LYON COUNTY PLANNING COMMISSION
TUESDAY, FEBRUARY 14, 2023
9:00 AM
LYON COUNTY ADMINISTRATIVE COMPLEX
27 S. MAIN STREET
YERINGTON, NV 89447

Join Zoom Meeting
https://us02web.zoom.us/j/86831688305?pwd=NENTQ3Y1U0FkbDhyR1FobW10c2ptUT09
Meeting ID: 868 3168 8305
Passcode: 364308
One tap mobile
+17193594580,,82629370069#,,,,*707188# US

Planning Commission meetings are open to the public and members of the public may attend in person and the meetings are also virtual and the public may attend via Virtual Zoom.

Public Comment: Lyon County allows the following alternatives for public comment. If you are attending the virtual Zoom meeting, public comment may be provided by raising your hand and requesting to provide public comment. This can occur in several ways, including by dialing *9 from your phone to raise your hand and request to speak for public comment. To unmute yourself, dial *6. You can also provide public comment for this meeting by sending an email to Shannon Juntunen at sjuntunen@lyon-county.org, the day prior to the posted meeting date. Be sure to type, PUBLIC COMMENT, in the subject line.

Written public comments may also be mailed to the Lyon County Community Development Office at 27 S. Main Street, Yerington, Nevada 89447, but all public comments must be received prior to the date of the meeting if the comments are to be included in the supplemental materials. Any written public comment received the day of the meeting will be compiled and added as supplemental materials to the County's website and distributed to the Planning Commission within 24 hours after the meeting. Members of the Public may attend the meeting in person at the Greg Hunewill Lyon County Commission Chambers, 27 S. Main Street, Yerington, Nevada.

AGENDA
(Action will be taken on all items unless otherwise noted)
(No action will be taken on any item until it is properly agendized).

To avoid meeting disruptions, please place cell phones and beepers in the silent mode or turn them off during the meeting.

The Board reserves the right to take items in a different order to accomplish business in the most efficient manner. Items may be combined for consideration and items may be pulled or removed from the agenda at anytime.

Restrictions on comments by the general public: Any such restrictions must be reasonable and may restrict the time, place and manner of the comments, but may not restrict comments based upon viewpoint.

1. Roll Call

2. Pledge of Allegiance

3. Public Participation (no action will be taken on any item until it is properly agendized) - Members of the public who wish to address the Planning Commission may approach the podium and speak on matters related to the Lyon County Planning Commission, but not on items appearing on the Agenda. Speakers are asked to state their name for the record and to sign and print their name on the form at the lectern. Comments are limited to three minutes per person or topic. The Commission reserves the right to reduce this three minute time limit, as well as limit the total time for public comment. If your item requires extended discussion, please request the Chair to calendar the matter for a future Planning Commission meeting. The Planning Commission will not restrict comments based on viewpoint. The same applies to public testimony on each Agenda item. The Chair may reopen public participation at any time during the meeting. No action may be taken upon a matter raised under this item of the Agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken.

4. Review and Adoption of Agenda (for possible action)

5. For Possible Action: Approval of Minutes
   5.a. For Possible Action: To approve the minutes from the January 10, 2023 meeting
       - Draft Minutes

6. Presentation and Reading of Miscellaneous Correspondence

7. Advisory Board Reports

8. Public Hearing Items
   8.a. For Possible Action: To approve a request from Debra L. Newton for a Tentative Parcel Map to subdivide an approximately 80.41-acre parcel into two (2) parcels, the smallest being 20.16 acres, located to the northeast of the intersection of Crosby Lane and Smith Gage Road, northwest of State Route 208, at 16 Crosby Lane in Smith Valley (APN 010-371-03) PLZ-2022-208.
       - Staff Report
       - Backup
8.b. For Possible Action: To forward a recommendation to the Board of Commissioners for a Conditional Use Permit request from Lux Solar Center, LLC to allow a Commercial Solar Generation Facility in the RR-20 (Rural Residential 20 acre minimum) and LI-R (Light Industrial - Rural) zoning districts on four parcels generally located between the Union Pacific Railroad tracks and Sierra Way in Wabuska, north Mason Valley (APNs 014-091-02/-03/-20/-21) PLZ-2022-210.
- Staff Report
- Backup

8.c. For Possible Action: To forward a recommendation to the Board of Commissioners for a Conditional Use Permit request from Lyon County School District to allow the addition of two office buildings in the RR-5 (Rural Residential 5 acre minimum) zoning district on one parcel located to the west of the intersection of Spruce Avenue and Ramsey Weeks Cutoff, south of U.S. Highway 50 in Silver Springs (APN 018-356-01) and a shared parking area on two parcels (APNs 018-356-01 and 018-356-02) PLZ-2022-197.
- Staff Report
- Backup
- Silver Springs Advisory Board Letter of Transmittal

8.d. For Possible Action: To approve a request from DG Locust Grove Circle K, LLC for a Tentative Parcel Map to subdivide an approximately 28.99-acre parcel into four (4) parcels, the smallest being 1.43 acres, located to the northeast of the intersection of U.S. Highway 50 and State Route 439 at 3200 Opal Avenue in Silver Springs (APN 015-181-03) PLZ-2022-209.
- Staff Report
- Backup
- Public Comment
- Silver Springs Advisory Board Letter Of Transmittal
- Public Comment

8.e. For Possible Action: To forward a recommendation to the Board of Commissioners for a Zoning Map Amendment request from Schaller Development LLC c/o Project One to change the zoning on nine (9) parcels comprising approximately 497.52 acres south of US Highway 50 in Stagecoach from RR-5 (Fifth Rural Residential District – 20 acre minimum) and RR-2 (Second Rural Residential District – 2 acre minimum) to RR-2 (Rural Residential – 2 acre minimum) in accordance with the Master Plan designation of Specific Plan (APNs: 015-365-01, 015-365-02, 015-365-03, 015-365-04, 015-371-05, 015-371-06, 015-371-07, 015-371-08, 015-451-01) PLZ-2022-206.
- Staff Report
- Backup
- Public Comment
- Stagecoach Advisory Board Letter of Transmittal
- Additional Public Comment

8.f. For Possible Action: To forward a recommendation to the Board of Commissioners for a request from Schaller Development LLC c/o Project One of a Merger and Re-subdivision/Tentative Subdivision Map of nine (9) parcels comprising approximately 497.52 acres south of US Highway 50 in Stagecoach into 186 single family residential lots with a minimum lot size of 2 acres and a maximum size of 17.7 acres (APNs: 015-365-01, 015-365-02, 015-365-03, 015-365-04, 015-371-05, 015-371-06, 015-371-07, 015-371-08, 015-451-01) PLZ-2022-207.
- Staff Report
- Backup
8.g. For Possible Action- To forward a recommendation to the Board of County Commissioners for Conditional Use Permit request from Blackcomb Property Group, LLC to allow for a Self storage/RV storage use at 222 Dayton Valley Road in Dayton (APN 006-091-10) PLZ-2022-213.

- Request for Continuance
- Advisory Board Letter of Transmittal

RECESS TO CONVENE AS THE LYON COUNTY PUBLIC LANDS MANAGEMENT ADVISORY BOARD

9. Public Participation (no action will be taken on any item until it is properly agendized)

10. Action Items

11. Board Member Comments

12. Future Agenda Items

13. Public Participation (no action will be taken on any item until it is properly agendized)

ADJOURN TO RECONVENE AS THE LYON COUNTY PLANNING COMMISSION

14. Staff Comments and Commissioner Comments

14.a. For Possible Action: Staff Update on recent County Commissioner actions

15. Public Participation (no action will be taken on any item until it is properly agendized) - Members of the public who wish to address the Planning Commission may approach the podium and speak on matters related to the Lyon County Planning Commission but not on items appearing on the Agenda. Comments are limited to three minutes per person or topic and will not be restricted based on viewpoint. No action may be taken upon a matter raised under this item of the Agenda until the matter itself has been specifically included on an Agenda as an item upon which action may be taken.

16. ADJOURNMENT

This agenda has been posted in accordance with the open meeting law at the Lyon County Administrative Complex.

Lyon County recognizes the needs and civil rights of all persons regardless of age, race, color, religion, sex, handicap, family status, or national origin. In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.
Persons with disabilities who require alternate means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible agency or USDA’s TARGET Center at (202) 720-2600 (voice and T) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found on-line at [http://www.ascr.usda.gov/complaint_filing_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) Mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410; Fax: (202) 690-7442; or Email: program.intake@usda.gov

T.D.D. services available through 463-2301 or 463-6620 or 911 (emergency services) notice to persons with disabilities: members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the Commissioners'/Manager's office in writing at 27 S. Main Street, Yerington, NV 89447, or by calling (775) 463-6531 at least 24 hours in advance

Lyon County is an equal opportunity provider.

Agenda and Backup Material is Available at [www.lyon-county.org](http://www.lyon-county.org)
Lyon County Planning Commission Agenda Summary

Meeting Date: February 14, 2023

Agenda Item Number:
5.a

Subject:
For Possible Action: To approve the minutes from the January 10, 2023 meeting

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

- Draft Minutes
LYON COUNTY PLANNING COMMISSION MEETING MINUTES

January 10, 2023

The January 10, 2023 meeting of the Lyon County Planning Commission was called to order by Commission Chairwoman, Tammy Hendrix, at approximately 9:00 a.m. in the LYON COUNTY ADMINISTRATIVE COMPLEX, 27 S. MAIN STREET, YERINGTON, NV 89447

1. Roll Call

Members present: Commissioners Tammy Hendrix, Loretta Sell, Audrey Allan, Connie Kuzmicki and newly appointed, Greg Clausen, attended in person at the Lyon County Administrative Complex. Commissioners Michael Carlson and Shawn Keating attended the meeting via Zoom.

Attending staff: County Manager, Andrew Haskin; Senior Planners Louis Cariola, and Bill Roth; Planning Technician, Kerry Page and Administrative Assistant, Shannon Juntunen, attended in person.

2. Pledge of Allegiance – Led by Commissioner Sell

3. Public Participation – There was none.

4. Review and Adoption of the Agenda

Commissioner Allan motioned to adopt the agenda as presented. Commissioner Sell seconded, the motion passed by a unanimous vote (7 Ayes; 0 Nay; 0 Abstentions)

5. For Possible Action

5.a. For Possible Action: Election of the 2023 Planning Commission Chair-

Commissioner Allan motioned to nominate Commissioner Tammy Hendrix as the 2023 Planning Commission Chair. Commissioner Kuzmicki seconded, the motion passed by unanimous vote (7 Ayes; 0 Nay; 0 Abstentions)

5.b. For Possible Action: Election of the 2023 Planning Commission Vice-Chair

Commissioner Hendrix motioned to nominate Commissioner Audrey Allan as the 2023 Planning Commission Vice-Chair. Commissioner Sell seconded, the motion passed unanimously (7 Ayes; 0 Nay; 0 Abstentions)

5.c For Possible Action: Election of the 2023 Planning Commission Secretary

Commissioner Allan motioned to nominate Commissioner Keating as the 2023 Planning Commission Secretary. Commissioner Sell seconded, the motion passed unanimously (7 Ayes; 0 Nay; 0 Abstentions)

6. For Possible Action: Approval of Minutes

6.a. For Possible Action: To approve the minutes form the December 13, 2022 meeting.

Commissioner Allan motioned to approve the minutes from the December 13, 2022, meeting as amended. Commissioner Sell seconded, the motion passed by unanimous vote (7 Ayes; 0 Nay; 0 Abstentions)

7. Presentation and Reading of Miscellaneous Correspondence – There was none.

8. Advisory Board Reports - Commissioner Hendrix acknowledged Advisory Board Reports from both the Stagecoach Advisory Board and the Dayton Regional Advisory Board.

9 Public Hearing Items

9.a For Possible Action -To forward a recommendation to the Board of Commissioners for a Conditional Use Permit request from John Miles to allow for the expansion of a nonconforming
Senior Planner, Bill Roth summarized the staff report. The applicant’s request for a Conditional Use Permit to allow the expansion of a legal, non-conforming use is required due to the property’s zoning designation of CC (Community Commercial). The house was placed on the property prior to the implementation of any zoning codes, making it a legal non-conforming use and the applicant would like to build a detached garage on the property. The structure has received approval from the Comstock Historic District.

Public Comment - There was none

Commissioner Sell motioned to forward a recommendation of approval to the Board of County Commissioners for the request by Mr. John Miles for a Conditional Use Permit to allow the expansion of a non-conforming use in the CC (Community Commercial) zoning district, on APN 006-052-02 (PLZ-2022-189), based on the recommended findings and subject to the following Conditions of Approval.

1. No change in the terms and conditions of the Conditional Use Permit (CUP), as approved, shall be undertaken without first submitting the changes to Lyon County Community Development and having them modified in conformance with Lyon County Code.
2. The applicant shall comply with all applicable Fire, building, zoning and improvement code requirements and obtain any necessary public inspections.
3. All construction documents and separate applications must be submitted to the Central Lyon County Fire Protection District and the Lyon County Building Department for review and approval prior to issuance of a Building Permit.
4. All contractors doing any construction, modifications, or remodels must be licensed in the State of Nevada.
5. Exterior lighting for the garage, if any, shall be downward facing and shielded such that light is not shed onto adjacent properties.
6. The substantial failure to comply with the conditions imposed on the issuance of this conditional use permit or the operation of the conditional use in a manner that endangers the health, safety or welfare of Lyon County or its residents or the violation of ordinances, regulations or laws in the conditional use may result in the institution of revocation proceedings. Failure to initiate the conditional use permit within one (1) year from the date of approval or to complete all work within two (2) years from the date of approval will result in the expiration of the conditional use permit approval.

Commissioner Kuzmicki seconded, the motion passed unanimously (7 Ayes; 0 Nay; 0 Abstentions)

9.b. For Possible Action - To approve a request from Bret and Tauni Allen for a Tentative Parcel Map to subdivide a 3.63-acre parcel into two (2) parcels, the smallest being 1.73 acres, located at 16 Jones Road in Mound House (APN 016-231-11) PLZ 2022-193.

Senior Planner, Louis Cariola, summarized the staff report. The applicant proposes that the above-referenced 3.63-acre parcel be subdivided into two (2) parcels through the parcel map land division process. Proposed parcel 1 is 75,492 square feet (1.73 acres) and proposed Parcel 2 is 82,935 square feet (1.9 acres). The property is currently zoned M-1 (General Industrial District) subject to HI-S (Heavy Industrial-Suburban). The applicant’s request is in conformance with the goals and policies of the 2020 Comprehensive Master Plan and Zoning standards.
Commissioner Hendrix asked if the language for Condition of Approval 6.a. is correct. It states, “The improvement would consist of 6” of 3/4 Type 2 spec base on 3” of asphalt (mix design is PG-64-28NV)” but it seems it should be stated as 3” of asphalt on top of 6” of ¾ Type 2 base. Senior Planner, Louis Cariola stated it was a typo.

The Applicant’s representatives, Robert LaRiviere and Deane Scheiber from CFA, asked if Condition 6.a will require the applicant to improve the entire road. They were under the impression it was only 200ft. Senior Planner, Louis Cariola responded that the applicant will be required to improve the entire road.

Commissioner Allan asked the applicant’s representative if they are in agreement with that. Mr. LaRiviere responded that if that is one of the conditions of approval the applicant will comply with it.

Public Comment- There was none

Commissioner Allan motioned to APPROVE the Tentative Parcel Map request for Bret and Tauni Allen (APN: 016-231-11/PLZ-2022-193) based on the recommended findings and subject to the following Conditions of Approval:

1. The applicant shall comply with all Federal, State, County and special purpose district regulations.

2. The applicant shall make corrections of any engineering or drafting errors and other technical map corrections to the satisfaction of the County Engineer and Planning Department prior to submitting the final parcel map for recordation.

