



AMENDED WASHOE COUNTY BOARD OF ADJUSTMENT NOTICE OF MEETING AND AGENDA

Board of Adjustment Members

Robert F. Wideman, Chair

Mary S. Harcinske, Vice Chair

Philip J. Horan

Richard "R.J." Cieri

Kim Toulouse

William Whitney, Secretary

Thursday August 2, 2012

1:30 p.m.

Washoe County Commission Chambers

1001 East Ninth Street

Reno, NV

PUBLIC HEARING ITEMS

(complete case descriptions are provided beginning on page three of this agenda)

- **Special Use Permit Case No. SB12-009 - NV Energy**
- **Administrative Permit Case No. AP12-007 – Heaven’s Lil Angels Day Care Center**
- **Amendment of Conditions Case No. AC12-002 - Amendment of Special Use Permit Case No. SB10-009 – Palomino Valley General Improvement District**
- **Special Use Permit Case No. SB12-008 - William Kunz Grading**
- **Special Use Permit Case Number SB12-012 OR Administrative Permit Case No. AP12-006 & Variance Case No. VA12-003 – SVGID Paintball Park**

Items for Possible Action: All numbered or lettered items on this agenda are hereby designated for possible action as if the words “for possible action” were written next to each item (NRS 241.020), except for items marked with an asterisk (*). Those items marked with an asterisk (*) may be discussed but action will not be taken on them.

Possible Changes to Agenda Order and Timing: Discussion may be delayed on any item on this agenda, and items on this agenda may be taken out of order, combined with other items and discussed or voted on as a block, removed from the agenda, moved to the agenda of another later meeting or moved to or from the consent section. Items designated for a specified time will not be heard before that time, but may be delayed beyond the specified time.

Public Comment; Disrupting of Meeting: During the “Public Comment” periods listed below, anyone may speak pertaining to any matter either on or off the agenda. Public comment during these periods is limited to three minutes. Additionally, during action items (those *not* marked with an asterisk), public comment will be heard on that particular item before action is taken. See “Public Participation,” below, for time limits. In either event, each speaker must fill out a “Request to Speak” form and give it to the recording secretary. Unused time may not be reserved or transferred. Comments are to be directed to the board as a whole and not to one individual. The presiding officer may (with or without advance warning) order the removal of a person whose conduct willfully disrupts the meeting to the extent that its orderly conduct is made impractical.

Public Participation: The Board of Adjustment adopted Rules, Policies and Procedures are available on the website provided above or by contacting the Community Development Department.

At least one copy of items displayed and at least ten copies of any written or graphic material for the Board’s consideration should be provided to the Recording Secretary. Materials longer than

one page in length submitted within six days of the Board of Adjustment meeting may not be considered by the Board in their deliberations. Subject to applicable law and the board's rules, policies, and procedures, public comment or testimony may be submitted to the board in written form for its consideration. However, the board is not required to read written statements aloud during the meeting.

Time allocations for public hearing items are as follows: 15 minutes for staff's presentation; 15 minutes for an applicant's presentation; 5 minutes for a group representative's comments; 3 minutes for individual comment. At the discretion of the Chair, additional time may be provided to any party if the request is made at least 24 hours in advance of the meeting start time. The Chair may reduce the per person time allotment for comment on a particular item; this determination will be made prior to hearing comment on the item.

Posting of Agenda; Website Location: Pursuant to NRS 241.020, this notice has been posted at the Washoe County Administration Complex, 1001 E. Ninth Street, Reno, Nevada, and at the following locations: Washoe County Clerk's Office-Courthouse (Court and Virginia Streets), Washoe County Library (301 South Center Street), and Sparks Justice Court (630 Greenbrae Drive). Agendas and staff reports are posted to the Washoe County website at www.washoecounty.us/comdev four days prior to the meeting.

Special Accommodations: Facilities in which this meeting is being held are accessible to the disabled. Persons with disabilities who require special accommodations or assistance (e.g. sign language, interpreters, or assisted listening devices) at the meeting should notify Washoe County Community Development, at 775.328.3600, two working days prior to the meeting.

Appeal Procedure: Most decisions rendered by the Board of Adjustment are appealable to the Board of County Commissioners. If you disagree with the decision of the Board of Adjustment and you want to appeal its action, call the Planning staff immediately, at 328-6100. You will be informed of the appeal procedure, application fee, and the time in which you must act. Appeal periods vary from seven (7) to fifteen (15) days, depending on the type of application.

1:30 p.m.

AGENDA

1. *Determination of Quorum

2. *Pledge of Allegiance

3. *Ethics Law Announcement

4. *Appeal Procedure

5. *Public Comment

The public is invited to speak on any item on or off the agenda during this period. However, action may not be taken until this item is placed on an agenda as an action item.

6. Approval of Agenda

7. Approval of Minutes

June 7, 2012

8. Consent Items

None

9. Project Review Items - Possible action to approve/disapprove or recommend approval/disapproval (with or without conditions) the following project applications:

A. PUBLIC HEARING: Special Use Permit Case No. SB12-009 - NV Energy – To construct a 54.5-foot tall monopole wireless communication facility to support NV Energy’s Smart Grid program known as “NV Energize”.

- Location: 240 Bobcat Hill Road
- Assessor’s Parcel No: 079-551-13
- Parcel Size: ±10.14 acres
- Regulatory Zone: Low Density Rural (LDR)
- Area Plan: North Valleys
- Citizen Advisory Board: North Valleys
- Development Code: Authorized in Article 324 Communication Facilities & Article 810 Special Use Permits
- Commission District: 5 - Commissioner Weber
- Section/Township/Range: Within Section 12 T22N R19E MDM Washoe County, NV
- Staff: Grace Sannazzaro, Planner
- Phone: 775.328.3771
- Email: gsannazzaro@washoecounty.us

B. PUBLIC HEARING: Administrative Permit Case Number AP12-007 – Heaven’s Lil Angels Day Care Center – To re-establish a child daycare facility in the previous location of Vranken Kid City Academy.

- Location: 5055 Sun Valley Boulevard
- Assessor’s Parcel No.(s): 035-120-26
- Parcel Size: 4.45 Acres
- Area Plan: Sun Valley
- Citizen Advisory Board: Sun Valley
- Commission District: 3 – Commissioner Jung
- Development Code: Article 304, Allowed Uses Article 808, Administrative Permits
- Section/Township/Range: Within Section 30, T20N, R20E, MDM, Washoe County, NV
- Staff: Eva Krause, AICP, Planner
- Phone: 775.328.3796
- Email: ekrause@washoecounty.us

C. PUBLIC HEARING: Amendment of Conditions Case No. AC12-002: Amendment of Special Use Permit Case No. SB10-009 – Palomino Valley General Improvement District - To amend two conditions of approval related to the construction and operation of a water truck fill station. The first amendment is to extend the time required for obtaining permits from two years to four years and the second is to remove the requirement for slats in the fencing surrounding the facility.

- Location: 4270 Ironwood Road at the southeast corner of State Route 445 and Ironwood Road.
- Assessor’s Parcel No.(s): 076-251-07
- Parcel Size: ± 6.70 Acres
- Area Plan: Warm Springs
- Citizen Advisory Board: Warm Springs CAB

- Commission District: 5 – Commissioner Weber
- Development Code: Article 810, Special Use Permits
- Section/Township/Range: Within Section 7, T22N, R21E, MDM, Washoe County, NV
- Staff: Roger D. Pelham, MPA, Senior Planner
- Phone: 775.328.3622
- Email: rpelham@washoecounty.us

D. PUBLIC HEARING: Special Use Permit Case No. SB12-008 – William Kunz Grading -

To allow grading of approximately 4,870 cubic yards of earth and allow a surface disturbance of approximately 57,000 square feet for the purpose of re-contouring both the front and rear yard areas of the dwelling in preparation for future landscaping.

- Location: 6947 Windy Hill Road, approximately 1200 feet north of its intersection with Lakeside Boulevard.
- Assessor's Parcel No.(s): 041-101-16
- Parcel Size: ± 3.28 Acres
- Area Plan: Southwest Truckee Meadows
- Citizen Advisory Board: Southwest Truckee Meadows CAB
- Commission District: 1 – Commissioner Breternitz
- Development Code: Article 438, Grading
Article 810, Special Use Permits
- Section/Township/Range: Within Section 35, T19N, R19E, MDM, Washoe County, NV
- Staff: Roger D. Pelham, MPA, Senior Planner
- Phone: 775.328.3622
- Email: rpelham@washoecounty.us

E. PUBLIC HEARING: Special Use Permit Case Number SB12-012 OR Administrative Permit Case Number AP12-006 and Variance Case No. VA12-003 - SVGID Paintball Park -

To allow the construction and operation of a commercial paintball course (Outdoor Sports and Recreation Use Type) including two courses for play and to vary the maximum fence height for specialty fencing from 10 feet in height to 20 feet in height to allow the erection of protective netting around a proposed paintball course as authorized in as authorized in Article 810 (Special Use Permits) OR Article 302 (Administrative Permits) and Article 804 (Variances) of the Washoe County Development Code.

- Location: 115 West 6th Avenue, Sun Valley, at the Sun Valley Community Park
- Assessor's Parcel No.(s): 085-211-03
- Parcel Size: ± 20 Acres
- Area Plan: Sun Valley
- Citizen Advisory Board: Sun Valley
- Commission District: 3 – Kitty Jung
- Development Code: Article 304, Allowed Uses
Article 808, Administrative Permits
- Section/Township/Range: Within Section 18, T20N, R20E, MDM, Washoe County, NV
- Staff: Roger D. Pelham, MPA, Senior Planner
- Phone: 775.328.3622
- Email: rpelham@washoecounty.us

10. Chair and Board Items

(Unless otherwise listed with a topic description, this portion of the agenda is limited to announcements, staff discussion of items or suggested items to be scheduled proposed for action at future meetings, and reports on planning issues and/or activities of organizations in which individual members may be involved.)

- A. Election of Officers: Board of Adjustment Chair and Vice Chair
- B. Appointment of Member Representative and Alternate to the Design Review Committee
- C. *Report on Previous Board of Adjustment Items

11. Director's Items

- A. *Legal Information and Updates
- B. Presentation, discussion and possible direction to staff regarding the preferred format for project and case descriptions on agendas for Board of Adjustment meetings.
Staff: Grace Sannazzaro, Planner, 775.328.3771, gsannazzaro@washoecounty.us

12. *Public Comment

The public is invited to speak on any item on or off the agenda during this period. However, action may not be taken until this item is placed on an agenda as an action item.

13. Adjournment



BOARD OF ADJUSTMENT MEETING MINUTES

Board of Adjustment Members

Philip J. Horan, Chair

Robert F. Wideman, Vice Chair

Mary S. Harcinske

Richard "R.J." Cieri

Kim Toulouse

William Whitney, Secretary

Thursday June 7, 2012

1:30 p.m.

Washoe County Health Department
1001 East Ninth Street
Reno, NV

WASHOE COUNTY BOARD OF ADJUSTMENT

Minutes

June 7, 2012

The regular meeting of the Washoe County Board of Adjustment was scheduled for Thursday, June 7, 2012 at 1:30 p.m., in the Washoe County District Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

1. Determination of Quorum

Chair Wideman called the meeting to order at 1:30 p.m. The following members and staff were present:

Members present: Robert Wideman, Chair
Mary S. Harcinske
Philip Horan
Richard "R.J." Cieri

Members absent: Kim Toulouse

Staff present: Bill Whitney, Acting Director, Community Development
Trevor Lloyd, Senior Planner, Community Development
Eva Krause, AICP, Planner, Community Development
Grace Sannazzaro, Planner, Community Development
Greg Salter, Deputy District Attorney, District Attorney's Office
Dawn Spinola, Recording Secretary, Community Development

2. Pledge of Allegiance

Member Horan led the pledge to the flag.

3. Ethics Law Announcement

Deputy District Attorney (DDA) Salter recited the Ethics Law standards.

4. Appeal Procedure

Mr. Whitney recited the appeal procedure for items heard before the Board of Adjustment.

5. Public Comment

Cathy Brandhorst discussed challenges faced by the homeless.

6. Approval of Agenda

In accordance with the Open Meeting Law, Member Horan moved to approve the agenda of June 7, 2012. The motion, seconded by Member Harcinske, passed by a vote of four in favor and none against, Member Toulouse absent.

7. Approval of Minutes

Member Harcinske moved to approve the minutes of April 5, 2012. The motion was seconded by Member Horan and passed four in favor and none against, Member Toulouse absent.

8. Consent Items

None

9. Project Review Items

Agenda Item 9A

PUBLIC HEARING: Administrative Permit Case No. AP12-005 - Lake Tahoe SummerFest - To approve an administrative permit and outdoor community event business license for the Lake Tahoe SummerFest, an outdoor concert event to be held at the Sierra Nevada College in Incline Village, Nevada on August 3, 4, 5, 10, 11, 12, 17, 18 and 19, 2012. The proposed outdoor concerts will be held between the hours of 6:30 p.m. and 8:30 p.m. on August 3, 4, 10, 11, 17 and 18, 2012 (Fridays and Saturdays) and between the hours of 3:00 p.m. and 5:00 p.m. on August 5, 12 and 19, 2012 (Sundays). The concerts will be unamplified classical music venues located within a portable awning erected on the College for the event. Primary participant and spectator parking will be within the College campus, with additional off-site (overflow) parking at the Church at the intersection of Tahoe Boulevard and Country Club Drive and IVGID Recreation Facility, if needed. Event organizers estimate that approximately 1,300 participants and spectators will take part in the event during any one three-day event period, with a maximum of 500 participants and spectators on any one day of the event. Based on the testimony and evidence presented at the hearing, to include the report of reviewing agencies, the Board of Adjustment may approve the issuance of the administrative permit and business license with conditions, or deny the application.

- Location: Sierra Nevada College, 291 Country Club Drive, Incline Village, NV
- Assessor's Parcel No.(s): 127-040-10 (College), 130-050-01 (Church) and 127-040-07 (IVGID Recreation Center)
- Parcel Size: 17.05 acres (College), 1.4 acres (Church) and 16.2 acres (Recreation Center)
- Regulatory Zone(s): PSP
- Area Plan: Tahoe/Incline Tourist
- Citizen Advisory Board: Incline Village/Crystal Bay
- Commission District: 1 - Commissioner John Breternitz
- Development Code: Authorized in Article 310, Temporary Uses and Structures, and WCC Chapter 25, Business License Ordinance
- Section/Township/Range: Within Section 23, T16N, R18E, MDM, Washoe County, NV

Chair Wideman opened the public hearing.

Ms. Krause reviewed the staff report dated May 25, 2012.

Member Cieri noted the hours of the concerts noted in the staff report appeared to be different than the hours listed in the conditions. Ms. Krause explained she had changed the in the conditions to allow them extra time for setup and teardown and the conditions contained the correct information.

Member Horan pointed out the parking at the church may be constrained as it was under construction and a substantial amount of equipment was being stored there. Ms. Krause clarified the church parking was part of the original proposal but was no longer being considered as an option.

Member Horan noted that was a congested area, particularly in the summertime evenings as people were leaving the lake for the day. He asked if there was to be any type of traffic control. Ms. Krause explained there was traffic control on site but the responsible agencies had not required it for the public streets.

Mr. Whitney suggested Ms. Krause could pass the comment along to the appropriate agencies for their consideration.

Applicant Madylon Meiling stated the event was associated with the Shakespeare Festival and supported by the community. She explained the tickets were sold online and there were a finite number. Patrons would not be able to arrive unannounced and purchase tickets on site. Regarding traffic, they were encouraging staggered arrival and carpooling and intended to monitor it and adapt as necessary as the events progressed.

Chair Wideman closed the public hearing and asked if any Board members wished to provide disclosures. None did.

Individual members voiced their support of the project.

Member Cieri moved to approve conditionally Administrative Permit Case No. AP12-005 - Lake Tahoe SummerFest. The motion was seconded by Member Harcinski and passed by a vote of four in favor and none against, Member Toulouse absent.

The motion was based on the following findings:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan, Tahoe Area Plan and the Incline Village Tourist Community 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 an outdoor concert series 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; and

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.

Agenda Item 9B

PUBLIC HEARING: Administrative Permit Case No. AP12-004 - Everett Detached Garage - To allow the building of an accessory structure (garage and carport) that is bigger than the existing main dwelling.

- Location: 475 Tranquil Drive, Sparks NV
- Assessor's Parcel No.(s): 534-273-05
- Parcel Size: 1.33 Acres
- Regulatory Zone(s): LDS
- Area Plan: Spanish Springs
- Citizen Advisory Board: Spanish Springs CAB
- Commission District: 4 – Commissioner Robert Larkin
- Development Code: Authorized in Article 808, Administrative Permits
- Specific Plan: Within the Spanish Springs Area Plan
- Section/Township/Range: Within Section 25, T21N, R20E, MDM, Washoe County, NV

Chair Wideman opened the public hearing.

Ms. Krause reviewed the staff report dated May 25, 2012. She pointed out a deed restriction would be required that would restrict the use of the new structure to accessory uses only, not as a dwelling.

Member Harcinske noted she did not remember a deed restriction requirement in the past. Ms. Krause explained that was part a recent code change which allowed more fixtures in an accessory unit. That change could potentially allow the unit to become living quarters unless the deed restriction was in place.

Applicants Allayne and William Everett offered to answer any questions.

Chair Wideman closed the public hearing and asked if any Board members wished to provide disclosures. None did.

Member Horan moved to approve Administrative Permit Case No. AP12-004 - Everett Detached Garage. The motion was seconded by Member Harcinske and passed by a vote of four in favor and none against, Member Toulouse absent.

The motion was based on the following findings:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Spanish Springs 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 large accessory structure, 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; and
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.

Agenda Item 9C

PUBLIC HEARING: Special Use Permit Case No. SB12-007 – Hidden Valley Fire Station – To temporarily expand a Safety Service facility by installing a manufactured home (built to commercial coach standards) to be used as living quarters for professional firefighters.

AND

PUBLIC HEARING: Variance Case No. VA12-002 – To reduce the front yard setback from 20 feet to 15 feet to allow for the placement of the manufactured home.

- Location: 3255 Hidden Valley Drive, approximately 100 feet west of the intersection of Hidden Valley Drive and Pelham Drive
- Assessor's Parcel No.: 051-122-10
- Parcel Size: 0.326 acres
- Regulatory Zone: Medium Density Suburban (MDS)
- Area Plan: Southeast Truckee Meadows
- Citizen Advisory Board: Southeast Truckee Meadows
- Commission District: 2 – Commissioner David Humke
- Development Code: Authorized in Articles 302, Allowed Uses; 810, Special Use Permits; 410 Building Placement Standards; and 804 Variances
- Section/Township/Range: Within Section 22, T19N, R20E, MDM
Washoe County, NV

Chair Wideman opened the public hearing.

Ms. Krause reviewed the staff report dated May 25, 2012. She explained the project was being conditioned as temporary, which in this case was approximately two to four years. It was being developed in response to the division of the fire departments to serve the residents of the Hidden Valley area. The unit itself was proposed to be a manufactured building to be used as housing for permanent, professional staff.

Ms. Krause demonstrated the lot was fully utilized and the new structure could not be placed anywhere other than the proposed location, necessitating the variance. The Fire Department had worked with the Citizen's Advisory Board to alleviate concerns regarding the appearance of the existing building, landscaping, paving, lights and sirens and they had voted unanimously in favor of both the variance and the special use permit (SUP).

Ms. Krause pointed out the conditions stated the variance and SUP expire July 1, 2016. If they wished the use to continue, they would be required to reapply. She explained the use was not detrimental to the area and that there were unusual restrictions on the lot itself.

Member Cieri noted the variance request was for different setbacks in separate areas of the staff report and Ms. Krause verified it was for a two-foot reduction.

Member Harcinske requested and received verification that this would be a full-time staffed station.

Keith Hill, Hidden Valley Country Club (HVCC) Golf Club Superintendent, stated the building would be on top of the easement for the water line that served the golf course and originated at a pump on the fire department lot. The building would hinder HVCC's ability to repair or upgrade the line.

Member Horan asked who had given HVCC the easement. Mr. Hill replied he had been informed of its existence but had not been able to locate validation documentation.

Member Cieri asked if Washoe County Engineering had seen the application and Ms. Krause replied they had prepared and submitted it. She displayed a drawing submitted by Engineering that showed all of the documented easements on the property and that the building would encroach on the front yard setback, not any easements. Member Cieri asked where the pipes in question were located and Ms. Krause replied she did not know, perhaps Dave Solaro, the acting Public Works Director, could expound.

Mr. Solaro stated that a survey of the site found no other easements than what was documented on the site plan. He stated they had worked with HVCC to be provide them with access to the pumps. Member Horan asked if they were aware of any pipes and Mr. Solaro replied they had gone through a thorough process to determine where the utilities and easements were located and had not found any evidence of a pipe in that location.

Cathy Brandhorst discussed dangers faced by firefighters and the military.

Chair Wideman closed the public hearing and asked if any Board members wished to provide disclosures. None did.

Member Cieri asked Counsel if there would be any legal ramifications if the project was approved and the building was in fact constructed over a pipeline. Deputy District Attorney (DDA) Salter replied there were potential property right issues and the Board may not be able to make the finding of that it was not injurious to neighboring properties. He explained it was not up to the Board to decide on land title issues like easements, so that should not be a part of their deliberations. They could, however, make the determination the project was injurious to the neighboring properties.

Member Harcinske opined it may be best to approve the project for two years rather than four, allowing HVCC the opportunity to determine whether the pipe actually existed in that location and was or was not an issue. Since it could not currently be proven the pipe was there, it should not hold up the approval.

Mr. Whitney suggested an additional condition be added allowing HVCC access to the pipe if necessary. He pointed out this project was of utmost importance to the community and it was important it go forward. Chair Wideman asked if HVCC would be allowed access to the pipe with or without a condition and Mr. Whitney replied that might become a legal issue, which should be avoided.

Mr. Solaro explained the proposed structure was temporary and would be placed on a temporary foundation, so there was ample opportunity to access and address any issues with the pipes, if they were actually located there. He did not feel the need for an added condition.

Chair Wideman reiterated this construction was necessitated by the division of the Fire departments, so the public safety need was great and time available to provide it was limited. He acknowledged the testimony about the potential pipe and easement, but given the urgency of the circumstances, was willing to support the requests.

Member Horan moved to approve conditionally Special Use Permit Case No. SB12-007 – Hidden Valley Fire Station. The motion was seconded by Member Cieri and passed by a vote of four in favor and none against, Member Toulouse absent.

The motion was based on the following findings:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Southeast Truckee Meadows Area Plan;
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;
3. Site Suitability. That the site is physically suitable for the existing fire truck garage with the addition of temporary living quarters, 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, and;
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.

Member Horan moved to approve conditionally Variance Case No. VA12-002 - Hidden Valley Fire Station. The motion was seconded by Member Cieri and passed by a vote of four in favor and none against, Member Toulouse absent.

The motion was based on the following findings:

1. Special Circumstances. Because of the special circumstances applicable to the property, including exceptional shape of the specific piece of property and exceptional situation created by the existing easements, the strict application of the regulation results in exceptional and undue hardships upon the owner of the property;
2. No Detriment. The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted;
3. No Special Privileges. The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other

properties in the vicinity and the identical regulatory zone in which the property is situated;

4. Use Authorized. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property, and;
5. Effect on a Military Installation. The variance will not have a detrimental effect on the location, purpose and mission of the military installation.

Agenda Item 9D

PUBLIC HEARING: Administrative Permit Case No. AP12-003 – Evans Greenhouse Buildings - To allow the construction of two greenhouse buildings, Phase 1 of 4,000 square feet and Phase 3 of 30,000 square feet, as shown on the attached site plan. Phases 2 and 4, as shown on the site plan, are not requested at this time.

- Location: 31850 Cantlon Drive
- Assessor's Parcel No: 084-282-16
- Parcel Size: ±5.94 acres
- Regulatory Zone: Medium Density Rural
- Area Plan: East Truckee Canyon
- Development Code: Authorized in Article 808, Administrative Permits
- Commission District: 4 – Commissioner Larkin
- Section/Township/Range: Within Sections 17 & 18 T20N R24E MDM
Washoe County, NV

Chair Wideman opened the public hearing.

Mr. Lloyd reviewed the staff report dated March 15, 2012. He noted the project was originally proposed to be larger than what was being requested but had been scaled back due to mandated limits on lot coverage and required setbacks from the Truckee River. Light emissions were a concern and had been addressed in the conditions. The Citizens Advisory Board (CAB) had not approved or denied the project but had asked the Board consider their concerns, which included the fact the project was commercial, there had been prior grading, concerns about traffic and odor and the potential for contamination of the river.

Bambi Van Dyke, Chair of the East Truckee Canyon CAB, stated all of their questions had been answered at the meeting. Their main concern had been that the water remain classified as an agricultural use rather than being changed to industrial or commercial, which it was. She stated the lights would be beneficial to the neighborhood as the residents had recently been experiencing problems with aggressive wildlife.

Ken Dallimore expressed concerns about setback easements from the river.

Carey Conley opined the project was commercial in nature and therefore did not belong in a residential area.

Chair Wideman closed the public hearing and asked if any Board members wished to provide disclosures. None did.

DDA Salter noted for the record that Spencer Scott was present to represent the applicant.

Member Harcinske asked Mr. Lloyd if the setback concerns were addressed and he stated they were through Code requirements.

Chair Wideman wanted to know if the required water rights had been submitted and Mr. Lloyd explained Water Resources would review that prior to issuance of a building permit.

Member Horan asked if they were approving grading that had already been completed and if it had been done in anticipation of the project. Mr. Lloyd replied he did not know when it had been done or how much, but approval of that was not required and part of the current request.

Member Harcinkse moved to approve conditionally Administrative Permit Case No. AP12-003 – Evans Greenhouse Buildings. The motion was seconded by Member Cieri and passed by a vote of four in favor and none against, Member Toulouse absent.

The motion was based on the following findings:

1. Consistency. That, as conditioned, the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the East Truckee Canyon Area Plan;
2. Improvements. That, upon compliance with the conditions of approval imposed by the Board of Adjustment, 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 two greenhouse structures for the commercial production of crops, and for the intensity of such a development;
4. Issuance Not Detrimental. That, as conditioned, 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
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of any military installation.

Agenda Item 9E

PUBLIC HEARING: Special Use Permit Case No. SB12-006 - Amy Ranch Commercial Stables aka High Desert Equine Center – To allow the operation of an equestrian facility for horse boarding, lessons, activities and events.

- Location: 4455 Amy Road
- Assessor's Parcel No: 077-140-06
- Parcel Size: ± 40.00 acres
- Regulatory Zone: General Rural Agricultural (GRA)
- Area Plan: Warm Springs
- Citizen Advisory Board: Warm Springs
- Development Code: Authorized in Article 302 Allowed Uses & Article 810 Special Use Permits

- Commission District: 5 - Commissioner Bonnie Weber
- General Improvement District: Palomino Valley
- Section/Township/Range: Within Section 22 T22 R21 MDM
Washoe County, NV

Chair Wideman opened the public hearing.

Ms. Sannazzaro reviewed the staff report dated May 23, 2012. She noted the stables had been operating commercially for two years and they were applying for approval of the facility, not any type of expansion. The applicant has already received approval for a second, larger facility nearby called Springwood Ranch, which will be completed in the spring of 2013. Many events currently held at Amy Ranch will move to Springwood.

Ms. Sannazzaro explained the applicant had made alterations to lights and sound so that the facility would have less of an impact on neighbors. The speakers were conditioned to only be used during special events. She displayed a table that showed the number of events and days for each type of special events which came to a total of 28 days annually. The CAB had heard many concerns from the public and had voted to recommend approval. Staff had received letters both in support of and against the application.

Ms. Sannazzaro went over the conditions created to mitigate the biggest impacts, which included hours of operation, number of horses, overnight camping limitations, dust control, manure management, water rights and limits on the number of spectators. The sound system hours of operation would be limited to 8 a.m. to 9 p.m. and lighting must be down shielded and turned off by 11 p.m. during the summer and 10 p.m. during the winter. .

Member Harcinske asked if the paddocks met setbacks and Ms. Sannazzaro replied they did.

Member Horan asked what triggered the knowledge that they were operating without a special use permit (SUP) and Ms. Sannazzaro replied there had been a complaint.

Ms. Sannazzaro explained she had reviewed conditions imposed on other stables during her analysis of the project and crafted the proposed conditions based on that research.

The applicant's representative stated they were prepared to answer any questions.

Darla Owen stated she was a neighbor and the sound system was a disturbance. She requested the conditions be altered to require the speakers to point down toward the floor of the arena. She requested Amy Ranch Stables be held to the same event time limitations as were placed on Springwood, and limitations be placed as to the number of consecutive days events could be held.

Jeff Wiggins, Chair of the Warm Springs CAB, noted the zoning in the area recently changed and that there were still ongoing negotiations about a portion of those changes, namely, number of horses allowed for boarding without a permit. He opined the Warm Springs zoning made the area unique. He pointed out Fire code had different regulations for more than 100 or 100 or fewer people so limiting it to 40 seemed inconsistent.

Ms. Sannazzaro explained to the Board she had spoken with Joan Presley, Truckee Meadows Fire Protection District, who was adamant the spectator count be limited to 40 for safety reasons. There were liability issues and the applicant had no objections to the condition. Regarding the sound system hours of use, Ms. Sannazzaro reiterated the days and hours were very limited and felt the restrictions in place were reasonable.

Chair Wideman asked her to comment on the request the speakers be pointed at a different angle and she suggested they speak to the applicant about the compromise. Member Cieri asked if there had been any complaints about the speakers over the last two years of operation and Ms. Sannazzaro replied she did not believe so.

Member Horan asked why the hours of operation for the Amy Ranch Stables were to be different than those imposed on Springwood. Ms. Sannazzaro stated the heat of the day was too much for the horses and Springwood has an enclosed facility. As Amy Ranch is outdoors, more of the events would need to be held in the evenings. Applicant's Representative Joe Juneau explained the majority of the events, including roping, happen in the summertime and therefore needed to be held in the evening when it is cooler. Member Horan expressed concern about allowing the event to go on until 10:00 p.m.

Chair Wideman asked if there was anything stopping the applicant from directing the speakers away from the resident's homes and Mr. Juneau replied there was not. He pointed out they had removed 50% of the speakers when they found out about the neighbor's concerns. Eric Anderson, Bighorn Consulting, reiterated Springwood Ranch would have an indoor arena that could be used for evening events. Therefore, the outdoor events would be ending at an earlier time and the lighting would not be a concern to the neighbors.

Chair Wideman closed the public hearing and asked if any Board members wished to provide disclosures. Member Cieri indicated he had signed a letter stating his awareness of the facility. Chair Wideman asked if that would affect his ability to judge the matter fairly and appropriately and Member Cieri replied it would not.

Member Cieri stated that cases like this in the past had been conditioned so that if there were three bona fide complaints within a certain time period, the SUP would be revoked and the applicant would have to reapply and bring the case back to the Board. He suggested that be considered for this project. Member Harcinske noted that on some cases they had placed a condition requiring a review 12 months after approval.

Discussion ensued regarding what substantiated a valid complaint and what type of complaint triggered the condition. Draft language was compiled for a new condition requiring the applicant to come before the Board if three valid complaints were received during a 12-month period. Member Cieri disagreed with the proposed language for the condition and indicated he was uncomfortable with the fact that three of any type of complaint could trigger the condition. He felt a complaint about the sound issue was valid and could be easily mitigated, but other potential complaints about things like dust and manure odor were not easily controlled and one windy day could put the stable out of business with the proposed limitations.

Member Harcinske pointed out they would not be out of business but would be required to come back to the Board for review of their permit.

Member Horan noted the applicant had indicated a willingness to work with the neighbors and they should trust the system. He explained to Ms. Owens she was welcome to speak publicly at any Board meeting to express her concerns.

Chair Wideman stated he was in support of adding a condition that triggered a review, but the details were not coming together, so it was better to let it go and let the system work as intended. Mr. Whitney noted approval of the SUP required the business to continue to function under all initial and operational conditions, which included most of what was being discussed. Chair Wideman reiterated the new condition should not be added.

DDA Salter requested a recess at 3:36 p.m. and Chair Wideman granted him five minutes. The meeting reconvened at 3:39 p.m.

Member Cieri stated he would abstain from voting and had no further comments.

Member Horan moved to approve conditionally Special Use Permit Case No. SB12-006 - Amy Ranch Commercial Stables. The motion was seconded by Member Harcinske and passed by a vote of three in favor and none against, Member Cieri abstaining and Member Toulouse absent.

The motion was based on the following findings:

1. Consistency. That the proposed commercial stable facility, ancillary uses, and special events are consistent with the action programs, policies, standards and maps of the Master Plan and the Warm Springs 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 commercial stable facility, including ancillary uses and special events, and for the intensity of such a development;
4. Issuance Not Detrimental. That issuance of the special use 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
5. Effect on a Military Installation. Issuance of the special use permit will not have a detrimental effect on the location, purpose, or mission of any military installation.

10. Chair and Board Items

DDA Salter noted for the record that Special Use Permit Case No. SB12-002, AT&T Mobility at Incline Village High School, had been withdrawn and no action was required.

11. Director's Items

Member Horan complimented staff on their outstanding presentations.

12. Other Items

None.

13. Public Comment

Cathy Brandhorst spoke of public safety concerns.

14. Adjournment

There being no further business to come before the Board of Adjustment, the meeting adjourned at 3:47 p.m.

Respectfully submitted,

Dawn Spinola, Recording Secretary

Approved by Board in session on _____, 2012

William Whitney
Secretary to the Board of Adjustment



Board of Adjustment Staff Report

Meeting Date: August 2, 2012

Subject: Special Use Permit Case No: SB12-009
Applicant: NV Energy
Agenda Item No. 9A

Project Summary: To allow the construction of a 54 ½ foot tall monopole wireless communication facility.

Recommendation: Approval with Conditions

Prepared by: Grace Sannazzaro, Planner
Washoe County Department of Community Development
Phone: 775.328.3771
Email: gsannazzaro@washoecounty.us

Project Description

Special Use Permit Case No. SB12-009 for NV Energy – To construct a 54 ½ foot tall monopole wireless communication facility to support NV Energy’s Smart Grid program known as “NV Energize”.

- Location: 240 Bobcat Hill Road
- Assessor’s Parcel No: 079-551-13
- Parcel Size: ±10.14 acres
- Regulatory Zone: Low Density Rural (LDR)
- Area Plan: North Valleys
- Citizen Advisory Board: North Valley
- Development Code: Authorized in Article 324 Communication Facilities & Article 810 Special Use Permits
- Commission District: 5 - Commissioner Weber
- Section/Township/Range: Within Section 12 T22N R19E MDM
Washoe County, NV

Staff Report Contents

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Exhibits Contents

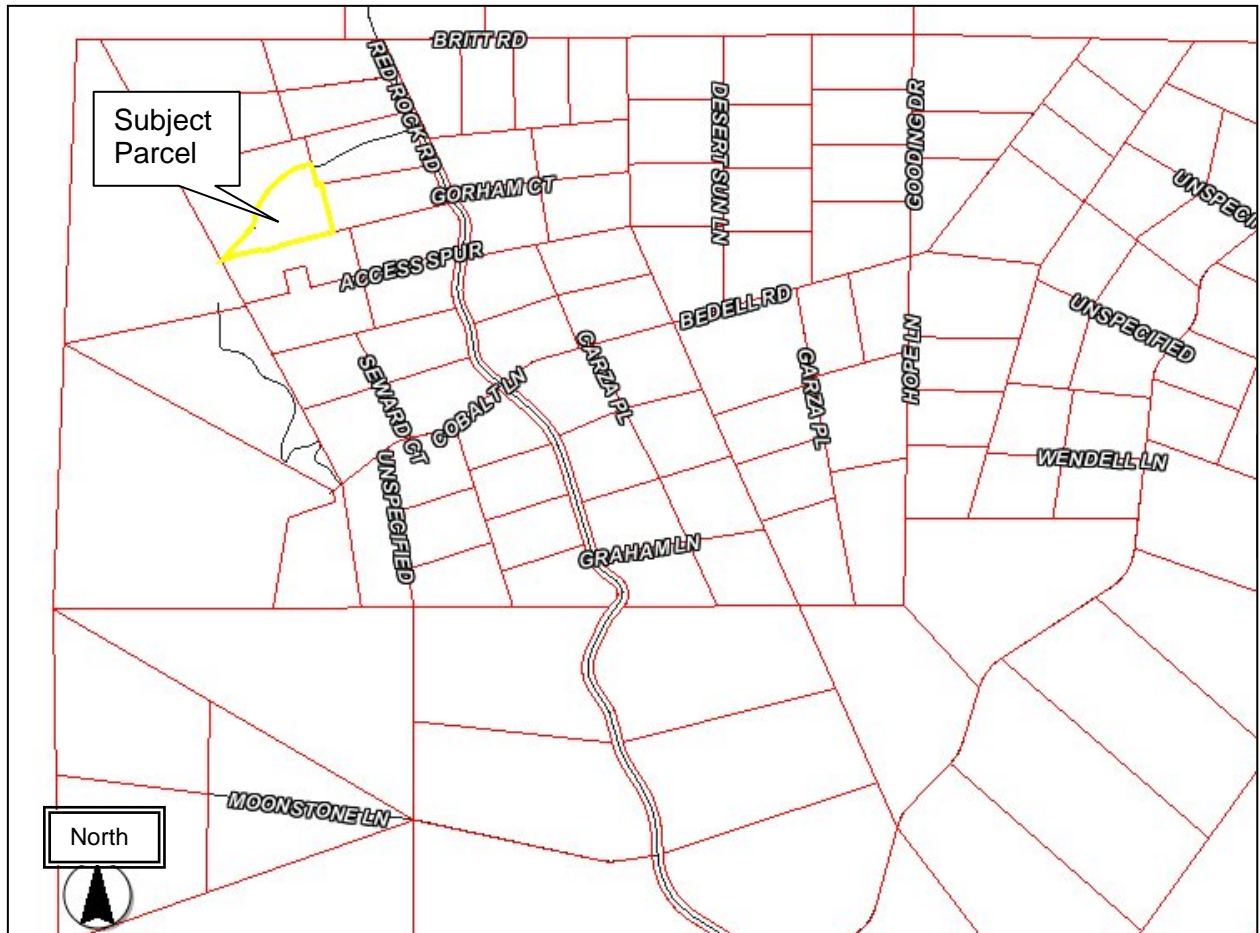
Conditions of Approval.....Exhibit A
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Washoe County Department of Water Resources Email Exhibit C
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Public Notice MapExhibit E
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Purpose of a Special Use Permit

The purpose of a Special Use Permit is to allow a method of review to identify any potential harmful impacts on adjacent properties or surrounding areas for uses that may be appropriate within a regulatory zone; and to provide for a procedure whereby such uses might be permitted by further restricting or conditioning them so as to mitigate or eliminate possible adverse impacts. If the Board of Adjustment 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:

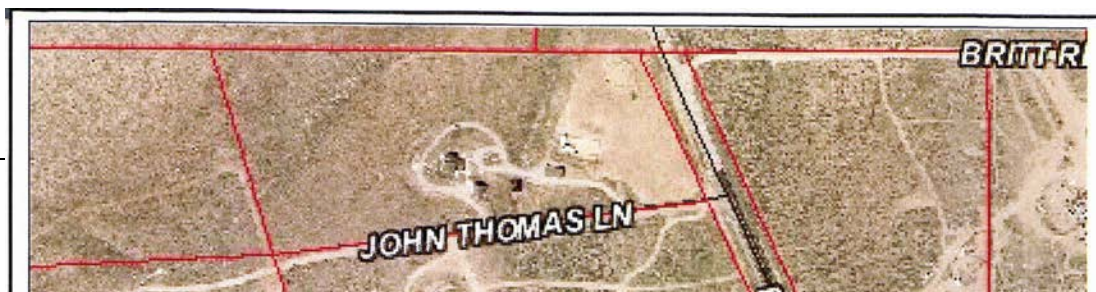
- Prior to permit issuance (i.e., a grading permit, a building permit, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy on a structure.
- Prior to the issuance of a business license or other permits/licenses.
- Some Conditions of Approval are referred to as “*Operational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

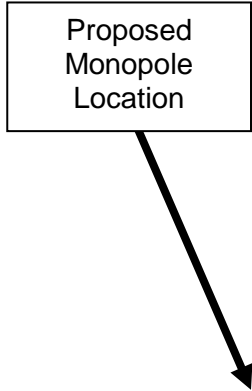
The Conditions of Approval for Special Use Permit Case No. SB12-009 are attached to this staff report and will be included with the Action Order if the Special Use Permit is granted approval.



