Area so we have no comment. However, the project is located within the boundaries of the Nevada Tahoe Conservation District service area. We recommend you provide them copies of the proposed project for their review. Their contact information is:

Nevada Tahoe Conservation District  
P.O. Box 915  
Zephyr Cove, NV 89448  
Jason Brand, District Manager  
Tel. -775-586-1610 ext. 33

These are our comments and recommendations for the subject projects. We appreciate the opportunity to provide comments and recommendations on projects that may have impacts on our natural resources. Should you have any further questions please contact Kevin J. Roukey by phone at 775-232-1571 or email kevinjr_51@att.net.

Sincerely,

Kevin J. Roukey, District Coordinator  
Washoe/Storey Conservation District
March 10, 2016

Washoe County Community Services Department
1001 East Ninth Street
Reno, NV 89512

Re: Special Use Permit Case Number SB16-003 (West Meadows Estates Powerline)

The Truckee Meadows Fire Protection District (TMFFD) has no comments or this project.

Please contact me with any questions at (775) 326-6005.

Thank you,

Amy Ray
Fire Marshal
Special Use Permit Case Number SW16-001
West Meadows Estates Powerline Relocation
189 Parcels selected at 500 feet.
West Meadows Estates – Phase II

Application to Washoe County for a:

*Special Use Permit*

Prepared by:

John F. Krmpotic, AICP
KLS Planning & Design Group
9480 Double Diamond Parkway, Suite 299
Reno, Nevada 89521

Prepared for:

West Meadows Investments, LLC
Attn: Rob Fitzgerald
PO Box 8070
Reno, NV 89507

February 16, 2016
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Figure 3 - Overall Site Plan ............................................................................................... 3

Application Materials

Washoe County Development Application
Special Use Permit Application
Owner/Applicant Affidavit
Tax Certificate
Assessors Parcel Map of Site
NV Energy Exhibit of Power Pole
Project Requests

This application includes the following requests for the project:

a) **Special Use Permit** to install a single power pole for relocation of a 120KV overhead powerline. The line relocation involves several poles. However, this one pole is located is a parcel within Washoe County's jurisdiction. Thus, the need for the SUP.

Property Location

The West Meadows site includes 5 parcels and 197.3± acres, and this Phase II is a 16.87 acre part of that. The site is located on Old Highway 40 in Verdi, roughly 1.35 miles from the westbound off-ramp of the I-80/East Verdi interchange. It is bordered by the Truckee River to the west, the entire south boundary is along Highway 40, and to the north & east is the approved Mortensen-Garson PUD. (See Figure 1, Vicinity Map).

Current access to the site is available from Highway 40 which will be the sole access to the property at two planned intersections. Property to the north and east is owned by private parties. Property to the south directly across the highway is the Glen Meadows Subdivision, a small lot single family community which is the location and subject of this SUP request.

![Figure 1 – Vicinity Map](image-url)
Figure 2 – Washoe County/Reno Zoning Map
Project Summary of Phase II

This utility corridor relocation and this related SUP requested are part of the Phase II Tentative Map shown above in yellow.

The Phase II project area is a 16.87 acre portion of the 197.3 acre site.
- 55 lots on 16.87 acres Phase II, 269 lots for Phase I, for a total of 324 lots
- Phase I include a 2.6 acre Neighborhood Park, 3.8 acres of Neighborhood Commercial land, and 88.2 acres of Open Space/Common Area

Purpose of this request

The purpose of this request is to construct a single power pole which is considered a utility service on one parcel located in Washoe County. The proposed 120KV power pole requires a SUP to allow construction of the pole. Utility services use type refers to the provision of electricity, water or other liquids, or gas, through wires, pipes or ditches through utility services involving major structures that have flexibility in location. Typical uses include natural gas transmission lines and substations, petroleum pipelines, and irrigation water ditches.
Special Use Permit Findings

Section 110.810.30 Findings. Prior to approving an application for a special use permit, the Planning Commission, Board of Adjustment or a hearing examiner shall find that all of the following are true:

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

There is no use change proposed or needed for this SUP request. There is consistency with the Master Plan and Zoning as Master Plan conformance is identical with establishment of the proposed power pole.

(b) **Improvements.** Adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;

This improvement is neutral to creating any impact on public facilities or the adequacy of public facilities. The power line relocation is for aesthetic reasons and needed to create an opportunity for a cohesive neighborhood plan that will not be bifurcated in the existing utility corridor. This power pole location is needed as part of that plan.

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

The site is in fact well suited for this use. It requires minimal grading to construct the pole and is placed a maximum distance from the nearest residence.