3. The applicant shall pay the actual costs for County Engineer plan and map checking fees and County Inspector site improvement inspection fees, in accordance with the adopted County fee resolution in effect at the time, and provide proof of payment to the Planning Department prior to final parcel map recordation.

4. The applicant shall pay in full all property taxes through the end of the fiscal year (June 30) prior to recordation of the final parcel map.

5. Prior to recordation of the Final Map, the developer shall provide documentation to the Community Development Department that the direction and processes as described in the attached letter from the Lyon County Utility District Director, dated December 15, 2022, have been addressed to the satisfaction of the Director.

6. The following items are listed in accordance with the comments submitted by the Lyon County Roads Department for the proposed tentative parcel map. Prior to recordation of the Final Map, the applicant shall provide documentation to the Community Development Department that the direction and processes as outlined below have been satisfied to the satisfaction of the Roads Department.

   a) Jones Road requires improvement and pavement per Orange Book Standards. There is currently a 200'x24' portion of road that is native dirt right in front of this property. The improvement would consist of 3" of asphalt over 6" of 3/4 Type 2 spec base (mix design is PG-64-28NV) on 3" of asphalt (mix design is PG-64-28NV).

   b) Design, testing of material and compaction in the County ROW will need to be submitted to Farr West Engineering and the Road Department for sign-off and approval.

   c) All parcels with driveway accesses from the County ROW require improvement of the aprons to Orange Book Standards for asphalt pavement or concrete.

7. The applicant shall provide the parcel map to the Lyon County GIS Coordinator in form and format compatible with the County geographical information system (GIS). The scale of the site plan,
improvements, monuments and other items shall be in model space correctly oriented to coordinate system as established by the GIS Coordinator. Cover sheet and standard details need not be included.

8. The applicant shall pay the required recording fees at time of Final Map recordation.

9. No lot shall be offered for sale or sold and no building permits shall be accepted for processing until the Final Parcel Map has been approved and recorded.

10. The applicant shall comply with the *Drainage Guidelines for Lyon County* (revised September 2018) when/if developing the property in the future.

11. The applicant shall comply with Lyon County improvement requirements as set forth in Chapter 15.03.03 (Design Criteria and Improvement Standards) of Lyon County Code.

12. The applicant shall comply with all applicable fire code requirements to the satisfaction of the Central Lyon Fire Protection District.

13. The final parcel map will comply with the current Lyon County standards requiring a 7.5-foot public utility easement along the front property lines and 5-foot public utility easement along all side property lines for the proposed parcels prior to recordation.

14. The following items are required of all development:
   a. All construction shall comply with all applicable building and fire code requirements.
   b. Building permits shall be issued in compliance with Title 15 of the Lyon County Code.
   c. Site development work will require a site improvement permit(s) in accordance with Title 15.234 unless directly associated with a single family residential building permit.
   d. Structures placed on these parcels shall adhere to the County’s site and setback standards for the zoning district as it applies to each parcel at the time of development.
   e. Distinct and legible “temporary” addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.
   f. All debris on construction sites must be contained and removed periodically as required for safety and cleanliness to the satisfaction of the Lyon County Building Department.
   g. Prior to any combustible materials being brought on site street name signage shall be installed, if applicable and emergency vehicle access has been installed to the satisfaction of the Central Lyon County Fire Protection District.

15. Any further division may be subject to the imposition of subdivision improvement standards as may be legally imposed at the time. The applicant shall place a note to this effect on the final parcel map prior to recordation.

16. The applicant shall resolve all Code Enforcement violations on the subject site to the satisfaction of the Community Development Director prior to recordation of the Final Map.

17. Approval of the tentative parcel map shall not constitute acceptance of the final parcel map. **Failure to submit a complete final parcel map and pay the required fees within one (1) year from the date of approval shall render the tentative parcel map approval as expired.** No extension may be granted after receiving approval of the tentative parcel map.

   Commissioner Sell seconded, the motion passed unanimously (7 Ayes; 0 Nay; 0 Abstentions)

9.c. For Possible Action - To approve a request from HSKS LLC for a Tentative Parcel Map to subdivide a 0.92-acre parcel into two (2) parcels, the smallest being 0.46 acres, located at 3120 Elm Street in Silver Springs (APN 018-414-06) PLZ 2022-143.
Senior Planner, Louis Cariola, summarized the staff report. The applicant proposes that the 0.92-acre subject parcel be subdivided into two (2) parcels through the parcel map land division process. Proposed Parcel 1 is 20,009 square feet and proposed Parcel 2 is 20,017 square feet. The property is zoned SR-12,000 (Suburban Residential – 12,000 sf minimum). The applicants request is in conformance with the 2020 Master Plan goals and policies and Zoning standards.

Public Comment: There was none

Commissioner Kuzmicki motioned to APPROVE the Tentative Parcel Map request for HSKS LLC (APN: 018-414-06/PLZ-2022-143) based on the recommended findings and subject to the following Conditions of Approval:

1. The applicant shall comply with all Federal, State, County and special purpose district regulations.
2. The applicant shall make corrections of any engineering or drafting errors and other technical map corrections to the satisfaction of the County Engineer and Planning Department prior to submitting the final parcel map for recordation.
3. The applicant shall pay the actual costs for County Engineer plan and map checking fees and County Inspector site improvement inspection fees, in accordance with the adopted County fee resolution in effect at the time, and provide proof of payment to the Planning Department prior to final parcel map recordation.
4. The applicant shall pay in full all property taxes through the end of the fiscal year (June 30) prior to recordation of the final parcel map.
5. Prior to recordation of the Final Map the applicant is required to improve Mono Street to Lyon County’s Gravel Road standard, from the southerly boundary of the existing parcel’s limits north to Lake Avenue.
6. The developer shall provide of the relinquishment of water rights necessary to insure an adequate water supply for residential use of the newly created parcels to the satisfaction of the State Division of Water Resources prior to recordation of the final parcel map (through coordination with the Silver Springs Mutual Water Company).
7. The applicant shall provide the parcel map to the Lyon County GIS Coordinator in form and format compatible with the County geographical information system (GIS). The scale of the site plan, improvements, monuments and other items shall be in model space correctly oriented to coordinate system as established by the GIS Coordinator. Cover sheet and standard details need not be included.
8. The applicant shall pay the required recording fees at time of final parcel map recordation.
9. No lot shall be offered for sale or sold and no building permits shall be accepted for processing until the final parcel map has been approved and recorded.
10. The applicant shall comply with Lyon County’s storm drainage guidelines when/if developing the property in the future (revised September 2018).
11. The applicant shall comply with Lyon County improvement requirements as set forth in Chapter 15.03.03 (Design Criteria and Improvement Standards) of Lyon County Code.
12. The applicant shall comply with all applicable fire code requirements to the satisfaction of the Mason Valley Fire Protection District.
13. The final parcel map will comply with the current Lyon County standards requiring a 7.5-foot public utility easement along the front property lines and 5-foot public utility easement along all side property lines for the proposed parcels prior to recordation.
14. The following items are required of all development:
   a. All construction shall comply with all applicable building and fire code requirements.
   b. Building permits shall be issued in compliance with Title 15 of the Lyon County Code.
   c. Site development work will require a site improvement permit(s) in accordance with Title 15.234 unless directly associated with a single family residential building permit.
   d. Structures placed on these parcels shall adhere to the County’s site and setback standards for the zoning district as it applies to each parcel at the time of development.
   e. Distinct and legible “temporary” addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.
   f. All debris on construction sites must be contained and removed periodically as required for safety and cleanliness to the satisfaction of the Lyon County Building Department.
   g. Prior to any combustible materials being brought on site street name signage shall be installed, if applicable and emergency vehicle access has been installed to the satisfaction of the Central Lyon County Fire Protection District.

15. Any further division may be subject to the imposition of subdivision improvement standards as may be legally imposed at the time. The applicant shall place a note to this effect on the final parcel map prior to recordation.

16. Approval of the tentative parcel map shall not constitute acceptance of the final parcel map. Failure to submit a complete final parcel map and pay the required fees within one (1) year from the date of approval shall render the tentative parcel map approval as expired. No extension may be granted after receiving approval of the tentative parcel map.

Commissioner Sell seconded, the motion passed unanimously (7 Ayes; 0Nay; 0 Abstentions)

9.d. For Possible Action – Brian Gauck - CONTINUED from the December 13, 2022 meeting- To approve a request from Brian Gauck for a Tentative Parcel Map to subdivide a 24.81-acre parcel into four (4) parcels, the smallest being 5 acres; located at 9725 Iroquois Trail in Stagecoach (APN 015-761-31) PLZ 2022-186.

Senior Planner, Louis Cariola, presented the staff report. The applicant proposes that the above-referenced 24.81-acre parcel be subdivided into four (4) parcels through the parcel map land division process. Proposed Parcel 1 is 9.39 acres; proposed Parcel 2 is 5.42 acres; proposed Parcels 3 and 4 are 5 acres each. The property is currently zoned RR-3T (Third Rural Residential District – 5 acre minimum with a Trailer Overly). The applicant’s request is in conformance with the 2020 Master Plan goals and policies and zoning standards. Mr. Cariola went on to explain the applicant is working to resolve the code enforcement issues on the property and will be required to provide an engineer’s letter of approval for a barn on the current parcel that was constructed without a building permit. The applicant is also required to obtain building permits for a primary residence and the barn before the recordation of the Final Parcel Map.

Commissioner Hendrix noted Stagecoach GID cannot provide service to this parcel and asked if the applicant will be required to get NDEP approval to install domestic wells for the additional parcels being created.

Senior Planner, Louis Cariola responded that while this parcel is located within the Stagecoach GID Service Area, they are not currently accepting any new applications to be included into their District Boundaries because they do not currently have the capacity to serve any additional lots. Therefore, future development on site will require approval from the Nevada Division of Water Resources (DWR) for authorization to drill wells for the new parcel configurations.
Applicant’s representatives, Robert LaRiviere and Deane Scheiber said the applicant is working to resolve the code violations and is aware of the Conditions of Approval.

**Public Comment-** There was none

Commissioner Clausen motioned to **APPROVE the** Tentative Parcel Map request for Bryan Gauck (APN: 015-761-31); PLZ-2022-186, based on the recommended findings and subject to the following Conditions of Approval:

1. The applicant shall comply with all Federal, State, County and special purpose district regulations.

2. The applicant shall make corrections of any engineering or drafting errors and other technical map corrections to the satisfaction of the County Engineer and Planning Department prior to submitting the final parcel map for recordation.

3. The applicant shall pay the actual costs for County Engineer plan and map checking fees and County Inspector site improvement inspection fees, in accordance with the adopted County fee resolution in effect at the time, and provide proof of payment to the Planning Department prior to final parcel map recordation.

4. The applicant shall pay in full all property taxes through the end of the fiscal year (June 30) prior to recordation of the final parcel map.

5. The developer shall provide documentation of the relinquishment of water rights necessary to insure an adequate water supply for residential use of the newly created parcels to the satisfaction of the State Division of Water Resources (DWR) prior to recordation of the final parcel map (which is typically 2 acre-feet per new parcel).

6. The applicant shall provide the parcel map to the Lyon County GIS Coordinator in form and format compatible with the County geographical information system (GIS). The scale of the site plan, improvements, monuments and other items shall be in model space correctly oriented to coordinate system as established by the GIS Coordinator. Cover sheet and standard details need not be included.

7. The applicant shall pay the required recording fees at time of final parcel map recordation.

8. No lot shall be offered for sale or sold and no building permits shall be accepted for processing until the final parcel map has been approved and recorded.

9. The applicant shall comply with Lyon County’s storm drainage guidelines when/if developing the property in the future (revised September 2018).

10. The applicant shall comply with Lyon County improvement requirements as set forth in Chapter 15.03.03 (Design Criteria and Improvement Standards) of Lyon County Code.

11. The applicant shall comply with all applicable fire code requirements to the satisfaction of the Central Lyon Fire Protection District.

12. The final parcel map will comply with the current Lyon County standards requiring a 7.5-foot public utility easement along the front property lines and 5-foot public utility easement along all side property lines for the proposed parcels prior to recordation.

13. The following items are required of all development:

   a. All construction shall comply with all applicable building and fire code requirements.

   b. Building permits shall be issued in compliance with Title 15 of the Lyon County Code.

   c. Site development work will require a site improvement permit(s) in accordance with Title 15.234 unless directly associated with a single family residential building permit.
d. Structures placed on these parcels shall adhere to the County’s site and setback standards for the zoning district as it applies to each parcel at the time of development.

e. Distinct and legible “temporary” addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.

f. All debris on construction sites must be contained and removed periodically as required for safety and cleanliness to the satisfaction of the Lyon County Building Department.

g. Prior to any combustible materials being brought on site street name signage shall be installed, if applicable and emergency vehicle access has been installed to the satisfaction of the Central Lyon County Fire Protection District.

14. Any further division may be subject to the imposition of subdivision improvement standards as may be legally imposed at the time. The applicant shall place a note to this effect on the final parcel map prior to recordation.

15. The applicant shall resolve all Code Enforcement violations on the subject site to the satisfaction of the Community Development Director prior to recordation of the Final Map.

16. Approval of the tentative parcel map shall not constitute acceptance of the final parcel map. **Failure to submit a complete final parcel map and pay the required fees within one (1) year from the date of approval shall render the tentative parcel map approval as expired.** No extension may be granted after receiving approval of the tentative parcel map.

Commissioner Kuzmicki seconded, motioned passed by a majority vote (6 Ayes; 1 Nay (Commissioner Keating); 0 Abstentions)

RECESS TO CONVENE AS THE LYON COUNTY PUBLIC LANDS MANAGEMENT ADVISORY BOARD

10. Public Participation- None

11. Action Items- None

12. Board Member Comments- None

13. Future Agenda Items- None

14. Public Comment- None

ADJOURN TO RECONVENE AS THE LYON COUNTY PLANNING COMMISSION

15. Staff update on recent County Commissioner’s actions –County Manager said there were no Planning items on the January 5, 2023 agenda, he had no further updates.

16. Public Participation- There was none

17. Adjournment

At approximately 9:46 a.m. it was unanimously motioned to adjourn.

Commissioner Hendrix, reconvened due to an oversight in Public Participation on Zoom.

Robert LaRiviere asked to revisit agenda item 9.b. regarding condition of approval 6.a., related to the extent of road improvements. County Manager, Andrew Haskin, said since action had already been taken on the agenda item, the applicant will have to submit an application for an amendment to the conditions of approval if they dispute and/or cannot comply with any of the conditions.

At approximately 9:48 a.m. it was unanimously motioned to adjourn.
Tammy Hendrix, Chairwoman

Shannon Juntunen, Administrative Assistant
Lyon County Planning Commission Agenda Summary

Meeting Date: February 14, 2023

Agenda Item Number:
8.a

Subject:
For Possible Action: To approve a request from Debra L. Newton for a Tentative Parcel Map to subdivide an approximately 80.41-acre parcel into two (2) parcels, the smallest being 20.16 acres, located to the northeast of the intersection of Crosby Lane and Smith Gage Road, northwest of State Route 208, at 16 Crosby Lane in Smith Valley (APN 010-371-03) PLZ-2022-208.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS
- Staff Report
- Backup
- Smith Valley Letter of Transmittal
Lyon County Planning Commission

PLZ-2022-208  Request for a Tentative Parcel Map to create two (2) parcels (the smallest parcel proposed at approximately 20.16 acres) located at 16 Crosby Lane, Smith Valley, NV (APN: 010-371-03).

Meeting Date:  February 14, 2023

Owner(s):  Debra L. Newton

Applicant(s):  Property Owner

Representative:  Rick Christian, Denson Surveying Inc.