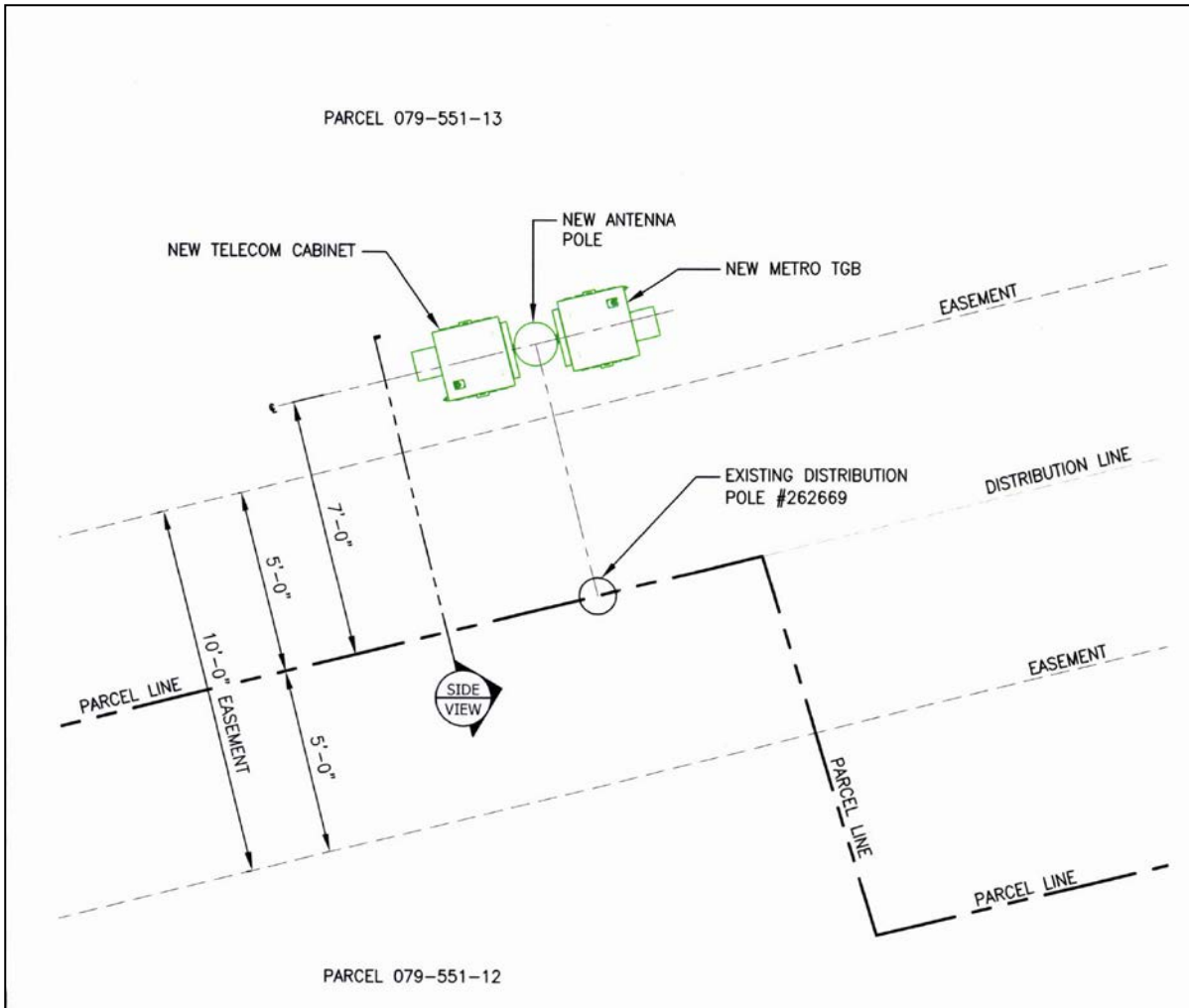
Vicinity Map

240 Bobcat Hill Road
Off of Red Rock Road
In the North Valleys

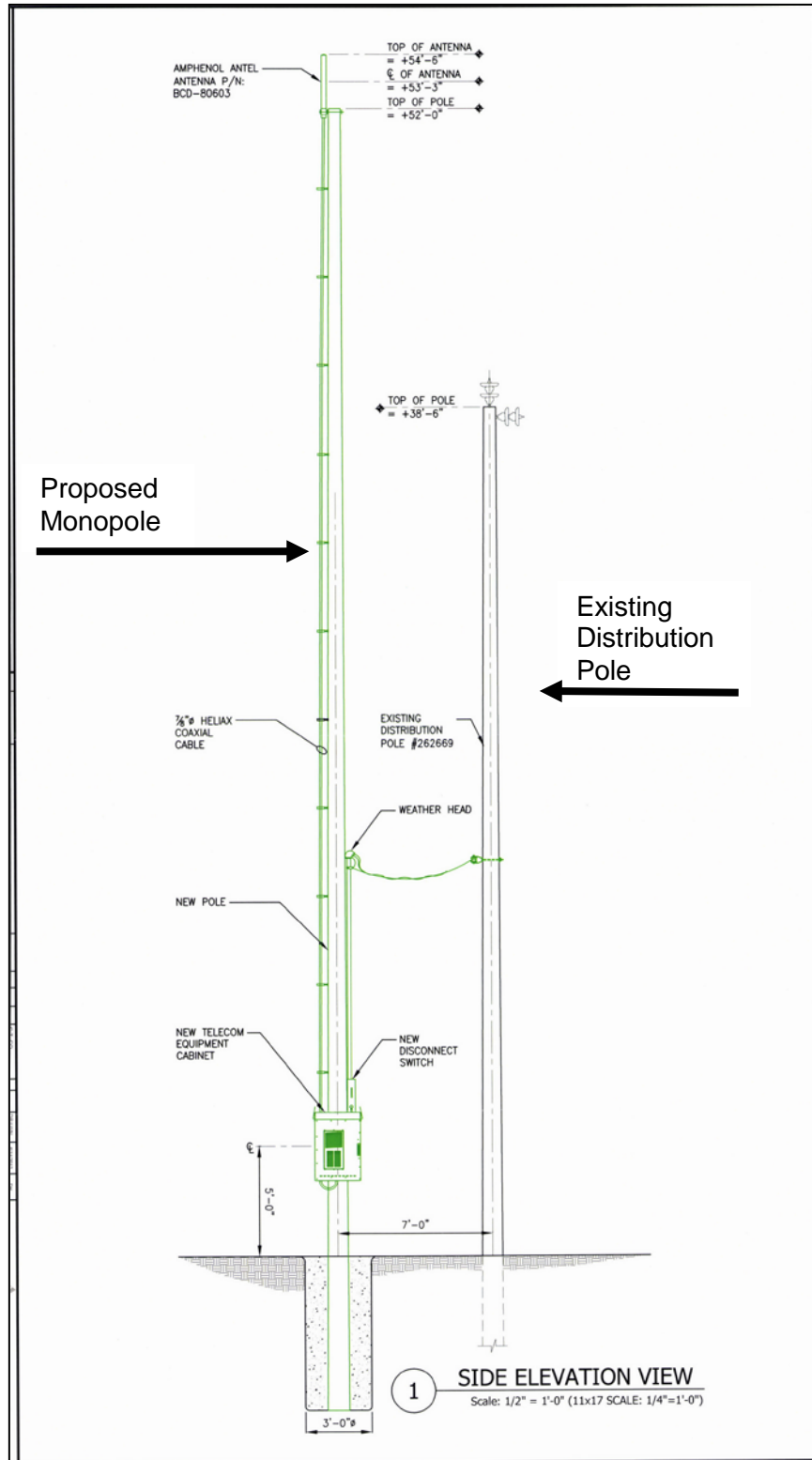




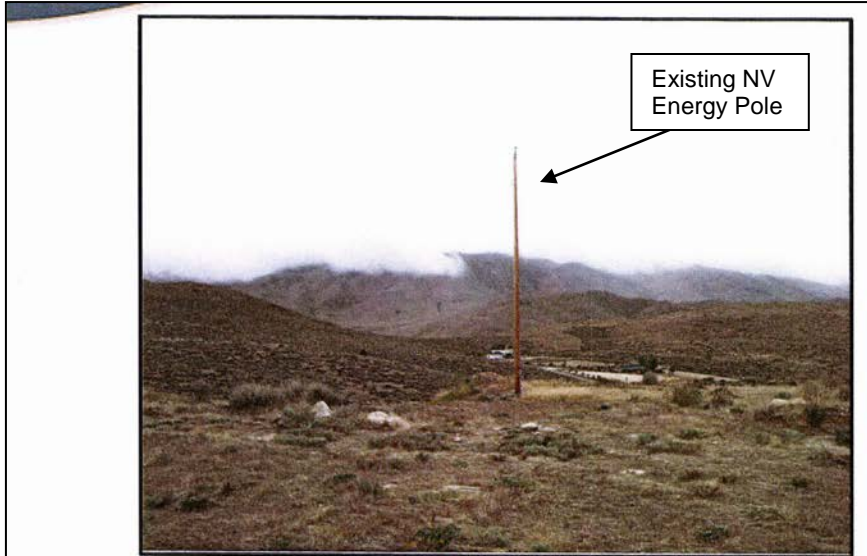
Proposed Monopole Location



Site Plan

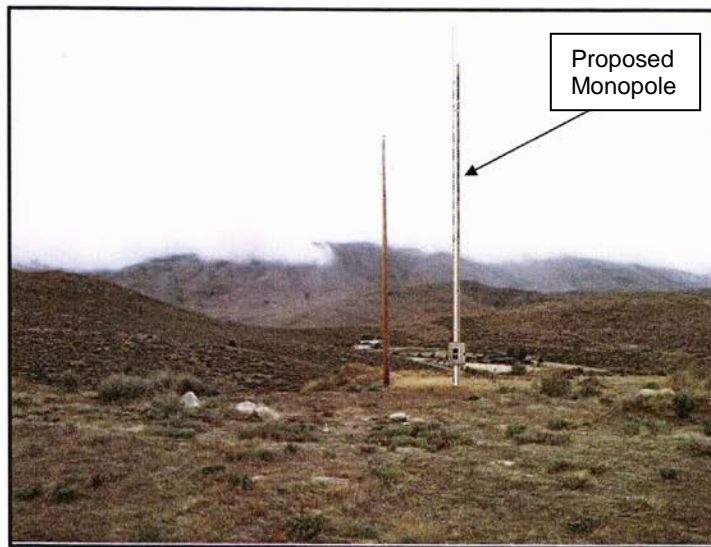


Elevation of Proposed Monopole & Existing Distribution Pole



Existing NV
Energy Pole

Photo taken from property facing south.



Proposed
Monopole

Photo with proposed monopole antenna taken from property facing south.

Photo Simulation

Project Evaluation

This application is for a wireless communications facility consisting of a 54 ½ foot tall monopole antenna. This proposal is one of many being sought within Washoe County by NV Energy to complete a statewide Smart Grid system. When completed, the Smart Grid system will allow the remote reading of electric meters and enable NV Energy customers to better manage their own power consumption. In July of 2010, the Public Utility Commission of Nevada approved a statewide initiative in support of the Smart Grid system, referred to as NV Energize.

The subject ±10.14 acre parcel is located off of Red Rock Road in the North Valleys area, is zoned Low Density Rural (LDR), is privately owned, and is developed with a 2,858 square foot single family dwelling and several out-buildings. Adjacent parcels on all sides are a minimum of 10 acres in size, are zoned Low Density Rural, and each is developed with a single family dwelling. The adjacent parcel to the south, also owned by the applicant, is developed with a single family dwelling, which is situated approximately 90 feet from the property line that is shared with the subject parcel.

The proposed monopole will be a slim line stealth design and will be located approximately 7 feet from the subject parcel's south property line where an existing 38 ½ feet tall NV Energy electrical distribution pole exists that is part of an existing overhead power line. There will be two equipment cabinets approximately 3 ½ feet x 2 ½ feet attached to either side of the monopole, which will be approximately 3 ½ feet above the ground. The height of the proposed monopole will be 54 ½ feet tall, which meets Washoe County Code height limitations. The proposed monopole will be made out of galvanized steel which quickly dulls to a non-reflective, non-corroding gray color, and will blend in well with the surrounding area. The area for the proposed project is not identified as a significant ridgeline, is not near a designated public trail, is not within a critical or sensitive stream zone, or within a designated floodway, which meets the requirements as outlined in Article 324. The installation of the monopole antenna will be completed in 2012, and should take approximately one week.

Personnel may periodically visit the monopole from time to time for maintenance, equipment modification or repairs, but otherwise, the monopole will remain unstaffed. Access will be from existing roads and there is ample on-site parking. There are no utility or road improvements being proposed, and there is no signage or lighting being proposed. The subject parcel is uniquely shaped and steeply sloped. NV Energy states that if the pole were to be located in another area on the subject parcel, the pole would require greater height.

Justification of Findings

Staff's analysis of the special use permit request identifies the following justifications for the eight required findings as outlined in Article 810 Special Use Permits and in Article 324 Communication Facilities.

Findings in Section 110.810.30 (Article 810 Special Use Permits)

1. **Consistency.** The proposal is consistent with the Washoe County Master Plan and the North Valleys Area Plan;
2. **Improvements.** There are no utility or road improvements being proposed, and there is no signage or lighting being proposed. Any improvements

- required under the Conditions of Approval shall meet with the satisfaction of the requesting reviewing agency.
3. Site Suitability. The subject parcel has existing overhead power lines and poles, which supports the proposed monopole in blending with existing utilities and surrounding area.
 4. Issuance Not Detrimental. Approving the placement of a 54 ½ foot tall monopole near existing power related poles and power lines will not create a detriment.
 5. Effect on a Military Installation. The proposal is not near a military installation and therefore will not effect a military installation.

Findings in Section 110.324.75 (Article 324 Communication Facilities)

6. Article 324 Standards. This proposal meets the standards of Article 324 Communication Facilities, including meeting height requirements, not being near a designated public trail, not on a designated significant ridgeline, not within a critical or sensitive stream zone, and blending in with existing power poles and power lines located on the same subject parcel.
7. Public Input. The public was informed of this proposal through a community forum meeting held on July 9, 2012, and through written notice to 33 separate property owners who own real property within 1,000 feet of the project site. As of the writing of this staff report, no public input has been received by staff.
8. Impacts. This proposal will not unduly impact adjacent neighborhoods or vistas and ridgelines within Washoe County.

North Valleys Community Forum

Citizen Advisory Board (CAB) meetings throughout Washoe County have been suspended from July 2012 until January 2013. However, in place of the July North Valleys CAB meeting, a community forum was held at the North Valleys Regional Park at 7:00 p.m. on Monday, July 9, 2012, where this proposal was presented and discussed by those in attendance. As of the writing of this report, staff has not received any communication from the public or CAB members regarding this proposal.

Reviewing Agencies

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

- Washoe County Community Development Department
- Washoe County Department of Public Works
 - Engineering Division
- Washoe County Department of Water Resources
 - Utility Services
- Washoe County Health District
 - Environmental Health Services
- Truckee Meadows Fire Protection District

- Washoe County Department of Building & Safety
- Washoe County Fire Services Coordinator
- North Valleys Citizen Advisory Board (NVCAB)

Of the reviewing agencies listed above, four responded and two recommended conditions of approval in response to their evaluation of the special use permit application. A **summary** of each agency's comments, recommended conditions of approval, and contact information is provided below. The Conditions of Approval document is attached to this staff report and will be included with the Action Order if the proposal is granted approval.

- **Washoe County Community Development Department** requires a maximum time period of two years to complete the project and is imposing operational conditions that will be in effect for the life of the project.
Contact: Grace Sannazzaro, 775.328.3771, gsannazzaro@washoecounty.us
- **Washoe County Public Works, Engineering Division** requires a complete set of construction drawings. Grading must comply with Best Management Practices and silts must be managed on site. Verification of permanent easements shall be provided.
Contact: Leo Vesely, P.E., 775.325.8032, lvesely@washoecounty.us
- **Washoe County Department of Water Resources** stated they have no comments regarding this proposal.
Contact: John Cella, 775.954.4656, jcella@washoecounty.us
- **Washoe County Health District, Environmental Health Services** stated they have no comments regarding this proposal.
Contact: Bryan Tyre, 775.328.2430, btyre@washoecounty.us

Recommendation

After a thorough review and analysis of the proposal, staff is recommending approval with conditions of Special Use Permit Case No. SB12-009. Staff offers the following motion of approval for the Board's consideration.

Motion

I move that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve Special Use Permit Case No. SB12-009 for NV Energy, having made all eight findings in accordance with Section 110.810.30 Special Use Permits, and in accordance with Section 110.324.75 Communication Facilities, of the Washoe County Development Code.

Findings

Section 110.810.30 - Article 810 Special Use Permits

1. **Consistency**. That the wireless communications facility is consistent with the action programs, policies, standards, and maps of the Washoe County Master Plan and the North Valleys 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 monopole antenna wireless communications facility and for the intensity of such development;
4. Issuance Not Detrimental. That approval of a special use permit for a wireless communications facility consisting of a monopole antenna will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
5. Effect on a Military Installation. That granting approval of the special use permit for a monopole antenna wireless communications facility will not have a detrimental effect on the location, purpose, or mission of the military installation; and

Section 110.324.75 - Article 324 Communication Facilities

6. Article 324 Standards. That the proposed wireless communications facility consisting of a monopole antenna meets the standards of Article 324 Communication Facilities;
7. Public Input. That any public input received was considered during the public hearing review process; and
8. Impacts. That the proposed wireless communications facility consisting of a monopole antenna will not unduly impact any adjacent neighborhoods or vistas and ridgelines within Washoe County.

Appeal Process

Board of Adjustment action will be effective 10 days after the public hearing date, unless the action is appealed to the County Commission, in which case the outcome of the appeal shall be determined by the Washoe County Commission.

xc: Applicant: NV Energy, Attn: Mark Sullivan, 6100 Neil Rd., Reno, NV 89511
Property Owner: Dennis Sweeney, 240 Bobcat Hill Rd., Reno, NV 89508
Consultant: CFA, Inc., Attn: Angela Fuss, 1150 Corporate Blvd., Reno, NV 89502

Action Order xc:



Conditions of Approval

Special Use Permit Case No. SB12-009

The project approved under Special Use Permit Case No. SB12-009 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on August 2, 2012. Conditions of Approval are requirements placed on a permit or development by each reviewing agency. Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans and more. **Conditions of Approval do not relieve the applicant from the obligation to obtain any other approvals and licenses from relevant authorities required under any other act, nor do these conditions relieve the applicant from abiding by all other generally applicable code regulations.**

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 Department of Community Development.

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 this 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 District Health Department must be appealed to the District Board of Health.**
- **The RENO-TAHOE AIRPORT AUTHORITY is directed and governed by its own Board. Therefore, any conditions set by the Reno-Tahoe Airport Authority must be appealed to their Board of Trustees.**
- **The REGIONAL TRANSPORTATION COMMISSION (RTC) is directed and governed by its own board. Therefore, any conditions set by the Regional Transportation Commission must be appealed to that Board.**

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 Department of Community Development

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

Contact Name – Grace Sannazzaro, 775.328-3771, gsannazzaro@washoecounty.us

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Department of Community Development shall determine compliance with this condition.
- b. The applicant shall submit complete construction plans and building permits shall be issued within two years from the date of approval by Washoe County. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Department of Community Development.
- c. Fencing shall be erected around the monopole or in lieu of fencing, the monopole shall be secured with a commercial anti-climb device. The installation of the anti-climb device or security fencing shall assure the facility is protected from climbing by unauthorized persons.
- d. The applicant shall attach a copy of the action order granting approval of this project to all administrative permit applications (including building permits) applied for as part of this special use permit.

- e. 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 working days from the date of notification.

- f. 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 Department of Community Development.
 3. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with the Department of Community Development 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 Department of Community Development of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.
 4. This special use permit shall remain in effect as long as the subject wireless communications facility is in operation.

Washoe County Department of Public Works, Engineering Division

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

Contact Name – Leo Vesely, P.E., 775.325.8032, ivesely@washoecounty.us

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

- b. The applicant shall provide permanent easements for the lease area, access and utilities. A copy of the easements shall be submitted to the Engineering Division prior to issuance of a building permit.
- c. All existing and proposed easements shall be shown on the site and/or grading plan. The County Engineer shall determine compliance with this condition.

*** End of Conditions ***



WASHOE COUNTY

Department of Public Works
"Dedicated to Excellence in Public Service"

EXHIBIT B

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

INTEROFFICE MEMORANDUM

DATE: July 11, 2012
TO: Grace Sannazzaro, Department of Community Development
FROM: Leo R. Vesely, P.E., Engineering Division
SUBJECT: **SB12-009**
APN 079-551-13
NV ENERGY BOBCAT HILL ROAD MONOPOLE

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

1. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site.
2. The applicant shall provide permanent easements for the lease area, access and utilities. A copy of the easements shall be submitted to the Engineering Division prior to issuance of a building permit.
3. All existing and proposed easements shall be shown on the site and/or grading plan. The County Engineer shall determine compliance with this condition.

LRV/lrv

EXHIBIT C

From: Cella, John
Sent: Tuesday, July 10, 2012 4:10 PM
To: Sannazzaro, Grace
Cc: Buzzone, John B
Subject: RE: Special Use Permit SB12-009

Hi Grace,

There are "No Comments or Conditions" from DWR.

sig block



From: Sannazzaro, Grace
Sent: Tuesday, July 10, 2012 1:26 PM
To: Tyre, Bryan; Vesely, Leo; Cella, John; Ray, Amy
Subject: Special Use Permit SB12-009

Hello Everyone,

Just a gentle reminder that your comments and/or conditions of approval are due no later than Thursday, July 12th for special use permit SB12-009, which is a monopole for NV Energy in the North Valleys, off of Bobcat Hill Road (which is off of Red Rock Road). I have attached a copy of the application for those who may need one.

If you should have any questions, please feel free to contact me.

Thank you.

Grace Sannazzaro, Planner
Washoe County Community Development
gsannazzaro@washoecounty.us
Phone: 775.328.3771
Fax: 775.328.6133

EXHIBIT D

From: Tyre, Bryan
Sent: Tuesday, July 10, 2012 1:28 PM
To: Sannazzaro, Grace
Subject: RE: Special Use Permit SB12-009

[No comments.](#)

From: Sannazzaro, Grace
Sent: Tuesday, July 10, 2012 1:26 PM
To: Tyre, Bryan; Vesely, Leo; Cella, John; Ray, Amy
Subject: Special Use Permit SB12-009

Hello Everyone,

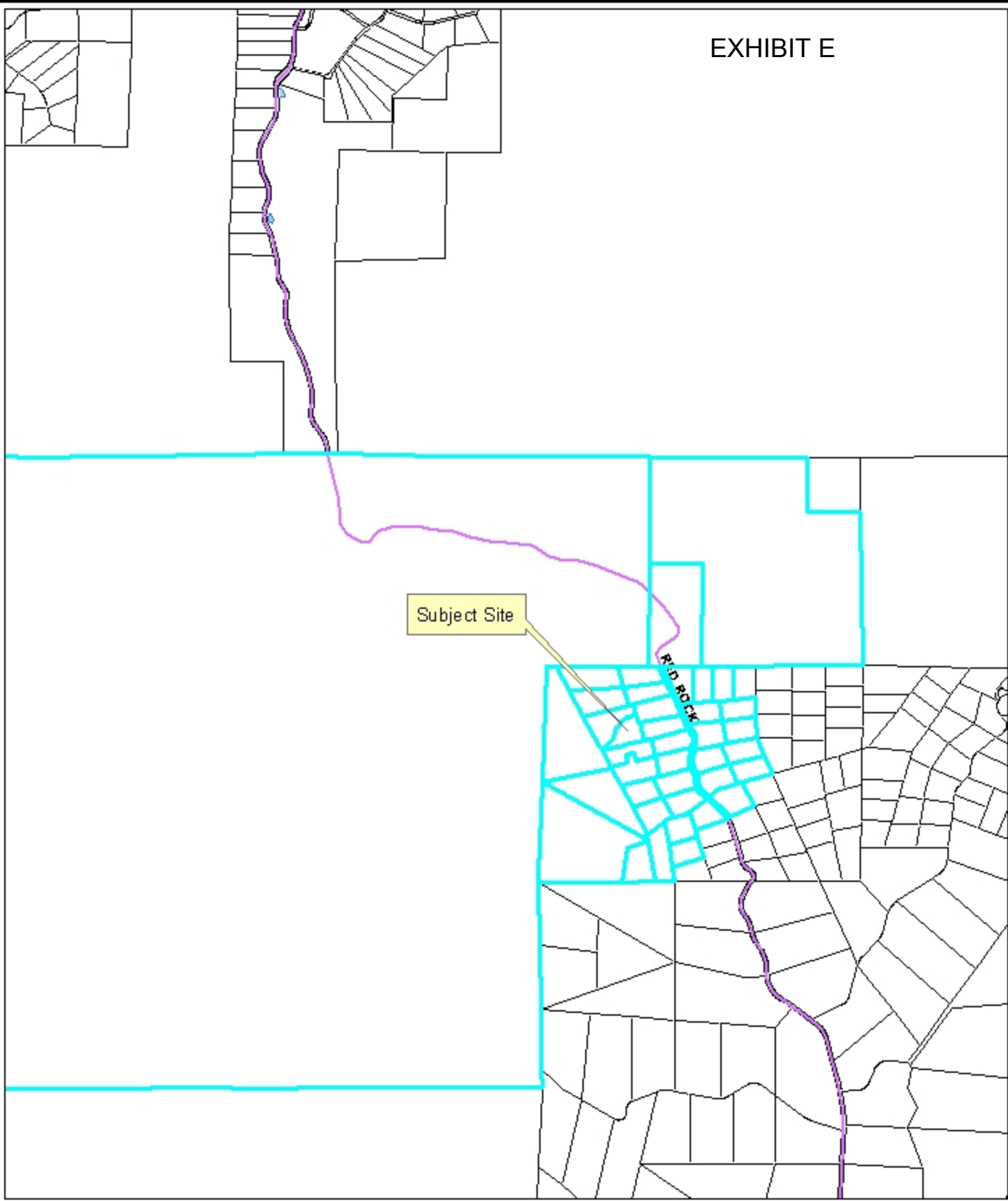
Just a gentle reminder that [your comments and/or conditions of approval are due no later than Thursday, July 12th](#) for special use permit SB12-009, which is a monopole for NV Energy in the North Valleys, off of Bobcat Hill Road (which is off of Red Rock Road). I have attached a copy of the application for those who may need one.

If you should have any questions, please feel free to contact me.

Thank you.

Grace Sannazzaro, Planner
Washoe County Community Development
gsannazzaro@washoecounty.us
Phone: 775.328.3771
Fax: 775.328.6133

EXHIBIT E



Special Use Permit
 Case No. SB12-009
 NV Energy Communications Facility
 240 Bobcat Hill Road
 33 Property Owners Noticed
 Within 1,000 Feet of Subject Property

Public Notice Map



0 1,000 2,000

Feet

Department of
Community
Development

WASHOE COUNTY
NEVADA

Post Office Box 11130
Reno, Nevada 89520
(775) 328-3600



Staff Assigned Case No.: SB12-009

Washoe County Development Application

Project Information			
Project Name (commercial/industrial projects only): Bobcat Hill Road Monopole Antenna			
Project Description: Special use permit for the addition of a monopole antenna to be located at the Bobcat Hill Road location. The antenna is part of NV Energy's "NV Energize" program, which will utilize green meter reading technologies.			
Project Address: 240 Bobcat Hill Road			
Project Area (acres or square feet): 10' x 6' = 60 sq. ft.			
Location Information			
Project Location (with point of reference to major cross streets AND area locator): The property is located in Red Rock Estates, approximately 1,000' west of Red Rock Road.			
Assessor's Parcel No(s):	Parcel Acreage:	Assessor's Parcel No(s):	Parcel Acreage:
079-551-13	10.14 acres		
Section(s)/Township/Range: Section 12, T22N, R19E			
Indicate any previous Washoe County approvals associated with this application: Case Nos.			
Applicant Information			
Property Owner:		Professional Consultant:	
Name: Dennis Sweeney		Name: CFA, Inc.	
Address: 240 Bobcat Hill Road		Address: 1150 Corporate Blvd.	
Reno	Zip: 89508	Reno	Zip: 89502
Phone: 970-3516	Fax:	Phone: 775-856-1150	Fax: 775-856-1160
Email:		Email: afuss@cfareno.com	
Cell:	Other:	Cell: 775-771-6408	Other:
Contact Person: Dennis Sweeney		Contact Person: Angela Fuss	
Applicant/Developer:		Other Persons to be Contacted:	
Name: NV Energy		Name:	
Address: 6100 Neil Road		Address:	
Reno	Zip: 89511		Zip:
Phone: 775-834-3469	Fax: 775-834-4189	Phone:	Fax:
Email: marksullivan@nvenergy.com		Email:	
Cell: 775-636-0014	Other:	Cell:	Other:
Contact Person: Mark Sullivan		Contact Person:	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:			
CAB(s):		Land Use Designation(s):	

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?

A special use permit for the construction of a 54.5 foot monopole antenna for the purpose of the NV Energy's "NV Energize" program. Washoe County Development Code Section 110.324.75 requires approval of a special use permit for monopole antennas.

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

The 10 acre parcel currently houses a 2,858 square foot single family home and multiple detached buildings. The antenna will be placed along the southern border of the property. This is also in close proximity to the existing power line that runs along the southern side of the parcel.

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?

No other utility or roadway improvements are anticipated for the proposed antenna.

4. What is the intended phasing schedule for the construction and completion of the project?

The monopole antenna is proposed to be constructed in one phase. Construction will begin shortly after permits are acquired and will be completed in 2012.

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 proposed antenna will be located on a 10 acre parcel in a remote area master planned Rural Residential. The pole will be located close to the existing overhead power line and will blend in with the nearby power poles.

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

The monopole antenna at this site, and at other site's throughout Nevada, will enable the use of smart meters through the NV Energize program. The purpose of the program is to utilize a smart meter technology, which will permit NV Energy customers to directly manage their energy use. This will allow for better management of energy resources throughout the State. The program will allow for remote reading of meters, which will reduce vehicle miles travelled, typically needed to read the gas/electric meters.

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

The proposed monopole antenna will be a slim-line design, with minimal visual impacts. The pole will look similar to the existing power poles that provide electricity to the site.

8. Please describe operational parameters and/or voluntary conditions of approval to be imposed on the project special use permit to address community impacts:

The monopole antenna will be an unmanned facility. Traffic to the site will be minimal, such as maintenance purposes.

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

No improved parking spaces will be provided. The site is located on a residential parcel, where parking exists on-site or on the adjacent street.

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

No additional landscaping is proposed for this site. The pole will look similar to a power line pole and will not need landscaping.

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.)

No signs or lighting are proposed for this facility.

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.)

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

13. Community Sewer

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

Community Water

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--



Special Use Permit for Bobcat Hill Road Monopole



CFA, Inc.
1150 Corporate Blvd.
Reno, NV 89502
(775) 856-1150
www.cfareno.com



Project Request

Requested with this application is a special use permit for the installation of a 54.5 foot tall monopole antenna and associated equipment for the purpose of bringing the Smart Grid program to Nevada. The proposed monopole at the Bobcat Hill Road location is a very small part of a companywide initiative that has been approved through the Public Utility Commission of Nevada (PUCN) and will be implemented throughout Nevada.

The proposed device will have no negative impacts on the surrounding area. There will be no increase in traffic, noise, dust, odor, vibration, fumes, glare, or physical activity. The project will have no impacts on sewer/water capacity or roadway improvements. The parcel is zoned Low Density Rural (LDR) and has a master plan designation of Rural Residential (RR). The parcel is surrounded LDR zoning on all four sides.

The ±10 acre parcel (APN: 079-551-13) is the current location of a 2,858 square foot single family residence plus multiple detached buildings. The proposed ±54.5 foot tall monopole will be a new structure. The pole will blend in with the existing power line and poles that run parallel to the south side of the property. The parcel is in a rural area characterized by having large animals, houses, large garages, and detached structures. The proposed monopole antenna will be located close to the southern property line. The owner of the subject parcel also owns the adjacent property to the south. The site is unique because of its irregular shaped lot, and on account of the steep topography. Both parcels have structures built on the flat portion of the parcels. Moving the proposed monopole to another location on the parcel would negatively impact the property owner and his use of the property, due to existing driveways and buildings. In addition, moving the proposed monopole to a different location on the same parcel could result in needing a taller pole design.

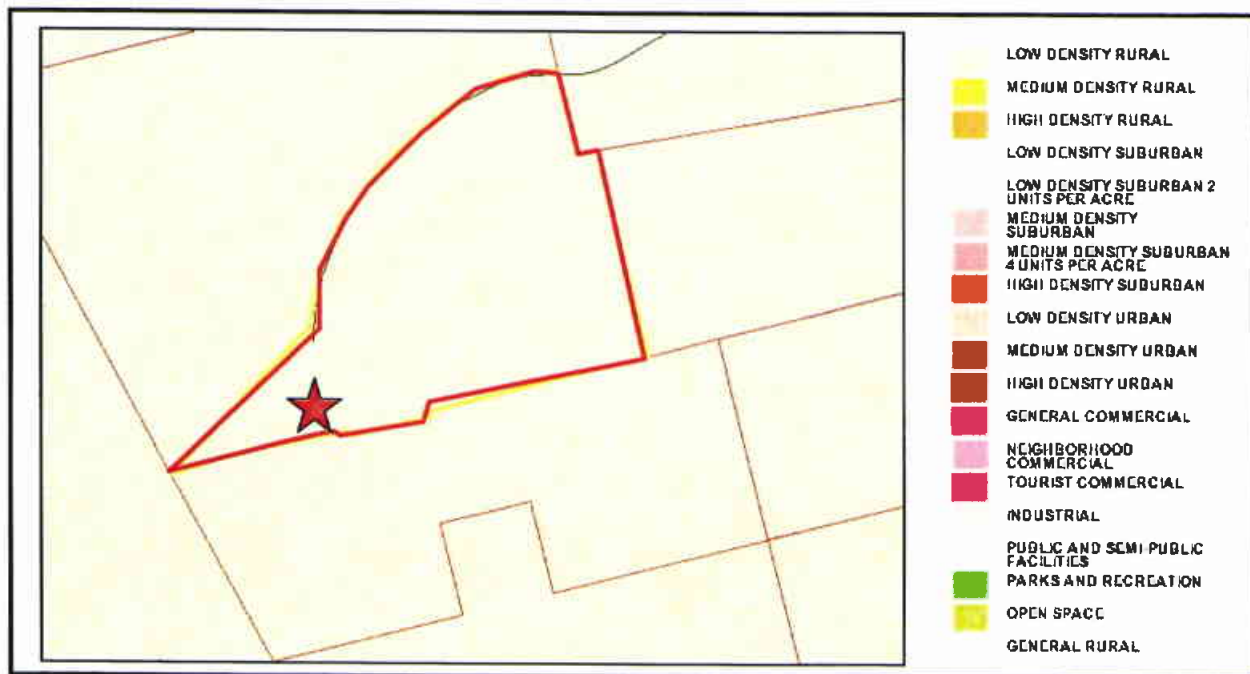


Figure 1 - Zoning Map

Project Description

In July of 2010, the PUCN approved a statewide initiative known as Advanced Service Delivery (ASD), or more commonly referred to as NV Energize. The purpose of the federally supported program is to utilize smart meter technology to enable NV Energy customers to directly manage their energy usage. The smart meter device allows the customer to view power consumption in 15 minute increments and compare the usage data at different times of day. The program aims to give customers better information and control, to help reduce power consumption and to better manage energy resources across the state.

The system relies on signal reception from the individual smart meters to a centralized metering pole that is designed as a slim-line monopole. The program has been developed and implemented across NV Energy's Southern Nevada customers, and the intent is to reach every NV Energy customer by the year 2013. In developing this project, NV Energy contracted with business communications experts Sensus Inc. to determine the optimum locations for these metering devices using the following criteria:

- Conformance with local development codes.
- Maximize customer coverage using the fewest number of data collection and transmitting points.
- Utilize existing NV Energy property.
- Minimize visual impact to the areas being served by selecting existing industrial or radio antenna site's where poles will blend in with environment.
- Utilize slim-line or "stealth" pole design.
- Select locations that have existing power service to prevent constructing additional power lines.
- Select locations that allow the metering devices to be the shortest possible height, while performing reliably.