(d) **Issuance Not Detrimental.** Issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area; and

We have the consent from the HOA of the Glen Meadows Village subdivision to place the pole in the common area of that neighborhood. The fact that they would grant us the permission is some indication that this SUP request is acceptable and that it will not be injurious to the adjacent property.

e) **Effect on a Military Installation.** Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

This is not applicable as there are no military installations near the site or associated with this SUP request.
Exhibit 2 – Site Plan
Exhibit 3 – Site Plan (Aerial Overlay)
# Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Development staff at 775.328.3600.

## Project Information

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<th>Project Name:</th>
<th>West Meadows Estates - Phase II</th>
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<td>This is a request to relocate one power pole on a parcel located in WC for a project that involves relocation of a 120 KV power line.</td>
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<tr>
<td>Project Address:</td>
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<tr>
<td>Project Area (acres or square feet):</td>
<td>Its a 2.00 sq ft area within the 11.81 acre common area parcel</td>
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<td>Project Location (with point of reference to major cross streets AND area locator):</td>
<td>This is one parcel adjacent to Old Highway 40 in Verdi</td>
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<td>11.81 acres</td>
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| Section(s)/Township/Range: | Section 9, T19N - R18E |

Indicate any previous Washoe County approvals associated with this application: Case No.(s). We are not aware of any

## Applicant Information

(attach additional sheets if necessary)

**Property Owner:** West Meadows Investments LLC  
**Address:** PO Box 8070 Reno  
**Zip:** 89507  
**Phone:** 825 9280  
**Fax:** N/A  
**Email:** rob.fitz@earthlink.com  
**Cell:** 219 8199  
**Other:** N/A  
**Contact Person:** Rob Fitzgerald

**Professional Consultant:** KLS Planning & Design, Inc.  
**Address:** 9480 Double Diamond Parkway Reno, NV  
**Zip:** 89521  
**Phone:** 775 852 7606  
**Fax:** 852 7609  
**Email:** jahnk@klssdesigngroup.com  
**Cell:** 857 7710  
**Other:** N/A  
**Contact Person:** John F. Krmpotic

**Applicant/Developer:** West Meadows Investments LLC  
**Address:** PO Box 8070 Reno, NV  
**Zip:** 89507  
**Phone:** 825 9280  
**Fax:** N/A  
**Email:** rob.fitz@earthlink.com  
**Cell:** 219 8199  
**Other:** N/A  
**Contact Person:** Rob Fitzgerald

**Other Persons to be Contacted:** Venture Engineering  
**Address:** 681 Edison Way Reno, NV  
**Zip:** 89502  
**Phone:** 775 825 9898  
**Fax:** N/A  
**Email:** jmunson@att.net  
**Cell:** 343 8690  
**Other:** N/A  
**Contact Person:** John Munson, P.E.

## For Office Use Only

**Date Received:**  
**Initial:**  
**Planning Area:**  
**County Commission District:**  
**Master Plan Designation(s):**  
**CAB(s):**  
**Regulatory Zoning(s):**

---

*February 2014*

---

**SW16-001**  
**EXHIBIT D**
Special Use Permit Application
Supplemental Information

(All required information may be separately attached)

Chapter 110 of the Washoe County Code is commonly known as the Development Code. Specific references to special use permits may be found in Article 810, Special Use Permits.

1. What is the type of project being requested?

   The SUP is to allow installation of one power pole for a 120 kv line relocation. Per table 110.302.10 of the development code, installing a 120 kv power pole falls under the classification of a Utility Service. Utility Service is defined in 110.304.20 (j). Utility services use type refers to the provision of electricity, water or other liquids, or gas, through wires, pipes or ditches through utility services involving major structures that have flexibility in location. Typical uses include natural gas transmission lines and substations, petroleum pipelines, and irrigation water ditches.

2. What currently developed portions of the property or existing structures are going to be used with this permit?

   There are not any existing structures that will be used for this SUP. The location sits in an undeveloped portion of the common area for the Glen Meadows Subdivision. See attached exhibits.

3. What improvements (e.g. new structures, roadway improvements, utilities, sanitation, water supply, drainage, parking, signs, etc.) will have to be constructed or installed and what is the projected time frame for the completion of each?

   A single pole which is called a "Light Angle Dead End" type pole for a 120 KV line. A copy of the pole type is attached. This is standard detail from NV Energy. The projected time line is about 2 years before construction commences. That is a best guess depending on how quickly the market will absorb new housing units.
4. What is the intended phasing schedule for the construction and completion of the project?

There are 3 neighborhoods in the proposed project. This power pole relocation is in neighborhood 3 which is furthest west from where the project construction will begin. Construction sequence is based on availability of existing infrastructure that will serve the project. The basic idea is to start phasing on the east end and move to the west end.

5. What physical characteristics of your location and/or premises are especially suited to deal with the impacts and the intensity of your proposed use?