Location:  Generally located on the north side of Crosby Lane, approximately 205 feet to the west of State Route 208 in Smith Valley

Parcel Number:  010-371-03

Master Plan:  Agriculture

Current Zoning:  RR-20 (Rural Residential – 20 acre minimum)

Proposed Zoning:  N/A

Flood Zone(s):  X-Unshaded (area of minimal flood hazard) per FIRM 32019C0975E

Case Planner:  Bill Roth

REQUEST:
The applicant is requesting a Tentative Parcel Map (TPM) to subdivide an approximately 80.41 acre lot to create two new parcels:

- Proposed Parcel 1 (approximately 60.27 acres)
- Proposed Parcel 2 (approximately 20.16 acres)

STAFF RECOMMENDATION:
Staff recommends approval of the tentative parcel map based on the Findings listed in the staff report and subject to the recommended Conditions of Approval listed below.
RECOMMENDED MOTION:

If the Lyon County Planning Commission finds, after reviewing the staff report and considering public comment want to approve the tentative parcel map, then the Planning Commission should consider a motion similar to the following:

The Planning Commission has considered:

1. General improvement considerations for all parcel maps including, but not limited to:
   a) Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;
   b) The availability of water which meets applicable health standards and is sufficient for the reasonably foreseeable needs of the subdivision;
   c) Conformity with the zoning ordinances and master plan;
   d) General conformity with the Lyon County master plan of streets and highways;
   e) Physical characteristics of the land such as floodplain, slope and soil;
   f) The recommendations and comments of those entities reviewing the tentative parcel map; and
   g) The availability and accessibility of fire protection including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires including fires in wild lands.

2. Where an applicant proposes to create parcels of less than one acre, the commission may require additional improvements which are reasonably necessary and consistent with the use of the land if it is developed as proposed.

3. For a second or subsequent parcel map with respect to a single parcel or a contiguous tract of land under the same ownership, the commission may require any reasonable improvement up to those required for subdivisions.

Based on the aforementioned Findings 1 through 3, I move that the Lyon County Planning Commission approve subject to the following Conditions of Approval:

Conditions of Approval:

1. The developer shall comply with all Federal, State, County and special purpose district regulations.

2. Any future development will require connection to the public right-of-way and an encroachment permit from the Lyon County Roads Department will be required.

3. The developer shall make corrections of any engineering or drafting errors and other technical map corrections to the satisfaction of the County Engineer and Planning Director prior to submitting the final parcel map for recordation.

4. The developer shall pay the actual costs for County Engineer plan and map checking fees and County Inspector site improvement inspection fees, in accordance with the adopted County fee resolution in effect at the time, and provide proof of payment to the Planning Department prior to final parcel map recordation.
5. The developer shall pay in full all property taxes through the end of the fiscal year (June 30) prior to recordation of the final parcel map.

6. The developer shall provide the parcel map to the Lyon County GIS Coordinator in form and format compatible with the County geographical information system (GIS). The scale of the site plan, improvements, monuments and other items shall be in model space correctly oriented to coordinate system as established by the GIS Coordinator. Cover sheet and standard details need not be included.

7. The developer shall pay the required recording fees at time of final parcel map recordation.

8. No lot shall be offered for sale or sold and no building permits shall be accepted for processing until the final parcel map has been approved and recorded.

9. The developer shall comply with Lyon County’s storm drainage guidelines (revised September 2018).

10. The developer shall comply with Lyon County improvement requirements as set forth in Chapter 15.03.03 of the Lyon County Code.

11. The developer shall comply with the requirements of the Smith Valley Fire Protection District (SVFPD) including, but not limited to conformance with the 2018 editions of the International Fire Code (IFC) and International Wildland-Urban Interface Code (IWUIC) including the 2018 Northern Nevada Amendments to both the IFC and IWUIC as applicable to the satisfaction of the Smith Valley Fire Protection District.

12. The developer shall provide documentation of the relinquishment of water rights necessary to insure an adequate water supply for residential use of the newly created parcels to the satisfaction of the State Division of Water Resources (DWR) prior to recordation of the final parcel map.

13. The final parcel map will comply with the current Lyon County standards requiring a 7.5-foot public utility easement along the front property lines and 5-foot public utility easement along all side property lines for the proposed parcels prior to recordation.

14. The following items are required of all development:

   a. All construction shall comply with all applicable building and fire code requirements.
   b. Building permits shall be issued in compliance with Title 15 of the Lyon County Code.
   c. Site development work will require a site improvement permit(s) in accordance with Title 15.234 unless directly associated with a single family residential building permit.
   d. Structures placed on these parcels shall adhere to the County’s site and setback standards for the zoning district as it applies to each parcel at the time of development.
   e. Distinct and legible “temporary” addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.
   f. All debris on construction sites must be contained and removed periodically as required for safety and cleanliness to the satisfaction of the Lyon County Building Department.
   g. Prior to any combustible materials being brought on site, street name signage shall be installed, if applicable, and emergency vehicle access has been installed to the satisfaction of the Smith Valley Fire Protection District.

15. Any further division may be subject to the imposition of subdivision improvement standards as may be legally imposed at the time. The developer shall place a note to this effect on the final parcel map prior to recordation.
16. Approval of the tentative parcel map shall not constitute acceptance of the final parcel map. **Failure to submit a complete final parcel map and pay the required fees within one (1) year from the date of approval shall render the tentative parcel map approval as expired.** No extension may be granted after receiving approval of the tentative parcel map.
**GENERAL INFORMATION:**

**Location:**
The subject site is generally located in Smith Valley on the north side of Crosby Lane approximately 205 feet to the west of State Route 208 (SR 208). The vicinity map below shows the subject parcel (indicated with a star and outlined in red).

**Access:**
Access to the subject site is from Crosby Lane (as shown on the detail from the Assessor’s map outlined in red below), between Smith Gage Road to the west and SR 208 to the east.
**Topography:**
The subject site is relatively flat with an elevation of approximately 4,798 feet in the northern portion and 4,807 feet in the southern portion of the property. County GIS shows no contour lines of ten feet or greater on the property, reflecting its flat topography.

**Flood Zone Designation:**
The subject site is located within Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) Panel 32019C0975E (effective date 01/16/2009). Per the FEMA FIRM Panel, the subject site is located in zone X unshaded, meaning an area of minimal flood hazard with a 0.2% annual chance of flood hazard.
Public Facilities:
The subject site is within an area of Lyon County that has no municipal water or sewer services available to it. The applicant has provided statements by Southwest Gas Corporation, NV Energy, and Frontier Communications agreeing to the creation of public utility easements with the proposed parcel map.

Background:
The subject parcel is outlined in red in the 2018 Survey below.
Below is a detail from the proposed Tentative Parcel Map. The parcel that is proposed to be subdivided into two parcels is outlined in red. Proposed Parcel 1, which would be approximately 60.27 acres, is indicated with a solid blue star. Proposed Parcel 2, which would be approximately 20.16 acres, is indicated with a white star with blue outline. Both new parcels would have direct access to Crosby Lane.

It should be noted that the total area for the Tentative Parcel Map is 80.42 acres as determined by survey points found in the field. According to the surveyor, Denson Surveying, Inc., the northeast corner of the subject property has been lost and had to be reset. Modern GIS (Geographic Information System) surveying technology resulted in a more accurate location of the ¼ Section Corner on the adjacent parcel (see pink symbol at the northeast corner of the adjacent parcel, APN 010-291-59 in the image below). As a result, the location of the northeast corner of the subject parcel, which is located at a distance relative to the ¼ Section Corner at the northeast corner of the adjacent parcel, is at a slightly different location.
The applicant’s representative with Denson Surveying, Inc. has stated that there are no permanent structures on the property at present. Per the applicant’s representative, the applicant and property owner intends to build a residential unit on the property in the future.

**STAFF REVIEW:**

Chapter 15.606.07 (D) lists the Findings that the Planning Commission have to consider when reviewing tentative parcel map applications. These Findings are listed below in the staff report in **bold** with staff’s review of the Findings in normal type.

1. General improvement considerations for all parcel maps including, but not limited to:
   
   a) Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;

   **Environmental and Health Regulations:**
• Water Pollution: The State Department of Environmental Protection ("NDEP") regulates storm water discharges through the Stormwater Pollution Prevention Plan ("SWPPP") which is required whenever a project discharges in the Waters of the United States (WOTUS) and the project either disturbs more than one acre or disturbs less than one acre, but is part of a larger common plan for development or sale that will ultimately disturb one acre or more. A Stormwater Pollution Prevention Plan ("SWPPP") is required to be submitted and approved by the NDEP if the development of either proposed parcel would disturb more than 1 acre.

• Air Quality: Air quality is also regulated by NDEP for dust control on development projects greater than 5 acres in size through the Surface Area Disturbance ("SAD") permit. Similar to the SWPPP, the SAD would be required to be submitted and approved by the NDEP if the development proposed to disturb more than 5 acres.

Solid Waste:
Lyon County has a franchise agreement with D&S Disposal/Waste Management to deal with solid waste disposal.

Water Supply:
The State Division of Water Resources ("DWR") reviews tentative parcel map applications to determine:

• Whether there is sufficient water;
• Is the manner of use correct;
• Whether the subdivision is within the correct place of use and if not, has an expansion of service area occurred or is pending;
• Verify surface versus groundwater rights;
• Check for decreed water;
• Verify water agreements between purveyors; and
• Check for drought factors; and verify Public Utilities Commission water use duties dependent on lot sizes.

Prior to the submission of a final parcel map application to Lyon County, the applicant shall acquire and relinquish to DWR sufficient water rights to adequately serve the proposed parcels to be created through the parcel map application per Chapter 15.600.05 (A)(1)(a-d, inclusive).

“15.600.05: MANDATORY WATER RIGHTS DEDICATION OR RELINQUISHMENT REQUIREMENTS:

A. All maps of land division, including parcel maps, subdivision maps and maps of division of land into large parcels, must dedicate or relinquish water rights as follows:

1. If the land encompassed by any map of land division is not within the existing boundaries of a public water system as defined in Nevada Revised Statutes 445A and the newly created parcels are to be served by domestic well:

   a. The land divider shall relinquish to the State Engineer water rights necessary to ensure an adequate water supply for domestic use of the newly created parcels from within the water basin in which the parcel is located; and

   b. The land divider shall bear all costs associated with such relinquishment; and

   c. For purposes of this section, valid underground water rights in the amount of 2.0 acre-feet per year shall be relinquished for each new parcel created by the land division; and

   d. No map of land division shall be recorded until the requirements of this section have been satisfied.”
Sewage Disposal:
Similar to domestic water, the subject site is not close to any municipal sewer service area or infrastructure. As such, individual sewage disposal systems (septic systems) will have to be installed in order to provide sewage disposal.

b) The availability of water which meets applicable health standards and is sufficient for the reasonably foreseeable needs of the subdivision;

As noted above, a proposed parcel map must meet the minimum discretionary requirements and mandatory water rights requirements set forth in Lyon County Code Chapter 15.600.05.

The subject site is located outside of a domestic water purveyor’s service area and nowhere near any municipal water service line. As such, the applicant will need to provide documentation of the sufficient water rights relinquishment to adequately serve the proposed parcels to the satisfaction of DWR prior to recordation of the final parcel map.

c) Conformity with the zoning ordinances and master plan;

Current Zoning:
The subject parcel is zoned RR-5 (Fifth Rural Residential District - 20 acres) under Title 10 and RR-20 (Rural Residential – 20 acre minimum) under Title 15, as are the surrounding parcels (shown below). Per the Board-adopted Zoning Consistency Matrix shown below, the zoning district land use and development standards to be used to review projects under this zoning district are the RR-20.

As previously shown above in the detail from the proposed Tentative Parcel Map, both of the proposed parcels would comply with the minimum 20 acre minimum lot size requirement for the RR-20 zoning district in Title 15. Conformance with the development and performance standards for any proposed future uses would be reviewed as part of the development review processes for the land use entitlements in Title 15 (i.e., detached single family residential building permits).

Master Plan:
The subject site is located within an area of Smith Valley that the 2020 Comprehensive Master Plan designates as Agriculture (the subject site is indicated with a star in the image below).
The table below from Chapter 3 of the 2020 Comprehensive Master Plan describes the Agriculture land use designation as follows:

<table>
<thead>
<tr>
<th>Title 10 Zoning (Considered Title 15 Designation)</th>
<th>Title 15 Zoning</th>
<th>Density Range/Size</th>
<th>Description/Characteristics</th>
<th>Examples of Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>RR-5 (RR-20)</td>
<td>AG</td>
<td>1 DU per 20 acres (0.05DU/acre)</td>
<td>Private property under irrigated cultivation or irrigated pasture generally larger than 40 acres. Residential uses may be clustered or transferred away from agricultural lands to conserve large intact agricultural lands. Agricultural related commercial and limited industrial uses, and other limited commercial and tourist commercial uses compatible with the agricultural use of the land and rural character.</td>
<td>Irrigated land used in the production of crops and pasture, and having requisite water rights.</td>
</tr>
<tr>
<td>RR-5 (RR-20)</td>
<td>NIA</td>
<td>1 DU per 20 acres (0.05DU/acre)</td>
<td>Private properties used for non-irrigated livestock grazing or feeding, or non-irrigated lands used in conjunction with a developed ranching or farming operation that are generally larger than 40 acres. Residential uses may be clustered or transferred away from agricultural lands to conserve large intact agricultural lands. Agricultural related commercial and limited industrial uses, and other limited commercial and tourist commercial uses compatible with the agricultural use of the land and rural character.</td>
<td>Grazing land, feed-lot, hay stacking yard</td>
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The proposed Tentative Parcel Map to facilitate future development of a single-family residence on land greater than 20 acres in size and zoned RR-5 (Title 10) / RR-20 (Title 15) would be in compliance with the 2020 Comprehensive Master Plan.

d) General conformity with the Lyon County master plan of streets and highways;

There are no roadway infrastructure improvements indicated by the map in the area where the subject parcel is located. As such, the proposed parcel map would be in general conformance with the Lyon County 2020 Comprehensive Master Plan Transportation Network Plan.

e) Physical characteristics of the land such as floodplain, slope and soil;

The preliminary soils report submitted with the application materials gives no indication that the surrounding soils would require special construction conditions to support development.

The preliminary drainage report also indicated no significant storm drainage issues that would preclude development of the subject site.

As noted previously in the staff report, the subject site is located within an area with the FEMA floodplain designation of X-Unshaded which designates the site as having a minimal statistical chance of inundation during a 100-year flooding event.

f) The recommendations and comments of those entities reviewing the tentative parcel map; and

The Applicant’s submittal was shared with the Nevada Department of Environmental Protection, Lyon County Roads, Nevada Department of Transportation, Smith Valley Fire Protection District (“SVFPD”), and other reviewing agencies, but no comments were received regarding the tentative parcel map application.
g) The availability and accessibility of fire protection including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires including fires in wild lands.

Conformance with the 2018 editions of the International Fire Code (IFC) and International Wildland-Urban Interface Code (IWUIC) including the 2018 Northern Nevada Amendments to both the IFC and IWUIC is required, as applicable. The proposed parcels are more than 1,000 feet from a water source available for use in the event of an emergency.

2. Where an applicant proposes to create parcels of less than one acre, the commission may require additional improvements which are reasonably necessary and consistent with the use of the land if it is developed as proposed.

The applicant is proposing to create two parcels, each greater than one acre.

3. For a second or subsequent parcel map with respect to a single parcel or a contiguous tract of land under the same ownership, the commission may require any reasonable improvement up to those required for subdivisions.

The applicants are aware of this possibility/likelihood of this requirement.
To Lyon County Planning Department:

Description\Narrative:
The owner of the subject property, APN 010-371-03, located off of Highway 95 Alt., is taking the 80+ acre parcel and parceling off a 20+ acre parcel.