Several metering device locations have been selected within the Washoe County area, with the goal of providing 100% customer coverage with the individual smart meters. The proposed location is just one of many locations being sought to bring the Smart Grid system to Nevada.

Special Use Permit Findings

Sections 110.324.40 through 110.324.70, monopole antennas and lattice towers shall require the issuance of a special use permit under the process enumerated in Article 810, Special Use Permits, subject to the findings enumerated below.

- (a) The communications facility meets all the standards of Sections 110.324.40 through 110.324.60 as determined by the Director of Community Development and/or his/her authorized representative.**

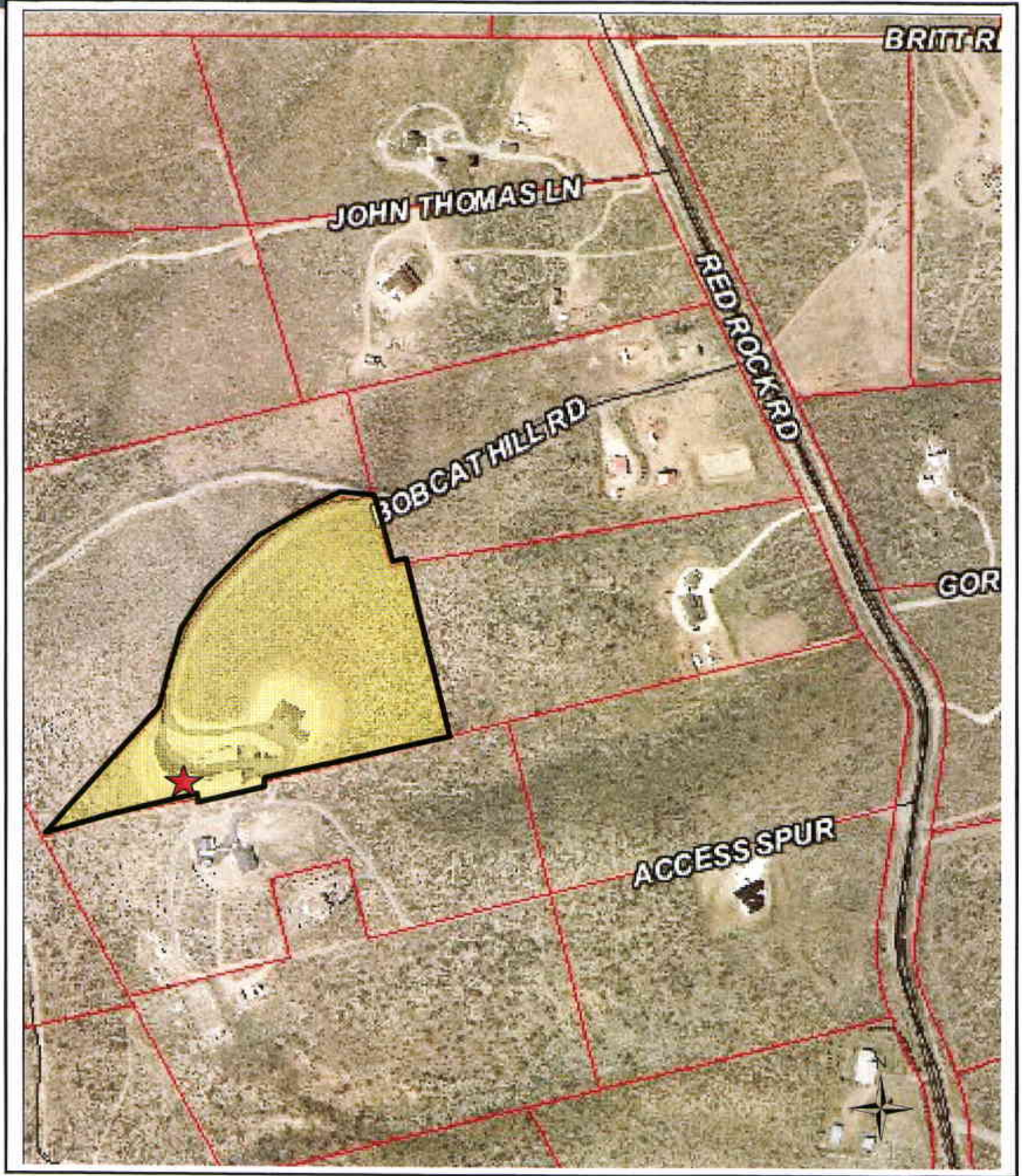
The proposed monopole antenna meets all the standards of Sections 110.324.40 through 110.324.60. The proposed monopole antenna is located within the required setbacks of the LDR zoned property. However, the irregular shape of the parcel and the steep topography of the site make it difficult to meet the requirements. The property has multiple detached buildings and driveways leading to those buildings, which would be negatively impacted if the pole was moved to a different location. In addition, the parcel has steep terrain leading up to the buildable portion of the site. Moving the pole to a different location could result in needing the antenna design to be taller, resulting in a negative impact on the property and adjacent parcels. The pole will be located along the southern most property line, impacting the property to the south. The same person owns both parcels (079-551-12 & 079-551-13) and has agreed to the proposed pole location. There is an existing overhead power line running across the site in the same location. The proposed pole will be architecturally integrated with the nearby power poles and not negatively impact the surrounding views.

- (b) Public input was considered during the public hearing review process.**

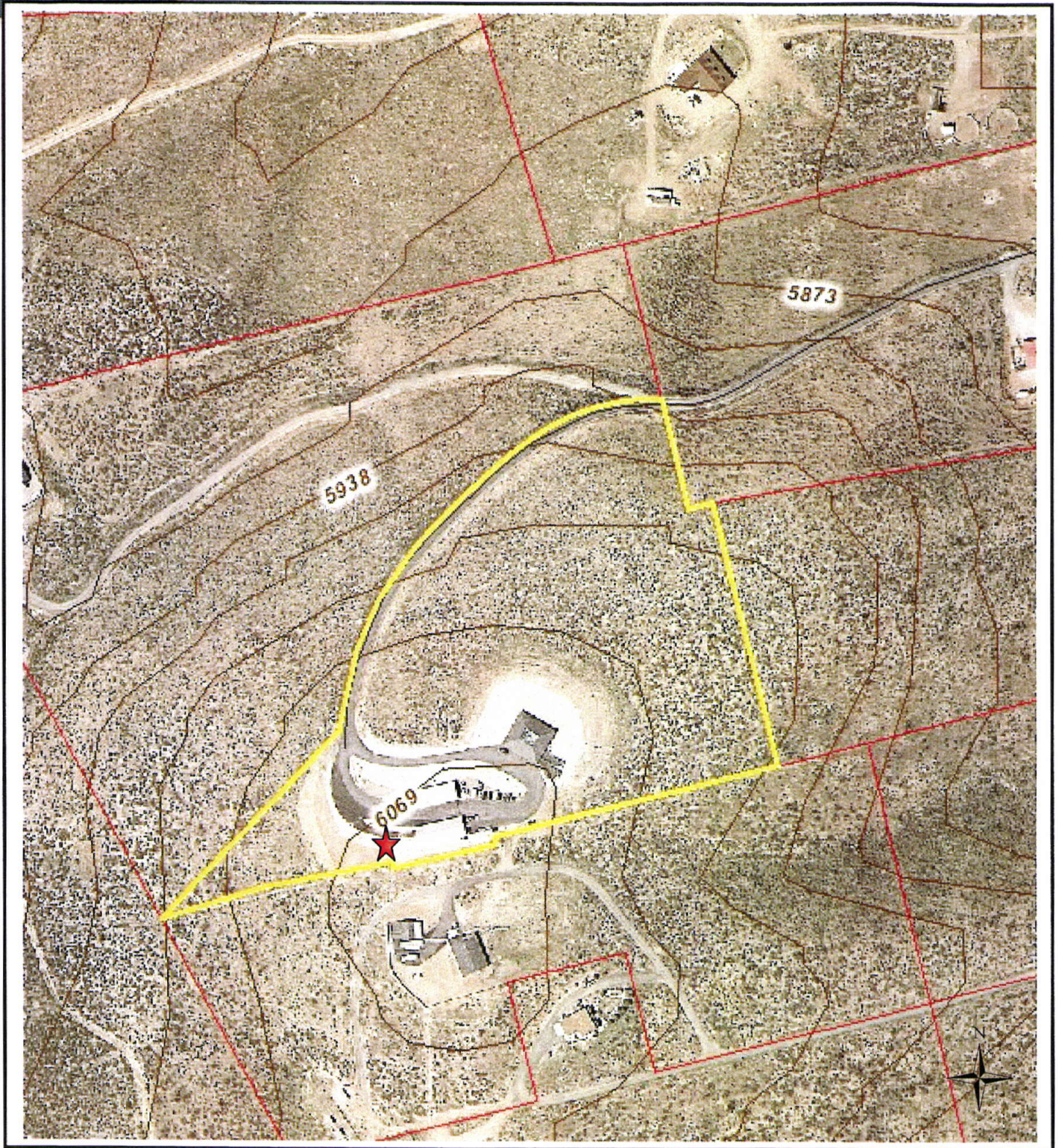
The proposed project will be brought before the North Valleys Citizen Advisory Board (CAB) prior to the Board of Adjustments hearing. Both meetings are public hearings, providing an opportunity for public input during the review process.

- (c) The monopole or lattice tower will not unduly impact the adjacent neighborhoods or the vistas and ridgelines of the County.**

The proposed monopole antenna will be ±54.5 feet tall. The pole will be a slim-line design monopole and will be minimally noticeable. The pole will be new construction, but will blend in with the surrounding power line and poles. The pole will be constructed from galvanized steel that quickly dulls to a non-reflective, non-corroding grey color. The project site is in a rural area with rolling topography. No views of vistas or ridgelines will be blocked by the proposed pole.



Vicinity Map



Topographic Map



Photo taken from property facing south.



Photo with proposed monopole antenna taken from property facing south.

Photosimulation



Administrative Permit Staff Report

Meeting Date: August 2, 2012

Subject: Administrative Permit Case No: AP12-007
Applicant(s): Cindy Sandua (Heavens Lil' Angels Child Care)
Agenda Item No. 9B

Project Summary: To re-establish a child daycare facility in the previous location of Vranken Kid City Academy.

Recommendation: Approval with Conditions

Prepared by: Eva M. Krause, AICP Planner
Washoe County Department of Community Development
Phone: 775.328.3796
E-Mail: ekrause@washoecounty.us

Project Description

To re-establish a child daycare facility in the previous location of Vranken Kid City Academy.

- Location: 5055 Sun Valley Boulevard
- Assessor's Parcel No.: 035-120-26
- Parcel Size: 4.45 Acres
- Current Regulatory Zone: Neighborhood Commercial (NC)
- Area Plan: Sun Valley
- Commission District: 3 – Commissioner Jung
- Development Code: Table 110.302.05.2 Table of Uses (Civic Type)
- Section/Township/Range: Within Section 30, T20N, R20E, MDM, Washoe County, NV

Staff Report Contents

Project Description..... 1
Administrative Permit Definition 3
Vicinity Map 4
Site Plan 5
Floor Plan 6
Background..... 7
Project Evaluation 7
Reviewing Agencies..... 7
Recommendation 8
Motion 8
Appeal Process..... 9

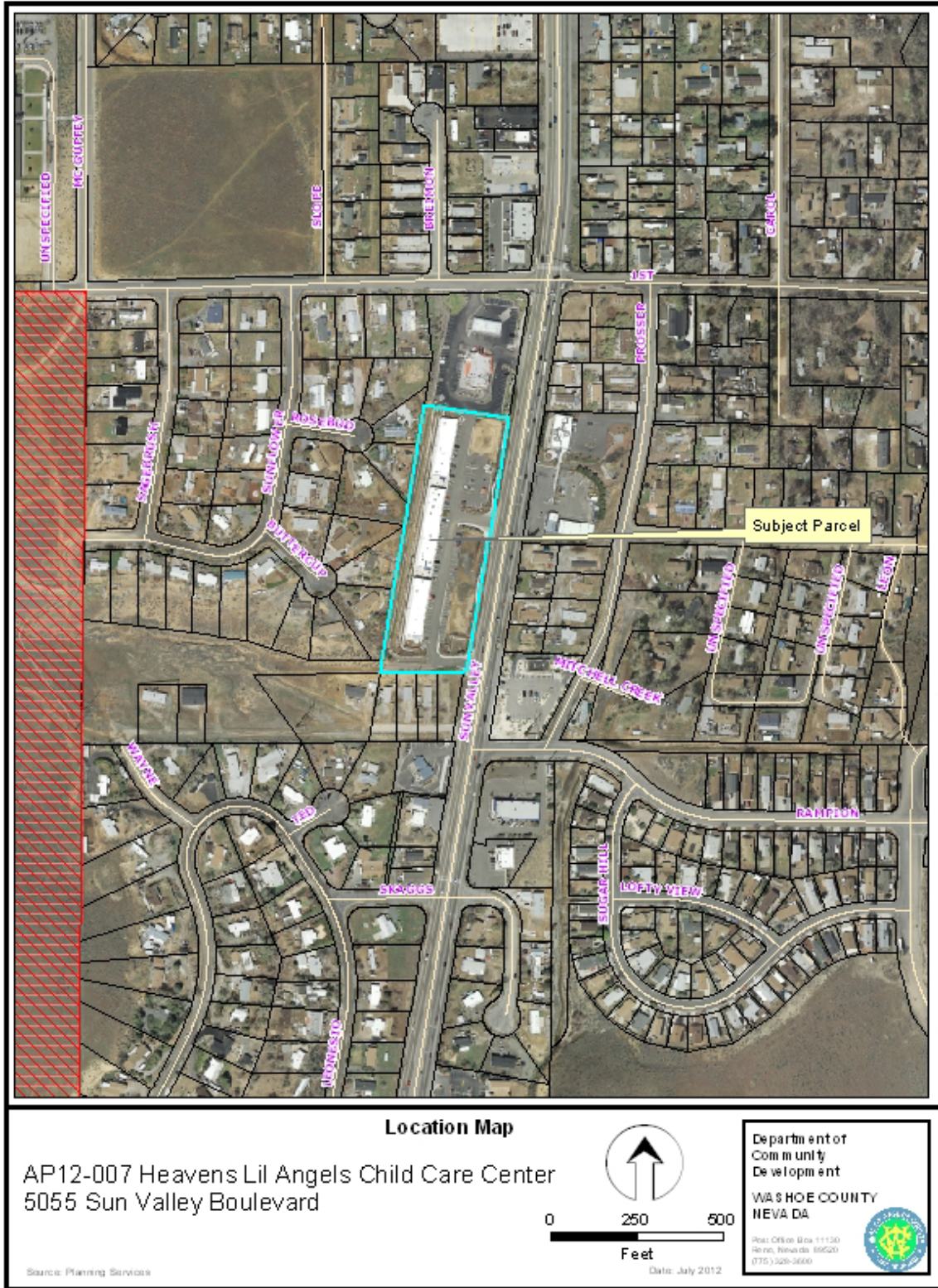
Exhibits Contents

Conditions of Approval.....Exhibit A
Social ServicesExhibit B
Department of Water Resources..... Exhibit C
Health District Exhibit D
Public Notice.....Exhibit E
Project ApplicationExhibit F

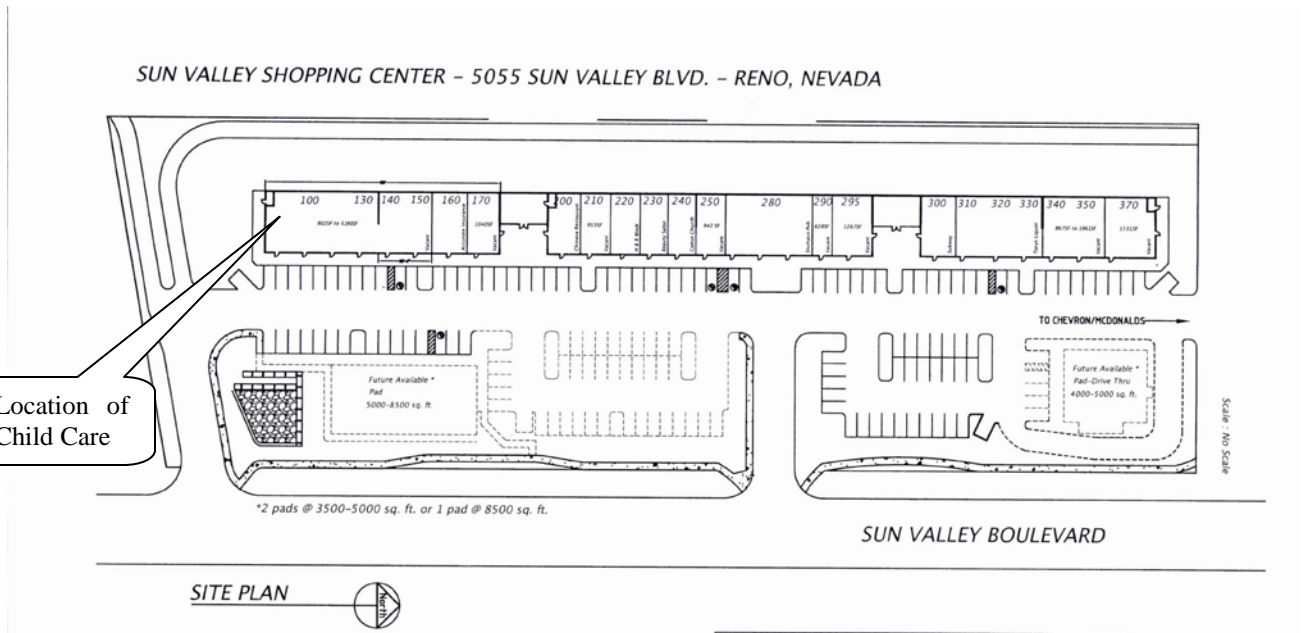
Administrative Permit Definition

The purpose of an Administrative Permit is to provide a method of review for a proposed use which possess characteristics that requires a thorough appraisal in order to determine if the use has the potential to adversely affect other land uses, transportation or facilities in the vicinity. The Board of Adjustment or the Hearing Examiner may require conditions of approval necessary to eliminate, mitigate, or minimize to an acceptable level any potentially adverse effects of a use, or to specify the terms under which commencement and operation of the use must comply. Prior to approving an application for an administrative permit, the Hearing Examiner or the Board of Adjustment must find that all of the required findings, if applicable, are true.

The Conditions of Approval for Administrative Permit Case No. AP12-007 is attached to this staff report and will be included with the Action Order.



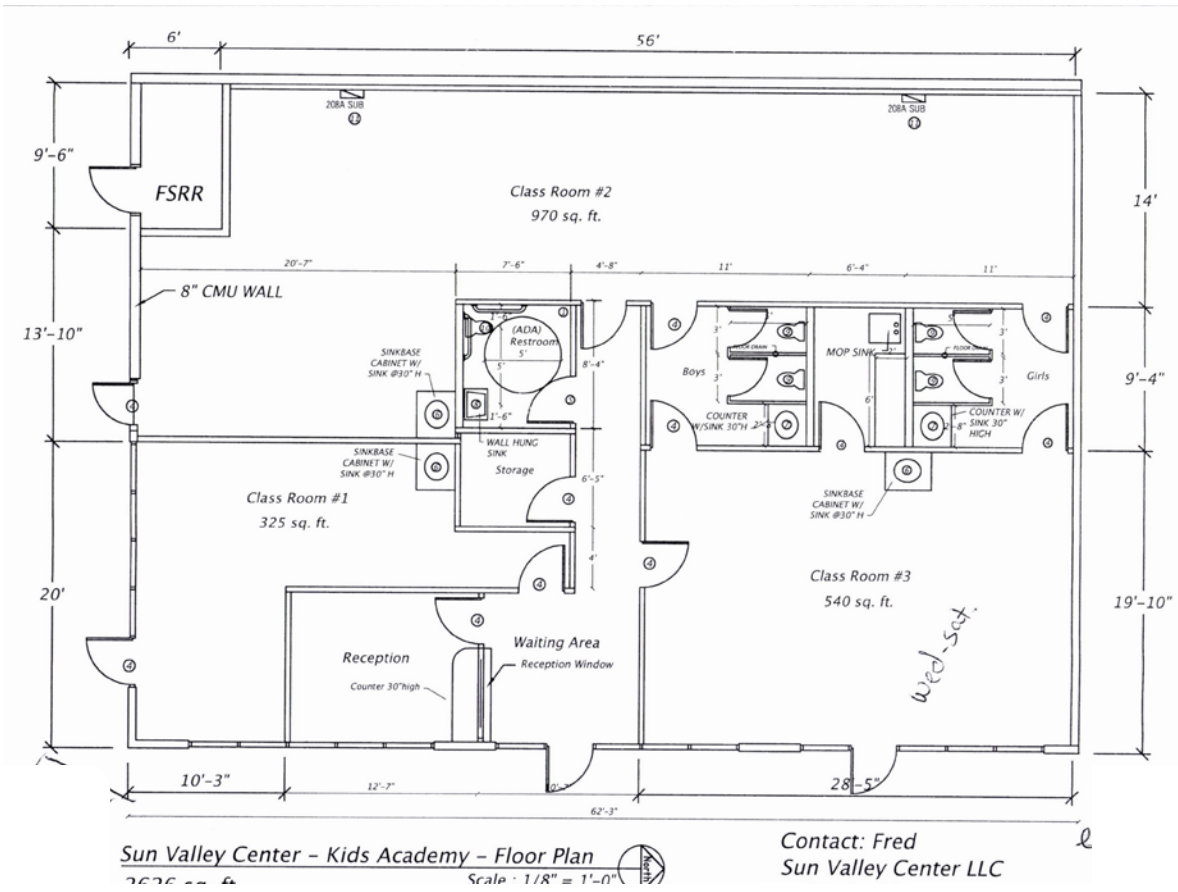
Vicinity Map



Site Plan



Looking north from south end of Sun Valley Shopping Center



Floor Plan



Fenced play area on south end of building.

Background

The applicant, Cindy Sandua, proposes to open Heavens Lil Angels Child Care Center in the former location of the Vraken Kid City Academy (Kids Academy) on Sun Valley Boulevard. The Kids Academy was reviewed and an Administrative Permit was issued in October 2004. The business closed and the license was canceled in November 2009. Since the child care facility has been closed for more than a year, the administrative permit has expired, so a new permit is required.

Project Evaluation

The applicant is proposing to reestablish a child care facility in the Sun Valley Center, an existing commercial center. The shopping center parcel is approximately 4.45 acres and is zoned Neighborhood Commercial, which is intended to provide commercial services for the surrounding neighborhoods.

The child care facility will be located at the south end of the shopping center and will occupy approximately 2,650 square feet of the building. There is a small fenced outdoor area on the south end of the building. The outdoor play area is buffered by a hillside and fence which screens the residential development to the west. Most of the activity will be conducted indoors, and there will be very little impact to the surrounding property owners. There is adequate parking to service the needs of the child care facility.

The applicant has proposed accommodating 49 children, but Social Services has stated that due to the size of the outdoor play area, the facility would be limited to no more than 36 children. If the play area is increased in size, the number of children permitted could be increased.

The hours of operation are proposed to be 6:00 a.m. to 6:00 p.m., Monday through Friday, but the applicant would like the operational limits of 5:00 a.m. to 8:00 p.m. to accommodate early drop-off and late pick-ups, and changing situations, if necessary.

As part of a child care business licensing process, the facility will have to be inspected by the Building Department, Social Services and District Health at a minimum. The applicant shall be responsible for scheduling appointments with the different agencies and for any fees associated with the inspections.

The proposed use is consistent with the Sun Valley Area Plan Vision and Character Statement:

- Respects the desire of the Sun Valley community to be a safe place to live, work, recreate, raise a family and retire;
- Promotes mixed-use development along a designated portion of Sun Valley Boulevard;
- Provides local services and employment opportunities; and
- Ensures that growth is kept in balance with resources and infrastructure.

Reviewing Agencies

- Washoe County Community Development
- Washoe County Department of Public Works, Engineering Division
- Washoe County Department of Water Resources

- Washoe County Health District
 - Vector-Borne Diseases Division
 - Environmental Health Division
- Truckee Meadows Fire Protection District
- Washoe County Building and Safety
- Sun Valley General Improvement District
- Washoe County Social Services, Children's Services

Four out of the nine 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.

- Washoe County Community Development addressed the hours of operation, and imposed operational conditions that will be in effect for the life of the project.
Contact Eva Krause, 775.328.3796, EKrause@washoecounty.us
- Washoe County Social Services, Children's Services addressed the number of children allowed.
Contact Elise Henriques, 775.337.4411, EHenriques@washoecounty.us
- Washoe County Health District addressed the requirement for annual inspections of the facility for license renewal.
Contact Bryan Tyre, 775.328.2430, BTyre@washoecounty.us
- Washoe County Water Recourses noted that if Tenant Improvements add any additional fixtures, connection fees would apply.
Contact John Cella, 775.954.4656, JCella@washoecounty.us

Engineering and Vector Control responded that they had no comments.

Recommendation

Those agencies which reviewed the application recommended conditions in support of approval of the project. Therefore, after a thorough analysis and review, Administrative Permit Case No. AP12-007 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 Board of Adjustment approve with conditions Administrative Permit Case No. AP12-007 for Cindy Sandua, Heaven's Lil' Angels Child Care, having made all five findings in accordance with Washoe County Development Code Section 110.808.25:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Sun Valley 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 commercial childcare facility, and for the intensity of such a development;
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation; and

Appeal Process

Board of Adjustment action will be effective 15 days after the public hearing, unless the action is appealed to the County Commission, in which case the outcome of the appeal shall be determined by the Washoe County Commission.

xc: Applicant: Cindy Sandau, 6185 Chimney Drive, Sun Valley, NV 89433

Property Owner: Sun Valley Center LLC, 4600 Kitzke Lane G-170, Reno NV 89502

EXHIBIT A



Conditions of Approval

Administrative Permit Case No. AP12-007

The project approved under Administrative Permit Case No: AP12-007 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on August 2, 2012. 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 Administrative 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 Department of Community Development.

Compliance with the conditions of approval related to this Administrative 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 Administrative Permit may result in the initiation of revocation procedures.

Operational Conditions are subject to review by the Department of Community Development prior to the renewal of a business license each year. Failure to adhere to the Operational Conditions may result in the Department of Community Development recommending that the business license not be renewed until conditions are complied with to the satisfaction of Washoe County.

Washoe County reserves the right to review and revise the conditions of approval related to this Administrative 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 District Health Department must be appealed to the District Board of Health.**
- **The RENO-TAHOE AIRPORT AUTHORITY is directed and governed by its own Board. Therefore, any conditions set by the Reno-Tahoe Airport Authority must be appealed to their Board of Trustees.**
- **The REGIONAL TRANSPORTATION COMMISSION (RTC) is directed and governed by its own board. Therefore, any conditions set by the Regional Transportation Commission must be appealed to that Board.**

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

Washoe County Community Development

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

Contact Name – Eva Krause, 775.328.3796

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this administrative permit. The Department of Community Development shall determine compliance with this condition.
- b. 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.
- c. The applicant shall contact Washoe County Building and Safety before making Tenet Improvements. If building permits are required for said improvements, the applicant shall obtain appropriate permit prior to starting work.
- d. The applicant shall obtain a valid Washoe County business license for the approved location. The applicant is responsible for all fees related to inspections and application for said license.
- e. The following **Operational Conditions** shall be required for the life of the project/business/development:
 - i. This administrative permit shall remain in effect until or unless it is revoked or is inactive for one year.

- ii. Failure to comply with the conditions of approval shall render this approval null and void. Compliance with this condition shall be determined by the Department of Community Development.
- iii. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the administrative permit to meet with the Department of Community Development to review conditions of approval prior to the final sale of the site and/or the administrative permit. Any subsequent purchaser/operator of the site and/or the administrative permit shall notify the Department of Community Development of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.
- iv. This administrative permit shall remain in effect as long as the business is in operation and maintains a valid Business License.
 - ii. Hours of operation shall be limited to 5:00 a.m. to 8:00 p.m., Monday through Friday.
 - iii. The number of children allowed at this facility will be determined by Social Services, Child Care Division. The maximum number permitted under this Administrative permit is 49 children.

Washoe County Department of Water Resources (DWR)

2. The following comment is from the Department of Water Resources. Please contact the person listed below, if you have questions.

Contact Name - John Cella, 775.954.4656, JCella@washoecounty.us

- a. If tenet improvements include the addition of additional fixtures, connections fees shall apply.

Washoe County District Health Department

3. The following conditions are requirements of the District Health Department, which shall be responsible for determining compliance with these conditions. The District Board of Health has jurisdiction over all public health matters in the Health District. Any conditions set by the District Health Department must be appealed to the District Board of Health.

Contact Bryan Tyre, 775.328.2430, BTyre@washoecounty.us

- a. Washoe County Department of Social Services requires inspections from the Health District for annual child care license renewals. Annual inspections of child care facilities are performed to ensure all health standards are being met and maintained. It is the responsibility of the child care provider to pay the inspection fee in advance and inspections will not be conducted until this fee is paid.

Washoe County Social Services, Child Care Division

4. The following conditions are requirements of the Social Services, Child Care Division which shall be responsible for determining compliance with these conditions.

5. Contact Name-Elise Henriques, 775.337.4411, EHenriques@washoecounty.us

- a. The outdoor square footage accommodates a maximum of 36 children unless they expand the playground. The indoor square footage would allow for 46 children. Social Services shall determine maximum number of children allowed at one time.

*** End of Conditions ***

EXHIBIT B

From: Henriques, Elise
Sent: Tuesday, July 17, 2012 1:54 PM
To: Krause, Eva
Subject: FW: Agency Review - Need comments ASAP

Importance: High

Hi Eva,

I have never responded to one of these requests so if this is not the type of information you are looking for please let me know.

I am meeting with Cindy Sandau today so she can turn in her application for a child care license. The facility was licensed in the past for 49 children but looking at the outdoor square footage at this point the most I can allow is 36 children unless they expand the playground. The indoor square footage would allow for 46 children. The facility apparently has 5 toilets and 6 sinks which would accommodate more children than their square footage would allow. In the past zoning has approved 51 children. I have advised Ms. Sandau to speak with the fire department, zoning, and building to ensure that where she would like to expand the playground would meet each department's requirements. I personally have not seen the building but it was licensed until 8/2009 as infant toddler nursery. It passed all of the prior approvals without any noted conditions. I know that Ms. Sandau would like to make some changes inside the building but I have advised her to consult with building regarding needed permits.

EXHIBIT C

From: Cella, John
Sent: Wednesday, July 18, 2012 9:51 AM
To: Whitney, Bill; Krause, Eva
Cc: Buzzone, John B
Subject: AP12-007

Since the property has previously been a child care center, DWR has no comments or conditions for the proposed use of space. However, the application incorrectly lists Reno for sewer; Washoe County provides the service.

There also appears to be a "tenant improvement" in the building. If this assumption is correct, the property would be subject to connection fees for any additional fixtures.

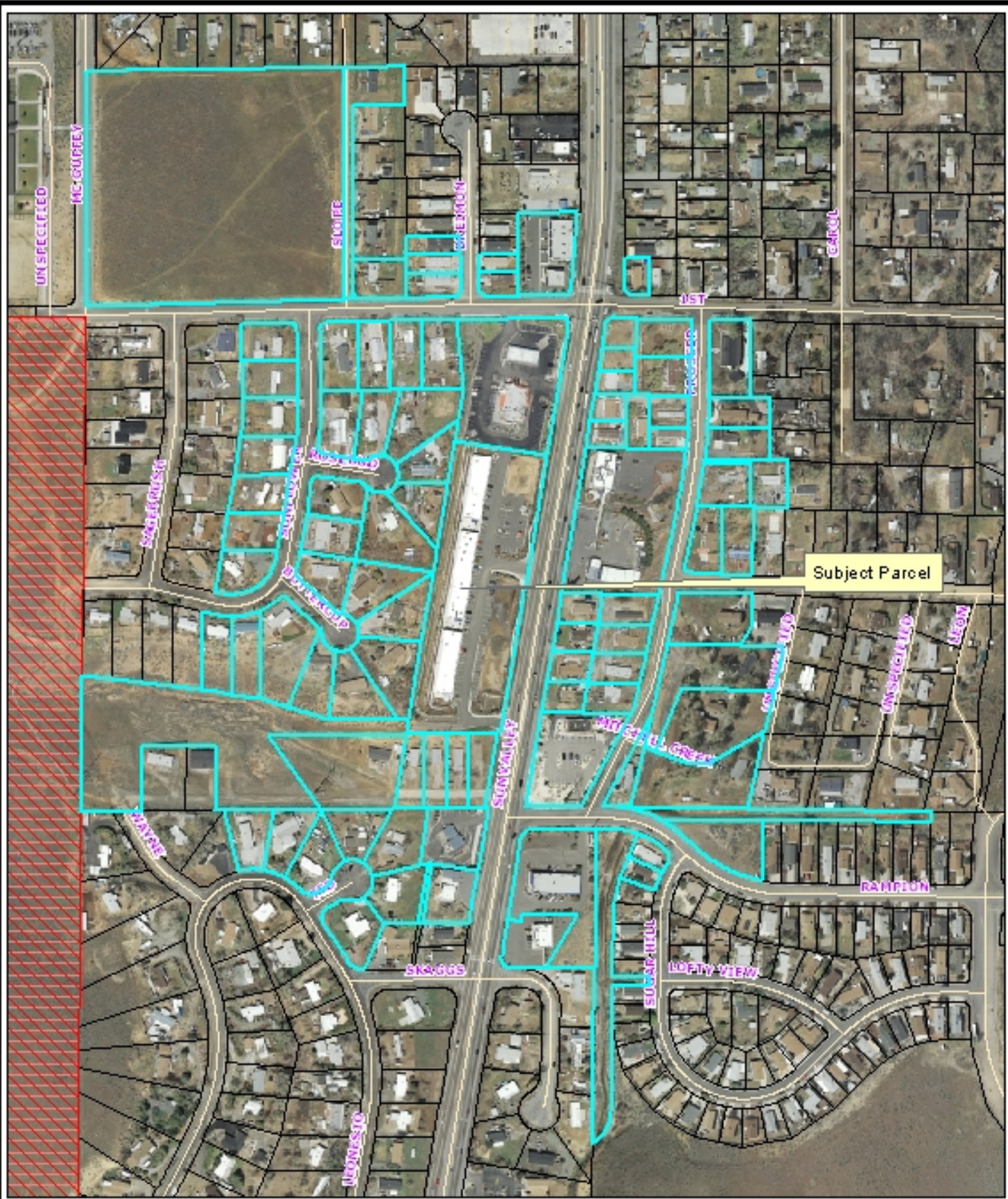
John Cella
Washoe County Dept of Water Resources
4930 Energy Way
Reno, NV 89502-4106
775-954-4656 / 775-954-4610 fax

EXHIBIT D

From: Tyre, Bryan
Sent: Wednesday, July 18, 2012 11:20 AM
To: Krause, Eva
Cc: McNinch, Dave
Subject: RE: Agency Review - Need comments ASAP

Eva, the lone comment from the health department is:

Washoe County Department of Social Services requires inspections from the Health District for annual child care license renewals. Annual inspections of child care facilities are performed to ensure all health standards are being met and maintained. It is the responsibility of the child care provider to pay the inspection fee in advance and inspections will not be conducted until this fee is paid.



Subject Parcel

Noticing Map

AP12-007 Heavens Lil Angels Child Care Center
5055 Sun Valley Boulevard

95 parcels selected within 500 feet of subject parcel

Source: Planning Services



0 250 500

Feet

Date: July 2012

Department of
Community
Development

WASHOE COUNTY
NEVADA

Post Office Box 11130
Reno, Nevada 89520
(775) 328-3000



Washoe County Development Application

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

Project Information		Staff Assigned Case No.: <u>AP12-007</u>	
Project Name (commercial/industrial projects only): <u>Heavens Lil Angels Child Care Center</u>			
Project Description: <u>We will provide childcare for up to 49 children</u>			
Project Address: <u>4600 Sun Valley Blvd Suite 100 Sun Valley, NV. 89433</u>			
Project Area (acres or square feet): <u>2,626 sq. ft.</u>			
Project Location (with point of reference to major cross streets AND area locator): <u>Nearest cross street is 1st Ave on Sun Valley Blvd. on a Strip Mall near McDonalds.</u>			
Assessor's Parcel No(s):	Parcel Acreage:	Assessor's Parcel No(s):	Parcel Acreage:
<u>03512026</u>	<u>4.45 acres</u>		
Section(s)/Township/Range:			
Indicate any previous Washoe County approvals associated with this application: Case Nos.			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name: <u>Sun Valley Center LLC</u>		Name:	
Address: <u>4600 Kitzke Ln G-170</u>		Address:	
<u>Reno</u> Zip: <u>89502</u>		Zip:	
Phone: <u>(775) 825-5311</u> Fax: <u>825-5396</u>		Phone: Fax:	
Email: <u>desi3@prodogy.net</u>		Email:	
Cell: <u>721-5311</u> Other:		Cell: Other:	
Contact Person: <u>Fred Desiderio</u>		Contact Person:	
Applicant/Developer:		Other Persons to be Contacted:	
Name: <u>Cindy Sandau</u>		Name: <u>Ronald Sandau</u>	
Address: <u>6185 Chimney Dr.</u>		Address: <u>6185 Chimney Dr.</u>	
<u>Sun Valley, NV.</u> Zip: <u>89433</u>		<u>Sun Valley, NV.</u> Zip: <u>89433</u>	
Phone: <u>(775) 331-5974</u> Fax:		Phone: <u>(775) 331-5974</u> Fax:	
Email: <u>ronaldsandau@yahoo.com</u>		Email: <u>ronaldsandau@yahoo.com</u>	
Cell: <u>(775) 354-8433</u> Other:		Cell: <u>(775) 354-7693</u> Other:	
Contact Person: <u>Cindy Sandau</u>		Contact Person: <u>Ronnie Sandau</u>	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

ORIGINAL July 1, 2012

Property Owner Affidavit

Applicant Name: _____

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, Sun Valley Center LLC
(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 the Department of Community Development staff.

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

Assessor Parcel Number(s): 035-120-26

Printed Name Fred Desiderio

Signed [Signature]

Address 4600 Kietzke Ln. G-170
Reno, Nv 89502

Subscribed and sworn to before me this 16 day of July, 2012.