The physical location is perhaps the best location we could feasibly find for location of this pole. It requires minimum grading and site preparation and involves minimal impact to the existing neighborhood. We believe the specific location is ideally for this request.

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

The clear benefit will be removal of the existing 120 KV line that is adjacent to 5 existing single family residences. Also, in that same corridor, about 300' to the west, there is a H-frame pole that will be removed. We believe the overall impact is positive and an improvement from the existing condition.

7. What will you do to minimize the anticipated negative impacts or effects your project will have on adjacent properties?

The negative impact is the visual impact. It may be the only negative impact. There will be temporary disruption with noise when the pole is being constructed at this location. The best solution we could offer to minimize impact was to locate it as far from the nearest residence as possible, which we have proposed.
8. Please describe operational parameters and/or voluntary conditions of approval to be imposed on the project special use permit to address community impacts:

There really are no operational parameters. It is a very static operation, i.e. transfer of electrical energy overhead that does not involve people. We will need to hear from the community to discuss impacts. However, it appears the best self imposed design issue is the specific placement of the pole and removal of the other pole and line that currently exists.

9. How many improved parking spaces, both on-site and off-site, are available or will be provided? (Please indicate on site plan.)

There will not be any parking provided or needed. There is an easement to provide access from Highway 40 to the pole for servicing, in the event it is ever needed.

10. What types of landscaping (e.g. shrubs, trees, fencing, painting scheme, etc.) are proposed? (Please indicate location on site plan.)

There is no landscaping being proposed. The pole is 70' in height and landscaping at ground level will have little or no effect on screening.

11. What type of signs and lighting will be provided? On a separate sheet, show a depiction (height, width, construction materials, colors, illumination methods, lighting intensity, base landscaping, etc.) of each sign and the typical lighting standards. (Please indicate location of signs and lights on site plan.)

There will not be any signs or lighting proposed with this SUP request. We have attached the specification sheet of the power pole that show the elevation of the pole.
12. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that apply to the area subject to the special use permit request? (If so, please attach a copy.)

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13. Community Sewer

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Community Water

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Property Owner Affidavit

Applicant Name: West Meadows Investments, LLC

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

COUNTY OF WASHOE

I, [Signature] (please print name),

being duly sworn, deposes and says 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 Development.

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

Assessor Parcel Number(s): 038-610-00

Printed Name: [Signature]

Signed: [Signature]

Address: 195 Shadycrest Dr

[Signature]

Subscribed and sworn to before me this 18th day of February 2014.

[Signature]

Notary Public in and for said county and state

My commission expires: 10/3/19

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

☑ Owner

☑ Corporate Officer/Partner (Provide copy of recorded 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

February 2014

EXHIBIT D
February 3, 2016

NV Energy
Northern Nevada
PO Box 10100
Reno, NV 89520

RE: Agreement to allow an easement for NV Energy Power Pole

Dear Mr. Fitzgerald,

The Board of Directors agree to allow an easement on the north east corner of the River Oak property. This would provide an area for NV Energy to install a power pole necessary for the planned development across highway 40.

The Board of Directors has agreed to this with the following stipulations:

a) The over grown tree(s) at the corner of Summerset and Highway 40, along the east side requires removal to allow additional light at the intersection

b) The lighting installed should allow for additional lighting at the entrance to the River Oak community, especially at the Summerset entrance.

Thank you,

Ken Whan
River Oak Board President
At the direction of
The River Oak Homeowners Association
Board of Directors

Cc: Robert Fitzgerald
PO Box 8070
Reno NV 89507
(NONPROFIT) INITIAL/ANNUAL LIST OF OFFICERS AND DIRECTORS OF:

RIVER OAK HOMEOWNERS ASSOCIATION

NAME OF CORPORATION

FOR THE FILING PERIOD OF  MAR, 2015 TO MAR, 2016

USE BLACK INK ONLY - DO NOT HIGHLIGHT

**YOU MAY NOW FILE THIS LIST ONLINE AT www.nvalliverflume.gov**

☐ Return one file stamped copy. (If filing not accompanied by order instructions, file stamped copy will be sent to registered agent.)

IMPORTANT: Read instructions before completing and returning this form

1 Print or type name and addresses, other residence or business, for all officers and directors. A President, Secretary, Treasurer, or equivalent of all Directors must be named. There must be at least one director. If there are additional officers, attach a list of them to this form. An Officer or other authorized signer must sign the form. FORM WILL BE RETURNED IF UNSIGNED.

2 Return the completed form with the $25.00 filing fee, if no capitalization. A $50.00 penalty must be added for failure to file this form by the deadline. An annual list received more than 90 days before due date shall be deemed an amended list for the previous year.

3 Make your check payable to the Secretary of State. Return the completed form to: Secretary of State, 202 North Carson Street, Carson City, Nevada 89701-4201, (775) 684-5708.