There are currently no structures on either property.

The intent of this Parcel Map is to create (2) two smaller parcels.

Water is currently served to the property by a domestic well. The owner has acquired water rights (2.0 acre feet) to be relinquished to the division of water Resources for the creation of the new parcel.

Electricity is provided by NV Energy. There are existing services to the parcel at this time. The owner will have to acquire the needed permits if they chose to develop the property further.

Propane is currently serving the property. The owner will have to acquire the needed permits if they chose to develop the property further.

Sewage is by a septic system that is currently in place. The owner will have to acquire the needed permits if they chose to develop the property further.

Fire protection will be in the Smith Valley Fire Protecting District.

The legal access for these parcels is from Crosby Lane & Smith Gage Road.

If you have any questions or if you would like to meet and discuss this any further please contact my office.

Sincerely,

Rick P. Christian, PLS 11178
To Lyon County Planning Department:

Justification:
The Applicants are creating a Parcel Map on APN 010-371-03. They are in accordance with County and State regulations and codes.

Sincerely

Rick P. Christian, PLS 11178
Representative
To Lyon County Planning Department:

Drainage & Slope Analysis:

There is no existing drainage identified on the subject property (APN 010-371-03). The Parcel Map as submitted is not purporting to increase or decrease the drainage on the subject property. This parcel map is being done to create two (2) parcels.

There is no portion of the lands as shown on this parcel map that show any evidence of any flood hazard, geological hazard, landslides or similar hazards to the public safety.

Sincerely

[Signature]

Rick P. Christian, PLS 11178
To Lyon County Planning Department:

Traffic Analysis:
The amount of traffic should not change with the creation of the parcels as shown on this Parcel Map (APN 010-371-03). This Parcel Map does not exceed the county's requirements to trigger a formal traffic study.

Sincerely

Rick P. Christian, PLS 11178
Denson Surveying
a professional corporation
SURVEYING MAPPING
PLANNING WATER RIGHTS
24 AUSTIN ST. WEED HEIGHTS
P.O. BOX 528 (775) 463-3611
Fax No. (775) 463-1175
YERINGTON, NEVADA 89447
July 18, 2022

To Lyon County Planning Department:

Soil Report:

The current use of the parcel is agricultural & residential. Any future developments will have to meet county and state requirement standards.

Sincerely

[Signature]

Rick P. Christian, PLS 11178
Good Morning Bill;

There are no permanent structure on the property at this time. The reasons for doing the Parcel Map is so Ms. Newton can get a loan to build a permanent residential home for herself. The lending institution will not loan on that large of a parcel to build a residential home. I hope this address your concerns. If you have any further question please contact this office.

Thanks, Merry Christmas

Rick Christian, PLS 11178

[Quoted text hidden]
Regarding the photo that is included with the application package:
The photo from Google Earth is included in the Parcel Map application for Deborah Newton, for her property located at 16 Crosby Lane, Smith Valley NV. The current conditions of the property are shown on the included photo and shows what is currently there.

Sincerely

Rebecca Christian,
Representative
UTILITY STATEMENTS FOR PUBLIC UTILITY EASEMENTS BEING CREATED
IN CONJUNCTION WITH A PARCEL MAP

FOR A.P.N. 010-371-03 COUNTY LYON STATE NV

1. We **DO NOT** have a utility located in the existing easement(s) and agree to the creation of the easement to the new boundary lines.

   Southwest Gas Corporation
   Carrier Signature Printed Name 12/8/2022

Signed: ____________________________
Carrier Signature Printed Name Date

2. We **DO** have a utility in the existing easement being relocated and desire a continuation of said easement in its present location.

Signed: ____________________________
Carrier Signature Printed Name Date

Signed: ____________________________
Carrier Signature Printed Name Date

Signed: ____________________________
Carrier Signature Printed Name Date

3. **Other** – (please add a statement the applies to your situation)

   WE APPROVE OF THE ADDITION OF THE PUBLIC UTILITY EASEMENTS BEING CREATED WITH THIS PARCEL MAP

Signed: ____________________________
Carrier Signature Printed Name Date

Signed: ____________________________
Carrier Signature Printed Name Date

Signed: ____________________________
Carrier Signature Printed Name Date

Signed: ____________________________
Carrier Signature Printed Name Date
UTILITY STATEMENTS FOR PUBLIC UTILITY EASEMENTS BEING CREATED IN CONJUNCTION WITH A PARCEL MAP

FOR A.P.N. 010-371-03 COUNTY LYON STATE NV

1. We **DO NOT** have a utility located in the existing easement(s) and agree to the creation of the easement to the new boundary lines.

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2. We **DO** have a utility in the existing easement being relocated and desire a continuation of said easement in its present location.

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3. **Other** – (please add a statement the applies to your situation)

WE APPROVE OF THE ADDITION OF THE PUBLIC UTILITY EASEMENTS BEING CREATED WITH THIS PARCEL MAP

Signed: NV Energy **Chris Robinson** Chris Robinson 11/13/2022

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UTILITY STATEMENTS FOR PUBLIC UTILITY EASEMENTS BEING CREATED
IN CONJUNCTION WITH A PARCEL MAP

FOR A.P.N. 010-371-03 COUNTY LYON STATE NV

1. We **DO NOT** have a utility located in the existing easement(s) and agree to the creation of
the easement to the new boundary lines.

Signed: 
Carrier Signature Printed Name Date

Signed: 
Carrier Signature Printed Name Date

Signed: 
Carrier Signature Printed Name Date

Signed: 
Carrier Signature Printed Name Date

2. We **DO** have a utility in the existing easement being relocated and desire a continuation of
said easement in its present location.

Signed: 
Carrier Signature Printed Name Date

Signed: 
Carrier Signature Printed Name Date

Signed: 
Carrier Signature Printed Name Date

Signed: 
Carrier Signature Printed Name Date

3. **Other** – (please add a statement that applies to your situation)

**WE APPROVE OF THE ADDITION OF THE PUBLIC UTILITY EASEMENTS BEING
CREATED WITH THIS PARCEL MAP**

Signed: FRONTIER **CHRIS WILLING** CHRIS WILLING 10/13/2022
Carrier Signature Printed Name Date

Signed: 
Carrier Signature Printed Name Date

Signed: 
Carrier Signature Printed Name Date

Signed: 
Carrier Signature Printed Name Date
Citizen Advisory Board
Letter of Transmittal

Meeting Date: 02/08/23

Advisory Board: Smith Valley Citizen Advisory Board

Please select which board this item is to be brought before:

Board of Commissioners [ ], (and/or) Planning Commission

Agenda Item:

12. For possible Action - To review the pending approval by the Planning Commission of a request from Debra L. Newton for a Tentative Parcel Map to subdivide an approximately 80.43-acre parcel into two (2) parcels, the smallest being 20.16 acres, located to the northeast of the intersection of Crosby Lane and Smith Gage Road, northwest of State Route 208, at 16 Crosby Lane in Smith Valley (APN 010-371-03) PLZ-2022-208.

Recommended Motion and/or Report:
Request that PLZ-2022-208 be pulled from the Planning Commission agenda until the SVCAB has sufficient information to make an informed positive or negative recommendation and renders such to the Planning Commission.

Advisory Board or Public Concerns:
Our concern is that we, and the public, lack information to make an informed positive or negative recommendation.

Lyon County Community Development informed the SVCAB that "Unfortunately, due to the way meetings fall this month and staff deadlines, the staff report will not be ready before your meeting."

Additionally, Smith Valley residents reported that "adjacent property owners have not received anything from the county in terms of recommendations on the split"

Submitted By: Jon Turner, SVCAB Secretary

Mail to: Lyon County Managers Office, 27 S. Main Street, Yerington, NV 89447
Email to: elopez@lyon-county.org
Agenda Item Number:
8.b

Subject:
For Possible Action: To forward a recommendation to the Board of Commissioners for a Conditional Use Permit request from Lux Solar Center, LLC to allow a Commercial Solar Generation Facility in the RR-20 (Rural Residential 20 acre minimum) and LI-R (Light Industrial - Rural) zoning districts on four parcels generally located between the Union Pacific Railroad tracks and Sierra Way in Wabuska, north Mason Valley (APNs 014-091-02/-03/-20/-21) PLZ-2022-210.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS
- Staff Report
- Backup
PLANNING COMMISSION

Proposed Action: Conditional Use Permit for a Commercial Solar Generation Facility

Meeting Date: February 14, 2023

Owner: Summer J. and Robin S. Mason

Applicant: Lux Solar Center, LLC

Location: Mason Valley

Parcel Numbers: 014-091-02/-03/-20/-21

Parcel Sizes: 556 acres, 193 acres, 1593 acres, 120 acres – Total: 2,462 acres

Master Plan: Agriculture and Industrial

Zoning: RR-20 (Rural Residential 20 acre minimum) and LI-R (Light-Industrial - Rural)

Flood Zone(s): Zone A (portion of APN 014-091-02) and X Unshaded per FIRM 32019C0550E

Case Planner: Bill Roth

REQUEST

The Applicant is requesting a Conditional Use Permit (CUP) to construct and operate a commercial solar power generating facility.

PROJECT SUMMARY

The proposed project involves the construction and operation of a commercial solar power generating facility over an approximately 1,140-acre area within a four-parcel site totaling 2,462 acres. The subject property is located between the Union Pacific Railroad tracks and Sierra Way in Wabuska, north Mason Valley. A CUP (PLZ-19-0054) was approved for the same project in 2019 but has since expired because grid infrastructure upgrades by Nevada Energy (NVE), upon which the proposed facility is reliant, have been delayed until 2028. The Applicant now seeks a CUP with the same project description and the same conditions of approval as the previously approved CUP but with initiation of the project required no sooner than 2030 to ensure the necessary NVE upgrades are in place.

RECOMMENDED MOTION
If the Planning Commission determines that they will recommend approval of the request to the Board of Commissioners, then the Planning Commission may want to consider a motion similar to the following.

The Lyon County Planning Commission finds that:

A. The proposed use at the specified location is consistent with the policies embodied in the adopted master plan and the general purpose and intent of the applicable district regulations;

B. The proposed use is compatible with the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods;

C. The proposed use will not generate vehicular traffic which cannot be accommodated by the existing, planned or conditioned roadway infrastructure;

D. The proposed use incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to mitigate the development impacts;

E. The proposed use incorporates features to address adverse effects, including visual impacts and noise, of the proposed conditional use on adjacent properties;

F. The proposed conditional use complies with all additional standards imposed on it by the particular provisions of this chapter and all other requirements of this title applicable to the proposed conditional use and uses within the applicable base zoning district, including but not limited to, the adequate public facility policies of this title; and

G. The proposed conditional use will not be materially detrimental to the public health, safety and welfare, and will not result in material damage or prejudice to other properties in the vicinity.

Based on the aforementioned Findings, I move that the Planning Commission recommend approval to the Board of Commissioners of the request by Lux Solar, LLC for a Conditional Use Permit to allow a Commercial Solar Energy Generating Facility in the RR-20 (Rural residential 20 acre minimum) and LI-R (Light-Industrial - Rural) zoning districts on four (4) parcels approximately 2,462 acres in total, accessed by US 95A between the Union Pacific Railroad tracks and Sierra Way in Wabuska, Mason Valley, located on APNs 014-091-02/-03/-20/-21, subject to the following Conditions of Approval (PLZ-2022-210).

CONDITIONS OF APPROVAL

1. No change in the terms and conditions of the Conditional Use Permit (CUP), as approved, shall be undertaken without first submitting the changes to Lyon County Community Development and having them modified in conformance with Lyon County Code.

2. The Applicant shall comply with all applicable Fire, building, zoning and improvement code requirements and obtain any necessary public inspections.

3. All construction documents and separate applications must be submitted to the Central Lyon County Fire Protection District and the Lyon County Building Department for review and approval prior to obtaining a Building Permit.

4. All contractors doing any construction, modifications, or remodels must be licensed in the State of Nevada.

5. The Applicant shall maintain a Lyon County business license for the use while occupying the site.

6. Prior to commencement of the use, the Applicant shall provide to the Lyon County Planning Department evidence of the issuance of an encroachment permit and satisfactory completion of all improvements required.
by the Nevada Department of Transportation, or documentation that no new encroachment permit and/or improvement are required.

7. Prior to commencement of the use, the Applicant shall ensure the satisfactory completion of all required access, driveway and parking improvements to County and International Fire Code standards, as required by the Lyon County Planning Department, the Lyon County Road Department and Yerington/Mason Valley Fire Protection District.

8. The Applicant shall enter into a road maintenance agreement with the County for the maintenance and dust control of the Sierra Way improved right-of-way during the construction period of the project. Once the construction of the project is completed, the amount of traffic generated by the project is minimal and the road maintenance agreement may expire.

9. The Applicant shall submit for a fire/life safety plan review to the Yerington/Mason Valley Fire Protection District prior to the issuance of a site improvement permit/building permit for the project.

10. Any proposed onsite sewage disposal system must be approved by the Nevada Division of Environment Protection and evidence of such approval must be provided to the Lyon County Planning Department prior to approval of any building permit for any sanitary facilities.

11. Any proposed water usage is subject to approval of the proposed use of water and/or all necessary water rights by the Nevada Division of Water Resources and submission of approval documentation to the Lyon County Planning Department.

12. The Applicant shall obtain the approval of the Walker River Irrigation District for a development/improvement plan prior to application for and approval of any site improvement permit and/or building permits from Lyon County Community Development Department.

13. All outdoor lighting shall comply with the outdoor lighting performance standards of Chapter 15.357 of the Lyon County Code, shall include cut-off shields that direct the illumination down and reduce glare to the satisfaction of the Planning Department.

14. The Applicant shall comply with Lyon County’s 2018 drainage guidelines, as revised to the approval of the County Engineer.

15. Any exterior signage will require a separate building permit, through the Lyon County Building Department.

16. The substantial failure to comply with the conditions imposed on the issuance of this conditional use permit or the operation of the conditional use in a manner that endangers the health, safety or welfare of Lyon County or its residents or the violation of ordinances, regulations or laws in the conditional use may result in the institution of revocation proceedings. **Failure to initiate the conditional use permit by 2030 and satisfy all conditions by 2032 will result in the expiration of the conditional use permit approval unless an extension is obtained in accordance with the provisions of 15.13.02 of the Lyon County Code.**
BACKGROUND INFORMATION

Location

The four subject properties are generally located south of the intersection of US 95A and the Union Pacific railroad tracks in the northern portion of Mason Valley (outlined in red below).

Subject Parcel Size

The total size of the four subject parcels is approximately 2,462 acres. The acreage for each parcel is shown in the table and image below.

<table>
<thead>
<tr>
<th>Assessor’s Parcel Number</th>
<th>Acreage</th>
<th>Master Plan Land Use Designation</th>
<th>Title 10</th>
<th>Title 15</th>
</tr>
</thead>
<tbody>
<tr>
<td>014-091-02</td>
<td>556</td>
<td>Agriculture</td>
<td>RR-5</td>
<td>RR-20</td>
</tr>
<tr>
<td>014-091-03</td>
<td>193</td>
<td>Industrial</td>
<td>ME</td>
<td>LI-R</td>
</tr>
<tr>
<td>014-091-20</td>
<td>1,593</td>
<td>Agriculture</td>
<td>RR-5</td>
<td>RR-20</td>
</tr>
<tr>
<td>014-091-21</td>
<td>120</td>
<td>Agriculture</td>
<td>RR-5</td>
<td>RR-20</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td><strong>2,462 acres</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Topography
The subject site lies on the floor of Mason Valley. There are no significant topographic features such as steep slopes, ridges, or intrusive dikes that would limit or restrict the proposed development/use of the subject site as shown below (subject site outlined in red).
Site Photos
The images below were provided by the Applicant. The colored arrows in the aerial photograph depict the orientation of the three photographs taken from U.S. Route 95 Alternate.
Master Plan and Zoning

As shown in the preceding Table 1: Individual Parcel Sizes and Land Use and Zoning Designations and the Master Plan diagram below, the Master Plan designation is Agriculture for APNs 014-091-02/-20/-21 and Industrial for APN 014-091-03.