Karin Kremers
Notary Public in and for said county and state



My commission expires: 7-30-13

*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

Administrative 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 administrative permits may be found in Article 808, Administrative Permits.

1. What is the type of project or use being requested?

A child care center. We will care for children.

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

The end unit of the strip mall along with the fenced area outside. We will also use the parking spaces directly in front of the building for employees as well as drop off-pick up of students.

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 sign will be hung in the area above on the front of the building. There will also be a banner hung on front of building which will be temporary.

4. What is the intended phasing schedule for the construction and completion of the project?

This center will open as soon as all the requirements are met with county agencies.

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?

This building has been a childcare center previously, because it has been set up as such in the past.

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

It will provide child care to local businesses and to the community in a convenient location.

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

I expect no negative impact on the adjacent properties, however, I will maintain a healthy relationship with other small business owners nearby and will work closely with them if there is ever a problem I will resolve the issue.

8. Please describe operational parameters and/or voluntary conditions of approval to be imposed on the administrative permit to address community impacts.

We will use the designated space of suite 100 plus yard outside. We will be open Monday-Friday with hours of operation from 5:00 am-8:00 pm.

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

17 parking spaces are provided specifically to Suite 100 at this time.

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

All landscaping is in place, including trees
scrub~~s~~ etc.
fencing is in place

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.)

I will be hanging a temp. banner. I will then apply to hang the sign that is being made. All lighting, colors and materials are in place at this time. Nothing will change except for sign.

12. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that apply to the area subject to the administrative permit request? (If so, please attach a copy.)

<input type="radio"/> Yes	<input checked="" type="radio"/> No
---------------------------	-------------------------------------

13. Utilities:

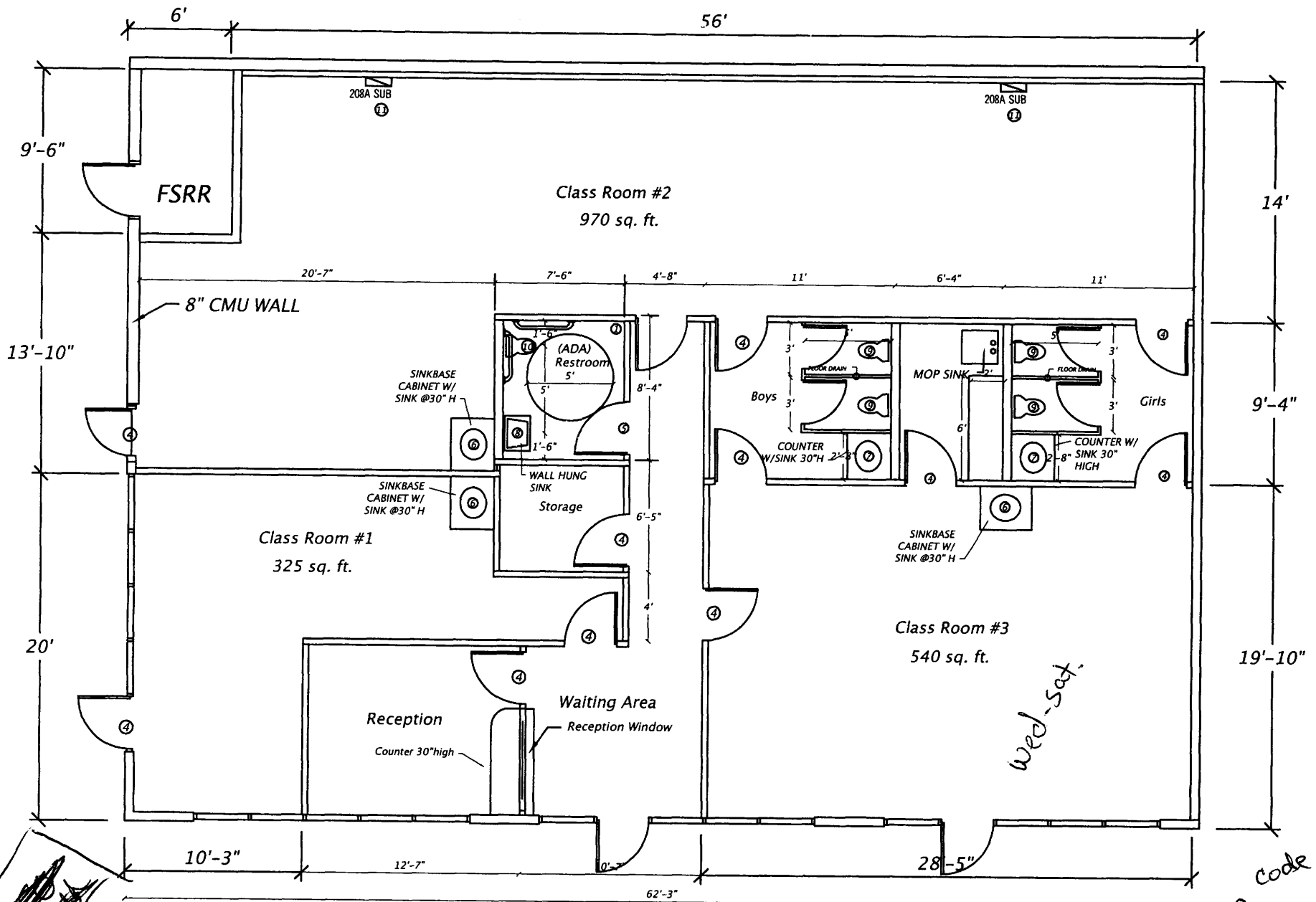
a. Sewer Service	City of Reno
b. Water Service	Sun Valley GID

For most uses, the Washoe County Code, Chapter 110, Article 422, Water and Sewer Resource Requirements, requires the dedication of water rights to Washoe County. Please indicate the type and quantity of water rights you have available should dedication be required:

c. Permit #		acre-feet per year	
d. Certificate #		acre-feet per year	
e. Surface Claim #		acre-feet per year	
f. Other, #		acre-feet per year	

i. Title of those rights (as filed with the State Engineer in the Division of Water Resources of the Department of Conservation and Natural Resources):

N/A



Sun Valley Center - Kids Academy - Floor Plan
2626 sq. ft.

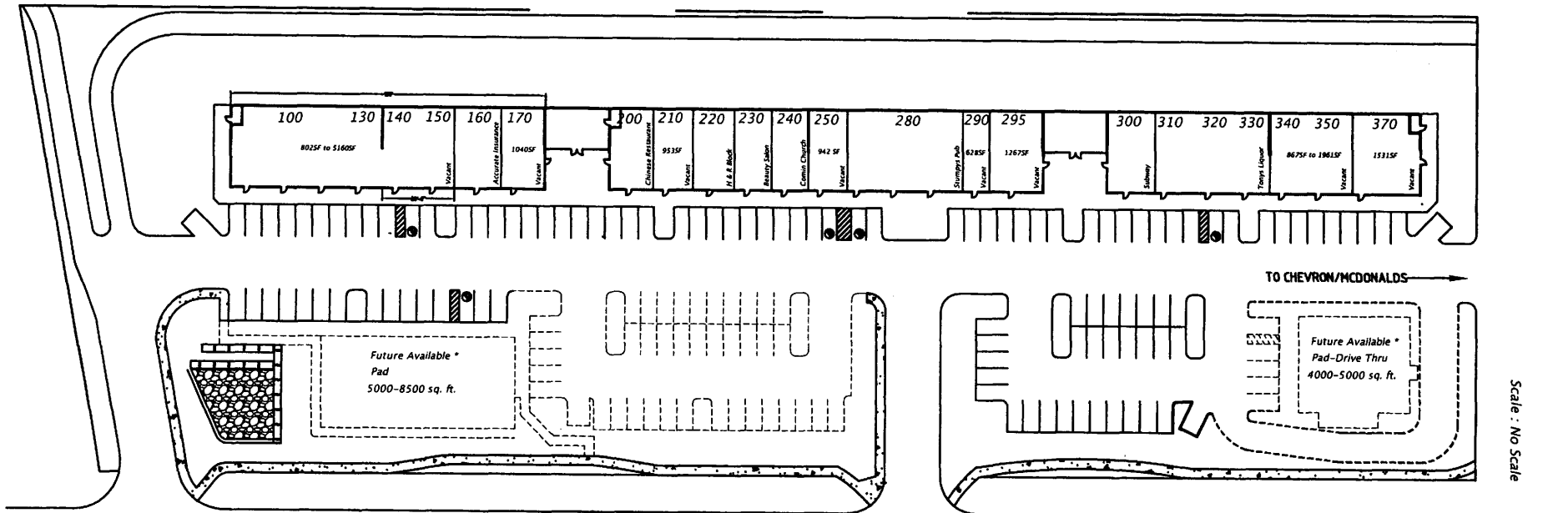
Scale: 1/8" = 1'-0"



Nashoe County - Planning
Bill - 328-3617

Contact: Fred
Sun Valley Center LLC
4600 Kietzke Lane G-170
Reno, Nevada 89502
775 825-5311
775 825-5396fax
desi3@prodigy.net

SUN VALLEY SHOPPING CENTER – 5055 SUN VALLEY BLVD. – RENO, NEVADA



*2 pads @ 3500-5000 sq. ft. or 1 pad @ 8500 sq. ft.

SUN VALLEY BOULEVARD

Scale : No Scale

SITE PLAN



Contact:
Sun Valley Center LLC
4600 Kietzke Lane G-170
Reno, Nevada 89502
(775) 825-5311
(775) 825-5396 fax
desi3@prodigy.net

\$1.25 per sq. ft. plus CAM
CAM = Common Area
Maintenance
Please call for a showing.

DEMOGRAPHICS:	1MI	3MI	5MI
• Total Population	9,065	85,403	185,720
• Total Households	3,248	31,068	71,882
• Median Age	31.0	33.1	33.5
• Median HH Income	\$34,866	41,243	\$43,339
AVERAGE TRAFFIC COUNT ON SUN VALLEY BLVD.			
• .1 Mile North of El Ranch			33,500
• .1 Mile North of Gepford Park			26,800
• *2005 Estimates Provided by NDOT			



Board of Adjustment Staff Report

Meeting Date: August 2, 2012

Subject: Amendment of Conditions Case No: AC12-002
for Special Use Permit Case No: SB10-009
Applicant(s): Palomino Valley General Improvement District
Agenda Item No. 9C

Proposal Summary: To amend two conditions of approval related to the construction and operation of a water truck fill station. The first amendment is to extend the time required for obtaining permits from two years to four years and the second is to remove the requirement for slats in the fencing surrounding the facility.

Recommendation: **Partial Approval**

Prepared by: Roger D. Pelham, MPA, Senior Planner
Washoe County Department of Community Development
Phone: 775.328.3622
E-Mail: rpelham@washoecounty.us

Proposal Description:

Amendment of Conditions Case No. AC12-002: Amendment of Special Use Permit Case No. SB10-009 – Palomino Valley General Improvement District - To amend two conditions of approval related to the construction and operation of a water truck fill station. The first amendment is to extend the time required for obtaining permits from two years to four years and the second is to remove the requirement for slats in the fencing surrounding the facility.

- **Location:** 4270 Ironwood Road at the southeast corner of State Route 445 and Ironwood Road.
- **Assessor's Parcel No.(s):** 076-251-07
- **Parcel Size:** ± 6.70 Acres
- **Area Plan:** Warm Springs
- **Citizen Advisory Board:** Warm Springs CAB
- **Commission District:** 5 – Commissioner Bonnie Weber
- **Development Code:** Article 810, Special Use Permits
- **Section/Township/Range:** Within Section 7, T22N, R21E, MDM, Washoe County, NV

Staff Report Contents

Amendment of Conditions Definition Page 3
Vicinity Map Page 4
Site Plan Page 5
Background and Amendment Request Page 6
Citizen Advisory Board (CAB) Page 7
Reviewing Agencies Page 7
Recommendation Page 8
Motion Page 8
Appeal Process Page 9

Exhibits Contents

Revised Conditions of Approval Exhibit A
Truckee Meadows Fire Letter Dated 6/21/2012..... Exhibit B
Amendment of Conditions Application..... Exhibit C
Public Notice Exhibit D

Amendment of Conditions

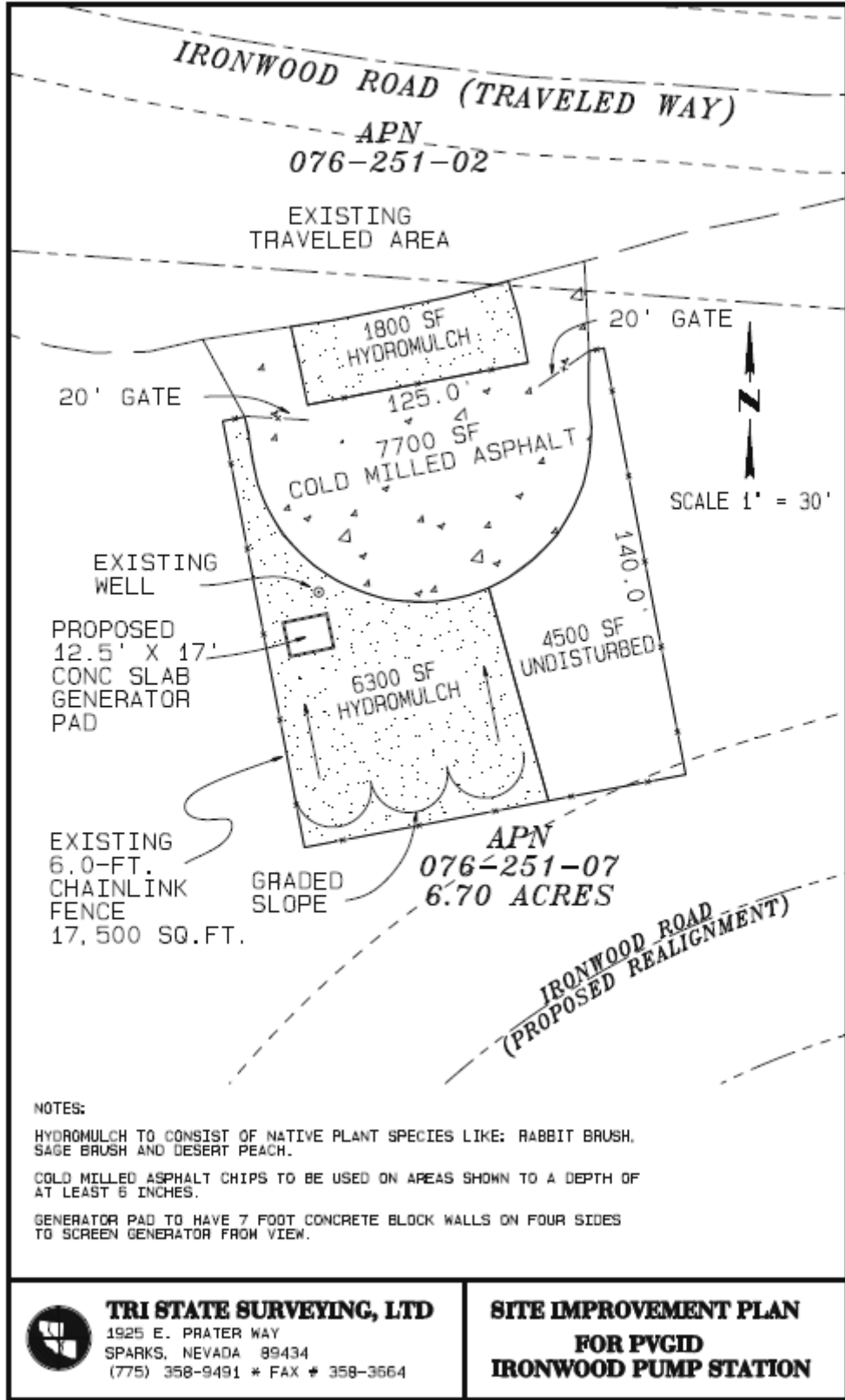
An Amendment of Conditions application is necessary in order to change a condition(s) of an approved discretionary permit, such as a special use permit, a variance, an abandonment of an easement or a tentative subdivision map. Some examples of why an Amendment of Conditions application is submitted are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

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

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

The Conditions of Approval for Amendment of Conditions Case No. AC12-002 is attached to this staff report and will be included with the amended Action Order.

Site Plan (From Original SUP Application)



Background and Evaluation of Amendment Request

The approved Special Use permit allowed the construction and operation of a water truck fill station for the purpose of road maintenance in the Palomino Valley GID area. That permit was approved with several conditions, including conditions numbered 1b and 1h, which read as follows:

- 1b. *The applicant shall submit complete construction plans and building permits shall be issued within two years from the date of approval by Washoe County. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Department of Community Development.*
- 1h. *Fencing surrounding the facility shall include slats that provide a minimum of 75% visual screening. Slats shall be muted earth-tone colors such as brown, tan and sage, designed to blend in with the surrounding undisturbed area to the greatest practical extent. All fencing materials shall be non-reflective.*

The applicant is requesting that condition 1b be amended to allow four years for submission of construction plans. Staff is recommending approval of this portion of the request due to economic conditions resulting in funds not being available to construct the necessary improvements at this time. Further, it is standard policy within Community Development to recommend approval of the first request for a time extension for nearly any project.

The applicant is further requesting that condition 1h be deleted. Staff is recommending denial of this portion of the request as it is the policy within Community Development to support the previous decision made by an elected or appointed body. The Board of Adjustment has already considered this application and placed upon it the condition requiring screening to help to mitigate the visual impact of the proposed project, thus staff supports that decision by recommending denial of this portion of the request. The relevant portion of the minutes from that public hearing on August 5, 2010 follow:

AGENDA ITEM 1

PUBLIC HEARING: Special Use Permit Case No: SB10-009, Palomino Valley General Improvement District (PVGID) Water Truck Fill Station – to allow the development of one water truck fill station (Utility Services Use Type) in support of on-going roadway maintenance, as authorized in Section 110.302 of the Washoe County Development Code. The project is proposed to be located at the southeast corner of State Route 445 and Ironwood Road. The subject parcel is designated Public and Semi-Public Facilities (PSP) in the Warm Springs Area Plan, and is situated in a portion of Section 7 T22N R22E MDM, Washoe County, Nevada. The project is located in the Warm Springs Citizen Advisory Board boundary and Washoe County Commission District No. 4. (APN: 076-251-07)

Chair Horan opened the public hearing.

Mr. Lloyd reviewed the staff report dated July 20, 2010 on Mr. Pelham's behalf.

Member Cieri noted work had already been performed and asked why a permit was now required. Mr. Lloyd replied a pump house and piping were proposed to be installed and that qualified it as a Utility project, which requires a special use permit.

No members of the public wished to speak.

Chair Horan closed the public hearing.

Member Cieri moved to approve conditionally Special Use Permit Case No. SB10-009. The motion was seconded by Member Wideman and passed unanimously.

The motion was based on the following findings:

- 1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Comprehensive Plan and the Warm Springs 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 water truck fill station, 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; and*
- 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.*

Warm Springs Citizen Advisory Board (WS CAB)

The amendment of conditions request was provided to each of the members of the CAB. There was no meeting held during the review time for this application. No response was provided to staff from any of the CAB members.

Reviewing Agencies

The following agencies received a copy of the Amendment of Conditions Application for review and evaluation

- Washoe County Community Development
- Nevada Department of Transportation
- Washoe County District Health, Air Quality
- Washoe County District Health, Environmental Health

- Washoe County Public Works
- Washoe County Roads Division
- Truckee Meadows Fire Protection District
- Palomino Valley Volunteer Fire Department

Just one of the above listed agencies/departments provided comments and/or recommended conditions in response to their evaluation of the Amendment of Conditions application.

- Truckee Meadows Fire Protection District provided one comment in support of the time extension request, as the facility will provide a source of water for fire fighting.
Contact: Charles Moore, 326-6000 cmoore@washoecounty.us

Recommendation

Those agencies which reviewed the application recommended approval of the extension of time portion of the Amendment of Conditions request. Therefore, after a thorough review and analysis, the extension of time portion of Amendment of Conditions Case No. AC12-002 is being recommended for approval of the extension of time portion of the Amendment of Conditions request with all other previous conditions remaining as originally approved. Staff offers the following motion for the Board's consideration.

Motion

I move that after giving reasoned consideration to the information contained within the staff report and the information received during the public hearing, the Washoe County Board of Adjustment approve Amendment of Conditions Case No. AC12-002 for condition 1b to allow two additional years for completion, and to deny the request to amend condition 1h, of the project for Palomino Valley General Improvement District, having made all five findings in accordance with Washoe County Development Code Section 110.810.30:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Comprehensive Plan and the Warm Springs 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 water truck fill station, 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; and
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Appeal Process

Board of Adjustment action will be effective 10 days after the public hearing date, unless the action is appealed to the County Commission, in which case the outcome of the appeal shall be determined by the Washoe County Commission.

xc:

Applicant: Palomino Valley General Improvement District attn: Larry Johnson, 5105 Wayside Road, Reno, NV 89510

Property Owner: Palomino Valley General Improvement District attn: Larry Johnson, 5105 Wayside Road, Reno, NV 89510

Action Order xc: Greg Salter, Esq., District Attorney's Office; Carol Buonanoma, Assessor's Office (CAAS); Theresa Wilkins, Assessor's Office; Susan Hood, Department of Water Resources; Kimble Corbridge/Leo Vesely, Engineering Division; Kurt Latipow, Fire Services Coordinator, David Mills, Truckee Meadows Division, Reno Fire Department; Dan Birkel Reno Fire; Mike Greene, Sierra Fire Protection District; Regional Transportation Commission, Attn: Patrice Echola; Warm Springs Citizen Advisory Board, Chair.

EXHIBIT A



Conditions of Approval

Amendment of Conditions Case Number AC12-002

Special Use Permit Case No. SB10-009

The project approved under Amendment of Conditions Case Number AC12-002 and Special Use Permit Case No: SB10-009 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on ~~August 5, 2010~~ August 2, 2012. Conditions of Approval are requirements placed on a permit or development by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act.

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

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.

Post Office Box 11130, Reno, NV 89520-0027 – 1001 E. Ninth St., Reno, NV 89512

Telephone: 775.328.3600 – Fax: 775.328.6133

www.washoecounty.us/comdev/

"Your Community Development Department"

- **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 District Health Department must be appealed to the District Board of Health.**
- **The RENO-TAHOE AIRPORT AUTHORITY is directed and governed by its own Board. Therefore, any conditions set by the Reno-Tahoe Airport Authority must be appealed to their Board of Trustees.**
- **The REGIONAL TRANSPORTATION COMMISSION (RTC) is directed and governed by its own board. Therefore, any conditions set by the Regional Transportation Commission must be appealed to that Board.**

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

Washoe County Community Development

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

Contact Name – Roger Pelham, 775.328.3622

- a. The applicant shall demonstrate substantial conformance to the plans and specifications approved as part of this special use permit. The Department of Community Development shall determine compliance with this condition.
- b. The applicant shall submit complete construction plans and building permits shall be issued ~~within two years from the date of approval by Washoe County~~ by August 2, 2014. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Department of Community Development. [Amended by Board of Adjustment on August 2, 2012]
- 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 special use permit.
- d. Prior to the issuance of any administrative permit issued by Washoe County, the applicant shall remove all off-premise signs (billboards) from the project site (APN: 076-251-07) and place a restrictive covenant on the property that prohibits the further erection of off-premise signs, with Washoe County made a part to the covenant. The District Attorney's Office and the Department of Community Development shall determine compliance with this condition.
- e. 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.

- f. Prior to any ground disturbing activity, the applicant shall submit a revegetation/architectural design plan to the Department of Community Development for review and approval. Said plan shall address, but not be limited to: type and color of building materials, general architectural design, exterior lighting, fencing, trash enclosures, revegetation plan and materials, temporary revegetation irrigation system, and financial assurances that revegetation will be planted and maintained.
- g. Exterior colors of all building materials shall be muted earth-tone colors such as brown, tan and sage, designed to blend in with the surrounding undisturbed area to the greatest practical extent.
- h. Fencing surrounding the facility shall include slats that provide a minimum of 75% visual screening. Slats shall be muted earth-tone colors such as brown, tan and sage, designed to blend in with the surrounding undisturbed area to the greatest practical extent. All fencing materials shall be non-reflective.
- i. 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 the Department of Community Development. The letter(s) shall certify that all applicable landscaping provisions of Articles [408, 410 and 412] of the Development Code have been met. Any landscaping plans and the letter shall be wet-stamped. The letter shall indicate any provisions of the code that the Director of Community Development has waived.
- j. All landscaping and revegetation shall be maintained in accordance with the provisions found in Section 110.412.75, Maintenance. A three-year maintenance plan shall be submitted by a licensed landscape architect registered in the State of Nevada to the Department of Community Development, prior to a Certificate of Occupancy. The plan shall be wet-stamped.
- h. The following **Operational Conditions** shall be required for the life of the water truck fill station:
 - 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 Department of Community Development.
 - 3. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with

the Department of Community Development 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 Department of Community Development of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.

Washoe County Department of Public Works

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

Contact Name – Leo Veseley, 775.328.8032

- a. The applicant/developer shall obtain from the Department of Building and Safety a building/grading permit for construction of this project.
- b. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), and slope stabilization. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.
- c. The applicant shall provide the engineering division copies any necessary easements for access.

*** End of Conditions ***

EXHIBIT B

Fire Chief Charles A. Moore



Division Chief Tim Leighton
Fire Marshal Amy Ray

TRUCKEE MEADOWS FIRE PROTECTION DISTRICT

1001 E. Ninth St. PO Box 11130 • Reno, Nevada 89520 • Office (775) 326-6000 • Fax (775) 328-6185

June 21, 2012

Washoe County Board of Adjustment
1001 East 9th Street
Reno, NV 89520

RE: PVGID Amendment of Conditions for Special Use Permit No. SB10-0009

Dear Members of the Board,

Please accept this letter as my support for the "two year extension of time" requested by the Palomino Valley General Improvement District (PVGID) to complete construction of the Ironwood Road Water Truck Fill Station.

In May, the Truckee Meadows Fire Protection District (TMFPD) Board of Fire Commissioners approved the District's budget which allocated \$30,000 to the PVGID for the completion of the construction of the Ironwood Road Water Truck Fill Station. An Interlocal Agreement is currently being drafted between TMFPD and the PVGID which would provide TMFPD the pathway to pay the PVGID \$30,000 to complete the Ironwood Road Water Truck Fill Station. In return, TMFPD would be able to access all PVGID's water resources for fire suppression activities in Palomino Valley.

The completion of this Water Truck Fill is very important to TMFPD and it will serve as a reliable source of water for fire suppression in the Palomino Valley.

I would sincerely appreciate your consideration of approving a two year extension to complete the construction of the Ironwood Road Water Truck Fill Station.

Please contact me with questions or concerns you may have.

Best Regards,

A handwritten signature in black ink, appearing to read "C. Moore", is written over the typed name.

Charles A. Moore
Transitional Fire Chief

EXHIBIT C

Staff Assigned Case No.: **AC12-002**

Washoe County Development Application

Project Information			
Project Name (commercial/industrial projects only): Palomino Valley General Improvement District Ironwood Road Water Truck Fill Station			
Project Description: Amendment of Conditions for Special Use Permit Case No. SB10-009: PVGID's Ironwood Road Water Truck Fill Station			
Project Address: 4270 Ironwood Road, Reno, NV 89510			
Project Area (acres or square feet): 6.70 Acres			
Location Information			
Project Location (with point of reference to major cross streets AND area locator): 4270 Ironwood Road, at the southeast corner of the intersection of Pyramid Highway and Ironwood Road			
Assessor's Parcel No(s):	Parcel Acreage:	Assessor's Parcel No(s):	Parcel Acreage:
076-251-07	6.70 acres		
Section(s)/Township/Range: Section 7, Township 22 North, Range 21 East, M.D.M.			
Indicate any previous Washoe County approvals associated with this application: Case Nos. CP09-001, SB10-009, and Director's Modification Dated September 8, 2011			
Applicant Information			
Property Owner:		Professional Consultant:	
Name: Palomino Valley Gen'l Improvement District		Name: N/A	
Address: 5105 Wayside Road		Address:	
Reno, NV	Zip: 89510	Zip:	
Phone: 775-848-6788	Fax:	Phone:	Fax:
Email: palvalgid@gmail.com		Email:	
Cell:	Other:	Cell:	Other:
Contact Person: Larry Johnson, President		Contact Person:	
Applicant/Developer:		Other Persons to be Contacted:	
Name: Same as Owner		Name: N/A	
Address:		Address:	
Zip:		Zip:	
Phone:	Fax:	Phone:	Fax:
Email:		Email:	
Cell:	Other:	Cell:	Other:
Contact Person:		Contact Person:	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:			
CAB(s):		Land Use Designation(s):	

EXHIBIT C



To: Washoe County Board of Adjustment
From: Palomino Valley General Improvement District
Larry J. Johnson, President
palvalgid@gmail.com
Date: June 15, 2012
Re: Amendment of Conditions for Special Use Permit No. SB10-009

On August 5, 2010 the Board of Adjustment approved the Palomino Valley General Improvement District's (PVGID) Special Use Permit, #SB10-009, for the Ironwood Road Water Truck Fill Station (WTFS) with conditions (see Exhibit A - Action Order). The PVGID is requesting amendments to two of the conditions of approval as follows:

1. Washoe County Community Development's condition of approval number 1. b. states, in part, "The applicant shall submit complete construction plans and building permits shall be issued within two years from the date of approval by Washoe County." We are requesting a two-year extension of this requirement.

The PVGID has spent thousands of dollars complying with the SUP conditions of approval for their Wayside Road Operations Facility. The PVGID's sole mission is to maintain the roads within the District, and tax revenues have been greatly reduced over the past several years with no meaningful increase expected for years to come. Funds just are not available at this time to complete the Ironwood Road WTFS project. Hence our request for an extension.

2. Washoe County Community Development's condition of approval number 1. h. requires that the existing fencing, "... shall include slats that provide a minimum of 75% visual screening." The PVGID is requesting that this condition be waived.

One reason for this request is that there are numerous cases of water truck fill stations throughout Washoe County that have no visual screening or fencing (see Exhibit B for photos at the bottom of page 7 of Roger Pelham's July 20, 2010 Ironwood SUP Staff Report). Currently, the site is fenced with chain link and blends in rather well with its surroundings (see Exhibit B for photos at the top of page 7 of the Staff Report previously mentioned).

Also, another reason for our request to eliminate the slats is tagging/graffiti. A nearby Nevada Department of Transportation (NDOT) yard slatted fence has been tagged repeatedly and the graffiti has had to be painted over each time (see Exhibit C).

Thank you for your consideration of these amendments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Larry J. Johnson'.

Larry J. Johnson, President

LJJ/cag

EXHIBIT C

Board of Adjustment

Amendment of Conditions

June 15, 2012

EXHIBIT A



Board of Adjustment Action Order

Special Use Permit Case No. SB10-009

Decision: Approval with Conditions
Decision Date: August 5, 2010
Applicant/Property Owner: Palomino Valley General Improvement District (PVGID)
Assigned Planner: Roger Pelham, Senior Planner
Washoe County Department of Community Development
Phone: 775.328.3622
E-Mail: rpelham@washoecounty.us

Project Description: Special Use Permit Case No: SB10-009. Palomino Valley General Improvement District (PVGID) Water Truck Fill Station – To allow the development of one water truck fill station (Utility Services Use Type) in support of ongoing roadway maintenance, as authorized in Section 110.302 of the Washoe County Development Code. The project is proposed to be located at the southeast corner of State Route 445 and Ironwood Road. The subject parcel is designated Public and Semi-Public Facilities (PSP) in the Warm Springs Area Plan, and is situated in a portion of Section 7 T22N R22E MDM, Washoe County, Nevada. The project is located in the Warm Springs Citizen Advisory Board boundary and Washoe County Commission District No. 4. (APN: 076-251-07)

Notice is hereby given that the Washoe County Board of Adjustment granted approval with conditions of the above referenced case number based on the findings in accordance with Washoe County Development Code Article 810. If no appeals have been filed within 10 days after the date of decision, the approval by the Washoe County Board of Adjustment is final. If filed, an appeal stays any further action on the permit until final resolution of the appeal. If the end of the appeal period falls on a non-business day, the appeal period shall be extended to include the next business day. An appeal shall be filed in accordance with the provisions found in Article 810 of the Washoe County Development Code.

This Action Order of approval is granted subject to the attached conditions and Washoe County development standards. Please contact the planner assigned to your project at the above-referenced phone number within 7 days of receipt of this Order to review the steps necessary to satisfy the Conditions of Approval. A business license, certificate of occupancy or final approval shall not be issued until all of the Conditions of Approval (attached) are satisfied. Additionally, compliance shall be required with all federal, state and local statutes, ordinances and regulations applicable to the approved project.

This Action Order does not authorize grading or building without issuance of the necessary permits from the Washoe County Building and Safety Department.

Post Office Box 11130, Reno, NV 89520-0147 – 1001 E. Ninth St., Reno, NV 89512
Telephone: 775.328.3500 – Fax: 775.328.6133
www.washoecounty.us/commdev/

"Your Community Development Department"

EXHIBIT C

Board of Adjustment

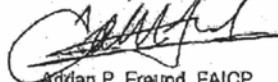
Amendment of Conditions

June 15, 2012

EXHIBIT A

To: Palomino Valley General Improvement District (PVGID)
Subject: Special Use Permit Case No SB10-009
Date: August 5, 2010
Page: 2

Washoe County
Community Development



Adrian P. Freund, FAICP
Director

APF/RP/ds (SB10-009 PVGID Action Order)

Attachments:

- Conditions of Approval

xc: Applicant/Property Owner: PVGID, attn: Harold Shotwell, PO Box 615, Sparks, NV 89432-0615

Consultant: Tri-State Surveying, attn: George Lindesmith, 1925 E. Prater Way, Sparks, NV 89434

Others to be Contacted: Hoffman Test Quinan, attn: Louis Test, 429 W. Plumb Lane, Reno, NV 89509

Action Order xc: Nathan Edwards, Esq., District Attorney's Office; Carol Buononoma, Assessor's Office (CAAS); Theresa Wilkins, Assessor's Office; Susan Hood, Department of Water Resources; Kimble Corbridge/Leo Vesely, Engineering Division; Kurt Latipow, Fire Services Coordinator, David Mills, Truckee Meadows Division, Reno Fire Department; Dan Birkel Reno Fire; Mike Greene, Sierra Fire Protection District; Regional Transportation Commission, Attn: Patrice Echola; Warm Springs Citizen Advisory Board, Chair

EXHIBIT C

Board of Adjustment

Amendment of Conditions

June 15, 2012

EXHIBIT A

EXHIBIT A



Conditions of Approval

Special Use Permit Case No. SB10-009

The project approved under Special Use Permit Case No. SB10-009 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on August 5, 2010. Conditions of Approval are requirements placed on a permit or development by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act.

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

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 compiled 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.

Post Office Box 11130, Reno, NV 89520-0027 - 1001 E. Ninth St., Reno, NV 89612

Telephone: 775.328.3600 - Fax: 775.328.6133

www.washoecounty.us/ocorddev/

"Your Community Development Department"

EXHIBIT C

EXHIBIT A

Washoe County Conditions of Approval

Date: July 20, 2010

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

- The RENO-TAHOE AIRPORT AUTHORITY is directed and governed by its own Board. Therefore, any conditions set by the Reno-Tahoe Airport Authority must be appealed to their Board of Trustees.
- The REGIONAL TRANSPORTATION COMMISSION (RTC) is directed and governed by its own board. Therefore, any conditions set by the Regional Transportation Commission must be appealed to that Board.

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

Washoe County Community Development

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

Contact Name – Roger Pelham, 775.328.3622

- a. The applicant shall demonstrate substantial conformance to the plans and specifications approved as part of this special use permit. The Department of Community Development shall determine compliance with this condition.
- b. The applicant shall submit complete construction plans and building permits shall be issued within two years from the date of approval by Washoe County. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Department of Community Development.
- 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 special use permit.
- d. Prior to the issuance of any administrative permit issued by Washoe County, the applicant shall remove all off-premise signs (billboards) from the project site (APN: 076-251-07) and place a restrictive covenant on the property that prohibits the further erection of off-premise signs, with Washoe County made a part to the covenant. The District Attorney's Office and the Department of Community Development shall determine compliance with this condition.
- e. 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

EXHIBIT C

EXHIBIT A

Washoe County Conditions of Approval

Date: July 20, 2010

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.

- f. Prior to any ground disturbing activity, the applicant shall submit a revegetation/architectural design plan to the Department of Community Development for review and approval. Said plan shall address, but not be limited to: type and color of building materials, general architectural design, exterior lighting, fencing, trash enclosures, revegetation plan and materials, temporary revegetation irrigation system, and financial assurances that revegetation will be planted and maintained.
- g. Exterior colors of all building materials shall be muted earth-tone colors such as brown, tan and sage, designed to blend in with the surrounding undisturbed area to the greatest practical extent.
- h. Fencing surrounding the facility shall include slats that provide a minimum of 75% visual screening. Slats shall be muted earth-tone colors such as brown, tan and sage, designed to blend in with the surrounding undisturbed area to the greatest practical extent. All fencing materials shall be non-reflective.
- i. 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 the Department of Community Development. The letter(s) shall certify that all applicable landscaping provisions of Articles [408, 410 and 412] of the Development Code have been met. Any landscaping plans and the letter shall be wet-stamped. The letter shall indicate any provisions of the code that the Director of Community Development has waived.
- j. All landscaping and revegetation shall be maintained in accordance with the provisions found in Section 110.412.75, Maintenance. A three-year maintenance plan shall be submitted by a licensed landscape architect registered in the State of Nevada to the Department of Community Development, prior to a Certificate of Occupancy. The plan shall be wet-stamped.
- h. The following Operational Conditions shall be required for the life of the water truck fill station:
 - 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 Department of Community Development.
 - 3. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with the Department of Community Development 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 Department of Community Development of the

Special Use Permit Case No: SB10-009
Page 3 of 4

EXHIBIT C

Board of Adjustment

Amendment of Conditions

June 15, 2012

EXHIBIT A

Washoe County Conditions of Approval

Date: July 20, 2010

name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.

Washoe County Department of Public Works

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

Contact Name – Leo Veseley, 775.328.8032

- a. The applicant/developer shall obtain from the Department of Building and Safety a building/grading permit for construction of this project.
- b. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), and slope stabilization. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.
- c. The applicant shall provide the engineering division copies any necessary easements for access.