4 Forms must be in the possession of the Secretary of State on or before the last day of the month in which it is due. (Postmark date is not accepted as receipt date.) Forms received after due date will be returned for additional fees and penalties.

5 Ordering Copies: If requested above, one file stamped copy will be returned at no additional charge. To receive a certified copy, enclose an additional $30.00 per certification. A copy fee of $2.00 per page is required for each additional copy generated when ordering 3 or more file stamped or certified copies. Appropriate instructions must accompany your order.

FILING FEE: $25.00 (if no capitalization) LATE PENALTY: $50.00 if filed late.

Charitable Solicitation - For nonprofit entities formed under NRS Chapters 89 and 82

- If the nonprofit corporation intends to solicit charitable tax deductible contributions a Charitable Solicitation Registration Statement form is required to be attached. If the answer is no, there is no additional form required.

- If the nonprofit corporation intends to solicit charitable tax deductible contributions but meets the exemption requirements, an "Exemption From Charitable Solicitation Registration Statement" form is required to be attached.

- Failure to include the required statement form will result in rejection of the filing and could result in late fees.

Does Corporation intend to solicit charitable/tax deductible contributions? ☐ Yes  ☐ No  ☐ Exempt from filing

Corporation claims exemption pursuant to NRS 82.392(7)(b) or is recognized as a church under Internal Revenue Code 501(c)(3).

For nonprofit entities formed under NRS Chapters 89 and 81 entities without 501(c) nonprofit designation are required to maintain a sure business license, the fee is $200.00. Those desiring the exemption under 501(c) designation must indicate by checking box below and submit Declaration of Eligibility form. Failure to attach the required notarized Declaration of Eligibility will result in a rejection, which could result in late fees.

☐ Pursuant to NRS Chapter 78, this entity is a 501(c) nonprofit entity and is exempt from the business license fee. Exemption code 002

NAME ADDRESS CITY STATE ZIP CODE

KEN WHAN 195 SHADYCREST DRIVE, USA VERDI NV 89439

CINDY LEHR 140 WINTERCREST DRIVE, USA VERDI NV 89439

BRUCE COMER 130 SAGEBLON DRIVE, USA VERDI NV 89439

HILDA SALDANA 100 SHADYCREST DRIVE, USA VERDI NV 89439

None of the officers or directors identified in the list of officers has been identified with the fraudulent intent of concealing the identity of any person or persons exercising the power or authority of an officer or director in furtherance of any unlawful conduct.

I declare, to the best of my knowledge under penalty of perjury, that the information contained herein is correct and acknowledge that pursuant to NRS 259.330, it is a category C felony to knowingly offer any false or forged instrument for filing in the Office of the Secretary of State.

☐ PAIGE BOESEN  ☐ COMUNITY MANAGER  ☐ 3/11/2015 13:16 PM

Authorized Signature

Nevada Secretary of State List Nonprofit

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<td>DIRECTOR</td>
<td>VERDI</td>
<td>NV</td>
<td>89439</td>
</tr>
<tr>
<td>1930 STONEHIDGE, USA</td>
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NEVADA STATE BUSINESS LICENSE

RIVER OAK HOMEOWNERS ASSOCIATION  
Nevada Business Identification # NV19841004016

Expiration Date: March 31, 2016

In accordance with Title 7 of Nevada Revised Statutes, pursuant to proper application duly filed and payment of appropriate prescribed fees, the above named is hereby granted a Nevada State Business License for business activities conducted within the State of Nevada.

Valid until the expiration date listed unless suspended, revoked or cancelled in accordance with the provisions in Nevada Revised Statutes. License is not transferable and is not in lieu of any local business license, permit or registration.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office on March 11, 2015

BARBARA K. CEGAVSKE  
Secretary of State

You may verify this license at www.nvsos.gov under the Nevada Business Search.

License must be cancelled on or before its expiration date if business activity ceases. Failure to do so will result in late fees or penalties which by law cannot be waived.
Paige Boesen
Associa Sierra North
10509 Professional Circle Suite 200
Reno, NV 89521

Special Handling Instructions:

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Credit Balance: $0.00

Job Contents:
File Stamped Copy(s): 1
Business License(s): 1

Paige Boesen
Associa Sierra North
10509 Professional Circle Suite 200
Reno, NV 89521
CONSTRUCTION NOTES

1. Dimension "A" to be specified by engineer. Normal dimensions are 8' & 10' for medium & heavy loading conditions respectively.

2. Pole grounding to be specified separately.

(**) Materials assigned are conductor dependent. Refer to compatible unit drawing for stock number.

MATERIAL LIST

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Volume 6: 120kV STRUCTURE STANDARDS

LIGHT ANGLE DEAD END, STEEL POLE (NON-PORCELAIN)