Master Plan

As noted in the preceding Table 1: Individual Parcel Sizes and Land Use and Zoning Designations, the parcels under consideration are currently zoned under Title 10 as RR-5 (Fifth Rural Residential – 20 acre minimum) and ME (Industrial Estates). The adopted Zoning Consistency Matrix shows the comparative Title 15 zoning districts as RR-20 (Rural Residential – 20 acres) and LI-R (Light Industrial – Rural). Commercial Solar Generation facilities require approval of a conditional use permit in both the RR-20 and LI-R zoning districts, per Lyon County Land Use and Development Code Tables 15.320-1 and 15.320-4, respectively.

Zoning
Flood Zone Designation

A portion of the subject site (APN 014-091-02) is within Zone A (light blue on the map below). The remainder of the subject site is located in the X-Unshaded Zone (FIRM map panel 32019C0550E, effective 01/16/2009).
Public Facilities

Lyon County Utilities Department has no sewer or water services available within the areas of the subject parcel. Any proposed development will require approval from the Nevada Division of Environmental Protection (NDEP) for sewer service and NDEP and the Nevada Division of Water Resources for a well (in addition to County approvals).

STAFF REVIEW AND COMMENTS

The proposed project consists of a Solar Generation, Commercial facility (capitalized and italicized words represent a specific use recognized in Title 15), which is allowable with the approval of a Conditional Use Permit (CUP) in the subject RR-20 and LI-R zoning districts. The Applicant previously obtained approval of a CUP for the same proposal by the Board of Commissioners on December 5, 2019 (PLZ-19-0054). Although the Applicant made some progress on implementing that CUP, they were unable to complete the project within the two-year timeline specified in Title 15.13.01(B) due to delays with the planned electric grid infrastructure upgrades by Nevada Energy (NVE) on which the Applicant’s project is dependent.

Excerpt from the Applicant’s Justification/Findings document that was included with their submittal:

The project timeline for Lux Solar Center is dependent on grid infrastructure upgrades by Nevada Energy (NVE), which have been delayed until 2028. The goal of this application is to amend Condition 16 to allow the UP initiation requirements to be extended through December 2029.
Since the CUP was approved in 2019, Orsted has continued to make progress on several development items:

- We completed the final interconnection study with NVE and executed a Generator Interconnection Agreement
- We are constructing a met station to collect data in advance of engineering and construction work

The Applicant submitted a development application for an Approval Condition Amendment in October 2022 and, as noted in the Applicant’s justification statement quoted above, sought to extend the time limit for the approved CUP. While that CUP did specify a time limit for project initiation, it did not specify a timeframe within which all conditions of the CUP must be satisfied. As such, the following section of Title 15 takes effect and requires that the permit be expired two years from the date of approval (see underlined).

15.13.01: TIME OF EXPIRATION:

A. Unless otherwise specifically provided for in this title, development permits shall automatically expire and become null or void, and all development activities pursuant to such permit thereafter shall be deemed in violation of this title, if the Applicant:
   1. Fails to start the project;
   2. Fails to pursue the project to completion;
   3. Fails to satisfy any condition that was imposed as part of the original or revised approval of the development application or that was made pursuant to the terms of any development agreement, within the time limits established therein for satisfaction of such condition or term; or
   4. Fails to present a subsequent development application required by this title within the time required or as may be required by law.

B. If no time limit for satisfaction of conditions is specified in the original or revised approval of the development application, the time shall be deemed to be two (2) years from the date such approval was granted by the final decision-maker or upon issuance of a certificate of occupancy, whichever occurs first.

The previous CUP expired in December 2021, two years after it was approved. For the reasons noted above, the Applicant now seeks the approval of a new CUP for the proposed project. Due to the project’s dependence on the completion of planned NV Energy upgrades in 2028, the Applicant requests that the timeline for the initiation of the project be 2030 and the completion of the project be 2032.

**Project Description**

Per the Applicant, the subject site was chosen as the existing Fort Churchill – Buckeye 120 kV transmission line runs through the parcels as shown below (alignment of the Fort Churchill – Buckeye 120 kV transmission line in red).
The proposed project involves the construction and operation of a 100-mega-watt alternating current (MWac) commercial solar photovoltaic (PV) power generating and energy storage facility on four adjoining parcels totaling approximately 1,140 acres of the subject parcels’ 2,462 total acres. Per the project site plan showing where the facility would be located on the subject parcels (shown below in green), those portions of the subject site designated as within an AE flood zone on the FEMA FIRM map would be avoided.
The facility would utilize PV solar panels mounted on a single-axis tracking system supported by driven pile foundations. The driven pile foundations would help minimize the amount of ground disturbance when compared to alternative methods of mounting the PV solar panels. The single-axis tracking system would allow the PV solar panels to be set up in rows and rotate from east to west along the north/south axis to follow the path of the sun as it moves across Mason Valley and maximize solar energy production. At their highest point, the top edge of the PV panels would be approximately 8 to 10 feet above ground level. The solar panels would utilize anti-reflective glass, which would result in less reflection of light than standard residential and commercial glass applications.

The project would utilize Underwriters Laboratory-listed (UL-listed) commercially available crystalline silicon or thin film PV modules and inverters to convert the direct-current (DC) electricity from the modules to alternating-current (AC) electricity. Associated transformers would be installed on concrete pads throughout the project site. Impervious areas would be limited to pile foundations, equipment pads, substations, and access roads.

The proposed energy storage system would be housed in battery storage enclosure containers. A battery storage enclosure container is approximately 40 feet long by 8 feet wide with a height of 9 feet. The battery storage enclosure containers would have a fire-rating in conformance with national standards and have specialized fire suppression systems installed for the battery compartments. The battery storage enclosure containers would also have heating, ventilation, and air conditioning (HVAC) systems in areas where the batteries are located to maintain a consistent temperature to maximize energy efficiency. Electrical power for the HVAC systems and interior and exterior lighting would be provided using a connection to the on-site station service transformer through either overhead or underground service lines.

A new 34 – 120 kV substation and a 120 kV breaker station would be constructed adjacent to the Fort Churchill – Buckeye 120 kV transmission line as it crosses into the subject site in order to tap into and transfer the accumulated solar energy onto the existing 120 kV transmission line.

The image that follows is preliminary and would be subject to building permit review.
The perimeter of the subject site would be surrounded with a 6-foot tall security fence. Where the subject site abuts residentially-zoned property, a 16-foot high barrier wall would be installed per the requirements of Lyon County Code (Chapter 15.336.09 (D) (2)) unless rezoned to a nonresidential zoning district.

Any on-site lighting shall comply with Code requirements to provide only the illumination necessary for safe operations and security and would be downward-facing and shielded to focus the light only on the areas of concern.

Once the facility is constructed and operational, Orsted would clean and maintain of the facility by visiting the site for visual inspections, equipment servicing, and minor repairs. Power electronics are anticipated to require servicing annually or biannually. For any major repair or replacement of a piece of equipment, the presence of additional workers may be required. There would be no full-time employees located at the site.

The Applicant has included a decommissioning plan as a part of the conditional use permit submittal materials. As part of their due diligence process, the Applicant has been in contact with the Walker River Irrigation District, the Yerington Paiute Tribe, and the State Historic Preservation Office and has submitted documentation supporting those interactions.

Required Permits
Development of the commercial solar power facility may proceed without additional Planning Department approvals, but Building Permits are required.

**Conditional Use Permit**

When considering applications for a CUP, the Planning Commission or Board of County Commissioners must evaluate the impact of the conditional use on, and its compatibility with, surrounding properties and neighborhoods to mitigate potential impacts of the use at a particular location and make the following findings from Chapter 15.230.06: FINDINGS. Each Finding is listed with the Applicant’s response and staff’s comments.

**FINDINGS**

Finding A: The proposed use at the specified location is consistent with the policies embodied in the adopted master plan and the general purpose and intent of the applicable district regulations;

**Applicant’s Response**

No inconsistencies with the adopted master plan or applicable zoning district regulations are anticipated.

**Staff Comment**

Under Title 15, which implements the adopted Master Plan, commercial solar generating power facilities are allowed in rural residential and industrial zoning districts, subject to the approval of a CUP. Compatibility with adjacent lands and uses and the mitigation of potential negative impacts is achieved for this proposed project through its design, placement, and the conditions of approval.

The proposed development is consistent with the following Lyon County Master Plan Policies, as it would be located in an area that would not adversely impact existing residential settlements and supports economic diversification through the capture and distribution of renewable energy to existing and planned energy facilities (120 kV Fort Churchill – Buckeye transmission line). This finding is met.

i. **LU1.4 – Locate industrial development as designated on County-wide Land Use Plan or determined by criteria.** Industrial uses, including extractive industries, will occur in areas that are designated on the Land Use Plan. New industrial uses should only be located in areas that do not adversely impact existing residential settlements.

ii. **LU 3.1 – Diverse Economic Base** – The County will continue to support a diverse base of jobs to provide for a broader range of employment opportunities that are geographically distributed to be near to population centers. The county will support economic diversification throughout the county to more fully utilize the broad range of skills, knowledge and abilities inherent in our workforce.

iii. **LU 3.2 – Business and Industry Locations that are Consistent with Future Land Use Plan** – Encourage commercial and industrial development to locate in designated locations shown on the Land Use Plan, where public facilities exist or are planned to accommodate such development cost-effectively. The Land Use Plan will reserve adequate lands for jobs and industry.

B. The proposed use is compatible with the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods;

**Applicant’s Response**
**Staff Comment**

Chapter 15.336.09 (D) of the Lyon County Code lists the siting requirements for commercial solar power generating facilities that are intended to encourage the development of commercial solar energy conversion systems while protecting the public health, safety, and general welfare.

**15.336.09**

...  

**D. Siting Requirements:**

1. **Parcel Size:** A minimum parcel size of ten (10) acres net is required. No part of the commercial SECS shall be located within or over drainage, utility or other established easements.

2. **Setback:** Each commercial SECS array must be set back a minimum of one thousand five hundred feet (1,500') from the boundary of any Residential Zoning District or be separated by a topographic feature of a height sufficient to completely obstruct views of the commercial SECS from a point sixteen (16) vertical feet above the boundary of any Residential Zoning District if the horizontal distance between the nearest point of the array and a Residential Zoning District boundary is less than one thousand five hundred feet (1,500').

3. **Components:** All components of the commercial SECS must be set back from the property boundary a minimum of thirty feet (30').

4. **Comstock Historic District:** In addition to all other requirements, all proposed commercial SECS located within the Comstock Historic District, as established by the Comstock Historical Commission pursuant to Nevada Revised Statutes chapter 384, shall receive a review, approval and a certificate of appropriateness from the Comstock Historic District Commission prior to submitting an application for a conditional use permit.

5. **Height:** Unless otherwise approved the total extended height of a commercial SECS shall not exceed twenty four feet (24'). The system must be in compliance with FAA regulations regarding height and lighting.

6. **Minimum Standards:** Standards for access, noise, design and installation, etc., shall meet or exceed the requirements of chapter 337, "Performance Requirements For Industrial Uses", of this title. However, conditions placed on the conditional use permit may be more restrictive than the minimum standards provided in this chapter.

7. **Building Permit:** A permit from the County Building Department is required to install a commercial SEC system in Lyon County. In evaluating whether to approve a building permit, the building official may request and consider:
   a. Supporting technical data,
   b. Test reports, and
   c. Appropriate documentation from approved sources.

8. **Variance:** Deviations from the standards established by this chapter shall require a variance in accordance with chapter 203 of this title.

The design of the proposed facility avoids drainage, utility, and other established easements. The Applicant will also work with the Walker River Irrigation District (WRID) to ensure compliance with siting requirements. The project complies with the required setback requirements. The subject site is not located within the Comstock Historic District boundaries and, therefore, is not subject to review and approval by the Comstock Historic District
Commission. The proposed height of the solar panels would not exceed ten feet, well below the maximum allowable height of thirty-five feet per the RR and LI-R zoning districts. No ground vibration discernible, without instruments, at or beyond the property line, other than that caused by highway vehicles, trains or construction activity shall be permitted. The ongoing operation of the commercial solar power generating facility would not generate odors, dust, dirt, smoke, or excessive noise. The proposed facility would not emit toxic gases or fumes and would not release water-borne or liquid pollutants. The proposed project would require the approval of a building permit and fire/life safety plan review by the Yerington/Mason Valley Fire Protection District prior to the commencement of any construction on-site. No variance from siting requirements is necessary for the proposed project. This finding is met.

C. The proposed use will not generate vehicular traffic which cannot be accommodated by the existing, planned or conditioned roadway infrastructure;

**Applicant’s Response**

All vehicular traffic will be accommodated by the existing, planned, or conditioned roadway infrastructure.

**Staff Comment**

With the exception of the initial construction phase, the proposed use will not generate vehicular traffic that cannot be accommodated by the existing, planned or conditioned roadway infrastructure. The CUP includes a condition of approval that would require the Applicant to enter into a road maintenance agreement with the County for the maintenance and dust control of the Sierra Way improved right-of-way during the construction period of the project. As such, this finding is met.

D. The proposed use incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to mitigate the development impacts;

**Applicant’s Response**

Orsted will employ all necessary measures to mitigate impacts on roadways.

**Staff Comment**

As noted in staff’s comment for Finding C, this Finding is met in the affirmative as the project would be required to enter into a road maintenance agreement during the construction period, to the satisfaction of the County. This finding is met.

E. The proposed use incorporates features to address adverse effects, including visual impacts and noise, of the proposed conditional use on adjacent properties;

**Applicant’s Response**

Orsted will follow established best practices and work collaboratively with Lyon County and other stakeholders to mitigate impacts on the community.

**Staff Comment**

The proposed project incorporates features that address potential adverse impacts, including visual impacts and noise impacts on adjoining properties through property line setbacks, a 16-foot high perimeter wall where abutting residential-zoned parcels, and the location of the proposed transfer substation away from residentially-zoned properties. This finding is met.

F. The proposed conditional use complies with all additional standards imposed on it by the particular provisions of this chapter and all other requirements of this title applicable to the proposed conditional use
and uses within the applicable base zoning district, including but not limited to, the adequate public facility policies of this title; and

**Applicant’s Response**

*Lux Solar Center will comply with all additional standards.*

**Staff Comment**

Staff’s review of the regulations as well as the responses from outside reviewing agencies indicate that the proposed use complies with the additional standards required for commercial solar power generating facilities. This finding is met.

G. The proposed conditional use will not be materially detrimental to the public health, safety and welfare, and will not result in material damage or prejudice to other properties in the vicinity.

**Applicant’s Response**

*Lux Solar Center will not be materially detrimental to the public health, safety, and welfare and will not result in material damage or prejudice to other properties in the vicinity.*

**Staff Comment**

The proposed commercial solar power generating facility would comply with County requirements intended to ensure the proposed conditional use would not be detrimental to the public health, safety, and welfare or result in material damage or prejudice to other properties in the vicinity. This finding is met.
November 2022

Dear Lyon County Planning Department,

Ørsted is pleased to submit the following Conditional Use Permit application for Lux Solar Center, LLC – a solar and battery storage energy facility located in Mason Valley. Specifically, we are requesting a new CUP following the expiration of our 2019 CUP. The project timeline is dependent upon grid infrastructure upgrades by Nevada Energy (NVE), which are currently anticipated in 2028. Please see Ørsted’s 2019 application for supporting documents, as there have been no changes to the project plan.