*** End of Conditions ***

Special Use Permit Case No: SB10-009
Page 4 of 4

EXHIBIT C

Board of Adjustment

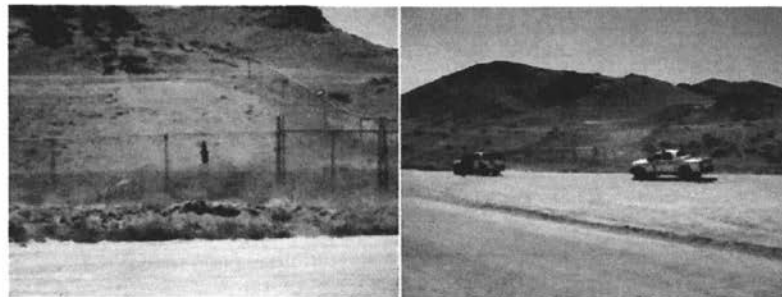
Amendment of Conditions

June 15, 2012

EXHIBIT B

Washoe County Board of Adjustment Staff Report

Staff Report Date: July 20, 2010



Site Photos

Project Evaluation

The applicant is requesting approval to construct a water truck filling station in support of ongoing roadway maintenance within the Palomino Valley General Improvement District. The applicant is proposing to develop an area of approximately 1/2 acre within the 6.7 acre subject parcel. Improvements within the developed area will include the well, pump house and piping.

The proposed site is centrally located within the District and is likely to create few negative impacts upon the surrounding area. Potential positive impacts include better roadway maintenance and less dust in the air due to increased watering of unpaved roadways. There are no residences adjacent to the proposed location. The Bureau of Land Management maintains a facility directly across Ironwood Road for keeping wild horses that have been removed from public lands.

Water truck fill stations are a civic use type which is required to maintain the same development standards as any commercial use. Typically these civic and commercial uses require pavement of the driveways and approaches to the uses, installation of landscaping, lighting and all other improvements typical of commercial development in Washoe County. Below are photos of water truck fill stations approved by Washoe County within the last several years.

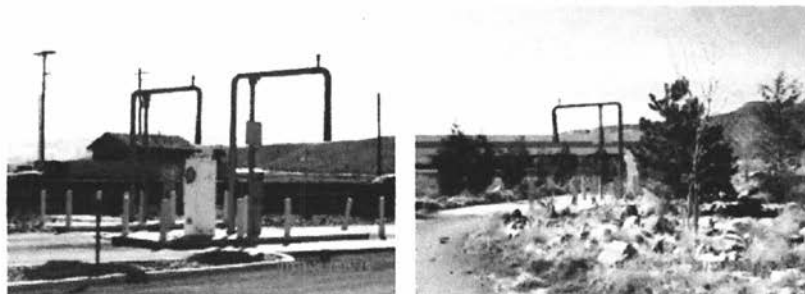


EXHIBIT C

Board of Adjustment

Amendment of Conditions

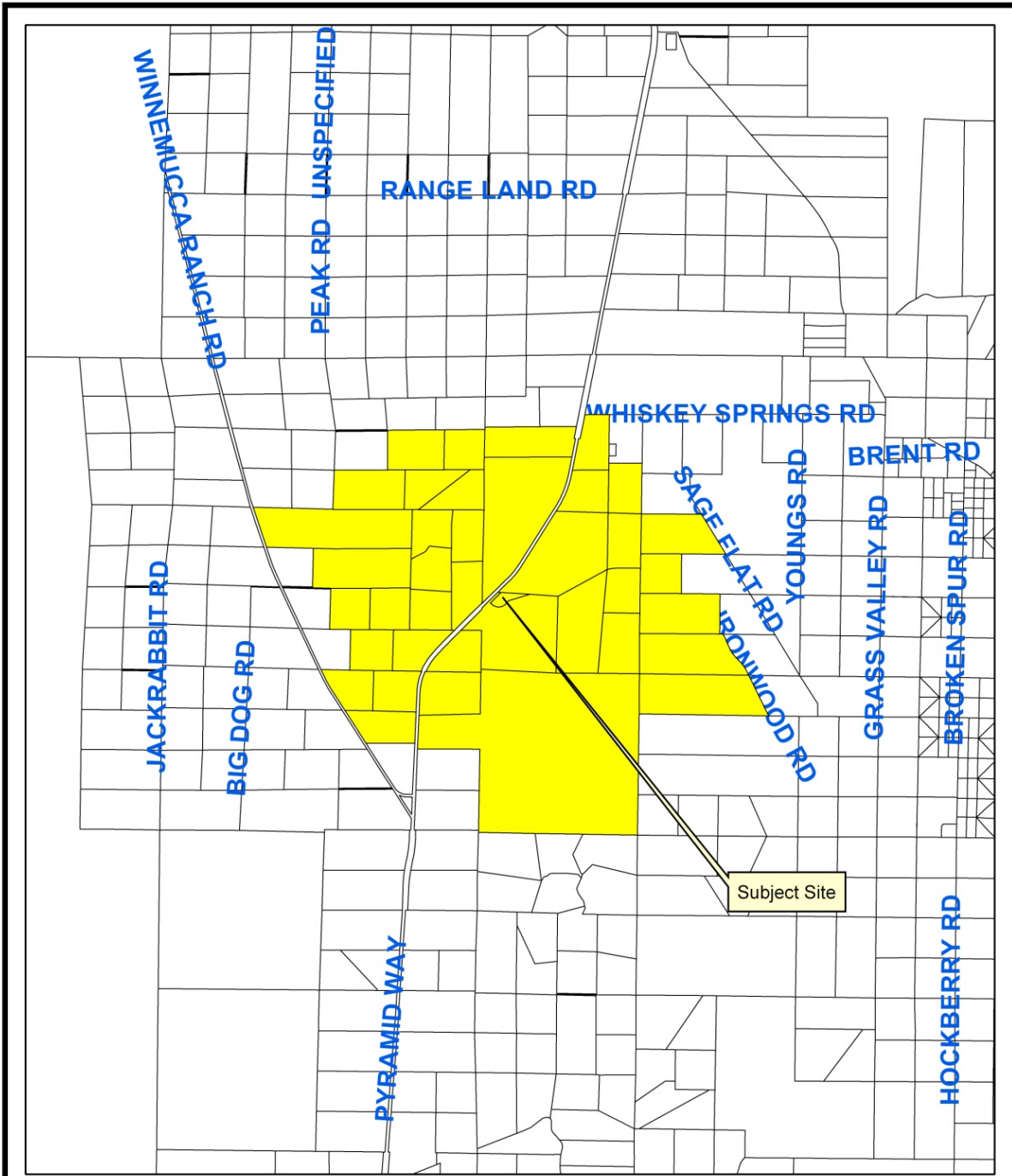
June 15, 2012

EXHIBIT C

NEVADA DEPARTMENT OF TRANSPORTATION (NDOT)
YARD AT PYRAMID HIGHWAY AND WHISKEY SPRINGS ROAD



EXHIBIT D



Mailing Label Map
Amendment of Conditions AC12-002
PVGID Water Truck Fill Station
39 Parcels selected at 4500 feet.

Source: Community Planning Services



Date: June 2012

Department of
Community
Development

WASHOE COUNTY
NEVADA

Post Office Box 11130
Reno, Nevada 89520
(775) 328-3600



Board of Adjustment Staff Report

Meeting Date: August 2, 2012

Subject: Special Use Permit Case No: SB12-008
Applicant(s): William Kunz
Agenda Item No. 9D

Project Summary: To allow grading of approximately 4870 cubic yards of earth and allow a surface disturbance of approximately 57,000 square feet for the purpose of re-contouring both the front and rear yard areas of the dwelling in preparation for future landscaping.

Recommendation: **Approval with Conditions**

Prepared by: Roger D. Pelham, MPA, Senior Planner
Washoe County Department of Community Development
Phone: 775.328.3622
E-Mail: rpelham@washoecounty.us

Project Description

Special Use Permit Case No. SB12-008 – William Kunz Grading - To allow grading of approximately 4870 cubic yards of earth and allow a surface disturbance of approximately 57,000 square feet for the purpose of re-contouring both the front and rear yard areas of the dwelling in preparation for future landscaping.

- **Location:** 6947 Windy Hill Road, approximately 1200 feet north of its intersection with Lakeside Boulevard.
- **Assessor's Parcel No.(s):** 041-101-16
- **Parcel Size:** ± 3.28 Acres
- **Area Plan:** Southwest Truckee Meadows
- **Citizen Advisory Board:** West Truckee Meadows CAB
- **Commission District:** 1 – Commissioner John Breternitz
- **Development Code:** Article 438, Grading
Article 810, Special Use Permits
- **Section/Township/Range:** Within Section 35, T19N, R19E, MDM, Washoe County, NV

Staff Report Contents

Project Description..... 1
Special Use Permit 3
Vicinity Map 4
Site Plan 5
Project Evaluation 6
West Truckee Meadows Citizen Advisory Board (WTMCAB) 6
Reviewing Agencies..... 6
Recommendation..... 7
Motion..... 7
Appeal Process..... 8

Exhibits Contents

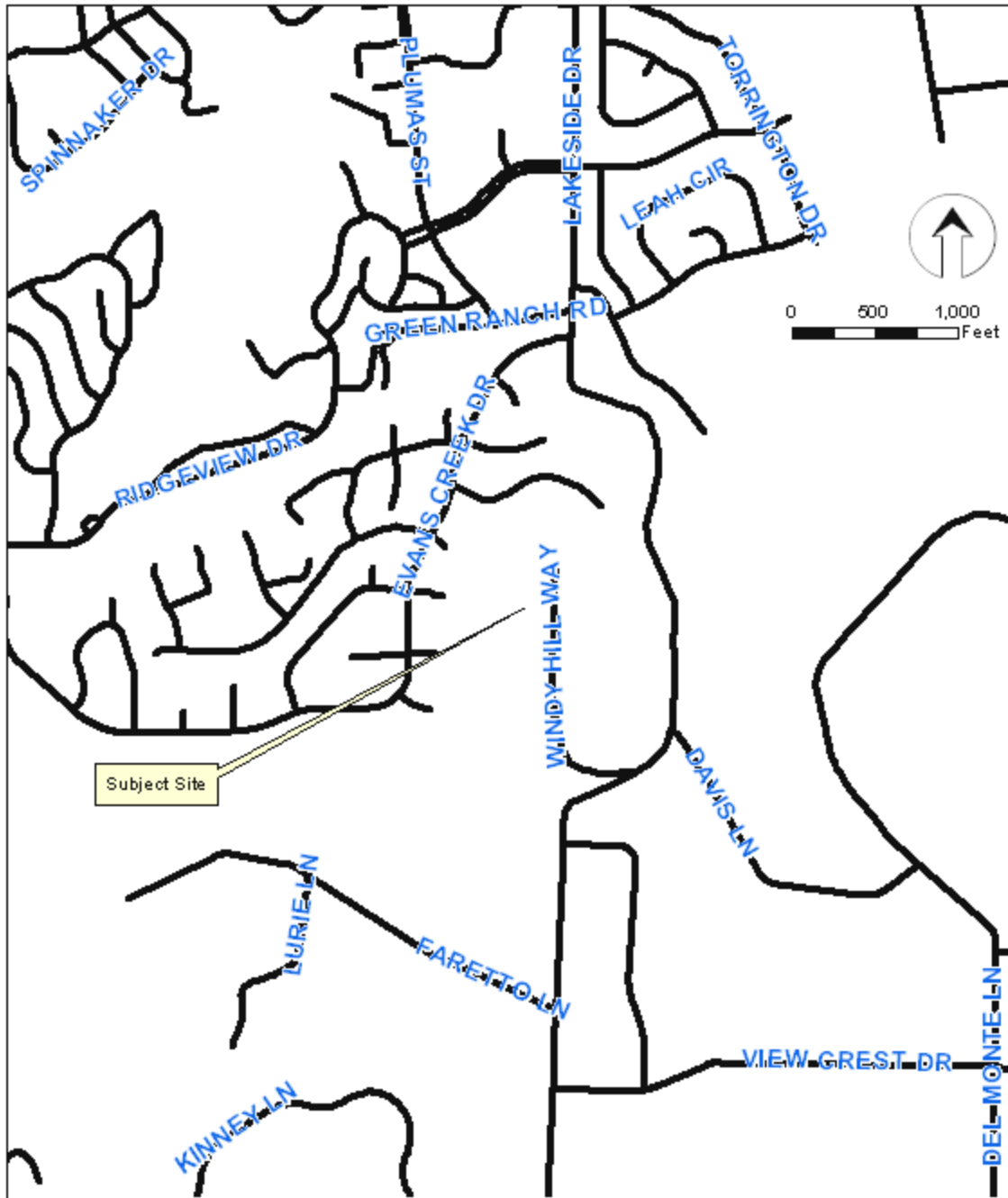
Conditions of Approval.....Exhibit A
Public Works, Engineering Division MemoExhibit B
Public Notice Exhibit C
Project Application Exhibit D

Special Use Permit

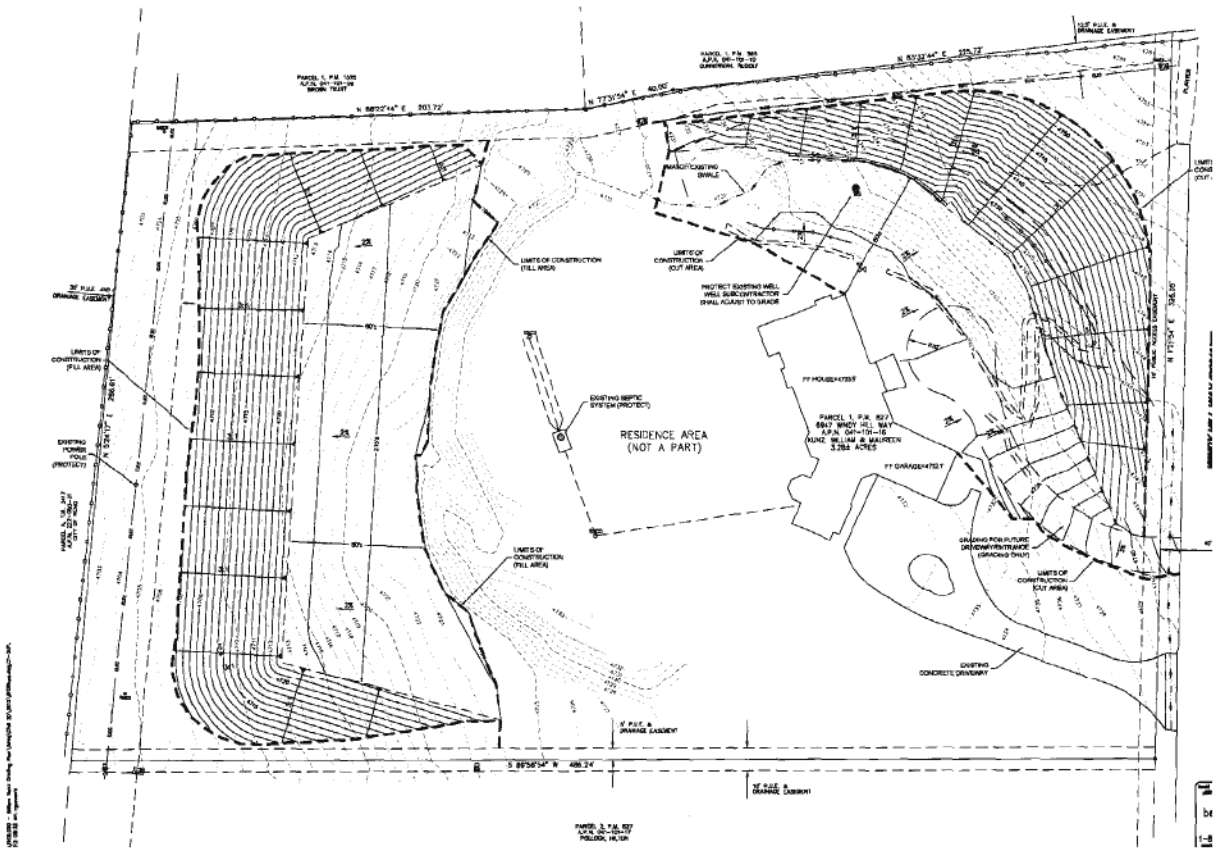
The purpose of a Special Use Permit is to allow a method of review to identify any potential harmful impacts on adjacent properties or surrounding areas for uses that may be appropriate within a regulatory zone; and to provide for a procedure whereby such uses might be permitted by further restricting or conditioning them so as to mitigate or eliminate possible adverse impacts. If the Board of Adjustment 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 No. SB12-008 are attached to this staff report and will be included with the Action Order.



Vicinity Map



Site Plan

Project Evaluation

The property owners are undertaking a major re-landscaping and re-contouring project on their property. At this time there is substantial vegetation and many mature trees. Virtually all of the existing landscaping will be removed. Some trees are proposed to remain near the rear of the property. The amount of grading necessary for the re-contouring of the parcel triggers the threshold for a special use permit both in area and volume. Final slopes are proposed to be three to one horizontal to vertical (3H:1V) or flatter in all circumstances.

This parcel is steeply sloped at this time. Flat areas are located in areas not easily accessible from the existing dwelling. The proposed grading is unlikely to have any impact upon the adjacent roadway. Visual impact, particularly during the construction period is of concern and conditions of approval have been included with the recommendation to mitigate impacts. The applicant will be landscaping all disturbed areas, with a mixture of native and ornamental trees and plants, which will significantly mitigate any visual impact in the long term. In the shorter term dust control and temporary stabilization measures have been conditioned.

Generally speaking the proposed project is within the character of the surrounding area and is reasonable to provide for the use and enjoyment of the property by the owner.

West Truckee Meadows Citizen Advisory Board (WTMCAB)

The application for the proposed project was provided to the West Truckee Meadows Citizen Advisory Board members. Each member was provided with a comment sheet that they could return to staff. No comments were received.

Reviewing Agencies

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

- Washoe County Community Development
- Washoe County Department of Public Works, Engineering Division
- Washoe County Utility Services Division
- Washoe County Health District, Air Quality Management Division
- Washoe County Fire Services Coordinator
- Truckee Meadows Fire Protection District
- Washoe-Storey Conservation District
- Nevada State Historic Preservation Office

Community Development and the Engineering Division 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

- Washoe County Community Development addressed the hours of operation, slope standards, landscaping and stabilization.
Contact: Roger Pelham, 775.328.3622, rpelham@washoecounty.us
- Washoe County Engineering provided technical requirements for submission of grading permits for the project.
Contact: Leo Vesely, 775.328.2040, lvesely@washoecounty.us

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 No. SB12-008 is being recommended for approval with conditions. Staff offers the following motion for the Board's consideration.

Motion

I move that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve Special Use Permit Case No. SB12-008 for William Kunz, having made all five findings in accordance with Washoe County Development Code Section 110.810.30:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Southwest Truckee Meadows 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 grading for future landscaping, and for the intensity of such a development;
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation; and

Appeal Process

Board of Adjustment action will be effective 10 days after the public hearing date, unless the action is appealed to the County Commission, in which case the outcome of the appeal shall be determined by the Washoe County Commission.

xc: Applicant: William and Maureen Kunz, 6947 Windy Hill Way, Reno, NV 89511

Property Owner: William and Maureen Kunz, 6947 Windy Hill Way, Reno, NV 89511

Developer: William and Maureen Kunz, 6947 Windy Hill Way, Reno, NV 89511

Representatives: Lumos and Associates, 9222 Prototype Drive, Reno, NV 89521

Action Order xc: Greg Salter, Esq., District Attorney's Office; Carol Buonanoma, Assessor's Office (CAAS); Theresa Wilkins, Assessor's Office; Susan Hood/John Cella, Department of Water Resources; Kimble Corbridge/Leo Vesely, Engineering Division; David Mills, Truckee Meadows Division, Reno Fire Department; West Truckee Meadows Citizen Advisory Board, Chair.

EXHIBIT A



Conditions of Approval

Special Use Permit Case No. SB12-008

The project approved under Special Use Permit Case No: SB12-008 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on August 2, 2012. 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.

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 Department of Community Development.

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:

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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 District Health Department must be appealed to the District Board of Health.

- **The RENO-TAHOE AIRPORT AUTHORITY is directed and governed by its own Board. Therefore, any conditions set by the Reno-Tahoe Airport Authority must be appealed to their Board of Trustees.**
- **The REGIONAL TRANSPORTATION COMMISSION (RTC) is directed and governed by its own board. Therefore, any conditions set by the Regional Transportation Commission must be appealed to that Board.**

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

Washoe County Community Development

1. The following conditions are requirements of the Department of Community Development, 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 Department of Community Development shall determine compliance with this condition.
- b. The applicant shall submit complete construction plans and building permits shall be issued within two years from the date of approval by Washoe County. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Department of Community Development.
- 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 special use permit.
- d. The applicant shall construct no slopes steeper than three horizontal to one vertical (3H:1V).
- e. 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.

- f. Construction activities shall be limited to the hours between 8AM and 8PM daily.

- g. The applicant shall stabilize all disturbed areas to prevent fugitive dust emission and erosion.
- h. All areas stabilized by ornamental landscaping shall include permanent irrigation.
- i. The following **Operational Conditions** shall be required for the life of the project/business/development:
 - 1. This special use permit shall remain in effect until or unless it is revoked or is inactive for one year.
 - 2. Failure to comply with the Conditions of Approval shall render this approval null and void. Compliance with this condition shall be determined by the Department of Community Development.
 - 3. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with the Department of Community Development 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 Department of Community Development of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.

Washoe County Department of Public Works

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

Contact Name – Leo Vesely, 775.328.2040, lvesely@washoecounty.us

- a. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted to the County Engineer for approval when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), pollution control, slope stabilization, and mosquito abatement. Placement or disposal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent properties.
- b. The owner shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit for construction and submit a copy to the Engineering Division prior to issuance of a grading permit.
- c. The owner shall complete and submit the Construction Permit Submittal Checklist, the Performance Standards Compliance Checklist and pay the Construction Stormwater Inspection Fee prior to obtaining a grading permit. The County Engineer shall determine compliance with this condition.
- d. All disturbed areas left undeveloped for more than 30 days shall be treated with a dust palliative. Disturbed areas left undeveloped for more than 45 days shall be revegetated. Methods and seed mix must be approved by the County Engineer with technical assistance from the Washoe-Storey Conservation District. The

applicant shall submit a revegetation plan to the Washoe-Storey Conservation District for review.

- e. A grading bond of \$1,500/acre of disturbed area shall be provided to the Engineering Division prior to any grading.
- f. All slopes steeper than 3:1 shall be mechanically stabilized to control erosion. As an alternative to riprap, an engineered solution (geofabric, etc.) may be acceptable. The County Engineer shall determine compliance with this condition.
- g. Show 50 foot radius temporary turnaround easement at north end of the parcel. Grading shall not be allowed within the turnaround easement.

*** End of Conditions ***

INTEROFFICE MEMORANDUM

DATE: July 12, 2012
TO: Roger Pelham, Department of Community Development
FROM: Leo R. Vesely, P.E., Engineering Division
SUBJECT: **SB12-008**
APN 041-101-16
WILLIAM KUNZ GRADING

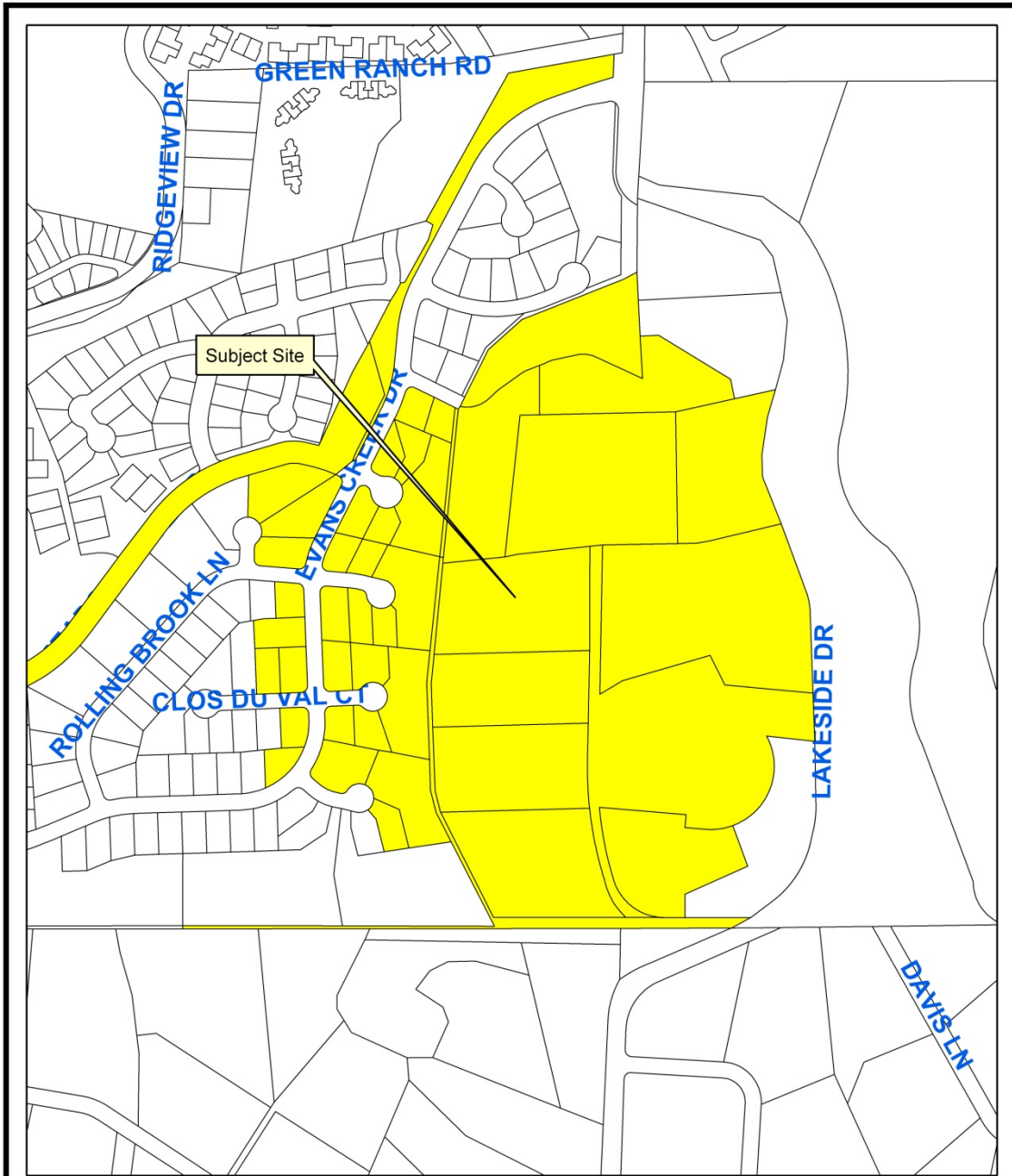
I have reviewed the referenced special use permit and have the following conditions:

1. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted to the County Engineer for approval when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), pollution control, slope stabilization, and mosquito abatement. Placement or disposal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent properties.
2. The owner shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit for construction and submit a copy to the Engineering Division prior to issuance of a grading permit.
3. The owner shall complete and submit the Construction Permit Submittal Checklist, the Performance Standards Compliance Checklist and pay the Construction Stormwater Inspection Fee prior to obtaining a grading permit. The County Engineer shall determine compliance with this condition.
4. All disturbed areas left undeveloped for more than 30 days shall be treated with a dust palliative. Disturbed areas left undeveloped for more than 45 days shall be revegetated. Methods and seed mix must be approved by the County Engineer with technical assistance from the Washoe-Storey Conservation District. The applicant shall submit a revegetation plan to the Washoe-Storey Conservation District for review.
5. A grading bond of \$1,500/acre of disturbed area shall be provided to the Engineering Division prior to any grading.
6. All slopes steeper than 3:1 shall be mechanically stabilized to control erosion. As an alternative to riprap, an engineered solution (geofabric, etc.) may be acceptable. The County Engineer shall determine compliance with this condition.

7. Show 50 foot radius temporary turnaround easement at north end of the parcel. Grading shall not be allowed within the turnaround easement.

LRV/lrv

EXHIBIT C



Mailing Label Map

Special Use Permit SB12-008
William Kunz Grading

46 Parcels selected at 500 feet.

Source: Community Planning Services



Date: June 2012

Department of
Community
Development
WASHOE COUNTY
NEVADA

Post Office Box 11130
Reno, Nevada 89520
(775) 328-3600

Staff Assigned Case No.:

SB12-008**Washoe County Development Application**

Project Information			
Project Name (commercial/industrial projects only):			
Project Description: The owners are seeking to grade their residential lot in order to re-landscape the front yard. The owners will cut the the dirt mount in the front yard and fill the backyard. 4870 cubic yards will be cut.			
Project Address: 6947 Windy Hill Rd., Reno, NV			
Project Area (acres or square feet): Total disturbed area is 57,000 square feet			
Location Information			
Project Location (with point of reference to major cross streets AND area locator): The house/project is located on the west side of Windy Hill Rd., approximately 0.25 miles from the intersection of Windy Hill and Lakeside Dr.			
Assessor's Parcel No(s):	Parcel Acreage:	Assessor's Parcel No(s):	Parcel Acreage:
041-101-16	3.28		
Section(s)/Township/Range: Section 35 Township 19 N, Range 19 E.			
Indicate any previous Washoe County approvals associated with this application: Case Nos. N/A			
Applicant Information			
Property Owner:		Professional Consultant:	
Name: William and Maureen Kunz		Name: Lumos & Associates	
Address: 6947 Windy Hill Way		Address: 9222 Prototype Dr.	
Reno, NV	Zip: 89511	Reno, NV	Zip: 89521
Phone:	Fax:	Phone: 775-827-6111	Fax: 775-827-6122
Email: bkunz@torchmate.com		Email: amiller@lumosengineering.com	
Cell: 775-741-0087	Other:	Cell: 775-530-1870	Other:
Contact Person: William Kunz		Contact Person: Audra Miller	
Applicant/Developer:		Other Persons to be Contacted:	
Name:		Name: Gail Willey Landscaping	
Address:		Address: 11405 Old Virginia Road	
	Zip:	Reno, NV	Zip: 89521
Phone:	Fax:	Phone: 775-853-8733	Fax:
Email:		Email: tom@gailwilley.com	
Cell:	Other:	Cell:	Other:
Contact Person:		Contact Person: Gail Willey	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:			
CAB(s):		Land Use Designation(s):	

Special Use Permit Application for Grading 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. Article 438, Grading, and Article 418, Significant Hydrologic Resources, are the ordinances specifically involved in this request.

1. What is the purpose of the grading?

The Owners of the residential property want to remove the existing landscaping in front of their home. The existing landscaping is a mixture of trees and shrubs, and it is located on an earthen mound. The Owners want to remove this landscaping, move the toe of the slope back from the house and transport the extra fill to the rear of the property. The Owners will grade approximately 60' in width in the front of the house resulting in a flatter area. The remaining sloped area will retain a slope similar to the existing slope, but it will be pushed back toward the road. Currently, there is a flat area between the road and the beginning of the earthen mound. This flat area will be relocated to the area in front of the house. (See grading plan). Additionally, the Owners will grade an area for a new driveway that provides access to the front of the house. The existing driveway goes to the rear of the house, and the Owners want visitors to park near the front door and come through the front of the house. The Owners, however, are not installing the driveway as part of this project or as part of the grading permit application being submitted in conjunction with this SUP application.

2. How many cubic yards of material are you proposing to excavate on site?

4,870 cubic yards.

3. How many square feet of surface of the property are you disturbing?

57,000 square feet

4. How many cubic yards of material are you exporting or importing? If none, how are you managing to balance the work on-site?

No fill will be imported. 1,090 cubic yards will be stripped from the site and hauled offsite to the public landfill. The 1,090 cubic yards is generally comprised of weeds, root balls and shrubs, i.e., the top six inches of existing soil. The remaining cubic yardage of fill will be moved to the rear of the property and used to fill in the sloped area behind the existing residential home.

5. Is it possible to develop your property without surpassing the grading thresholds requiring a Special Use Permit? (Explain fully your answer.)

This is a major landscape project, and the only way to re-landscape the front of the property is to level the dirt mound in the front. The Owner will be heavily landscaping the front and site of the house and will be installing water features, rockery walls (landscape walls) and a variety of trees and shrubs. Any modification to the existing landscaping would most likely require grading.

6. Has any portion of the grading shown on the plan been done previously? (If yes, explain the circumstances and the year the work was done.)

No.

7. Have you shown all areas on your site plan that are proposed to be disturbed by grading? (If no, explain fully your answer.)

Yes.

8. Can the disturbed area be seen from off-site? If yes, from which directions, and which properties or roadways?

Yes. The disturbance in the front of the property will most likely be seen from Windy Hill Way Road, and the property on the east side of this road. In the rear, the property owners to the west will see the fill work being performed. The western property line is fairly clear because of an existing NV Energy easement and utility line located between the property boundaries. The properties immediately adjacent to the subject property and most likely the property to the northwest and southwest will see the fill work. The properties adjacent to the north are somewhat shielded from the subject property, but it is probable these property owners will see some of the disturbance.

9. Could neighboring properties also be served by the proposed access/grading requested (i.e. if you are creating a driveway, would it be used for access to additional neighboring properties)?

The purpose of this grading is for landscaping. The Owners are grading an area for a new driveway, but they are only grading the area for the driveway at this point in time. When the driveway is constructed, it will only provide access to the Owners' residence. Access for the other properties is already established and properties along Windy Hill Way have their own access.

10. What is the slope (Horizontal:Vertical) of the cut and fill areas proposed to be? What methods will be used to prevent erosion until the revegetation is established?

Maximum slope is 3:1. Owners will hydroseed on the 3:1 slopes if the landscaping is not installed within 30 days of completing grading. For any areas not being formally landscaped, the Owners will hydroseed.

11. Are you planning any berms?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	If yes, how tall is the berm at its highest?
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12. If your property slopes and you are leveling a pad for a building, are retaining walls going to be required? If so, how high will the walls be and what is their construction (i.e. rockery, concrete, timber, manufactured block)?

The Owners are not constructing any buildings. There will be rockery walls (less than four feet) as part of the landscaping.

13. What are you proposing for visual mitigation of the work?

In the front, the Owners will be installing new landscaping, which will limit the view of the existing residence from Windy Hill Road. Also, the areas adjacent to the road will have similar finished slope as the existing slope, and this will further mitigate visual impacts. The final view from the road should be similar in nature to the existing view. In the rear, the property currently slopes down toward the adjacent residences. These property owners look up the slope to the rear of the Owners home. There is a row of trees behind the septic field that shields these property owners from seeing the Owners' backyard. After the grading is completed, a portion of the sloped area will be filled in and the adjacent property owners will see a more level area of ground. This area will be reseeded with native vegetation. The existing trees will remain and continue to shield the adjacent property owners from seeing the rear of the Owners' house.

14. Will the grading proposed require removal of any trees? If so, what species, how many and of what size?

Yes. The following trees will be removed.

Species	Height	Number
Australian Pine	10'-15'	11
Aspen	15'-20'	10
Spruce	20'	2

15. What type of revegetation seed mix are you planning to use and how many pounds per acre do you intend to broadcast? Will you use mulch and, if so, what type?

The Owners will use native seed mix of approximately 24 lbs. per acre in the rear yard. The following seed mix has been recommended by Comstock Seed:

Species	PLS LBS/Acre	PLS LBS
Yarrow White	0.10	0.10
Wheatgrass Siberian Vavilo	4.00	4.00
Wheatgrass Thickspike CRIT	5.00	5.00
Arrowleaf Balsamroot	1.00	1.00
Rabbitbrush Rubber	0.50	0.50
Beeplant- Collected	0.25	0.25
Wildrye Basin Magnar	3.00	3.00
SquirrelTail	2.00	2.00
Ryegrass Annual Gulf	5.00	5.00
Lupine Argenteus	0.25	0.25
Penstemon Palmer	0.25	0.25
Bluegrass Sandberg Comme	2.00	2.00
Area Totals	23.35	23.35

The front yard will be landscaped.

16. How are you providing temporary irrigation to the disturbed area?

For the initial period, a water truck will be brought in and the re-vegetated area will be sprayed from the truck. The water truck will be used until a temporary irrigation system is installed.

The front yard will be landscaped and a permanent irrigation system will be used for this area.

17. Have you reviewed the revegetation plan with the Washoe Storey Conservation District? If yes, have you incorporated their suggestions?

The Owner's representative has contacted the District and is in the process of consulting with the District about the revegetation plan. The Owner will provide the County an update regarding any recommendations made by the District.

18. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that may prohibit the requested grading?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	If yes, please attach a copy.
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Board of Adjustment Staff Report

Meeting Date: August 2, 2012

Subject: Special Use Permit SB12-012 **OR**
Administrative Permit Case No: AP12-006 and Variance Case No: VA12-003
Applicant(s): Reno Indoor Paintball, Inc
Agenda Item No. 9E

Project Summary: To allow the construction and operation of a commercial paintball course (Outdoor Sports and Recreation Use Type) including two courses for play and to vary the maximum fence height for specialty fencing from 10 feet in height to 20 feet in height to allow the erection of protective netting around a proposed paintball course as authorized in as authorized in Article 810 (Special Use Permits) **OR** Article 302 (Administrative Permits) and Article 804 (Variances) of the Washoe County Development Code.

Recommendation: Approvals with Conditions

Prepared by: Roger D. Pelham, MPA, Senior Planner
Washoe County Department of Community Development
Phone: 775.328.3622
E-Mail: rpelham@washoecounty.us

Project Description

Special Use Permit Case Number SB12-012 OR Administrative Permit Case Number AP12-006 and Variance Case No. VA12-003 - SVGID Paintball Park - To allow the construction and operation of a commercial paintball course (Outdoor Sports and Recreation Use Type) including two courses for play and to vary the maximum fence height for specialty fencing from 10 feet in height to 20 feet in height to allow the erection of protective netting around a proposed paintball course as authorized in as authorized in Article 810 (Special Use Permits) **OR** Article 302 (Administrative Permits) and Article 804 (Variances) of the Washoe County Development Code.