Since the 2019 approval, Ørsted has progressed several development items:

- We completed the final interconnection study with NVE and executed a Generator Interconnection Agreement
- We are constructing a met station to collect data in advance of engineering and construction work

By way of background, below is a brief introduction to Ørsted’s experience:

- **Development Experience:** Ørsted has extensive experience developing, operating, and financing utility-scale renewable projects across the U.S. with approximately 11.5 GW in operation, under construction, or in development.

- **Community Relationships:** Ørsted takes our relationship with the community seriously. We take pride in a methodical and experienced project development approach, beginning with careful site selection, consideration of environmental and technical issues to minimize project impacts, and engagement of community stakeholders.

- **Balance Sheet Strength:** Ørsted a leading global renewable energy company with over 16.7GW of renewable capacity in operation or under construction. Ørsted finances the development and construction solar projects on balance sheet and our proposals are not contingent on external financing.

Given our proven track record and development expertise, Ørsted can ensure we comply with all County standards and requirements. We thank Lyon County for evaluating this application for a Conditional Use Permit and look forward to your response.

If you have any questions regarding this application, please contact Amy Shanahan at amysh@orsted.com or 458-600-2031.

Sincerely,

Amy Shanahan
Senior Manager, Development
Project Approval Letter with Conditions
December 6, 2019

Lux Solar Center, LLC
Attn: Audrey Copeland
321 E. Main St. # 300
Charlottesville, VA 22902

RE: LUX SOLAR CENTER/SUMMER J. MASON/ROBIN S. MASON/STEPHEN MARSHALL PALMER — CONDITIONAL USE PERMIT - Request for a Conditional Use Permit to construct and operate a 100-megawatt alternating current (100 MWac) Commercial Solar Photovoltaic and Energy Generation Facility, utilizing 1,140 acres of four (4) parcels totaling approximately 2,462 acres; located North of Sierra Way, on the East and West sides of Highway 95A, Wabuska (APN 14-091-02, 014-091-03, 014-091-20 & 014-091-21) PLZ-19-0054

Dear Ms. Copeland;

On the date indicated above, a Notice of Final Action was filed with the Lyon County Clerk, pursuant to NRS 278.0235 and NRS 278.3195 which starts the commencement of the twenty-five day limitation period specified therein.

At their regularly scheduled meeting of December 5, 2019, the Lyon County Board of Commissioners considered the above-referenced applications.

By a unanimous vote (5 aye; 0 nay; 0 absent) the Board of Commissioners approved your request for a Conditional Use Permit to construct and operate a 100-megawatt alternating current (100 MWac) Commercial Solar Photovoltaic and Energy Generation Facility, utilizing 1,140 acres of four (4) parcels totaling approximately 2,462 acres based on the recommended findings and subject to the following conditions of approval:

1. The applicant shall comply with all State, County, federal and special district rules and regulations as they apply to this conditional use permit.
2. The applicant shall comply with all applicable fire, building, zoning and improvement code requirements.
3. The applicant shall acquire all State, County and special purpose district permits and obtain all necessary public inspections.
4. The applicant shall maintain a Lyon County business license while occupying the premises.
5. Prior to commencement of the use, the applicant shall provide to the Lyon County Planning Department evidence of the issuance of an encroachment permit and satisfactory completion of all improvements required by the Nevada Department of Transportation, or documentation that no new encroachment permit and/or improvement are required.
6. Prior to commencement of the use, the applicant shall ensure the satisfactory completion of all required access, driveway and parking improvements to County and International Fire Code standards, as
required by the Lyon County Planning Department, the Lyon County Road Department and Yerington/Mason Valley Fire Protection District.

7. The applicant shall enter into a road maintenance agreement with the County for the maintenance and dust control of the Sierra Way improved right-of-way during the construction period of the project. Once the construction of the project is completed, the amount of traffic generated by the project is minimal and the road maintenance agreement may expire.

8. The applicant shall submit for a fire/life safety plan review to the Yerington/Mason Valley Fire Protection District prior to the issuance of a site improvement permit/building permit for the project.

9. Any proposed onsite sewage disposal system must be approved by the Nevada Division of Environment Protection and evidence of such approval must be provided to the Lyon County Planning Department prior to approval of any building permit for any sanitary facilities.

10. Any proposed water usage is subject to approval of the proposed use of water and/or all necessary water rights by the Nevada Division of Water Resources and submission of approval documentation to the Lyon County Planning Department.

11. The applicant shall obtain the approval of the Walker River Irrigation District for a development/improvement plan prior to application for and approval of any site improvement permit and/or building permits from Lyon County Community Development Department.

12. All outdoor lighting shall comply with the outdoor lighting performance standards of Chapter 15.357 of the Lyon County Code, shall include cut-off shields that direct the illumination down and reduce glare to the satisfaction of the Planning Department.

13. The applicant shall comply with Lyon County’s 2018 drainage guidelines, as revised to the approval of the County Engineer.

14. No change in the terms and conditions of the conditional use permit, as approved shall be undertaken without first submitting the changes to Lyon County and having them modified through a public hearing process.

15. The applicant shall install a barrier to mitigate the visual impacts along the US 95A right-of-way (either a physical barrier like a wall or landscaping) to the satisfaction of the Community Development Director or their designee prior to the final inspection of the building permit/site improvement permit for the project.

16. The substantial failure to comply with any conditions imposed on the issuance of a Conditional Use Permit, the operation of the conditional use in a manner that endangers the health, safety or welfare of Lyon County or its residents, the violation of ordinances, regulations or laws in the approved conditional use, or the failure to initiate the conditional use permit one year after the date of Board of Commissioner approval will result in the institution of revocation proceedings.

Sincerely,

Jeff Page,
Lyon County Manager

cc: File
Clerk’s Office
Mason Valley Advisory Board
Summer Mason and Robin Mason 55 Butte Way Yerington, NV 89447
Stephen Palmer 4216 Buchanan Dr., Fair Oaks, CA 95628
Project Description/Narrative and Building Elevations

The proposed Lux Solar Center, LLC (Project) involves the construction and operation of a 100-megawatt alternating current (MW_{AC}) solar photovoltaic and energy storage (PVS) electric generation facility on 1,140 acres of property owned by Stephen Palmer, Summer J. Mason, and Robin S Mason.

The solar field consists of PV solar panels mounted on a single-axis tracking (SAT) system supported by driven pile foundations with minimal anticipated ground disturbance required. The SAT system aligns the panels in rows that rotate to face east in the morning hours and west in the afternoon hours, tracking the sun along a north/south axis to maximize solar energy production. At their highest point, the top edge of the PV panels will be approximately 8 to 10 feet above ground level. By design, the solar panels absorb sunlight to maximize electrical output and use anti-reflective glass, resulting in less reflectance than standard residential and commercial glass applications.

The proposed project will utilize UL-listed, commercially available crystalline silicon or thin film photovoltaic (PV) modules. Inverters, for purposes of converting the DC electricity from the modules to AC electricity for the grid, and associated transformers will be installed throughout the site on concrete equipment pads. Impervious areas are limited to the pile foundations, equipment pads, substation, and access roads.

The proposed energy storage system will be housed in storage enclosures. A battery storage enclosure container is approximately 40 feet long, 8 feet wide, and has a height of about 9 feet. The associated inverters, transformers, and switchgear are located immediately adjacent to the enclosures on concrete pads.

The battery storage equipment enclosures are designed with a fire rating in conformance with national standards and will have specialized fire suppression systems installed for the battery compartments. The structure will also have heating, ventilation, and air conditioning (HVAC) cooling in areas with batteries to maintain energy efficiency. Power to the HVAC, lighting, etc. provided via a connection to the on-site station service transformer with connection lines installed above and/or below ground.

The Project site perimeter will be enclosed with a 6-foot-high security fence with a 16-foot wall barrier immediately adjacent to residential parcels, unless those parcels are rezoned. Lighting installed for the Project will be designed to code to provide the minimum illumination needed to achieve safety and security and will be downward-facing and shielded to focus illumination on the desired areas only.
Justification/Findings

Lux Solar Center’s initial CUP stipulates in Condition 16 that “The substantial failure to comply with any conditions imposed on the issuance of a Conditional Use Permit, the operations of the conditional use in a manner that endangers the health, safety or welfare of Lyon County or its residents, the violation of ordinances, regulations or laws in the approved conditional use, or the failure to initiate the conditional use permit one year after the date of the Board of Commissioner approval will result in the institution of revocation proceedings.” The project timeline for Lux Solar Center is dependent on grid infrastructure upgrades by Nevada Energy (NVE), which have been delayed until 2028. The goal of this application is to amend Condition 16 to allow the CUP initiation requirements to be extended through December 2029.

Since the CUP was approved in 2019, Ørsted has continued to make progress on several development items:

- We completed the final interconnection study with NVE and executed a Generator Interconnection Agreement
- We are constructing a met station to collect data in preparation for engineering and construction work
Project Area Photos

Aerial Photograph of Project Area

Corner of Alt-95 and Sierra (blue arrow)
West of Alt-95 (green arrow)

East of Alt-95 (purple arrow)
Lyon County Planning Commission Agenda Summary

Meeting Date: February 14, 2023

Agenda Item Number: 8.c

Subject: For Possible Action: To forward a recommendation to the Board of Commissioners for a Conditional Use Permit request from Lyon County School District to allow the addition of two office buildings in the RR-5 (Rural Residential 5 acre minimum) zoning district on one parcel located to the west of the intersection of Spruce Avenue and Ramsey Weeks Cutoff, south of U.S. Highway 50 in Silver Springs (APN 018-356-01) and a shared parking area on two parcels (APNs 018-356-01 and 018-356-02) PLZ-2022-197.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS
- Staff Report
- Backup
- Silver Springs Advisory Board Letter of Transmittal
PLANNING COMMISSION

Proposed Action  Conditional Use Permit for the Addition of Two Office Buildings and a Shared Parking Lot for Lyon County School District

Meeting Date  February 14, 2023

Owner  Lyon County School District (LCSD)

Applicant  Darrell Bluhm (LCSD Facilities)

Locations  Silver Springs

Parcel Numbers  018-356-01 and 018-356-02

Parcel Sizes  2.270 and 4.29 acres (6.56 acres total)

Master Plan  Public/Quasi Public

Zoning  RR-5 – Rural Residential (5 acre minimum)

Flood Zone(s)  X Unshaded per FIRM 32019CO200E

Case Planner  Bill Roth

REQUEST

The applicant is requesting a Conditional Use Permit (CUP) to allow for the addition of two office buildings and a shared parking area for Lyon County School District (LCSD) in Silver Springs.

PROJECT SUMMARY

The applicant’s proposal includes the construction of two modular office buildings and a parking area at 3570 and 3655 Spruce Avenue (APNs 018-356-01 and 018-356-02) in the Silver Springs Suburban Character District. The buildings would be located on APN 018-356-01 and the shared parking area would be located over both APNs 018-356-01 and 018-356-02. There are existing LCSD offices already located at 3655 Spruce Avenue (APN: 018-356-02). The proposed buildings at 3570 Spruce Avenue would be 3,600 square feet and 1,440 square feet in size, 5,040 square feet total, and would be used for administrative office and staff training purposes that are associated with the adjacent LCSD educational facility use. The proposed shared parking area would provide 31 parking spaces for the proposed buildings and two existing administrative buildings on the adjacent LCSD site.
The subject property has a Master Plan designation of Public/Quasi Public and is zoned RR-5 – Rural Residential (5 acre minimum). Educational Facilities may be allowed in the RR-5 zoning district subject to the approval of a Conditional Use Permit.

RECOMMENDED MOTION

If the Planning Commission determines that they will recommend approval of the request to the Board of Commissioners, then the Planning Commission may want to consider a motion similar to the following.

The Lyon County Planning Commission finds that:

A. The proposed use at the specified location is consistent with the policies embodied in the adopted master plan and the general purpose and intent of the applicable district regulations;

B. The proposed use is compatible with the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods;

C. The proposed use will not generate vehicular traffic which cannot be accommodated by the existing, planned or conditioned roadway infrastructure;

D. The proposed use incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to mitigate the development impacts;

E. The proposed use incorporates features to address adverse effects, including visual impacts and noise, of the proposed conditional use on adjacent properties;

F. The proposed conditional use complies with all additional standards imposed on it by the particular provisions of this chapter and all other requirements of this title applicable to the proposed conditional use and uses within the applicable base zoning district, including but not limited to, the adequate public facility policies of this title; and

G. The proposed conditional use will not be materially detrimental to the public health, safety and welfare, and will not result in material damage or prejudice to other properties in the vicinity.

Based on the aforementioned Findings, I move that the Planning Commission recommend approval to the Board of Commissioners of the request by Mr. Darrell Bluhm for a Conditional Use Permit to allow two Office Buildings and a Parking Area on two parcels, totaling approximately 6.56 acres, in the Rural Residential (5 acre minimum) zoning district, accessed by Spruce Avenue west of Ramsey Weeks Cutoff in Silver Springs, located on APNs 018-356-01 and 018-356-02, subject to the following Conditions of Approval (PLZ-2022-197).

CONDITIONS OF APPROVAL

1. No change in the terms and conditions of the Conditional Use Permit (CUP), as approved, shall be undertaken without first submitting the changes to Lyon County Community Development and having them modified in conformance with Lyon County Code.

2. The applicant shall comply with all applicable Fire, building, zoning and improvement code requirements and obtain any necessary public inspections.

3. All construction documents and separate applications must be submitted to the Central Lyon County Fire Protection District and the Lyon County Building Department for review and approval to obtain a Building Permit.
4. All contractors doing any construction, modifications, or remodels must be licensed in Lyon County and the State of Nevada.

5. Exterior lighting for the office buildings and the parking area shall be downward facing and shielded such that light is not shed onto adjacent properties and public rights-of-way.

6. The applicant shall comply with Lyon County’s 2018 revised drainage guidelines to the satisfaction of the County Engineer prior to occupancy.

7. The applicant shall record a cross-access easement or other mechanism to ensure that both subject parcels (APNs 018-356-01 and 018-356-02) have access rights for the shared parking area and driveway, to the satisfaction of the Community Development Director.

8. The substantial failure to comply with the conditions imposed on the issuance of this conditional use permit or the operation of the conditional use in a manner that endangers the health, safety or welfare of Lyon County or its residents or the violation of ordinances, regulations or laws in the conditional use may result in the institution of revocation proceedings. **Failure to initiate the conditional use permit within one (1) year from the date of approval or to complete all work within two (2) years from the date of approval will result in the expiration of the conditional use permit approval.**
BACKGROUND INFORMATION

Location

The subject parcels are located in the Silver Springs Suburban Character District, to the west of the intersection of Spruce Avenue and Ramsey Weeks Cutoff, south of Highway 50. Vehicular access to the parcels is provided via Spruce Avenue, which connects to Ramsey Weeks Cutoff to the east.
Subject Parcel Size

The subject parcels are approximately 2.27 acres and 4.29 acres (6.56 acres total) in size and sit within the current LCSD land holdings in this area. In the second image below, the LCSD holdings are indicated with a dashed white line and the subject property is indicated with a solid orange line.
**Topography**

The subject parcels are relatively flat. The image to the right is from the County GIS system and includes 10’ contour lines.

**Site Photos**

The images below were taken from the subject property by the applicant.
Master Plan and Zoning

The Master Plan designation for the site is Public/Quasi Public. The parcels are currently zoned RR-3 Second Rural Residential District (3 acres) under Title 10 and RR-5 – Rural Residential (5 acre minimum) under Title 15. The surrounding zoning is predominantly RR-5 with one parcel zoned NR-H – Neighborhood Residential (4,500 sq. ft. minimum) to the south.