- **Location:** 115 West 6th Avenue, Sun Valley, at the Sun Valley Community Park.
- **Assessor's Parcel Number:** 085-211-03
- **Parcel Size:** ± 20 Acres
- **Project Area:** ± 1.0 acres
- **Regulatory Zone:** Parks and Recreation(PR)
- **Area Plan:** Sun Valley
- **Citizen Advisory Board:** Sun Valley
- **Commission District:** District 3 – Commissioner Jung
- **Development Code:** Authorized in Article 302, Article 304, Commercial Use Types, Article 808, Administrative Permits and Article 804 Variances.
- **Section/Township/Range:** Within Section 18, T20N, R20E, MDM
Washoe County, NV

Staff Report Contents

Project Description..... 1

Administrative Permit and Variance Definitions..... 3

Vicinity Map 5

Site Plan 6

Project Evaluation..... 7

Sun Valley Citizen Advisory Board (SVCAB)..... 9

Reviewing Agencies..... 9

Recommendation.....10

Motions10

Appeal Process.....10

Exhibits Contents

Conditions of Approval..... Exhibit A

Letter from Lorrie Cusick Dated 7/12/12..... Exhibit B

Public Notice Map Exhibit C

Project Application Exhibit D

Truckee Meadows Fire Letter Dated 7/18/2012..... Exhibit E

This request was originally submitted as an Administrative Permit and Variance request. Upon evaluation by the District Attorney, it has been decided that the appropriate method to process this request is by means of a Special Use Permit. The Special Use Permit allows the County the ability to review the activity and to provide conditions and mitigations necessary for public safety.

Special Use Permit

The purpose of a Special Use Permit is to allow a method of review to identify any potential harmful impacts on adjacent properties or surrounding areas for uses that may be appropriate within a regulatory zone; and to provide for a procedure whereby such uses might be permitted by further restricting or conditioning them so as to mitigate or eliminate possible adverse impacts. If the Board of Adjustment 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 No. SB12-012 are attached to this staff report and will be included with the Action Order.

Administrative Permit Definition

The purpose of an Administrative Permit is to provide a method of review for a proposed use which possess characteristics that requires a thorough appraisal in order to determine if the use has the potential to adversely affect other land uses, transportation or facilities in the vicinity. The Board of Adjustment or the Hearing Examiner may require conditions of approval necessary to eliminate, mitigate, or minimize to an acceptable level any potentially adverse effects of a use, or to specify the terms under which commencement and operation of the use must comply. Prior to approving an application for an administrative permit, the Hearing Examiner or the Board of Adjustment must find that all of the required findings, if applicable, are true.

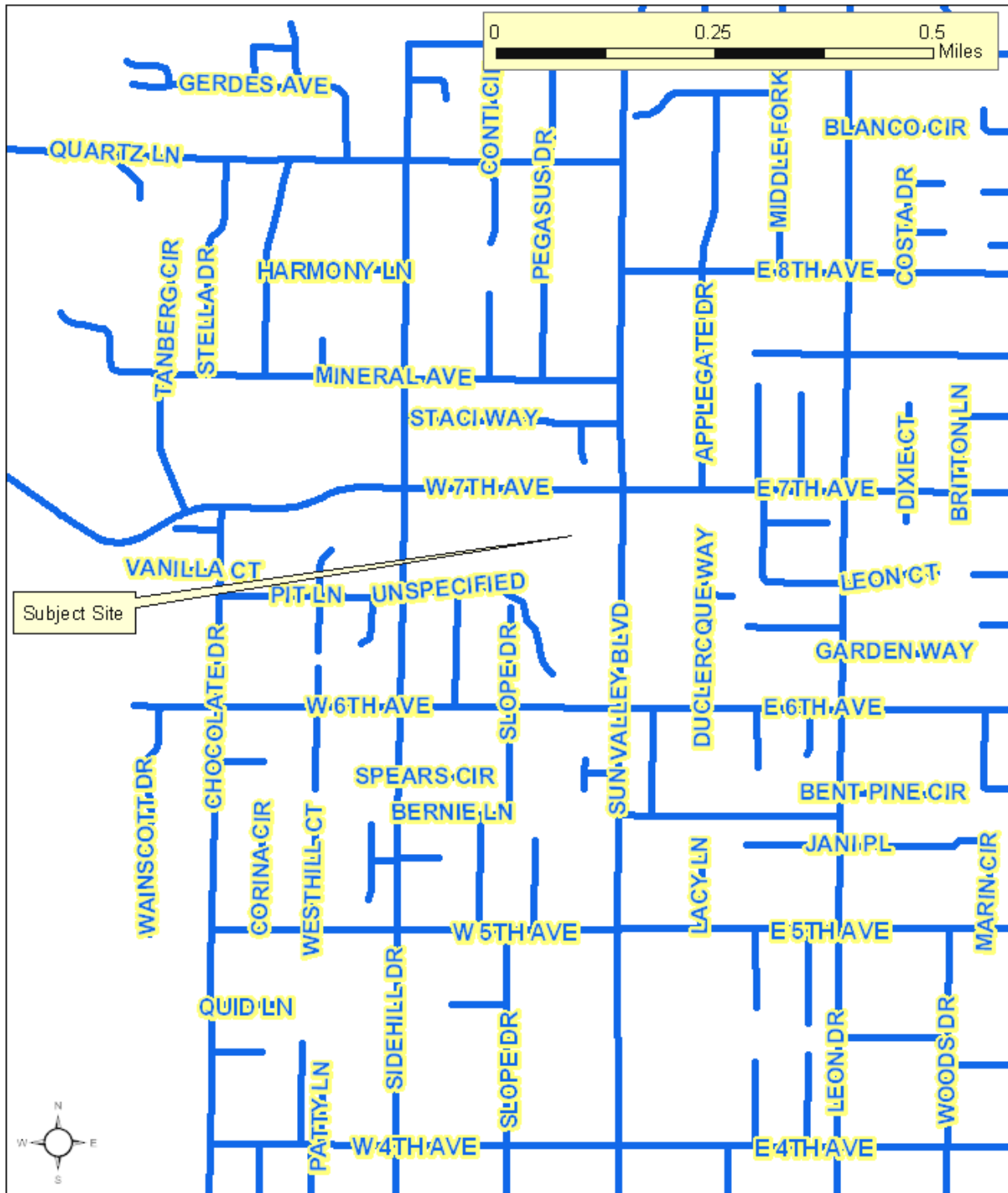
The Conditions of Approval for Administrative Permit Case No. AP12-006 is attached to this staff report and will be included with the Action Order.

Variance Definition

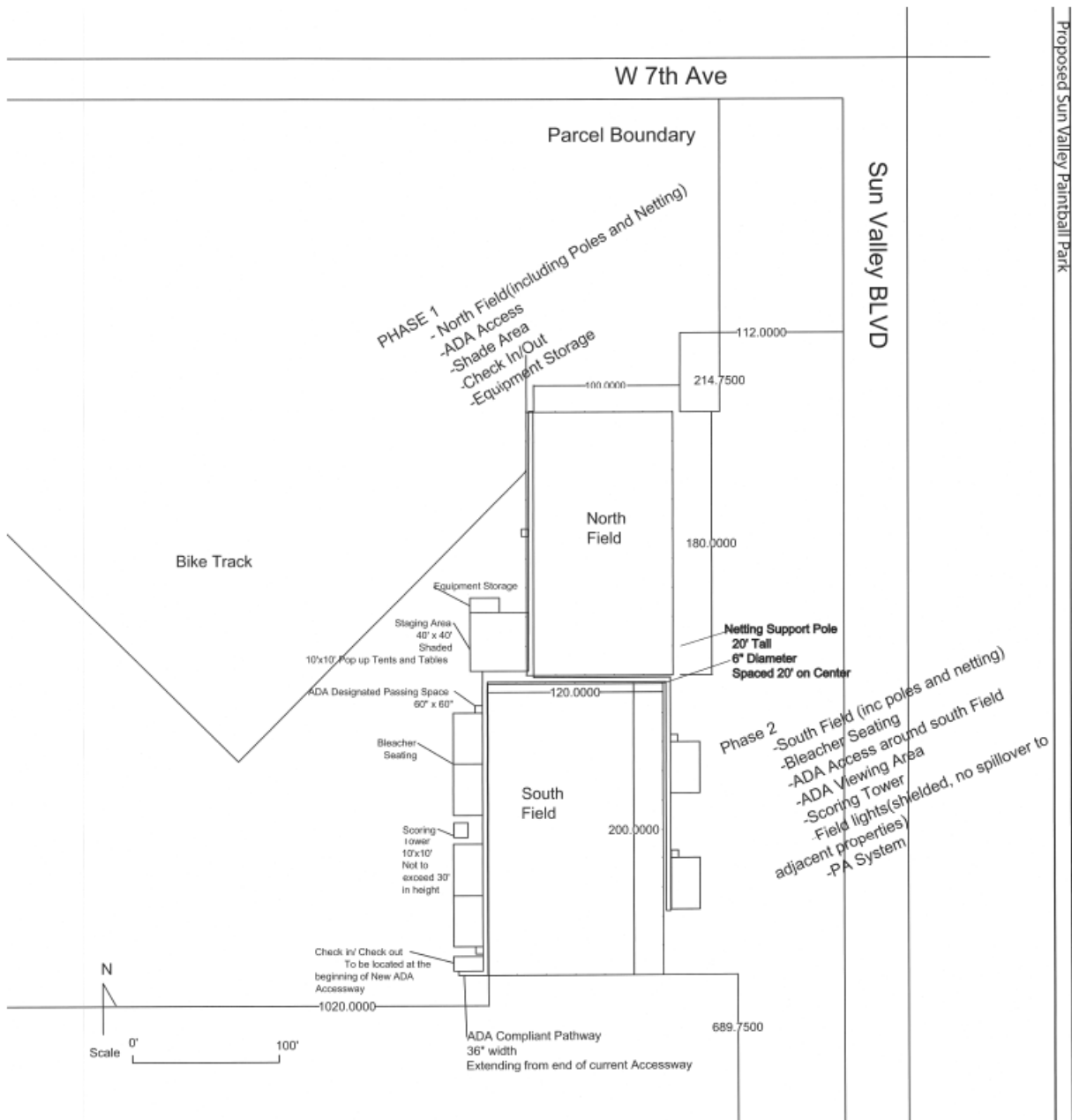
The purpose of a Variance is to provide a means of altering the requirements in specific instances where the strict application of those requirements would deprive a property of privileges enjoyed by other properties with the identical regulatory zone because of special features or constraints unique to the property involved; and to provide for a procedure whereby such alterations might be permitted by further restricting or conditioning the project so as to mitigate or eliminate possible adverse impacts. If the Board of Adjustment grants an approval of the Variance, 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.

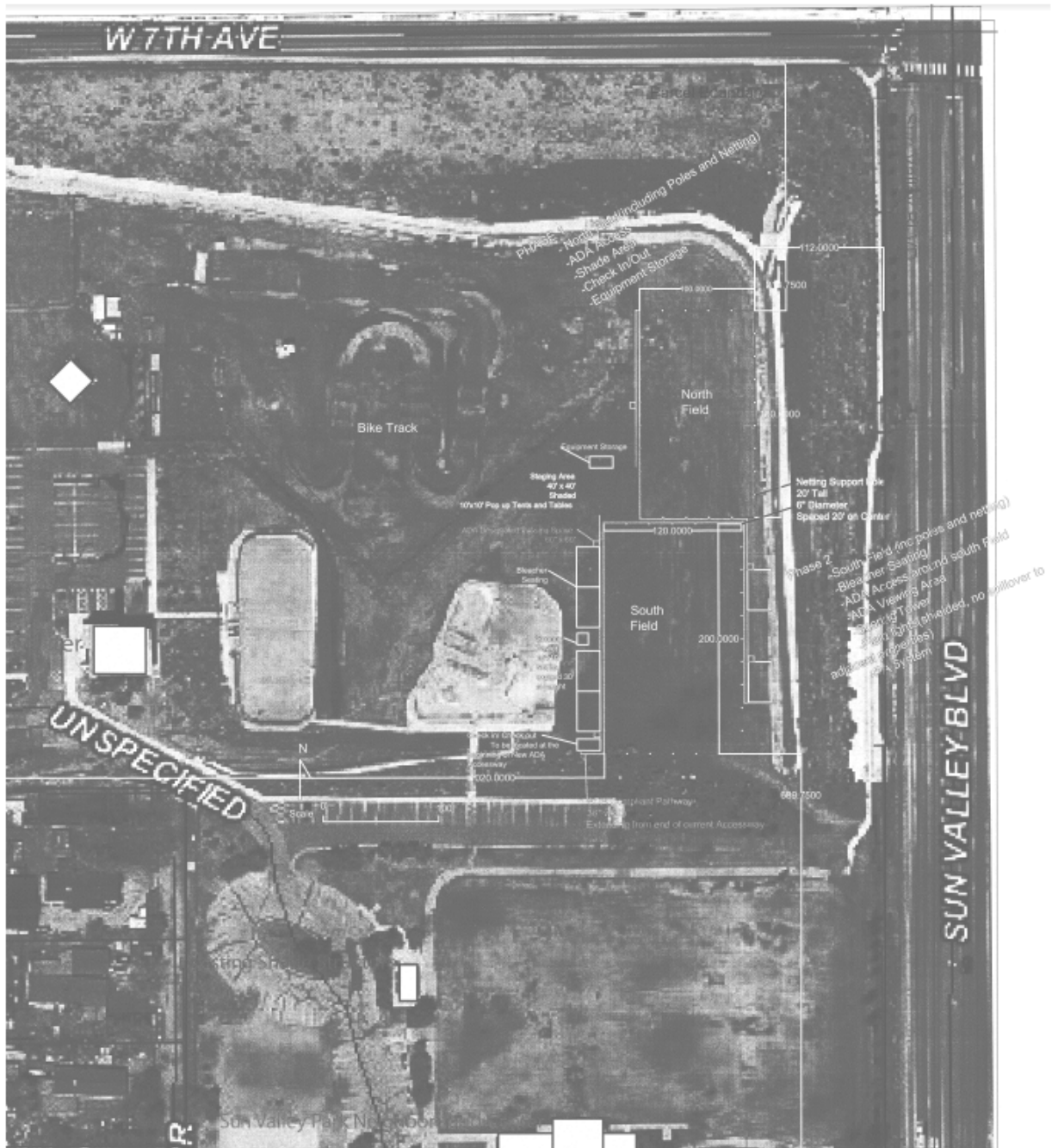
The Conditions of Approval for Variance Case No. VA12-003 are attached to this staff report and will be included with the Action Order.



Vicinity Map



Site Plan



Overhead View with Site Plan

Project Evaluation

The applicant, Reno Indoor Paintball, Inc, is requesting to establish a commercial paintball course which is classified as Outdoor Sports and Recreation Use Type. The game of paintball is essentially a game of “tag” using paintball “markers” (“guns”) that use compressed air to shoot projectiles roughly the size of a marble. The projectiles have a hard shell and dye (“paint”) inside. Upon impact with a solid object or person the projectile breaks marking the person or object with a brightly colored splatter.

The proposal includes two courses for play: the first phase includes a field of play 100 feet by 180 feet in size, an equipment storage facility (cargo container) and a staging area 40 feet by 40 feet in size. This phase is intended to be essentially a large dirt area with obstacles for the play of the game. The “theme” of the obstacles is intended to be changed approximately every four months throughout the year. This field of play is intended primarily for recreational or casual players. Based upon the plans provided, only minimal grading and construction is necessary. However, based upon the changes in themes there is the possibility of various unsightly materials being imported and used as obstacles. Staff has included a condition of approval to prohibit the use of inoperable vehicles, wood pallets, upholstered items, tires, metal items showing rust, or any items that appear to be broken or untidy in appearance as obstacles within the fields of play.

The second course of play is proposed to be a “competition” course. It is proposed to be located south of the first phase, to be 120 feet by 200 feet in size, to include provisions for spectators and a tower for scoring judges to observe the field. This field is proposed to be surfaced with artificial turf. Obstacles in this field of play are proposed to primarily be large inflatable shapes, known as “bunkers”, made of sturdy vinyl which are staked in place so that they do not move during play. Between games or events the configuration of the bunkers is often modified.

The topography of the parcel includes steep graded slopes from the level of the adjacent roadways, dropping significantly to the bottom of the area proposed for the paintball facility. This drop in elevation will help to visually mitigate the impact of the facility, as well as provide additional distance that an errant projectile would have to travel prior to hitting anything at street level.

Each field of play is proposed to be surrounded by netting, twenty feet in height. The netting is intended to stop any projectiles that hit it. Section 110.406.50(c) allows specialty fences for the purposes of enclosing a court-type recreational activity. That section provides several criteria: the fence must not be within any setbacks, the proposed fencing is well outside the required building setbacks; it must not be solid, the proposed netting can be seen through; it must be of a color that blends with the surroundings. Conditions of approval have been included to require that the netting be tan, brown, green or another appropriate color. The fencing is limited to ten feet in height.

The applicant is proposing netting 20 feet in height. Section 110.810.20(e) allows, “The Planning Commission, Board of Adjustment or a hearing examiner may also vary standards of the Development Code as part of the approval of a special use permit application...” with the approval of a special use permit. It is of paramount concern to Washoe County that there be precautions taken to ensure public safety in relation to the proposed paintball facility. For this reason staff recommends that the Board of Adjustment approve netting 20 feet in height and vary the standards set forth for specialty fencing. The additional fencing height will greatly improve the safety those nearby to the proposed facility.

Lighting is proposed for both fields of play. Again, the location of the fields of play, being lower than the adjacent roadways mitigates any spill over of lighting to a large extent. Conditions of approval have been included to require that all lighting be down-shielded and to require a photometric study to ensure that there is no spill over of light on to any adjacent parcel. Some night games are proposed. In some cases special lighting such as “black light” may be used with fluorescent paint on items within the fields of play to achieve a specific desired effect. Night games have been conditioned to be limited to Friday and Saturday nights only and must end by 10PM.

Access must be provided to all facilities in accordance with the Americans with Disabilities Act (ADA). Existing park improvements include sanitary facilities. Prior to approval of a business license the applicant must provide a letter from the Health District indicating that facilities are adequate.

Amplified noise, such as loudspeakers and public address systems are conditioned to be prohibited to minimize the impact upon the adjacent residents.

In addition to meeting minimum landscaping code requirements a condition of approval has been included to require one tree for every fifteen feet, where the proposed facility is adjacent to West 7th avenue and adjacent to Sun Valley Boulevard. There are already trees at the top of the slope adjacent to the road, additional trees will further mitigate sound, visual impact and may even help to stop any errant projectiles.

Overall, staff is comfortable recommending approval of the Administrative Permit and Variance requests, subject to standard conditions of approval, as well as a number of conditions crafted to address the unique aspects of the specific proposal.

Sun Valley Citizen Advisory Board (SVCAB)

Administrative permits are not required by Washoe County Code to be presented at a Citizen Advisory Board meeting. The Variance was sent to all CAB members with a comment sheet attached. No comments were received. The project was discussed at the "Sun Valley Community Forum" meeting on Saturday July 14, 2012. No particular opposition was expressed.

Citizen Comments

Staff received one letter from the public in regards to this application. Lorrie Cusick expressed concerns over how loud the paintball guns might be, clean up of surrounding area if paintball splatter increases, the length of the lease, not being assessed additional funds by SVGID to support the facility and the possible devaluation of surrounding properties. (Exhibit E)

Reviewing Agencies

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

- Washoe County Community Development
- Washoe County Department of Public Works, Engineering Division
- Washoe County Department of Water Resources
- Washoe County Health District
 - Vector-Borne Diseases Division
 - Environmental Health Division
 - Air Quality Management Division
- Washoe County Risk Management
- Washoe County Parks and Recreation
- Washoe County Sheriff
- Nevada Department of Transportation
- Truckee Meadows Fire Protection District

Of the above-listed agencies/departments only Community Development and the Truckee Meadows Fire Protection District provided comments and recommended conditions of approval in response to their evaluation of the project application. This is likely due primarily to the fact that the facility is proposed within an existing park.

Washoe County Community Development addressed the hours of operation, set landscaping, parking and lighting standards and imposed operational conditions that will be in effect for the life of the project.

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

Truckee Meadows Fire Protection District addressed access for emergency vehicles to the project site.

Contact: Amy Ray, 775.326.6000, aray@washoecounty.us

Washoe County Risk Management addressed standards and imposed conditions requiring certain insurance and indemnification of the County.

Contact: Jim Jeppson, 775-636-5347, jjeppson@washoecounty.us

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 No. SB12-012 is being recommended for approval with conditions. Staff offers the following motion for the Board's consideration.

Special Use Permit Motion

I move that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve Special Use Permit Case No. SB12-012 for Reno Indoor Paintball, including the variance to allow specialty fencing twenty feet in height, having made all five findings in accordance with Washoe County Development Code Section 110.810.30:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Sun Valley 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 commercial paintball course (Outdoor Sports and Recreation Use Type), and for the intensity of such a development;
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;

5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation Appeal Process

Appeal Process

Board of Adjustment action will be effective 10 days after the public hearing, unless the action is appealed to the County Commission, in which case the outcome of the appeal shall be determined by the Washoe County Commission.

xc: Applicant: Reno Indoor Paintball, Inc. attn: Lawrence Kagawa, 1005 Standard Street, Reno, NV 89506

Property Owner: Sun Valley General Improvement District, attn: Darin Price, 5000 Sun Valley Blvd. Sun Valley, NV 89433

Action Order xc: Greg Salter, Esq., District Attorney's Office; Carol Buonanoma, Assessor's Office (CAAS); Theresa Wilkins, Assessor's Office; Susan Hood/John Cella, Department of Water Resources; Kimble Corbridge/Leo Vesely, Engineering Division; Washoe County Fire Services Coordinator, Amy Ray, Truckee Meadows Fire Protection District; Sun Valley Citizen Advisory Board, Chair.

EXHIBIT A



Conditions of Approval

Special Use Permit Case Number SB12-012

The project approved under Special Use Permit Case No: SB12-012 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on August 2, 2012. Conditions of Approval are requirements placed on a permit or development by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act.

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

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 Administrative Permit may result in the initiation of revocation procedures.

Operational Conditions are subject to review by the Department of Community Development prior to the renewal of a business license each year. Failure to adhere to the Operational Conditions may result in the Department of Community Development recommending that the business license not be renewed until conditions are complied with to the satisfaction of Washoe County.

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 District Health Department must be appealed to the District Board of Health.**
- **The RENO-TAHOE AIRPORT AUTHORITY is directed and governed by its own Board. Therefore, any conditions set by the Reno-Tahoe Airport Authority must be appealed to their Board of Trustees.**
- **The REGIONAL TRANSPORTATION COMMISSION (RTC) is directed and governed by its own board. Therefore, any conditions set by the Regional Transportation Commission must be appealed to that Board.**

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

Washoe County Community Development

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

Contact Name – Roger Pelham, 775.328-3622

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this administrative permit. The Department of Community Development shall determine compliance with this condition.
- b. The applicant shall submit complete construction plans and building permits shall be issued for phase one of the project within two years from the date of approval by Washoe County. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Department of Community Development.
- c. The applicant shall submit complete construction plans and building permits shall be issued for phase two of the project within one year from the date of approval of a business license by Washoe County. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Department of Community Development.
- d. 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.
- e. Prior to approval of a business license, the applicant shall submit a plan, acceptable to Washoe County, for securing the facility when not in use to prohibit unauthorized use.
- f. Prior to approval of a business license, the applicant shall submit a plan, acceptable to the County Engineer, for handicapped access in accordance with the Americans with Disabilities Act (ADA), for access to all proposed facilities.

- g. Prior to approval of a business license the applicant shall submit documentation from the County Engineer to the Director of Community Development indicating that the development proposal allow sufficient access for service vehicles to access this area for maintenance of the flood detention facility.
- h. Prior to the approval of a business license the applicant shall submit documentation indicating that they understand that this detention basin is designed to hold all of the storm-water from north of the park and in a large storm event, the entire basin may fill completely for weeks at a time.
- i. Any cargo container placed on site shall be screened on all sides by existing vegetation at least six (6) feet in height or by solid fencing at least six (6), but not greater than eight (8) feet in height. Building permits are required for placement of cargo containers and for construction of fencing.
- j. Prior to approval of a business license, the applicant shall provide an analysis of all landscaped area on the parcel with percentage of vegetative coverage to determine whether Code standards are met. If standards are not met additional landscaped area shall be planted in accordance with all provisions of Articles 410 and 412 of the Development Code.
- k. Prior to approval of a business license, in addition to any other required landscaping, the applicant shall install one tree (meeting the requirements of Article 412) for each 15 feet adjacent to the proposed facility along both Sun Valley Boulevard and West 7th Avenue.
- l. Prior to approval of a business license, the applicant shall submit a photometric study, acceptable to Washoe County, showing that there will be no spillover of light on to adjacent parcels.
- m. All netting surrounding the paintball fields of play shall be tan, brown, sage green, or other acceptable earth-tone color. The color shall be approved by the Director of Community Development, prior to installation. A building permit is required for installation of the netting (fence).
- n. Netting (specialty fencing) shall surround each field of play. Netting surrounding the paintball fields shall be twenty (20) feet in height.
- o. The play surface of "phase 2" of the project shall be artificial turf.
- p. Prior to approval of a business license, the applicant shall provide the Director of Community Development with a letter from the District Health Department indicating that sufficient sanitary facilities have been provided.
- q. 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.

- r. Obstacles used within the fields of play shall not include: inoperable vehicles, wood pallets, upholstered items, tires, metal items showing rust, any items that appear to be broken or untidy in appearance.
- s. The following Operational Conditions shall be required for the life of the project/business:
 1. This administrative 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 Department of Community Development.
 3. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the administrative permit to meet with the Department of Community Development to review conditions of approval prior to the final sale of the site and/or the administrative permit. Any subsequent purchaser/operator of the site and/or the administrative permit shall notify the Department of Community Development of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.
 4. This administrative permit shall remain in effect as long as the business is in operation and maintains a valid business license.
 5. Connection to running water shall be provided at each field of play. The applicant shall sprinkle all disturbed areas with water at the end of each day of play, and as necessary throughout the day, to help control fugitive dust emissions and to facilitate in degradation of paintballs and paintball residue.
 6. Trash receptacles shall be provided adjacent to all areas of play and spectator areas. Trash receptacles shall be emptied daily.
 7. Hours of operation shall be limited to the hours between 9AM and 9PM, Sunday through Thursday (all exterior lighting shall be turned off by 9:30PM). Hours of operation shall be limited to the hours between 9AM and 10PM on Friday and Saturday (all exterior lighting shall be turned off by 10:30PM).
 8. Amplified noise such as "public address" (PA) systems or music systems are prohibited.
 9. Sales of food and drink at the facility is prohibited.

Truckee Meadows Fire Protection District

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

Contact Name – Amy Ray, Fire Marshall. 775.326-6000

- a. Reno Indoor Paintball shall maintain access to the park and all facilities at all times in accordance with the IFC, IBC and Washoe County Code 60.
- b. Any events to occur at the facility shall be approved.
- c. Normal business operation and events held at the facility shall not impede or restrict emergency access to the park or facility.
- d. Plans and/or permits for the facility shall be obtained and approved prior to construction in accordance with the IFC, IBC and Washoe County Code 60.

Washoe County Risk Management

- 3. The following conditions are requirements of Washoe County Risk Management, which shall be responsible for determining compliance with these conditions.

Contact Name – Jim Jeppson, Risk Consultant. 775-636-5347

- a. Prior to issuance of a business license or operation of the facility the applicant shall obtain General Liability Insurance and Automobile Liability Insurance with limits not less than \$1,000,000, with Washoe County named as an Additional Insured.
- b. Prior to issuance of a business license or operation of the facility the applicant, and any other operator of the facility, shall execute an agreement, on a form acceptable to the county, to indemnify, hold harmless, and defend the County and any other public entity involved in this process from and against any loss or liability arising from this activity.
- c. Prior to participation in any activity each participant at the facility shall sign an agreement, on a form acceptable to the County, which shall fully release Washoe County from any liability for bodily injury or property damage.
- d. The netting surrounding the facility shall be maintained in good condition at all times. Applicant must agree to suspend all operations at the facility whenever the netting sustains damage from wind, vandalism, or any other peril; until such time that the netting is repaired and returned to good condition.
- e. Applicant shall agree that the facility will be under the direct supervision and control of a qualified range master at all times.

*** End of Conditions ***

Exhibit B

7.12.12

Dear Roger Pelham,

I am writing in regards to the proposed "Paintball" course at the Sun Valley Community Center. I have property adjacent to the park and have concerns about how the course could affect the quality of life in the neighborhood. Here are some of my concerns:

- 1) How "loud" are paintball guns? ^(like to hear a demonstration) very noisy?
- 2) Who will clean up nearby ^(off-site) homes and businesses if paintball splatters start showing up frequently in the community?
- 3) How long is the lease for the property proposed to be held for? (In case problems arise from the facility)
- 4) Will the business be self-sustaining? (I don't want to be assessed more recreation money from the SVGID - already assessed around \$3.00 monthly for recreational purposes)
- 5) Possible property ^(homes) value devaluation?

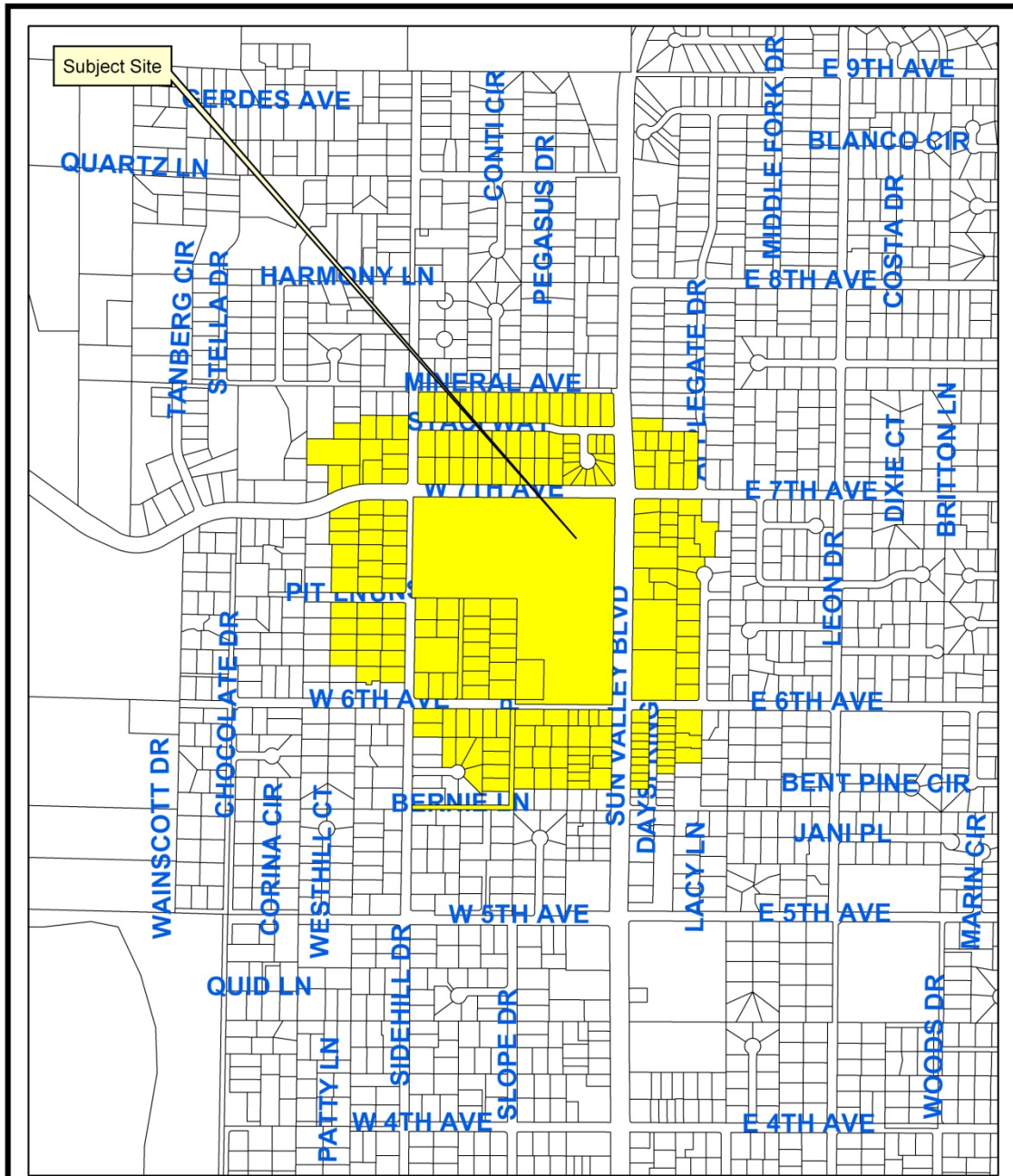
Please contact me to let me know if there is going to be a public hearing and when/where it will be held.

Contact: 775 673-4139

Sincerely,
Jorue Cusick

etc.

EXHIBIT C



Mailing Label Map

Administrative Permit AP12-006
SVGID Paintball Park

214 Parcels selected at 500 feet.

Source: Community Planning Services



Date: July 2012

Department of
Community
Development
WASHOE COUNTY
NEVADA

Post Office Box 11130
Reno, Nevada 89520
(775) 328-3600

Staff Assigned Case No.: AP12-006

Washoe County Development Application

Project Information			
Project Name (commercial/industrial projects only): SVGID Paintball Park			
Project Description: Development and Operation of a Paintball Park.			
Project Address:			
Project Area (acres or square feet): 2 Acre (appx)			
Location Information			
Project Location (with point of reference to major cross streets AND area locator): 115 West 6th Avenue, Sun Valley, Nevada. 89433. (South West Corner of 7th Street and Sun Valley Boulevard)			
Assessor's Parcel No(s):	Parcel Acreage:	Assessor's Parcel No(s):	Parcel Acreage:
85-211-03	26.086		
Section(s)/Township/Range: S18 T20N R20E			
Indicate any previous Washoe County approvals associated with this application: Case Nos. SPB 5-13-87			
Applicant Information			
Property Owner:		Professional Consultant:	
Name: Sun Valley General Improvement District		Name:	
Address: 5000 Sun Valley Boulevard		Address:	
Zip: 89433		Zip:	
Phone: 775.673.7700	Fax:	Phone:	Fax:
Email: DPrice@SVGID.com		Email:	
Cell:	Other:	Cell:	Other:
Contact Person: Darrin Price (General Manager)		Contact Person:	
Applicant/Developer:		Other Persons to be Contacted:	
Name: Reno Indoor Paintball, Inc.		Name:	
Address: 1005 Standard St.		Address:	
Zip: 89506		Zip:	
Phone: 775.342.5477	Fax:	Phone:	Fax:
Email: Larry@RenoIndoorPaintball.com		Email:	
Cell: 775.342.5477	Other:	Cell:	Other:
Contact Person: Lawrence C. Kagawa		Contact Person:	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:			
CAB(s):		Land Use Designation(s):	

Owner Affidavit

Project Name:	
Application Type	
<input type="checkbox"/> Abandonment	<input type="checkbox"/> Final Map Certificate of Amendment
<input checked="" type="checkbox"/> Administrative Permit	<input type="checkbox"/> Final Map Major/Minor Amendment
<input type="checkbox"/> Agricultural Exemption Land Division	<input type="checkbox"/> Final Subdivision Map/Const Plan Review
<input type="checkbox"/> Amendment of Conditions of Approval	<input type="checkbox"/> Parcel Map Waiver
<input type="checkbox"/> Boundary Line Adjustment	<input type="checkbox"/> Reversion to Acreage
<input type="checkbox"/> Comprehensive Plan Amendment <input type="checkbox"/> Land Use Designation Change <input type="checkbox"/> Text Change	<input type="checkbox"/> Special Use Permit <input type="checkbox"/> with EIS/EA
	<input type="checkbox"/> Specific Plan
<input type="checkbox"/> Design Review Committee Submittal	<input type="checkbox"/> Tentative Map of Div into Large Parcels
<input type="checkbox"/> Development Agreement	<input type="checkbox"/> Tentative Parcel Map
<input type="checkbox"/> Development Code Amendment	<input type="checkbox"/> Tentative Subdivision Map
<input type="checkbox"/> Ext of Time Requests (Approved Applications)	<input type="checkbox"/> Hillside Development
	<input type="checkbox"/> Significant Hydrologic Resource
<input type="checkbox"/> Ext of Time Requests (Tent Subdivision Maps)	<input type="checkbox"/> Common Open Space Development
	<input type="checkbox"/> Variance

The receipt of an application at the time of submittal does not imply the application complies with all requirements of the Washoe County Development Code, the Washoe County Comprehensive Plan or the applicable area plan, or that it is deemed complete and will be processed.

STATE OF NEVADA)
)
 COUNTY OF WASHOE)

I, _____, being duly sworn, depose and say that I am an owner* of property involved in this petition 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 the Department of Community Development staff.

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

*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

Signed Darwin Price
 Address 5000 Sun Valley Blvd.
SUN Valley, Nevada 89433

Subscribed and sworn to before me this
29th day of June, 12.

Jennifer Merritt
 Notary Public in and for said county and state
 My commission expires: Jan. 13, 2014



(Notary Stamp)

Administrative 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 administrative permits may be found in Article 808, Administrative Permits.

1. What is the type of project or use being requested?

Project type:
Paintball & Airsoft field development; Recreational use.

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

Developed portions:
Parking and personal facilities (rest rooms)

Existing structures:
Parking lot with 23 adjacent parking spots (plus 1 Handicap) available with overflow contiguously located to both the South and West.

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?

Improvements: A temporary structured Media Tower should be constructed and or purchased and installed with the foot height set at 20' above ground; not to exceed 30' overall height with the dimensions set at 20' height x 10' width x 10' long. Audience bleacher(s) should be constructed and or purchased and installed with the foot height set at a minimum of 5' above ground with variable width dependent upon audience size estimates. Sanitation porta-potty's will be leased and serviced at regular intervals if on-site facilities are burdened or deemed insufficient. Parking is existing and is sufficient for the additional use; a visible survey with count has been performed and we found that present parking is rarely fully utilized and scarcely used during our projected peak times. Warning and or informational sign(s) are proposed for this additional use. The sign(s), recommended 6 total, should not exceed 18"x24" and may have a reflective surface to aid in visibility. Adequate fencing exists on-site however, if deemed necessary to prevent loss or restrict incidental foot traffic, then chain-link fencing similar to what is presently installed will be used. The time frame for all projects to begin is upon occupation with completion estimated at no later than 1 year from that date.

4. What is the intended phasing schedule for the construction and completion of the project?

Phase 1: Field One (Northern Field) - Start Upon Administrative Approval and Completed in 14 days.

Phase 2: Field Two (Southern Field) - Start March 2013 and Completed in 30 days.

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?