The project should be reviewed with the Title 15 Rural Residential (5 acre minimum) land use and development regulations per the Zoning Consistency Matrix which was adopted as Exhibit A along with Title 15, the current land use and development code for Lyon County.

Master Plan
Suburban Character District
The subject parcels are located in the Silver Springs Suburban Character District. Suburban Districts include those areas that are predominately medium to high density residential development with regional/community commercial, neighborhood, industrial and employment uses.
Flood Zone Designation

The subject site is located within Zone X Unshaded - Area of Minimal Flood Hazard per the FEMA Flood Insurance Rate Map Panel 32019C0200E (effective date: 1/16/2009). A Floodplain Development permit will not be necessary for development on site.

Public Facilities

Lyon County Utilities Department provides sewer service and Silver Springs Mutual Water Company (SSMWC) provides potable water service to this area via lines under Spruce Avenue. Any fixture units serving the two buildings would require connection to these lines and would need to comply with SSMWC requirements, including potential additional water rights dedication for water service.

Project Description

The proposed project consists of the construction of two modular office buildings and a parking area. The proposed buildings would be 3,600 square feet (60 feet x 60 feet) and 1,440 square feet (24 feet x 60 feet) in size, 5,040 square feet total. Each building would be one-story, approximately 15 feet in height, with engineered wood siding and white roofing. The larger of the two proposed buildings would be used solely for administrative offices with a conference room, bathrooms, and a janitor’s closet, providing a total of 3600 square feet. The smaller building would provide two LCSD training rooms and bathrooms, for a total of approximately 1,440 square feet. The smaller building will be a scheduled-use facility for IT, Maintenance, and Food Services training.

Per the applicant, the proposed development is described as follows:
To place two offices on APN 018-356-01 to increase office space and training area in a more centralized location.

Prior CUP
LCSD Silver Springs Commercial Coach CUP (PLZ-20-0012) was approved in 2020 to allow the use of a commercial coach for LCSD administrative office uses at 3655 Ramsey-Weeks Cut-Off, the westernmost of the two subject parcels in the current proposal. The staff report estimates that, along with a pre-existing coach on that site, the total office use area within the two coaches to be approximately 1,945 square feet in total. The staff report recommended the applicant provide a minimum six off-street parking spaces for that site, referencing the requirement of one parking space per 300 square feet of Office Use provided in Section 15.401.03 Off Street Parking Requirements.

Parking
The parking area proposed with the current project would provide 31 parking spaces on a decomposed granite surface and is intended to serve the on-site parking needs for the office and training uses as well as the existing office uses in the two commercial coach buildings on the westernmost parcel at 3655 Ramsey-Weeks Cut-off. Office uses and Trade or Vocational School uses have the same parking requirement of one parking space per 300 square feet of enclosed floor space. As shown in the table below, a total of 24 parking spaces are required for the office and training uses on the two sites. As such, the proposed 31-space parking area would be more than sufficient.

<table>
<thead>
<tr>
<th>Location</th>
<th>Use</th>
<th>Use Area</th>
<th>Parking Ratio</th>
<th>Parking Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>3570 Spruce Ave</td>
<td>Office Use</td>
<td>3,600 sf (new)</td>
<td>1 space per 300 sf</td>
<td>12 parking spaces</td>
</tr>
<tr>
<td></td>
<td>Trade of Vocational School Use</td>
<td>1,440 sf (new)</td>
<td>1 space per 300 sf</td>
<td>4.8 parking spaces</td>
</tr>
<tr>
<td>3655 Ramsey-Weeks</td>
<td>Office</td>
<td>1,945 sf (existing)</td>
<td>1 space per 300 sf</td>
<td>6.48 parking spaces</td>
</tr>
<tr>
<td><strong>Total Parking Required:</strong></td>
<td></td>
<td><strong>24 spaces (23.28)</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The site plans and images that follow were included in the applicant’s submittal. Additional materials submitted by the applicant are included in the attachments to this report.

Building Permit Required
Should the proposed CUP be approved, the proposed modular office buildings would be subject to Building Permit Review. The applicant has provided a site plan and conceptual elevation drawing and a floor plan of the proposed project (below).

Cross-Access Easement Required
As shown in the Preliminary Site Plan below, the proposed parking lot would be located over both subject parcels (APNs 018-356-01 and 018-356-02). As a condition of approval, a cross-access easement or other mechanism shall be recorded so that both subject parcels have access rights for the parking area and the shared driveway that leads to Spruce Avenue, to the satisfaction of the Community Development Director.

Preliminary Site Plan
Preliminary Elevation (Larger Building Shown (typical))
Floor Plan (Larger Building shown)
Conditional Use Permit

With the adoption of Title 15, the Board of Commissioners also adopted Exhibit A – Zoning Consistency Matrix. The Zoning Consistency Matrix is to be used to determine the correct land use and development regulations to use until staff completes the Title 15 rezoning to convert properties from the Title 10 zoning districts over to the Title 15 zoning districts. As previously stated, the parcel under consideration is currently zoned RR-3 Second Rural Residential District (3 acres); however, as shown in the adopted Zoning Consistency Matrix, the corresponding Title 15 zoning districts is RR-5 – Rural Residential (5 acre minimum).

The proposed administrative office use and training facilities would be part of the larger LCSD Educational Facility use. Educational Facilities may be allowed in the RR-5 zoning district subject to the approval of a Conditional Use Permit.

When considering applications for a CUP, the commission or Board must evaluate the impact of the conditional use on, and its compatibility with, surrounding properties and neighborhoods to mitigate potential impacts of the use at a particular location and make the following findings from Chapter 15.230.06: FINDINGS. Each Finding is listed with the applicant’s response and staff’s comments.

FINDINGS

Finding A: The proposed use at the specified location is consistent with the policies embodied in the adopted master plan and the general purpose and intent of the applicable district regulations;

**Applicant’s Response**

The proposed development is consistent with the goals and policies embodied in the adopted master plan and the general purpose and intent of the applicable zoning district regulations; LCSD has found that this is consistent with the proposed Master Plan designation of Public/Quasi Public in that LCSD will provide additional training and office space for school personal. LCSD also believes, through other findings, that this location falls under the
The proposed development is consistent with the following Lyon County Master Plan Goal and Policies:

i. **Goal FS 3: Schools.**
   
   Lyon County will support the school district in its goal to see all students graduate with successful futures in college and in careers.

ii. **Policy FS 3.1: Quality Schools**
   
   Lyon County will continue to support efforts by the Lyon County School District to provide adequate school facilities and quality education for all children.

   Strategies:
   
   - Coordinate development review with the School District and actively seek School District comments and requirements.
   - Cooperate with the School District in facilities planning.

**Staff Comment**

The proposed uses are associated with the existing LCSD educational facility and will not introduce a new use that might be incompatible with the intent of the Silver Springs Suburban Character District. The administration and staff training buildings would be supportive of efforts to provide adequate school facilities and quality education. This Finding is met.

**B. The proposed use is compatible with the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods;**

**Applicant’s Response**

LCSD, after review of the area, has found that these structures will not impede on the area as far noise and dust and will not be an impact on traffic because of the planning of such events and business hours around the school's and residential uses in the current area.

**Staff Comment**

The proposed buildings for the administrative office and training uses would be located outside of the setbacks required in the RR-5 zoning district and would not exceed the maximum building height, helping to ensure that the proposed project will be compatible with the surrounding parcels, which are also predominantly zoned RR-5. The proposed use represents a moderate expansion of the educational facility use that already exists on properties that are contiguous with the subject parcel. Staff training activities would occur infrequently, such that they would not introduce a substantial increase in traffic or noise to the area. This Finding is met.

**C. The proposed use will not generate vehicular traffic which cannot be accommodated by the existing, planned or conditioned roadway infrastructure;**

**Applicant’s Response**

LCSD has had conversations with the current road department and they have worked with us to mitigate any traffic problems.
Staff Comment

As previously stated, the proposed use would not result in a significant increase to vehicular traffic. The driveway and other site improvements will be subject to review by the Lyon Road Department during the building permit stage, which will ensure the project will be compatible with roadway infrastructure. The proposed shared parking area provides more than the required parking for the proposed use and the existing use on the adjacent parcel, ensuring that all required parking will be provided on-site. This Finding is met.

D. The proposed use incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to mitigate the development impacts;

Applicant’s Response

LCSD after talking with the road department and the hours of operation of these structures will not impede the current traffic flow of the adjacent structures.

Staff Comment

The proposed office and training facility uses would not increase or impact area traffic flow such that mitigation would be necessary. The property and the proposed parking area take access off of Spruce Avenue, not Ramsey-Weeks Cut-off. The benefit of sharing the parking area is that only one driveway is needed and the infrequent traffic to and from the proposed parcel will not significantly affect traffic flow on Spruce Avenue. This Finding is met.

E. The proposed use incorporates features to address adverse effects, including visual impacts and noise, of the proposed conditional use on adjacent properties;

Applicant’s Response

LCSD believes the project would be compatible with the residential area adjacent to the proposed structures.

Staff Comment

The size and location of the proposed buildings would met the requirements of the RR-5 zoning district, which is intended to avoid impacts to adjacent sites. The proposed project would not introduce a new use that would generate visual impacts and noise effects on adjacent properties. As conditioned, lighting for the project shall be screened to ensure there is no light spillage on adjacent properties. This Finding is met.

F. The proposed conditional use complies with all additional standards imposed on it by the particular provisions of this chapter and all other requirements of this title applicable to the proposed conditional use and uses within the applicable base zoning district, including but not limited to, the adequate public facility policies of this title; and

Applicant’s Response

LCSD after review of the current Lyon County Design Criteria believes it has met the proposed standards with site development of the proposed structures.

Staff Comment

As conditioned, the use is consistent with the zoning standards of Title 15 and has been reviewed by outside agencies. This Finding is met.

G. The proposed conditional use will not be materially detrimental to the public health, safety and welfare, and will not result in material damage or prejudice to other properties in the vicinity.

Applicant’s Response

LCSD with further review of the standards outlined for the conditional use finds that there will not be any detriment to public safety, welfare or prejudice to the current area proposed.
**Staff Comment**

The proposed use is a moderate expansion of the educational facility use that already exists on LCSD’s adjacent properties. The proposed buildings will be subject to Building Permit review, which will ensure that the structure will not be detrimental to health and safety. This Finding is met.
Title Service and Escrow Company

(702) 463-3518
(702) 882-7341
FAX # 702-463-5144

34 S. Main - Suite A
P.O. Box 833
Yerington, Nevada 89447

February 22, 1995

Our No. TSL-14664

Attn: Nat Lomnori
Lyon County School District
25 E. Goldfield Ave.
Yerington, NV 89447

In connection with the above transaction, we enclose the following:

(X) POLICY OF TITLE INSURANCE   () ALTA
    (X) CLTA #295087

(X) ESCROW CLOSING STATEMENT

(X) DEED FROM WILLIAMS - ORIGINAL - DOCUMENT NO. 179543

THANK YOU FOR GIVING US THE OPPORTUNITY TO SERVE YOU.

Sincerely,
TITLE SERVICE AND ESCROW CO.

Daylene Foli
Assistant to Sam T. Ross, Title Agent
GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

WILLIAM KENT WILLIAMS and BONNIE L. WILLIAMS, husband and wife

do hereby GRANT, BARGAIN and SELL TO

LYON COUNTY SCHOOL DISTRICT, a Political Subdivision of the State
of Nevada

the real property situate in the County of Lyon, State of Nevada, described as follows:

Lot 3, as shown on the Official Map of RAMSEY SUBDIVISION, recorded in the Official Records of Lyon County, Nevada on October 5, 1954 as Document No. 66295.

TOGETHER WITH all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainders, rents, issues or profits thereof.

DATED 1/27/95

WILLIAM KENT WILLIAMS

BONNIE L. WILLIAMS
CALIFORNIA ALL-Purpose Acknowledgment

State of California
County of Sutter
On Jan 27, 1995 before me, Heidi A. Saucedo, Notary Public
personally appeared William Kent Williams and Bonnie L. Williams.

☐ personally known to me - OR - [ ] proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and ac-
knowledged to me that he/she/they executed the same in his/her/their authorized
capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),
or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Heidi A. Saucedo
Signature of Notary

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

☐ INDIVIDUAL
☐ CORPORATE OFFICER
☐ PARTNER(S)
☐ LIMITED
☐ ATTORNEY-IN-FACT
☐ GENERAL
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER:

SIGNER IS REPRESENTING:
(NAME OF PERSON(S) OR ENTITY(IES))

DESCRIPTION OF ATTACHED DOCUMENT

grant, sale & bargain deed
TITLE OR TYPE OF DOCUMENT

NUMBER OF PAGES

DATE OF DOCUMENT

SIGNER(S) OTHER THAN NAMED ABOVE

RECORDERS USE

179543

Official Records
Every County Must
Record Requested By
Title Service & Escrow Co.
95 Feb 16 Ph 3:26
Nancy H. Davis
County Recorder
Fee $0.00
To whom this may concern:
I’m writing this letter to inform you that LCSD would like to place 2 offices on APN 018-356-01 to increase office space and training area in a more centralized location.

Thanks for your consideration.

Respectfully,
Darrell Bluhm
Projects Facilitator
LCSD
## GENERAL BUILDING DESCRIPTION AND MATERIAL SPECIFICATIONS

### INTERIOR WALL FINISH

<table>
<thead>
<tr>
<th>Material</th>
<th>Color</th>
<th>Application</th>
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<tbody>
<tr>
<td>Sheetrock</td>
<td>White</td>
<td>Standard</td>
</tr>
<tr>
<td>Drywall</td>
<td>Beige</td>
<td>Optional</td>
</tr>
<tr>
<td>Wood Panel</td>
<td>Oak</td>
<td>Exterior</td>
</tr>
</tbody>
</table>

### EXTERIOR WALL CONSTRUCTION

- Wood Studs: 2 x 4, Nom. 1/2" O.C.
- Sheathing: OSB, 7/16" Nom. O.C.
- Flashing: Pre-Primed, Black
- Roof: Asphalt Shingles, 3 Tab

### FLOOR CONSTRUCTION

- Wood Floor, 1 1/2" Oak, 1" Nom. O.C.
- Vinyl Flooring, 6" x 6" Tile, 1/2" Nom. O.C.

### FINISHED FLOORING

<table>
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<tr>
<th>Material</th>
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<tr>
<td>Hardwood</td>
<td>Living Room</td>
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<tr>
<td>Laminate</td>
<td>Bedroom</td>
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### MOULDINGS

<table>
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<tr>
<td>MDF</td>
<td>Trim</td>
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<tr>
<td>White</td>
<td>Windows</td>
</tr>
</tbody>
</table>

### DOOR SCHEDULE

- Entry Doors: 8' x 6'8", Mahogany
- Interior Doors: 6'8", Oak
- Pocket Doors: 6'8", Clear Glass

### WINDOW SCHEDULE

- Standard: 36" x 24", Clear Glass
- Awning: 30" x 24", White Frame

### APPLIANCES

<table>
<thead>
<tr>
<th>Model</th>
<th>Specification</th>
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<tbody>
<tr>
<td>Refrigerator</td>
<td>36&quot; Stainless Steel</td>
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<tr>
<td>Washer</td>
<td>Front Load 4.0 cu ft</td>
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<tr>
<td>Dryer</td>
<td>Electric, 7 cu ft</td>
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</tbody>
</table>

### PLUMBING

- Hot Water Heater: 50 gal, Electric
- Sink: 36" x 24", Stainless Steel

### ELECTRICAL

- Panel: 200 Amp, main breaker
- Outlets: 120V, 15A, 20A, 30A

### MISCELLANEOUS

- Submittals: All as per contract
- Approvals: 2020-01-25

---

**Notes:**

- All materials must comply with local building codes.
- All plumbing and electrical work must be done by licensed professionals.
- Insulation requirements must meet energy efficiency standards.