Beneficial physical characteristics of location: fairly level surface, accessible by car, foot, and public transportation, existing fencing, existing parking and personal facilities, nearby public restaurants and or convenience stores, and natural visual and noise abatements.

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

Anticipated benefits: Will provide additional recreational facilities for both the area residents and visitor base. This additional recreation will make great use of an otherwise under utilized portion of the overall parcel. The use should increase consumerism to adjacent merchants.

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

Anticipated negative impacts: Abatements will be placed to allow the minimal noise to reduce or evaporate so residents are not disturbed. Along with the abatements, the regular hours of operation will not violate presently established community quiet hours.

Most importantly the risk of errant paintball's extending beyond the designated play area will be minimized by ensuring that: one, abatements are sufficient to reduce the velocity of any errant paintball prior to exiting the play area, two, that all players are notified of play area rules and are not to direct their aim out of play area, and three, the on-field staff/referees will strictly enforce the previous rule and report any intentional firing of paintball's out of the play area to local law enforcement once the adverse behavior has been stopped.

Staff/Referees will be posted at all entry/exit points to ensure that all entrants have and wear protective eye wear; specifically goggles made for paintball and airsoft. Signs will be posted at all entry/exit points; sign example included with packet.

8. Please describe operational parameters and/or voluntary conditions of approval to be imposed on the administrative permit to address community impacts.

Voluntary conditions:
Hours of Operation will not infringe upon community quiet hours. Any use outside of this parameter requires special approval.

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

On-site parking provided 250 regular and 10 handicap spaces exist adjacent to site with contiguous overflow already established.

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

Fencing is already provided with some additional enclosure fencing to be added as needed.

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.)

Ordinance and or Warning signs (18x24") will be created and posted in accordance with present City/County/GID rules and regulations; posted at ingress and egress. An example is attached.

12. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that apply to the area subject to the administrative permit request? (If so, please attach a copy.)

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

13. Utilities:

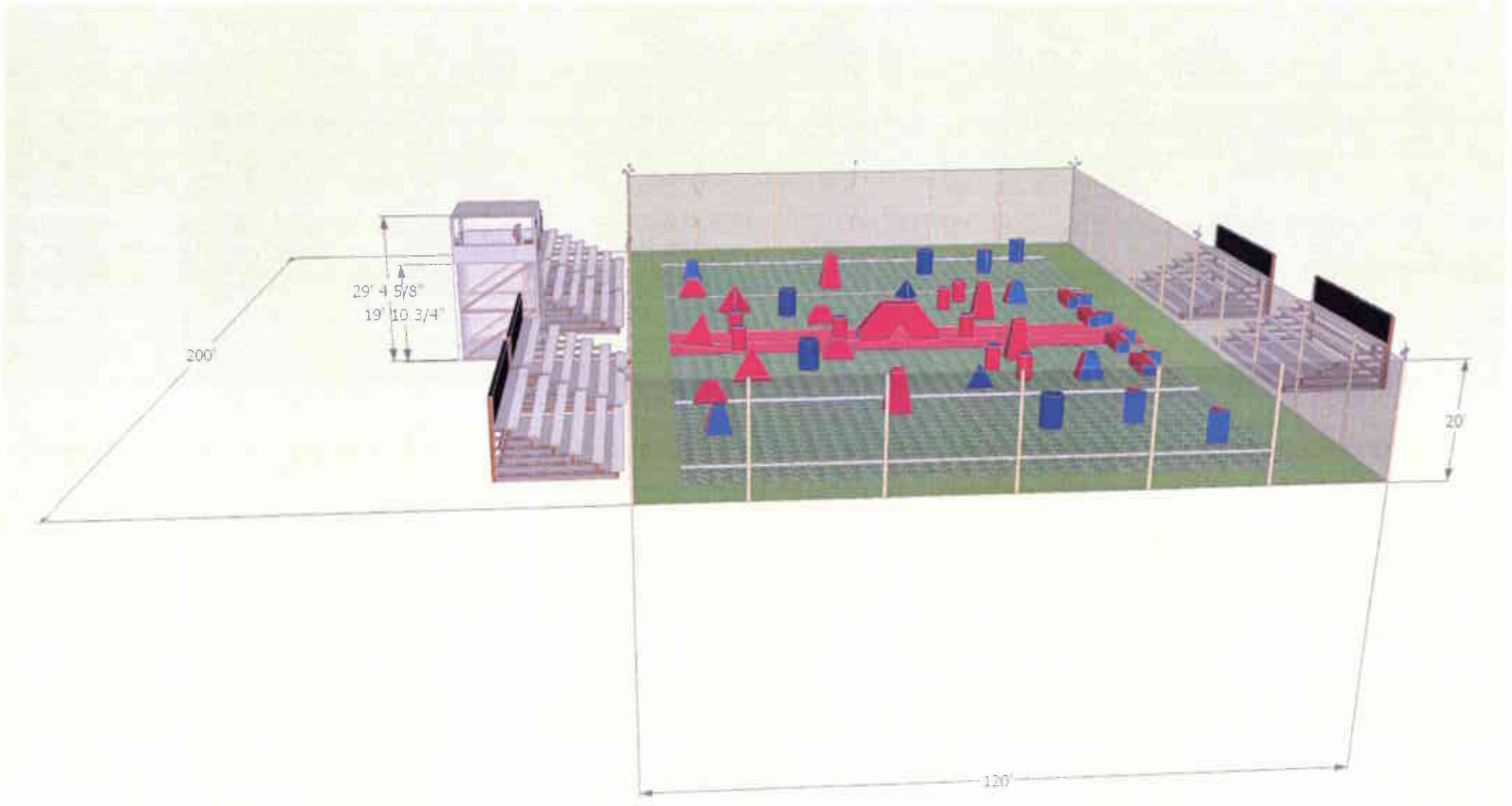
a. Sewer Service	Sun Valley GID
b. Water Service	Sun Valley GID

For most uses, the Washoe County Code, Chapter 110, Article 422, Water and Sewer Resource Requirements, requires the dedication of water rights to Washoe County. Please indicate the type and quantity of water rights you have available should dedication be required:

c. Permit #	N/A	acre-feet per year	Zero
d. Certificate #	N/A	acre-feet per year	Zero
e. Surface Claim #	N/A	acre-feet per year	Zero
f. Other, #	N/A	acre-feet per year	Zero

i. Title of those rights (as filed with the State Engineer in the Division of Water Resources of the Department of Conservation and Natural Resources):

Not Applicable







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All other marks are the property of their respective owners.

Google

15/03/2008





Google

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© 2004 Google

© 2004 Google



Google

©2014 Google

38.3558280911924855 -121.911704102

Imagery © 2014





Sign is 18x24"



CAUTION

GOGGLES ON AREA!

**Protective Eye Wear Must Be Worn
at All Times**

Sun Valley General Improvement District

In Conjunction with

Reno Indoor Paintball, Inc.

Presents the

Sun Valley Paintball Park

Proposal

Reno Indoor Paintball Incorporated proposes that it be contracted as a concessionaire to provide paintball recreation for the Sun Valley GID, providing paintball recreation to the Regional Residents, Visitors and numerous Amateur teams and NV Reign – Northern Nevada's own Professional Paintball team, both of which participate in the National Paintball League.

Executive Summary


Reno Indoor Paintball, Inc. provides a competitive, fun, and safe recreation environment for patrons to experience paintball at or below industry standard prices. Reno Indoor Paintball, Inc. services members and drop-in clients alike, while specializing in corporate team building, leadership and training camps, and catering to special events; birthdays and bachelor/bachelorette parties. Reno Indoor Paintball provided services for City of Carson City during the 2010 Armed Forces weekend in support of a high school senior's project. Additionally, Reno Indoor Paintball, Inc. is preparing to host Nevada's first ever Regional Paintball League (RPL) tournament; 23-25 July. Reno Indoor Paintball, Inc. also provided services for the Western States Police & Fire Games (WSPFG) to host their annual event in 2010. These events served as a primer to formally introduce paintball as a legitimate sport to the residents of both Northern Nevada and given the large numbers of participants at all events there is a very large population of active paintballers in Northern Nevada.


Paintball, as both a recreational and competitive sport, has solidified its foothold in the national market-place, with over 25 years of growth that has infiltrated urban and suburban areas alike. Paintball has become accepted in both high-schools and colleges, which culminates in competitive play in both the National Collegiate Paintball Association (NCPA) and the National Paintball League (NPL). Reno Indoor Paintball, Inc. is the training center for 2 high school club teams, UNR's club team, 6 Amateur teams and NV Reign – National Champions 2010. Additionally, Reno Indoor Paintball, Inc. will host summer training camps for appropriately aged children (ages 10 < x) with specific focus on leadership, teamwork, and effective communication.


Corporate qualifications

Reno Indoor Paintball, Inc. most important company strengths are its owner's and staff's complete divestment of time and effort toward its daily operations, safety, and player satisfaction. With core competencies being the safe operation of all field environments, extensive knowledge of all equipment, and 24 years of organizing and executing paintball play on both local and national levels. For the past 4 years Reno Indoor Paintball, Inc. has operated with a perfect safety record while overseeing thousands of clients who expended over 20 million paintballs during tournaments and both indoor and outdoor recreational paintball games; RIP's safety record is #1 in the state.


Specific achievements:

 Establishment and continued operation of Nevada's largest indoor paintball facility – 4 years


 Providing a drug and alcohol free environment for all ages entertainment – while deferring at risk youth to appropriate agencies for support


 Installation of mentorship program for younger players to partner up with members of our Professional team for help and guidance on and off the field

 Development of 5 unofficial high school club teams and 6 Amateur teams; one HS team won a western states title.

 Training site for the collegiate UNR club team

 Establishment of a Professional team – NV Reign

 Host to Professional training camps and both individual and team clinics

 Facilitator to Corporate training events for both leadership development and team building – Now a corporate destination activity



Sponsor to host Northern Nevada's 1st regional paintball tournament



Employer to high school graduates and continuing education students of all backgrounds



4 Full years of incident free operation



Mentor to undergraduate business majors



Support of several not for profit and other groups:

- ✦ Reno Demolay and the Children's Miracle Network
- ✦ Nevada Association of the Deaf – Deaf and Hard of Hearing Advocacy Resource Center (DHHARC)
- ✦ Boys and Girls Club and the Juvenile Diabetes Research Foundation
- ✦ Reno Parks & Recreation Department Kids Camp
- ✦ Tahoe Experience
- ✦ South Lake Tahoe Parks & Recreation
- ✦ Tahoe Donner Parks and Recreation District

Introduction

The proposed "Sun Valley Paintball Park" is a specially designated area for air sports enthusiasts to enjoy organized Paintball play during the parks normal open season.

Reno Indoor Paintball will both perform and oversee the establishment of the park beyond insurance industry requirements, will conduct the daily operation, and will be held 100% accountable for everything that happens or fails to happen with regard to this parks paintball operation.

Reno Indoor Paintball, Inc. will maximize available assets to ensure that the work required establishing and maintaining this park is performed to standard. Reno Indoor Paintball, Inc. will ensure that established protocols and procedures are followed to ensure that this operation is transparent to the already outstanding Sun Valley GID; providing positive accolades, not negatives.

All work will be performed within the borders of the park and all equipment and or supplies may be handled internally by Reno Indoor Paintball, Inc.; unless the Sun Valley GID has assets that may support this projects build-out. Reno Indoor Paintball will maintain all required insurance and licenses in order to perform this service.

With contracts in place, ground lease payment, completion of build-out, and staff training, the Sun Valley Paintball Park may open as early as 30 days following the solidification of an agreement.

The positioning of this Paintball Park in the Sun Valley GID is crucial to service the growing number of paintball enthusiasts currently residing in this region and is an additional feature to bring tourists in from all over Northern California into the area.

Problem Statement

Over the past 20 years City officials and Parks & Recreation departments across the nation have been reacting to the ever growing population of skateboarders. A population that until recently has been terrorizing parking lots, concrete sewer systems, storefront sidewalks, and other non-sanctioned areas in order to enjoy their sport. The answer came either through political directive, administrative initiative, and or public demand to provide skateboarders parks in which to enjoy riding and thus significantly reducing their affect on less appropriate venues and non-participants.

Locally, paintball markers and airsoft guns are outselling skateboards at nearly a 1.2:1 ratio. However, paintball markers are capable of causing significantly more harm than a skateboard if not properly utilized in an environment designated for their use; with the most common injury being loss of vision; occurring without the enforcement of safety goggles. These renegade games are also haven for drug and alcohol influence and or use by minors.

Presently, local paintball players are playing unsupervised on both the National Forests and BLM lands and this is where the highest rate of injury occurs. Players set up an area to host their games but do not properly use goggles, barrel blocking devices, perform chronograph foot per second speed checks, and do not properly restrict nor redirect non-participants from wandering into their play zone.

Conversely, when proper supervision is present and goggles and barrel blocking device use is mandatory and enforced, paintball players enjoy a very low injury rate per capita – “even lower than bowling.” (Appendix 1)

California presently is the Mecca for paintball fields with over 250 formal fields presently in operation with its newest one opened June 26th 2010 at the Squaw Valley Resort. The Squaw Valley field focuses on its tourist base and is priced significantly higher than industry standards for local resident use. On the other hand, not all paintball fields are formal and or legal which is the case in the City of Lompoc California; the City of Arts & Flowers. In October of 2008, a city storm water management program reported that paintball was an illegal use of the Santa Ynez Riverbed and that said games interfered with legitimate activities such as biking and walking.

Objectives



Foster a mutually beneficial and safe coexistence between players and non-players



Create new Full & Part-time jobs



Establish a park for Paintball and potentially Air Soft players



Provide an additional revenue stream for the Sun Valley GID



Offer summer training camps; adding to an already diverse program offering



Coach, mentor, and train individuals interested in high school, collegiate, and
or professional achievement

Project Build-Out

Work to be performed

Site: Sun Valley Community Park located at 115 West 6th Ave, Sun Valley, NV. 89433; which will be netted off from the general public and may be designated as the Sun Valley Paintball Park.

Perimeter: As required, protective netting will be used to encompass the park to ensure a distinctive separation between participants and the general public. This netting will be 10' or 20' high dependent upon non-participant exposure, insurance requirements, and GID advisement. To support protective netting, wooden support poles may be erected with top mounted pulley systems allowing quick and easy net removal.

A designated check-in area will be designated to ensure no unauthorized entry to the park is achieved during normal operating hours. The photo below is such an entry.



Maintenance: 100% of all required clean up and trash collection will be performed by the Reno Indoor Paintball staff to include but not limited to maintenance of all player staging areas, restroom cleaning, and area upkeep. Current grass, utility, and trash service costs may need to transfer from the city to Reno Indoor Paintball or appropriately billed to Reno Indoor Paintball.

Management plan

Our management plan includes having a senior member of Reno Indoor Paintball's staff on-site during all operating hours. An administrative assistant will run the main check-in desk and will perform all basic equipment safety checks, ensure all players are of proper age to participate, process player waivers, and collect all fees. At least One Ultimate Referee will perform player safety briefings and supervise all game play. At least Two Assistant Referees will aid in the supervision of all game play and are directly responsible for ensuring that all safety policies and rules are adhered to at all times. All staff and referees retain the ultimate authority to remove any player from the park due to the player's failure to follow established safety rules.

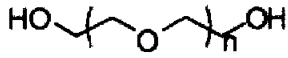
A special area of emphasis exists in ensuring that paintball markers are not discharged outside the designated paintball field; e.g. the parks parking area. A similar situation existed for the National Professional Paintball League in Huntington Beach where the league set up 3 paintball fields oceanside a mere 30 meters from the water. To ensure pedestrian and resident safety, as players would be walking through downtown and residential areas with their gear, the league imposed a player code of conduct; failure to

follow the code of conduct rules resulted in league penalties and or civil/criminal charges from the Huntington Beach Police Department if warranted. (Appendix 3)

Reno Indoor Paintball, Inc. will provide a drug free environment. Reno Indoor Paintball, Inc. will continue to lead today's youth away from renegade outdoor games where they may fall under the influence of drugs and into a structured environment where they can better themselves and those around them. Reno Indoor Paintball's Professional Team, NV Reign, leads from the front by subjecting themselves to random drug testing. Contractually, every member is subject to permanent removal/suspension from the team if found guilty of any drug, alcohol, and or violent offense. The members of this team diligently mentor new participants to ensure they play safe and stay in school and off drugs.

Environmental Impact

The ammunition used in the marker; paintballs are spherical gelatin capsules containing primarily polyethylene glycol, or other non-toxic and water-soluble substances, and dye.



Polyethylene glycol (PEG) is a linear polyether used in both cosmetics and pharmaceuticals and is found in many colorless liquids with high molecular weight that are soluble in water and in many organic solvents and are used in detergents and as emulsifiers and plasticizers. Pharmaceutical Dr. Wendy Watanabe, graduate of the University of California San Francisco, states that PEG is used in drugs to treat both anemia and constipation; e.g. Micera, GlycoLax, and MiraLax.

No outside paintball ammunition may be brought into or used at this site to ensure the quality and control of the ingredients, environmental standard, and safety of the players. This ensures that low quality paintballs that are heavy in oils are not used.

Environmental Studies

In a 2003 study conducted by the U.S. Environmental Protection Agency, Region III, in Philadelphia, Pennsylvania; the Third Five-Year Review Report for New Castle County, Delaware states the following:

- ↓ The paintball use discussed during the 1998 5YR is ongoing but has no impact on the ground water and or underground aquifers
- ↓ Currently, the property is being used as a recreational facility

- ✚ Paintball games are played on the Site on the weekends
- ✚ EPA is aware of this limited use and does not feel there is a danger to the public as long as the soil cap is undisturbed
- ✚ The Site is well maintained by the current tenants who are operating a recreational paintball facility
- ✚ The paintball operation does present a concern for foot traffic over the capped portion of the site, but installing a protective fence around the cap removed this concern

In a separate study extending through a period from November 2001 through February 2005, both the U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency performed a Human Health Risk Assessment at the GE/Housatonic River Project in Pittsfield, Massachusetts; a Phase 1 Direct Contact Screening Risk Assessment. The focus of this study was to monitor residual levels of polychlorinated biphenyls left over from a previous industrial use on said land. However, as a bi-product of this EPA Phase I study the effects of paintball related materials was subsequently evaluated.

The result of these annual studies found that the area was in fact a "Paintball Area because of the presence of spent paintball cartridges and related material." After careful review of each annual report which included soil samples in and around the "Paintball Area" I inferred, from a lacking inclusion of polyethylene glycol in their report, that there was no remarkable or reportable impact from paintball casings or their fill on the area in these studies. (Vol. IIA, Feb 2005)

U.S. Forest Service Law Enforcement Opinion of Paintball

Dave Leveille, law enforcement officer for the Humbolt-Toiyabe National Forest located at 1200 Franklin Way, Sparks, NV, 89431 (775) 331-6444 provided the following information when asked his professional opinion of paintball activities in National Forest lands; below is the summarized transcript of said conversation taking place on Monday June 28th, 2010 at approximately 11:50 am between Lawrence Kagawa and Dave Leveille.

Lawrence: "Dave, what is the short and long term adverse affects of paintball activities in your district?"

Dave: "The biggest effect is trash, players leaving behind cardboard boxes, broken picnic tables, bales of hay, and wooden structures after they depart. I have seen that the paintball shell left on the ground and the fill on the trees biodegrades over time."

Lawrence: "Dave, where do you see the long term damage from paintball?"

Dave: "The worst damage is people marking signs."

Lawrence: "Do you get complaints about paintball players in the forest?"

Dave: "I receive very few complaints about paintball players, mostly the complaints are about the signs being shot, and we receive way more complaints about off road vehicles. Again, if someone complains about paintball players it is because of trash being left behind or them playing on closed roads."

Lawrence: "Are you seeing evidence of paintball players tearing up natural terrain or vegetation?"

Dave: "I have seen no natural damage being done as far as tearing up the vegetation as players seem to move along natural trails [rather than making new ones]."

Lawrence: "Can you quote or direct me to a U.S. Forest Service policy or regulation that authorizes the playing of paintball in your forest?"

Dave: "No, the federal code does not specifically cite paintball, as it fails to for a lot of other uses, but instead does not include paintball in its list of prohibited uses. Exclusion from the list means that it is allowed. I am going to provide you with the federal code chapter for reference; Code of Federal Regulations, Title 36 – Part 261.1 – 261.23."

<http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&rgn=div6&view=text&node=36:2.0.1.1.19.1&idno=36>

Zoning/ Special Permit

A special use permit may be required as paintball may not be currently be listed as a use on Parks and Recreation lands.

Future Funding

Future funding will be internally resolved. However, use of Parks & Recreation personnel and or equipment may be warranted and as such use is designated, Reno Indoor Paintball will negotiate terms for services.

Proposal Wrap Up

Given our companies unilateral commitment to safety, dedication to environmental protection, and added recreational benefit to the Sun Valley GID residents and local business, please affirm Reno Indoor Paintball's request to negotiate and execute a ground lease/concessionaire contract to establish SVGID's own Paintball Park at the currently underutilized park area.

I am available for questions at the contact information provided below. Please feel free to ask questions and or request clarification about any fact included or excluded from this proposal.

Very Respectfully,

Lawrence C. Kagawa

President

Reno Indoor Paintball, Inc.

(775) 342-5477.

Larry@RenoIndoorPaintball.com

References

Appendix 1

Paintball is Safer than Bowling

Monday October 1, 2007

“People always wonder just how safe paintball is. Well, according to a study by the National Injury Information Clearinghouse of the U. S. Consumer Product Safety Commission, it's safer than bowling. The 2001 study reports that per 1000 participants there are only 0.24 while bowling accounts for 0.47 injuries. What is the most dangerous sport? Water skiing has 260.84 injuries per 1000 participants.

While this study is from 2001, the numbers should still hold true today as the injuries are per 1000 participants and not by total number of injuries.”

<<http://paintball.about.com/b/2007/10/01/paintball-is-safer-than-bowling.htm>>

“While membership in the “Extreme Sports” category implies a whiff of danger, only Paintball is handicapped by a huge injury taboo – one that exists in the public mind, but not in the statistics. The industry has long maintained that the rare (but highly publicized) eye injury almost always occurs in an unsupervised, unprotected, often illegal setting; and that Paintball is a very safe activity – a claim substantiated by the current research, as the sport reflected only 0.2 injuries per 1,000 exposures, the lowest injury rate of any Extreme Sport. Put another way, the average player will suffer a Paintball injury about once every 500 years.” <<http://www.americansportsdata.com/pr-sportsinjuries.asp>>

County converts park to paintball center

10-year deal gives new purpose to Solley Cove Park

By SEAN PATRICK NORRIS, Staff Writer

Published 03/29/10

Paintball is coming to a Pasadena park in May thanks to a 10-year deal with two area merchants.

Under an agreement signed with the county last month, Jeff Foy of Paintball Sports and Supply in Pasadena, and partner Outdoor Adventures of Arbutus will clean up Solley Cove Park on Carbide Road. In place of the debris often dumped at the undeveloped parkland, they will set up the county's first paintball course. They said they hope to have things up and running by May 1.

"There is no place for people to play right now," Foy said. "People that are playing are playing behind Walmart and next to the railroad tracks. We are going to set up little courses so you can play Army. That's basically what it is."

County officials called the deal a no-brainer. The park is currently not being used for anything except illegal dumping.

The two companies will serve as stewards for the property, using fallen trees and the natural settings to create low environmental impact obstacles for their courses. The paintballs themselves are biodegradable.

Franklin Chaney, county recreation administrator, said the deal saves the county the expense of maintaining the land.

"One of the things that we are looking to do in these tough economic times is save taxpayers a little bit of money," he said.

The Solley Cove paintball and airsoft fields will consist of four courses. Walk-on use will be available to people and small groups on weekends. Larger groups will need to make reservations. Rental equipment also will be available.

Costs will run between \$20 and \$60 depending on the number of paintballs and the amount of paintball gear used.

Paintball features two teams taking each other on armed with special guns that shoot small paint-filled pellets. If you are hit with a pellet, you are "dead" and must leave the game. Airsoft is a similar game but uses small, hard pellets instead of paintballs.

In the first year of the lease, the county will not receive any money from the companies as they clean up the park and set up their courses. In the second year, the county will receive \$400 a month from renting the property and \$500 a month in the third and fourth years.

In the fifth and following years of the contract, the county will receive 3 percent of the receipts from sales on the property, per month, with a minimum set at \$750. There are two options to extend the contract by 10 years, making the possible full life of the lease 30 years.

Soon after Foy opened his store customers began asking him where they could tryout their newly acquired equipment. He said he grew tired of referring them outside the county and got in touch with County Councilman Ron Dillon, R-Pasadena.

"Anytime you have a wooded area that is not particularly well lit, it becomes a place people use for dumping and other illegal activity," Dillon said. "Then (Foy) came forward with this idea and we figured why not go through with it."

Dillon and state lawmakers from District 31 took the measure to County Executive John R. Leopold who approved the measure. Chief Administrative Officer Dennis Callahan signed the paperwork on Feb. 25.

Ed Hunt, a Pasadena resident and member of a paintball team called the Knight Stalkers, can't wait for the field to open.

"This just gives me the opportunity to play more paintball," Hunt said. "You're out there and you're running around - it's much better than sitting around playing a video game. There is no comparison..."

YOUR COMMENTS

<http://www.hometownannapolis.com/news/nbh/2010/03/29-38/County-converts-park-to-paintball-center.html?ne=1>

Appendix 3

NPPL 2010 Surf City Open Player information & code of conduct.

In order to have a smooth event this weekend, we have compiled some basic information to help you and your team. If you have a question that you don't see answered here please email us at chuck@nppl.com.

Venue Address:

NPPL 2010 Surf City Open
South Side of Pier
103 Pacific Coast Highway
Huntington Beach, California 92648

The Huntington Beach Police Dept has requested that no markers be publicly exposed other than on the field, staging area, or chrono range.

Display markers in the trade show vendors area by the vendors is acceptable. In short this means your guns must be stored out of sight unless you are in authorized "private player paddocks" areas. Your markers must be stored out of sight at all other times. If you need repairs from a vendor, you must put it in a bag and transport. Do not have your markers out in public areas, hotels or in your cars.

Markers displayed or exposed in any other way could result in an immediate ejection from the event or a 3 game suspension.

This rule applies to..... players, vendors, staff, judges, visitors, and anyone else at the event.

This includes the parking lot, hotels etc...

Please be paintball responsible!

<http://www.nppl.com/news/121>



This
Certificate of Appreciation
is Granted to

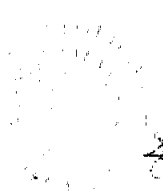
Reno Indoor Paintball

in Recognition of

**Their dedication to serving the youth of our
Community by providing a safe and fun place
to experience new adventures.**

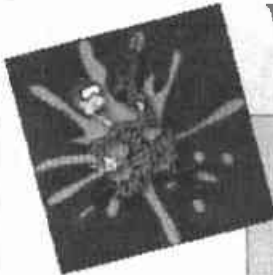
In Testimony whereof, we have hereunto set our hands
and caused this seal to be affixed on this

10th Day of November, 2009


Walter De Lee
Advisory Board Chairman

Kevin De Lee
Master Counselor

Youth Club Paintball



Our April youth club event took place at the Reno Indoor Paintball. We would like to give special thanks to Larry Kagawa and his staff for the 2 private hours at a discounted rate and for patiently teaching and helping our kids. Special thanks to Daniel Daviton for interpreting and giving tips to our youth, many of whom became fascinated with paintball for life. We would also like to thank NVAD for co-sponsoring our event as well as all the wonderful volunteers without whom this event couldn't have been a success. Thank You!



Fun, friends, team work, competition









Addendum to Washoe County Development Application:

Item #5

Existing ADA compliant ramp brings participants to parks entrance where they will transition onto the unimproved playing surface. When Phase II is complete, we will have added onto the existing ramp and connected it to the elevated bleacher(s) in accordance with applicable code governing grade/slope ADA access and amenities.

The most success paintball parks in the nation exist in major metropolitan areas like Los Angeles which is home to Hollywood Sports Park, Sacramento, Chicago, Houston, and Washington D.C. These locations, with year round fully developed theme play areas record hundreds of thousands of participants per year. Modeling ourselves after these parks, with the limited space provided and fractional population compared to those locations, demands that we change our theme park regularly (monthly and or quarterly) to ensure the park is attractive to local residents and visitors alike, and does not become stale.

Item #8

Treat existing ground surface with water or other approved substance to reduce any expected dust hazard; comply with air quality recommendations and code.

Sound equipment: Public announcement system will be installed to ensure organization of game play and that safety standards are enforced at all time and in all areas of play areas, and that all sound levels are adequately set for safety and are not positioned or set at a level that will disturb local residents or adjacent recreational users.

On site vehicle traffic; one non-paved access road leads down into the site (aka: Pit): Intermittent, low intensity, low speed (< 5mph) vehicle use. Vehicle is to be no more than one cargo style light duty truck and or All-Terrain vehicle (ATV) with small trailer, moving supplies and or equipment to and from adjacent parking lot into position; estimated use is 2 < 4 round-trips per operational day.

Item #9

In order to further mitigate vehicle traffic, park admission discount incentives will be offered for visitors utilizing the RTC Bus as their mode of transportation.

Item #10

Installment plan should be 20% of additional requirement per fiscal quarter so that the code is met in a reasonable amount of time.

Item #11

Though we have included lights in our site plan & sketches our normal operational use is daylight only and as a matter of theme low-light conditions play (moonlight games) do not require intense lighting for regular use, but as a safety precaution to illuminate the field if an adverse situation occurs.

SOLAEGUI
ENGINEERS

July 10, 2012

Mr. Trevor Lloyd
Washoe County Community Development
P.O. Box 11130
Reno, Nevada 89520

Re: Sun Valley Paintball Park

Dear Trevor:


This letter includes parking demand calculations for the above mentioned development located in Sun Valley, Nevada. The project is located in the existing county park located in the southeast quadrant of the Sun Valley Boulevard / Seventh Avenue intersection. The proposed paintball facility will include two 18,000 square feet fields and staging areas. The facility will encompass one acre of land. The paintball park will be one of several recreation uses currently contained in the existing park. Some of the existing park uses include baseball fields, skate park, bmx bike park, Boys & Girls Club center and pool and roller hockey court. The Institute of Transportation Engineers has published parking demand data for the parks land use. Table 1 shows a parking demand summary for the proposed facility. Parking demand for the proposed use is based on the Third Edition of *ITE Parking Generation* (2004) for Land Use 411: City Park. The ITE calculation sheet is attached.

TABLE 1
PARKING DEMAND

<u>LAND USE</u>	<u>Parking Supply Ratio Per Acre</u>	<u>Peak Period Demand Per Acre</u>
City Park One Acre	15 spaces	5.1 spaces

As indicated in Table 1, the paintball facility has low parking demand.

We trust that this information will meet your requirements. Please call if you have any questions or comments.

Very truly yours,
SOLAEGUI ENGINEERS

Paul W. Solaegui, P.E.
7-10-12
EXP 6-30-14

Enclosures
Letters/Sun Valley Paintball Park

Land Use: 411

City Park

Land Use Description

City parks are owned and operated by a city and may contain athletic fields (soccer, baseball, basketball courts, etc.), outdoor group areas, children play areas/structures and pathways. Administrative offices may also be located on the park site.

Database Description

The database consisted of one site with data provided for a Saturday during the summer.

- The site was 25 acres and had three softball fields, two soccer fields, an outdoor group area and an administration building.
- Parking supply ratio: 15 spaces per acre.
- Peak period parking demand ratio: 5.1 parked vehicles per acre.

Parking demand counts were submitted for six non-consecutive hours of observation between 9:00 a.m. and 7:00 p.m. For the survey date, parking demand peaked between 1:00 and 2:00 p.m.

Study Site/Year

Santa Barbara, CA (2001)



Standard Guide for Installation of Paintball Barrier Netting¹

This standard is issued under the fixed designation F2184; the number immediately following the designation indicates the year of original adoption or, in the case of revision, the year of last revision. A number in parentheses indicates the year of last reapproval. A superscript epsilon (ϵ) indicates an editorial change since the last revision or reapproval.

INTRODUCTION

This guide is intended to outline installation requirements for the safe and effective installation of paintball barrier netting. The proper installation of safe paintball barrier netting at paintball playing facilities is critical to protect non-players from accidental impact of a paintball.

Paintball is a sport that, like all sports, has intrinsic hazards for the active participants. These hazards include being hit by paintballs. Spectators not separated from the active playing field by an appropriate barrier can experience accidental impact of a paintball. Although surrounding an active playing field with paintball barrier netting cannot eliminate all injuries, paintball barrier netting can substantially reduce the severity and frequency of injuries when properly installed.

This guide is written within the current state-of-the-art of paintball barrier netting technology. The intent is to revise this guide whenever substantive information becomes available that justifies revising existing requirements or adding new requirements.

1. Scope

1.1 This guide provides recommendations for the installation of paintball barrier netting that may be used to delineate playing fields, chronograph areas, target ranges, and other “goggle-on” areas of an active paintball site.

1.2 The values stated in SI units are to be regarded as the standard. The inch-pound units in parentheses are provided for information only.

1.3 *This standard does not purport to address all of the safety concerns, if any, associated with its use. It is the responsibility of the user of this standard to establish appropriate safety and health practices and determine the applicability of regulatory requirements prior to use.*

2. Referenced Documents

2.1 ASTM Standards:²

- F1979 Specification for Paintballs Used in the Sport of Paintball
- F2272 Specification for Paintball Markers
- F2278 Test Method for Evaluating Paintball Barrier Netting

3. Terminology

3.1 Definitions of Terms Specific to This Standard:

- 3.1.1 *barrel, n*—that portion of a paintball marker through which the paintball is discharged.
- 3.1.2 *billowing, n*—lateral movement of the netting that may occur from influence of the wind.
- 3.1.3 *muzzle, n*—the end of the barrel at which the ball exits the barrel.
- 3.1.4 *paintball, n*—a spherical ball, composed of a shell and a fill, that is designed to be expelled from a paintball marker and conforms to Specification F1979.
- 3.1.5 *paintball barrier netting, n*—netting used in the sport of paintball as a protective barrier.
- 3.1.6 *paintball marker, n*—a device specifically designed to discharge paintballs that conforms to Specification F2272.
- 3.1.7 *SAT (Standard Ambient Temperature), n*—used to describe a substance at a temperature of $25 \pm 2^\circ\text{C}$ ($77 \pm 4^\circ\text{F}$).
- 3.1.8 *shell, n*—a rigid to semi-rigid material (generally of gelatin) that encapsulates the fill of a paintball.

4. Significance and Use

4.1 This guide recommends minimum installation requirements to provide a reasonable degree of safety in the normal use of paintball barrier netting.

5. General Requirements

5.1 Layout (see Fig. 1):

¹ This guide is under the jurisdiction of ASTM Committee F08 on Sports Equipment and Facilities and is the direct responsibility of Subcommittee F08.24 on Paintball and Equipment.

Current edition approved Feb. 1, 2010. Published March 2010. Originally approved in 2002. Last previous edition approved in 2009 as F2184 – 09. DOI: 10.1520/F2184-10.

² For referenced ASTM standards, visit the ASTM website, www.astm.org, or contact ASTM Customer Service at service@astm.org. For *Annual Book of ASTM Standards* volume information, refer to the standard's Document Summary page on the ASTM website.

5.1.1 Paintball barrier netting shall be installed not closer than 6.10 ± 0.15 m (20.0 ± 0.5 ft) from the playing field boundary line.

5.1.1.1 If the 6.10 ± 0.15 m (20.0 ± 0.5 ft) buffer zone cannot be respected due to space constraints, the netting must conform to 5.2.1 at the distance of closest approach.

5.1.2 A spectator exclusion zone will extend a minimum of 0.61 ± 0.15 m (2.0 ± 0.5 ft) beyond the paintball barrier netting allowing for billowing.

5.2 Paintball Barrier Netting Testing:

5.2.1 New installations of paintball barrier netting shall be tested in accordance with the procedure described in Test Method F2278 prior to use.

5.2.2 Existing installations of paintball barrier netting are effected by various factors such as wind, rain, animal population, etc., and shall be inspected at a minimum of once per month to confirm the integrity of the installation. This inspection must include impact testing of the paintball barrier netting based on Test Method F2278.

5.3 Installation:

5.3.1 Netting should be installed in a manner that substantially reduces the likelihood of a paintball injuring spectators or players located in areas where eye protection is not required. Recommended practices include and are not limited to:

5.3.1.1 Where top enclosures are not used or available, netting shall be a minimum of 3.7 m (12 ft) high. The use of berms is allowed as a barrier. The combined height of the berm and netting should be a minimum of 3.7 m (12 ft) above the playing surface. If spectators are allowed to stand on the berm, the netting must extend a minimum of 2.1 m (7 ft) from the top of the berm.

5.3.1.2 Vertical supports for netting shall be of sufficient strength and length to support netting in condition that it is to be used (for example, indoors, outdoors with breeze, etc.).

5.3.1.3 Vertical supports should be spaced not more than 7.6 ± 0.15 m (25.0 ± 0.5 ft) apart.

5.3.1.4 Netting sag between vertical supports should not exceed 30.5 ± 2.5 cm (12 ± 1 in.).

(1) The use of a 0.95-cm ($\frac{3}{8}$ -in.) steel cable or equivalent strung across the top of the vertical supports through eyebolts with a 5-cm (2-in.) inside diameter (ID) will reduce sag between the vertical supports.

5.3.1.5 If netting traverses a vertical support, it should be kept a minimum of 10 cm (4 in.) from the support to reduce wear on the net and mounted on the interior of the vertical supports (see Fig. 2).

5.3.1.6 The bottom of the net should be secured to reduce the ability to lift the netting between the vertical supports.

(1) The use of a 0.95-cm ($\frac{3}{8}$ -in.) steel cable or equivalent strung across the bottom of the vertical supports through eyebolts with a 5-cm (2-in.) ID is effective in reducing lift.

(2) The use of pegs spaced 61.0 ± 2.5 cm (24 ± 1 in.) apart and extending a minimum of 15.2 cm (6 in.) into the ground or equivalent will reduce lifting of the bottom of the net.

5.3.1.7 Sufficient means of fastening the netting to the top and bottom horizontal supports are required.

(1) Tie-wraps or equivalent spaced 15.2 ± 2.5 cm (6 ± 1 in.) can be used.

5.3.1.8 Where cables or ropes are used in the installation, the use of turnbuckles to tension cables or ropes is recommended.

5.3.1.9 Billowing of the netting should be reduced. The use of a 6.35-mm (0.25-in.) nylon rope or equivalent can be zigzagged across the netting. One cable should pass on the interior of the field while the second passes in an opposite direction on the exterior of the field (see Fig. 3).

5.4 Entrances:

5.4.1 Entrances to the playing field shall be designed to prevent a paintball from passing through in a straight line.

5.4.2 A recommended configuration is a zigzag (see Fig. 4).

5.5 Joints:

5.5.1 All joints shall consist of a rolled or bunched joint consisting of netting overlapped by a minimum of 15.2 ± 1 cm (6 ± 0.5 in.) and be fastened with tie-wraps or equivalent at 15.2 ± 2.5 cm (6 ± 1 in.) intervals (see Figs. 5-7).

5.6 Repairs:

5.6.1 Repairs to the netting shall consist of patches that extend 15.2 ± 2.5 cm (6 ± 1 in.) in all directions and are fastened to the inside of the netting with tie-wraps or equivalents at 7.6 ± 1 cm (3 ± 0.5 in.) intervals (see Fig. 8).

6. Keywords

6.1 paintball; paintball sports; paintball markers; paintball barrier netting

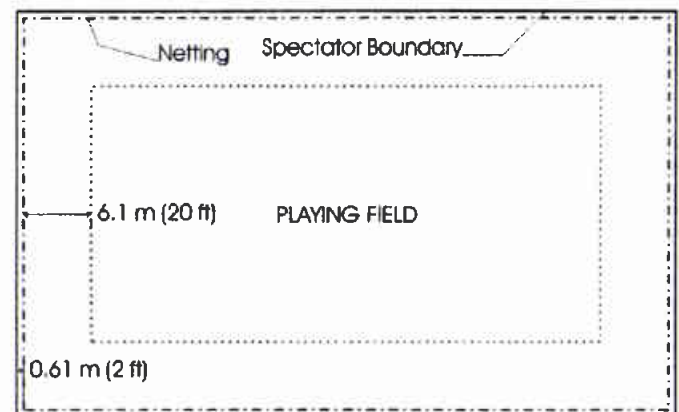


FIG. 1 Playing Field Layout

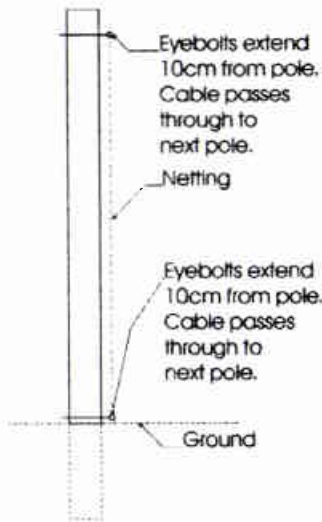


FIG. 2 Mounting Side View

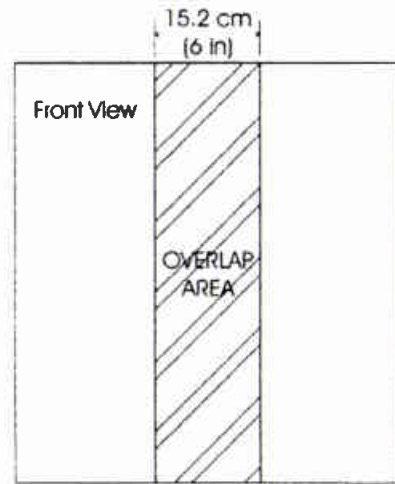


FIG. 5 Preparation to Join

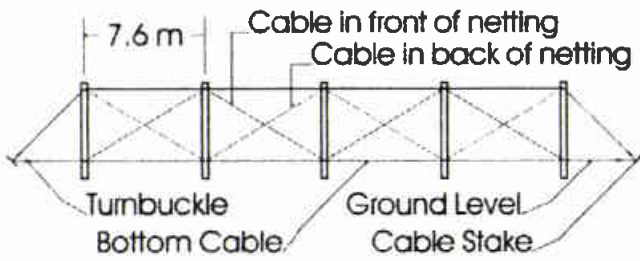


FIG. 3 Mounting Front View

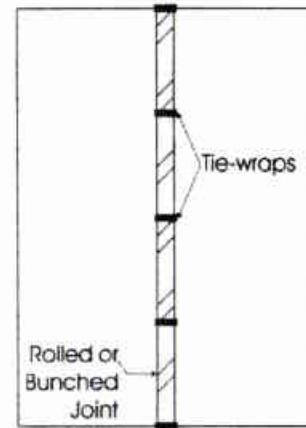


FIG. 6 Finished Joint (Front View)

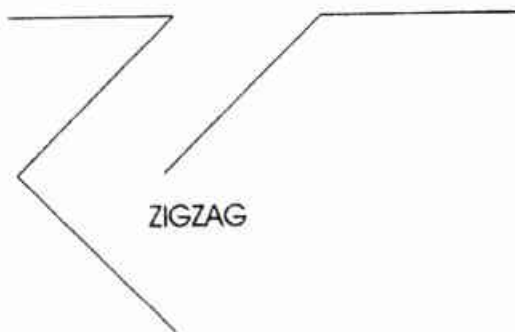


FIG. 4 Zigzag Entrance

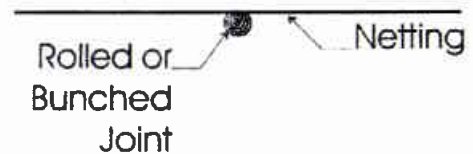


FIG. 7 Finished Joint (Top View)

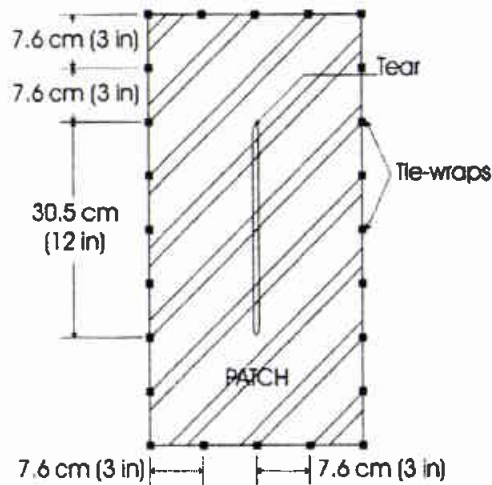


FIG. 8 Repair Example

ASTM International takes no position respecting the validity of any patent rights asserted in connection with any item mentioned in this standard. Users of this standard are expressly advised that determination of the validity of any such patent rights, and the risk of infringement of such rights, are entirely their own responsibility.

This standard is subject to revision at any time by the responsible technical committee and must be reviewed every five years and if not revised, either reapproved or withdrawn. Your comments are invited either for revision of this standard or for additional standards and should be addressed to ASTM International Headquarters. Your comments will receive careful consideration at a meeting of the responsible technical committee, which you may attend. If you feel that your comments have not received a fair hearing you should make your views known to the ASTM Committee on Standards, at the address shown below.

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Item: Netting
Construction: Loc-Stitch Knitted
Color: Black
UV Inhibitor: Amine
High Density
High Tenacity Polyethylene
Sizes: 6, 10, 12, and 20X300
Superior UV Resistance

Primary Uses:
Scaffolding Enclosure
Demolition Curtin
Containment of Paint
Fabric

Under continuous exposure to ultraviolet radiation and intense Florida sunshine, lightweight, tear resistant Hostalen high density polyethylene resists degradation in comparable test GF7740 F2 Exhibited over twice the product life expectancy of homopolymer polypropylene. Hoechst Corporation, Plastics Division

Typical Properties:

Working Life Expectancy: 14-22 years
Density, Natural: (ASTM D792) 0.944 g/cm³
Melting Point: (ASTM DSC) 257f
Elongation At Break: (ASTM D 638) 500% for base polymer
Flexural Modulus: (ASTM D 790) 115,000 PSI for base polymer
Vicat Softening Temperature: (ASTM D 1525) 257%
Heat Distortion Temperature: (ASTM D 648) 158%
Rockwell Hardness: (ASTM 785) 41 L scale for base polymer
Shore Hardness: (ASTM D 2240) 62 D scale for base polymer
Installation Test: (ASTM F 2184)
Evaluation Test: (ASTM F 2278) Standard Test Method for Evaluating Paintball Barrier Netting

<u>Breaking Strength</u>	<u>Weight Per SQ Foot</u>
800lb per square foot	.035lb

Hoechst Corporation, Plastics Division

W 7th Ave

Sun Valley BLVD

Parcel Boundary

PHASE 1
 -North Field (including Poles and Netting)
 -ADA Access
 -Shade Area
 -Check In/Out
 -Equipment Storage

Bike Track

North Field

South Field

Netting Support Pole
 20' Tall
 6" Diameter
 Spaced 20' on Center

Phase 2
 -South Field (inc poles and netting)
 -Bleacher Seating
 -ADA Access around south Field
 -ADA Viewing Area
 -Scoring Tower
 -Field lights (shielded, no spillover to adjacent properties)
 -PA System

10'x10' Pop up Tents and Tables
 Staging Area
 40' x 40'
 Shaded
 Equipment Storage

ADA Designated Passing Space
 60" x 60"

Bleacher Seating

Scoring Tower
 10' x 10'
 Not to exceed 30' in height

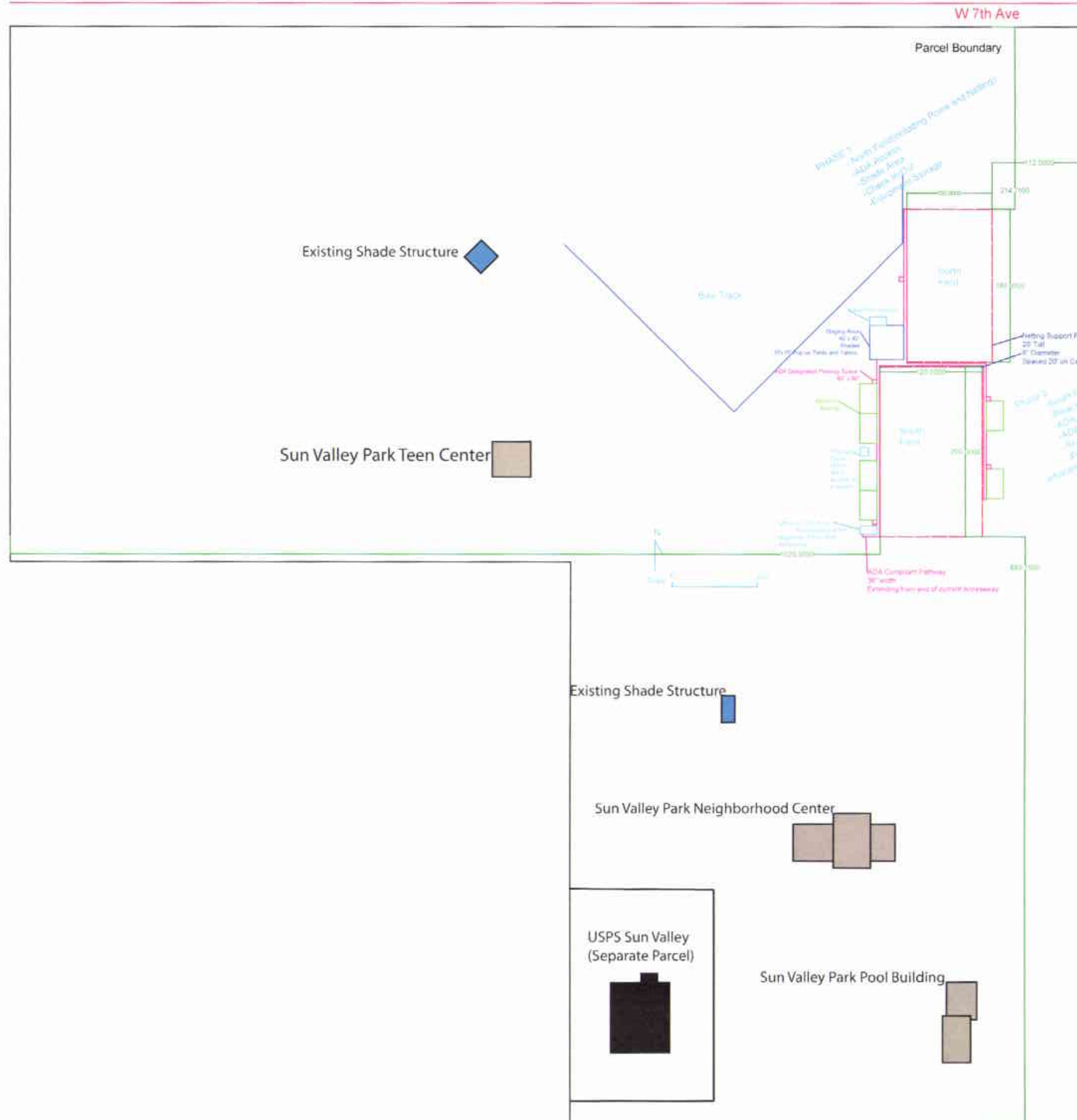
Check in/ Check out
 To be located at the beginning of New ADA Accessway

ADA Compliant Pathway
 36" width
 Extending from end of current Accessway



Detail View

Proposed Sun Valley Paintball Park

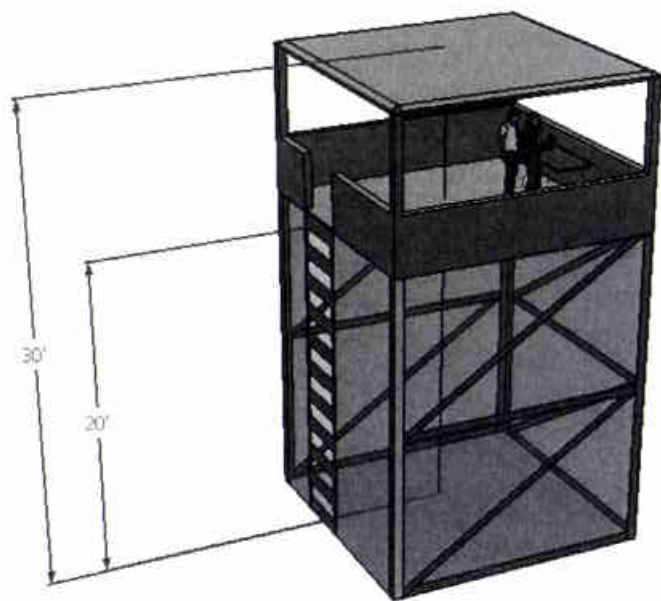


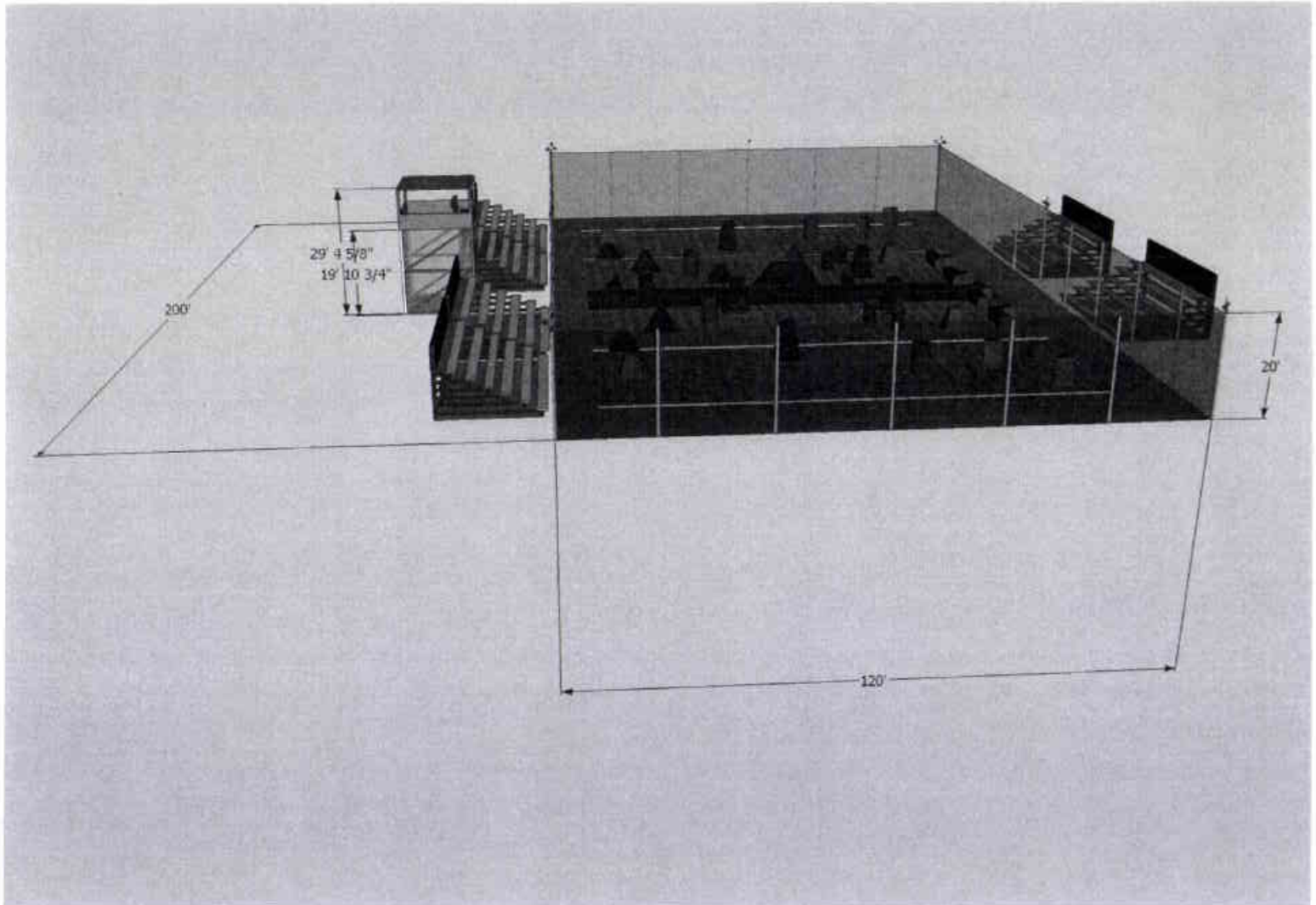
Full parcel View



- Existing Parking
- Adjacent Handicapped Parking
- Existing Lanscaping
- Parking and Lanscaping









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W7TH AVE

E7TH AVE

ALEXANDRITE CT

CACTUS CIR

FIT LN

UNSPECIFIED

CARNEGAN WAY

PERIDOT WAY

SCHILLING WAY

NEELLE LN

WALTERS WAY

SHEPHERD CIR

SIDENHILL DR

RILLA WAY

SLOPE DR

DUCLERCQUE WAY

WEWOKA WAY

W6TH AVE

SUN VALLEY BLVD



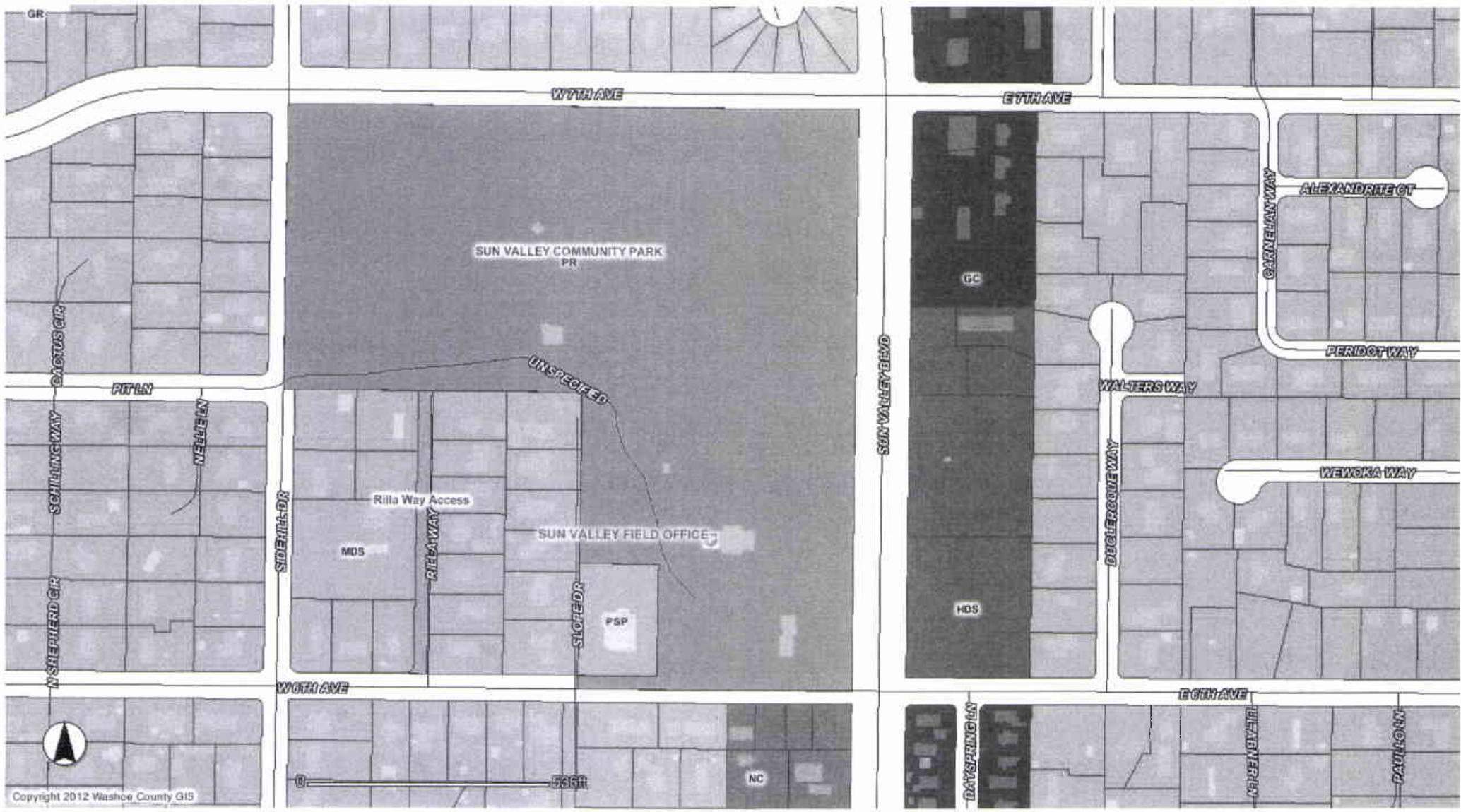
536ft

DAYS PRING LN

E6TH AVE

ELISABETH LN

PAULL LN





SVGID Community Park



- Parcels
- Roads
- ~ MHP
- ~ MMS
- ~ NAVIGRAM/QUEST
- ~ RCOT
- ~ RPT
- ~ RDV
- ~ WAC
- ~ SPD
- ~ SPARKS
- ~ SKR
- ~ USR
- ~ WC
- ~ WCD
- Reno City Limits
- Sparks City Limits
- 2010 1/2FT Aerial Photographs
- 2010 USGS NAIP 3-meter Imagery



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1001 East Ninth St. Reno, Nv 89511

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PROPRIETARY INFORMATION: Any resale of this information is prohibited, except in accordance with a licensing agreement.

Staff Assigned Case No.: VA12-003

Washoe County Development Application

Project Information			
Project Name (commercial/industrial projects only): SVGID Paintball Park			
Project Description: Development and Operation of a Paintball Park			
Project Address: 115 West 6th Avenue, Sun Valley, Nevada 89433			
Project Area (acres or square feet): 1 Acre (appx)			
Location Information			
Project Location (with point of reference to major cross streets AND area locator):			
Assessor's Parcel No(s):	Parcel Acreage:	Assessor's Parcel No(s):	Parcel Acreage:
85-211-03	26.086		
Section(s)/Township/Range:			
Indicate any previous Washoe County approvals associated with this application: Case Nos. SPB 5-13-87			
Applicant Information			
Property Owner:		Professional Consultant:	
Name: Sun Valley General Improvement District		Name:	
Address: 5000 Sun Valley Boulevard		Address:	
Zip: 89433		Zip:	
Phone: 775.673.7700	Fax:	Phone:	Fax:
Email: DPrice@SVGID.com		Email:	
Cell:	Other:	Cell:	Other:
Contact Person: Darrin Price (General Manager)		Contact Person:	
Applicant/Developer:		Other Persons to be Contacted:	
Name: Reno Indoor Paintball, Inc.		Name:	
Address: 1005 Standard St.		Address:	
Zip: 89506		Zip:	
Phone: 775.342.5477	Fax:	Phone:	Fax:
Email: Larry@RenoIndoorPaintball.com		Email:	
Cell: 775.342.5477	Other:	Cell:	Other:
Contact Person: Lawrence C. Kagawa		Contact Person:	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:			
CAB(s):		Land Use Designation(s):	

Variance 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 variances may be found in Article 804, Variances.

1. What provisions of the Development Code (e.g. front yard setback, height, etc.) must be waived or varied to permit your request?

Erection of 20' high protective netting that will surround the paintball play area(s). Specifically, requesting that the variance be waived as the play area base is 25' below (-25') the surrounding street curb height which ultimately makes the top of our proposed netting 5' below (-5') curb height.

In this case, the waiving of this administrative variance will not affect the code as we do not believe the code was constructed to include special topographical areas such as this 'pit' that is specially suited for our needs. As a matter of public safety and not an insurance nor industry requirement, 20' high protective netting will be installed rather than avoiding the variance and meeting minimum industry and insurance requirements of 10' netting.

You must answer the following questions in detail. Failure to provide complete and accurate information will result in denial of the application.

2. What are the topographic conditions, extraordinary or exceptional circumstances, shape of the property or location of surroundings that are unique to your property and, therefore, prevent you from complying with the Development Code requirements?

Our corporate responsibility, not a parcel/site condition, prevents us from complying with the Development Code requirements.

Though our industry insurance standard calls for 10' netting as the minimum protective requirement to surround a paintball park, our corporate standard doubles that requirement. Our Corporate responsibility to the residents, players, and visitors alike dictates that we exceed every insurance requirement when possible; this is one of those opportunities.

3. What steps will be taken to prevent substantial negative impacts (e.g. blocking views, reducing privacy, decreasing pedestrian or traffic safety, etc.) to other properties or uses in the area?

The steps that will be taken to prevent substantial negative impacts are:

- 1) Position the field(s) in the 'pit' 25' below curb height while surrounding the play area(s) with 20' high barrier netting
- 2) Maximize open space between non-participants and the play area
- 3) Restrict access to participants only through a multitude of systems including but not limited to the following:
 - a) Enclose the play area with protective netting
 - b) Post trained and certified referee staff employees at all entrance and or exit(s)
 - c) Construct maze like entrance and or exit(s)
- 4) Assign trained and certified referee staff to oversee player reception, integration, participation, and departure; ensuring proper wear and use of equipment, understanding of site rules and safety information, and player conduct.

4. How will this variance enhance the scenic or environmental character of the neighborhood (e.g. eliminate encroachment onto slopes or wetlands, provide enclosed parking, eliminate clutter in view of neighbors, etc.)?

This variance will enhance the environmental character of the neighborhood as this additional use will maximize the parcels usage, increase the variety of sporting events offered, and mark the location as a destination site among visitors and sports enthusiasts alike.

Most significantly, this variance should reduce encroachment whereas paintball players presently abuse public lands in the surrounding area with heavy foot traffic on natural terrain and leave waste behind. Furthermore, this variance should reduce paintball related vandalism to private property and or public works facilities (water towers) located near informal public lands play areas. Lastly, the variance and subsequent creation of the paintball park will reduce incidental contact between paintball players who are properly protected and non-participants using the same areas; example: equestrians, motor vehicle traffic (dirt bikes, ATV's, etc...), and hikers.

5. What enjoyment or use of your property would you be denied that is common to other properties in your neighborhood?

The denied use for this parcel property section that is common to others in the parcel is recreational use.

6. Are there any restrictive covenants, recorded conditions or deed restrictions (CC&Rs) that apply to the area subject to the variance request?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	If yes, please attach a copy.
------------------------------	--	-------------------------------

7. What is your type of water service provided?

<input type="checkbox"/> Well	<input checked="" type="checkbox"/> Community Water System
-------------------------------	--

8. What is your type of sanitary waste disposal?

<input type="checkbox"/> Individual Septic System	<input checked="" type="checkbox"/> Community Sewer System
---	--

To Whom This May Concern;

The following information is in addition to the Administrative & Variance Applications.

In order to properly serve the public interest and overall safety of our players, visitors, and or casual observer, the following snapshot of our standard operating procedure follows:

Upon arrival at the park's entrance and via directional and informational signs, size referenced in Administrative Application, participants and non-participants will be guided from the parcels entry point to the parking and access point; non-access points will be marked as prohibited non-entry areas. Additionally, Paintball Park visitors that contact us prior to their visit will be notified to keep paintball markers (aka: paintball guns) in their carry bags and or to ensure barrel blocking devices are in proper use to ensure no accidental firing occurs outside the established play area. Visitors, that walk and or drive-up to the park, will also notice informational signs stating the same information. Visitor to our online website, that also submits reservations, will acknowledge these and other park rules to be submitted and recorded with their reservation.

Park visitors will be able to access the site via two, all-weather, pedestrian cemented paths. The first is a staircase, with hand-rails, that begins in the southern adjacent parking lot and ends connected to the sloped walkway adjacent the existing skateboard park. The second is a long sloped ADA access pathway that begins at the western end of the southern adjacent existing parking lot and the Boys and Girls Club building and ends at the eastern edge of the skateboard park. The end of this all-weather pathway marks the entry point for the Paintball Park until phase II is completed with elevated bleachers are installed with ADA compliant access ramps for viewing; these ADA ramps will be an extension of presently constructed pathways.

Paintball Parks are positioned on natural surfaces with numerous obstacles including but not limited to structures, rocks, water hazards, and or other natural or manmade obstacles positioned for cover and or concealment. However, it is our intent to ensure that our fields are constructed in such a method that may provide limited access to field areas for participation, if deemed appropriate by proper and or governing authority.

Once visitors have entered the administrative check-in area they are identified as participants and or non-participants; this is done through the use of colored wristbands. Participants are defined as people who have entered the park with the intent to play the sport and or entering the competitive play areas. Participants are further defined as players who either own or have rented gear required for play. Participants will acknowledge, via form signature (parental acknowledgement required for players under the age of majority), the park rules and this will remain on file for a period of no-less-than 3 years. Non-participants are defined as people who have entered the park without the intent to play the sport and or enter the competitive play areas. During phase I of site build-out no public accessible viewing area will be constructed and sideline viewing, albeit offered, does not grant an elevated vantage point from which the games are best observed.

All visitors, participants and non-participants alike, will be oriented, by qualified personnel, to the paintball parks amenities, safe area(s), and competitive field access and or exit points. Participants will continue with a safety and rules briefing to be given by qualified staff personnel prior to entering play areas. Furthermore, equipment will be checked to ensure compliance with ASTM industry safety standards and paintball velocity speed. Our ASTM guide governing "Standard Practice for Paintball Player Safety Briefings" is adhered to. In brief, the document describes the following:

"1.1 This standard is intended to satisfy the demand for basic safety information, which should be understood by each paintball game participant prior to the start of the player's first game on the day of play."

"1.2 The information specifies rules of personal conduct, which might affect the safety of persons who are in close proximity to a paintball marker or a propellant storage vessel."

"1.3 The information includes procedures to be followed by every person who is in, or near, an area where paintball is being played or paintballs are being shot, and to the use of safety equipment related to paintball game or paintball target shooting activities. These procedures are to be followed any time a paintball marker is being handled."

"1.4 This standard is intended to be a useful tool for paintball game organizers, but it is not intended to eliminate the need for proper game supervision..."

Participants will be constantly supervised inside the playing area in a 1:10 referee to player ratio and participants and non-participants will be supervised by 1 referee in the designated non-play holding area. This supervision will continue until the visitor has departed the paintball park area with exit reminders that all marking equipment will remain unloaded with barrel blocking devices properly affixed and or inside carry bags.

All Referees and Staff will be equipped with private channel two-way radios to ensure that the staff is where they are both required and needed at all times.

The bottom line is that every safety precaution, industry or insurance standard or not, will be met and or exceeded to ensure that no discredit is brought upon Reno Indoor Paintball, Inc., Sun Valley General Improvement District, Washoe County, the Region, and or the State of Nevada.

Thank you for your both your time and consideration.

Vr,


Lawrence C. Kagawa

President – Reno Indoor Paintball, Inc.

Commissioner – National Paintball League, Inc.

With regard to - Section 110.804.25 Findings. - We submit the following responses in bold:

(a) Special Circumstances. Because of the special circumstances applicable to the property, including either the: *Washoe County Development Code October 23, 2007 VARIANCES Page 804-4*

(1) Exceptional narrowness, shallowness or shape of the specific piece of property, or **(Parcel # 85-211-03 is of exceptional depth (-25') below adjacent curb height as to provide a natural barrier of protection while providing an ideal height from which to observe player participation. This when combined with the spacing from the protected play area to the nearest non-visitor observation point makes this parcel ideal for this use.)**

(2) By reason of exceptional topographic conditions, or **(This site location provides exceptional topography through its already existing and relatively level playing surface which is ideal for competitive play)**

(3) Other extraordinary and exceptional situation or condition of the property and/or location of surroundings, the strict application of the regulation results in exceptional and undue hardships upon the owner of the property; **(The easy access to thoroughfare to and from both major neighborhoods and hotel destinations make this site ideal. Additionally, accessibility to public transportation via RTC Bus Route 5 scheduled stop D, which provides inexpensive round trip transportation from downtown to the park)**

(b) No Detriment. The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted; **(No, substantial detriment to the public good is noted additionally, this use will benefit the general public as the separation of participant and non-participant incidental contact is restricted; opposed to public land use where incidental contact is not mitigated. There are no significant natural resources being impacted as the present use as flood water overflow strips the land of vegetation. This use does not impair the intent and purpose of the Development Code or other policies as this variance will support the proper development of lands governed by Washoe County)**

(c) No Special Privileges. The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated; and **(there are no special privileges being granted with this variance as the adjacent uses are in-line with the existing and proposed use)**

(d) Use Authorized. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property. **(The present recreational nature of the parcel supports this additional use and brings credit upon the governing agencies and surrounding region for their diversity of authorized uses, further accommodating the diverse desires of our active community while supporting visitors as this further expands our destination city offerings) The following excerpt is taken from the RSCVA's website <www.visitrenotahoe.com>**

"RSCVA'S MISSION

The mission of the RSCVA is to attract overnight visitors to Reno Tahoe lodging properties through tourism marketing, convention sales and facility operations, featuring local amenities, attractions and events; thereby enhancing the economic benefit and quality of life for Northern Nevada."

"RSCVA'S VISION

The vision of the RSCVA is to be a premier, year-round, western destination for leisure and group/convention travelers."

(e) Effect on a Military Installation. The variance will not have a detrimental effect on the location, purpose and mission of the military installation. **(No detrimental effect to the military is forecasted)**

EXHIBIT E

Chief Charles A. Moore



Division Chief Tim Leighton
Fire Marshal Amy Ray

TRUCKEE MEADOWS FIRE PROTECTION DISTRICT

1001 E. Ninth St. PO Box 11130 • Reno, Nevada 89520 • Office (775) 326-6000 • Fax (775) 328-6185

July 18, 2012

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

Re: Administrative Permit Case Number: AP12-006 SVGID Paintball Park
Variance Case No. VA12-003 – SVGID Paintball Park

To Whom It May Concern:

The Truckee Meadows Fire Protection District (TMFPD) will approve the above case number with the following conditions:

- Reno Indoor Paintball shall maintain access to the park and all facilities at all times in accordance with the IFC, IBC and Washoe County Code 60.
- Any events to occur at the facility shall be approved.
- Normal business operation and events held at the facility shall not impede or restrict emergency access to the park or facility.
- Plans and/or permits for the facility shall be obtained and approved prior to construction in accordance with the IFC, IBC and Washoe County Code 60.

Please contact me with any questions at (775) 326-6000.

Thank you,

Amy Ray
Fire Marshal



Community Development

"Dedicated to Excellence in Public Service"



Date: July 19, 2012

To: Board of Adjustment

From: Grace Sannazzaro, Planner
Department of Community Development

Re: Presentation, discussion and possible direction to staff regarding the preferred format for project and case descriptions on agendas for Board of Adjustment meetings.

In April of 2011, with the approval of the Board of Adjustment and the Planning Commission, the Department of Community Development changed the format of project and case descriptions on each Board's meeting agendas in order to make items of interest within each project description easier for each Board and the public to discern.

Now that some time has passed in using this format, staff would like to query members of both the Board of Adjustment and Planning Commission on whether they like the current project description format, if they would like to go back to the previous project description format, or if they would like a completely different project description format. Staff has attached a comparison sheet showing the current and previous formats.

Staff is available to answer any questions the Board may have concerning the format and seeks the Board's direction on the appropriate format for future agendas. Staff will discuss this matter with the Planning Commission during their meeting on August 21, 2012. Staff will share the results of those discussions with the Board, and will include any final decisions reached on project and case description formats.

CURRENT FORMAT FOR AGENDAS

A. PUBLIC HEARING: Special Use Permit Case No. SB12-000 for Applicant – To construct a big project somewhere in unincorporated Washoe County.

- Location: 0000 Main Street
- Assessor's Parcel No: 000-000-00
- Parcel Size: ±10.25 acres
- Regulatory Zone: Low Density Rural (LDR)
- Area Plan: ABC Area Plan
- Citizen Advisory Board: Daisy Meadows
- Development Code: Authorized in Article 810 Special Use Permits
- Commission District: 0- Commissioner's Name
- Section/Township/Range: Within Section 00 T00N R00E MDM
Washoe County, NV
- Staff: Planner's Name, Planner
- Phone: Phone: 775.328.0000
- Email: aplanner@washoecounty.us

PREVIOUS FORMAT FOR AGENDAS

A. PUBLIC HEARING: Special Use Permit Case No. SB12-000 for Applicant – To construct a big project somewhere in unincorporated Washoe County as authorized in Article 810, Special Use Permits, of the Washoe County Development Code. **The project is located at 0000 Main Street.** The ±10.25-acre parcel is designated Low Density Rural (LDR) in the ABC Area Plan, and is situated in a portion of Section 00, T00N, R00E, MDM, Washoe County, Nevada. The property is located in the Daisy Meadows Citizen Advisory Board boundary and Washoe County Commission District No. 0. (APN 000-000-00)

Staff Representative: Planner's Name, Planner, 775.328.0000