---

**Signature:**

[signature]

**Date:**

[2020-01-25]
ELECTRICAL SPECIFICATIONS

1. All wiring to code(s) noted on sheet 1.
2. All wiring to be in EMT conduit.
4. Ground plates: all to be impenetrable nylon (color, to match device).
5. Receptacles:
   - 20 amp duplex type: 1/8" A.F.F.
   - Notes: (A) all receptacles to be tamper-resistant (TR) type.
   - (B) extension receptacles to be weather-resistant (WR) type.
   - (C) provide whole-in-use covers on all extension receptacles.
6. Communication jacks:
   - 4-way box: 3/4" single-gang mud ring mounted 8' A.F.F.
   - Unless noted otherwise, stub 1/2" EMT into ceiling cavity.
7. Electrical panel:
   - 240/120v, Nema 3R, 200A, 3Ø, 1Ø, Code 1.
   - Load center at: 1st floor, 2nd floor, 3rd floor.
   - Main breaker to be maximum 60A A.F.F.
8. Dimensions are to bottom of box (I.O.).
9. All dedicated circuits calculated at 960 watts, 8 amps.

FIRE ALARM SPECIFICATIONS

1. Fire alarm to be rough-in only; devices and wiring on site by district.
2. Pull station.
3. Cover plates: all to be unbreakable nylon (color, to match device).
4. Detector: 20 amp duplex type: 1/8" A.F.F.
5. All wiring: see reflected ceiling plan, sheet 2.
6. Communication jacks: 4-way box: 3/4" single-gang mud ring mounted 8' A.F.F.
7. Horn strobe:
   - Dimensions are to bottom of box (I.O.).
8. All devices: see reflected ceiling plan, sheet 2.
9. All wiring: see reflected ceiling plan, sheet 2.
10. Cover plates: all to be unbreakable nylon (color, to match device).
11. Horn strobe:
   - Dimensions are to bottom of box (I.O.).
12. All devices: see reflected ceiling plan, sheet 2.
13. All wiring: see reflected ceiling plan, sheet 2.
14. Cover plates: all to be unbreakable nylon (color, to match device).
15. Horn strobe:
   - Dimensions are to bottom of box (I.O.).
16. All devices: see reflected ceiling plan, sheet 2.
17. All wiring: see reflected ceiling plan, sheet 2.
18. Cover plates: all to be unbreakable nylon (color, to match device).
19. Horn strobe:
   - Dimensions are to bottom of box (I.O.).
20. All devices: see reflected ceiling plan, sheet 2.
21. All wiring: see reflected ceiling plan, sheet 2.
22. Cover plates: all to be unbreakable nylon (color, to match device).

NOTE: UNAUTHORIZED USE OF THIS DRAWING FOR MANUFACTURING PURPOSES ONLY.
REFLECTED CEILING SPECIFICATIONS

1. REFLECTED CEILING TO CODES LISTED ON SHEET 1 AS WELL AS ASTM C635-00; ASTM C636-96; ASTM E 1264 & ASCE / SEI 7-05 SECTION 13.5.6.2.2.
2. TYPICAL 2' x 4' SUSPENDED T-GRID PATTERN.
3. 2' x 4' ACOUSTICAL CEILING TILES; 'CERTAINTEED' "BAROQUE" #BET-197/EQ.
4. SUSPEND 'USG' #DX/DXL HEAVY DUTY TRACK W/ #12 GAUGE WIRE.
5. BRACE TRACK PER SEISMIC ZONE D2.
6. LIGHTS TO BE MECHANICALLY FASTENED TO T-GRID W/ SCREWS - PROVIDE ONE (1) PER END OF FIXTURE; & HAVE TWO (2) LIGHT WIRES INDEPENDANT OF T-GRID PROVIDE ONE (1) AT OPPOSITE CORNERS OF EACH LIGHT.
7. FINISH CEILING HEIGHT: 95" A.F.F.
8. 'ENVIROLITE' #EVTR24BL40PD; 2' x 4' (42W TOTAL) LED LAY-IN TROFFER (TOTAL: 14);
   'ROYAL PACIFIC' #4336WH; 11" LED SURFACE MOUNT PAN LIGHT (15W TOTAL) W/ GLOBE (TOTAL: 2).
9. PORCH LIGHT:
   'MORRIS' MODEL #71423 (30W) WALL MOUNT LED FIXTURE @ 84" A.F.F. W/ PHOTOCELL (TOTAL: 2).
10. EXIT SIGN:
    'MORRIS' #73016 (2W); CEILING MOUNT, ELECTRIC ILLUMINATED W/ BATTERY BACK-UP & DIRECTIONAL ARROWS (TOTAL: 2).
11. EMERGENCY LIGHT:
    'MORRIS' #73114 (1W); WALL MOUNT @ 80" A.F.F; 2-LIGHT W/ BATTERY BACK-UP (TOTAL: 2);
    NOTE: PROVIDE REMOTE HEADS AT EXTERIOR DOORS AS SHOWN (TOTAL: 2).
12. OCCUPANCY SENSORS:
    'WATTSTOPPER' #CI-205; CEILING MOUNT PIR SENSOR W/ 'WATTSTOPPER' #BZ-150 POWER PACK (TOTAL: 2);
    'WATT STOPPER' #WS-250; PIR WALL SWITCH SENSOR @ 42" A.F.F. (COLOR: WHITE).
13. SWITCHES:
    20-AMP TOGGLE TYPE @ 42" AFF. (COLOR: WHITE);
14. HIDDEN LINE DENOTES LIGHT SWITCHING.

NOTE: UNAUTHORIZED USE OF THIS ADVANCED MODULAR MANUFACTURING PLAN, OR MAKING COPIES OF THIS PLAN, IS PROHIBITED BY LAW. WRITTEN PERMISSION FROM ADVANCED MODULAR MANUFACTURING IS REQUIRED TO REPRODUCE ANY PART OF THIS PLAN.

NOTE: SEE SHEET 2, FOR ELECTRICAL PANEL SCHEDULE.
Good morning Bill,
I hope this finds you well. I don't know what else to do or how else to propose this so I hope this is sufficient. Let me know.

The findings listed in Chapter 235.04 are as follows:

A. The proposed development is consistent with the goals and policies embodied in the adopted master plan and the general purpose and intent of the applicable zoning district regulations; LCSD has found that this is consistent with the proposed Master Plan designation of Public/Quasi Public in that LCSD will provide additional training and office space for school personal. LCSD also believes, through other findings, that this location falls under the general purpose and intent with the current zoning for this location.

<table>
<thead>
<tr>
<th>Title 10 Zoning</th>
<th>Title 15 Zoning</th>
<th>Description/Characteristics</th>
<th>Examples of Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>var. PF</td>
<td>N/A</td>
<td>Government office, buildings and facilities; fire stations; electrical substations, etc.</td>
<td>Schools, government offices, community centers, fire stations, airports, libraries, hospitals, cemeteries, etc. Also includes facilities needed for essential public services such as electrical substations, water and wastewater facilities, and other similar uses.</td>
</tr>
</tbody>
</table>

B. The proposed development is compatible with the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods; LCSD, after further review of the current area, has found that these structures will be not impede on the current area as far noise, dust and not being an impact on traffic because of the planning of such events and business hours around the school's and residential in the current area.

C. The proposed development will not generate vehicular traffic which cannot be accommodated by the existing, planned or conditioned roadway infrastructure; LCSD has had conversations with the current road department and they have worked with us to mitigate any traffic problems.

D. The proposed development incorporates roadway improvements, traffic control devices, mechanisms or access restrictions to control traffic flow or divert traffic as needed to mitigate the development impacts; LCSD after talking with the road department and the hours of operation of these structures will not impede on the current traffic flow of the adjacent structures.

E. The proposed development incorporates features to address adverse effects, including visual impacts, of the proposed development on adjacent properties; LCSD, after further review with the current area, is consistent with the current residential area adjacent to the proposed structures.

F. The proposed development complies with all additional standards imposed on it by the particular provisions of this title, the Lyon County Design Criteria and Improvement Standards and all other requirements of this title applicable to the proposed development and uses within the applicable base zoning.
district, including but not limited to, the adequate public facility policies of chapter 110 of this title; and LCSD after review of the current Lyon County Design Criteria believes it has met the proposed standards with site development of the proposed structures.

G. The proposed development will not be materially detrimental to the public health, safety, and welfare, or result in material damage or prejudice to other properties in the vicinity. LCSD with further review of the standards outlined for the conditional use that there will not be any detriment to public safety, welfare or prejudice to the current area proposed.

Thanks,

--
Darrell Bluhm
Project Supervisor
Lyon County School District
25 E. Goldfield Ave.
Yerington, NV 89447
Office- 775-463-6800 ex-30516
Cell- 775-302-7008
dbluhm@lyoncsd.org

Bill Roth <broth@lyon-county.org>
To: "Bluhm, Darrell" <dbluhm@lyoncsd.org>
Cc: Shannon Juntunen <sjuntunen@lyon-county.org>

Hi Darrell,

Yes, this is fine. Thank you for putting this together.

I have attached the letter finding your application is complete and outlining our next steps.

Thanks,

Bill Roth, Senior Planner
broth@lyon-county.org
Lyon County
27 S Main St
Yerington, NV 89447
775-463-6592; 775-463-5305 (fax)
www.lyon-county.org

[Quoted text hidden]
LCSD Silver Springs Offices

To whom this may concern:
The justification for these is timing and the cost of the project.

Thank you for your time and understanding.

Respectfully,
Darrell Bluhm
Projects Facilitator
LCSD
Meeting Date: 2/13/2023

Advisory Board: _____ Silver Springs Community Advisory Board

Please select which board this item is to be brought before:

Board of Commissioners __X__, (and/or) Planning Commission __X__

Agenda Item:

8a For Possible Action: To forward a recommendation to the Board of Commissioners for a Conditional Use Permit request from Lyon County School District to allow the addition of two office buildings in the RR-5 (Rural Residential 5 acre minimum) zoning district on one parcel located to the west of the intersection of Spruce Avenue and Ramsey Weeks Cutoff, south of U.S. Highway 50 in Silver Spring (APN 018-356-01) PLZ-2022-19

Recommended Motion and/or Report:

Motion: To forward a recommendation of approval to the Board of Commissioners with the concerns listed below

Advisory Board or Public Concerns:
There are some concerns regarding traffic at the intersection of Spruce and Ramsey Weeks when entering from the HWY 50 (N/B) side. It is a very tight corner, and the concern is the potential for more accidents because of the angle of the turn and the ditch next to it. Mike Irvin-Chair stated he had no reservations but inquired about the length of time existing temporary buildings in the same area had been there and if they were still considered temporary

Submitted By: _____ Katie Baker - Secretary
Lyon County Planning Commission Agenda Summary

Meeting Date: February 14, 2023

Agenda Item Number:
8.d

Subject:
For Possible Action: To approve a request from DG Locust Grove Circle K, LLC for a Tentative Parcel Map to subdivide an approximately 28.99-acre parcel into four (4) parcels, the smallest being 1.43 acres, located to the northeast of the intersection of U.S. Highway 50 and State Route 439 at 3200 Opal Avenue in Silver Springs (APN 015-181-03) PLZ-2022-209.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS
- Staff Report
- Backup
- Public Comment
- Silver Springs Advisory Board Letter Of Transmittal
- Public Comment
Lyon County Planning Commission

PLZ-2022-209  Request for a Tentative Parcel Map to create four (4) parcels (the smallest parcel proposed at approximately 1.43 acres) located at 3200 Opal Avenue, Silver Springs, NV (APN: 015-181-03).

Meeting Date:  February 14, 2023

Owner(s):  DG Locust Grove Circle K, LLC

Applicant(s):  Property Owner

Representative:  Andy Fuller, Meridian Surveying & Mapping, Inc.

Location:  Generally located at the northeast corner of the intersection of USA Parkway and US Highway 50 in Silver Springs

Parcel Number:  015-181-03

Master Plan:  Employment

Current Zoning:  EMU (Employment Mixed-Use)

Proposed Zoning:  N/A

Flood Zone(s):  X-Unshaded (area of minimal flood hazard) per FIRM 32019C0975E

Case Planner:  Bill Roth

REQUEST:

The applicant is requesting a Tentative Parcel Map (TPM) to subdivide an approximately 25.73 acre lot to create four new parcels:

- Proposed Parcel 1 (approximately 10.48 acres)
- Proposed Parcel 2 (approximately 4.96 acres)
- Proposed Parcel 3 (approximately 12.12 acres)
- Proposed Parcel 4 (approximately 1.43 acres)

STAFF RECOMMENDATION:

Staff recommends approval of the tentative parcel map based on the Findings listed in the staff report and subject to the recommended Conditions of Approval listed below.
RECOMMENDED MOTION:

If the Lyon County Planning Commission finds, after reviewing the staff report and considering public comment want to approve the tentative parcel map, then the Planning Commission should consider a motion similar to the following:

The Planning Commission has considered:

1. General improvement considerations for all parcel maps including, but not limited to:
   a) Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;
   b) The availability of water which meets applicable health standards and is sufficient for the reasonably foreseeable needs of the subdivision;
   c) Conformity with the zoning ordinances and master plan;
   d) General conformity with the Lyon County master plan of streets and highways;
   e) Physical characteristics of the land such as floodplain, slope and soil;
   f) The recommendations and comments of those entities reviewing the tentative parcel map; and
   g) The availability and accessibility of fire protection including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires including fires in wild lands.

2. Where an applicant proposes to create parcels of less than one acre, the commission may require additional improvements which are reasonably necessary and consistent with the use of the land if it is developed as proposed.

3. For a second or subsequent parcel map with respect to a single parcel or a contiguous tract of land under the same ownership, the commission may require any reasonable improvement up to those required for subdivisions.

Based on the aforementioned Findings 1 through 3, I move that the Lyon County Planning Commission approve subject to the following Conditions of Approval:

Conditions of Approval:

1. The developer shall comply with all Federal, State, County and special purpose district regulations.

2. Any future development will require connection to the public right-of-way and an encroachment permit from the Lyon County Road Department or the Nevada Department of Transportation, as applicable, will be required.

3. The developer shall make corrections of any engineering or drafting errors and other technical map corrections to the satisfaction of the County Engineer and Planning Director prior to submitting the final parcel map for recordation.

4. The developer shall pay the actual costs for County Engineer plan and map checking fees and County Inspector site improvement inspection fees, in accordance with the adopted County fee resolution in effect at the time, and provide proof of payment to the Planning Department prior to final parcel map recordation.
5. The developer shall pay in full all property taxes through the end of the fiscal year (June 30) prior to recordation of the final parcel map.

6. The developer shall provide the parcel map to the Lyon County GIS Coordinator in form and format compatible with the County geographical information system (GIS). The scale of the site plan, improvements, monuments and other items shall be in model space correctly oriented to coordinate system as established by the GIS Coordinator. Cover sheet and standard details need not be included.

7. The developer shall pay the required recording fees at time of final parcel map recordation.

8. No lot shall be offered for sale or sold and no building permits shall be accepted for processing until the final parcel map has been approved and recorded.

9. The developer shall comply with Lyon County’s storm drainage guidelines (revised September 2018).

10. The developer shall comply with Lyon County improvement requirements as set forth in Chapter 15.03.03 of the Lyon County Code.

11. The developer shall comply with the requirements of the Central Lyon County Fire Protection District (CLCFPD) including, but not limited to conformance with the 2018 editions of the International Fire Code (IFC) and International Wildland-Urban Interface Code (IWUIC) including the 2018 Northern Nevada Amendments to both the IFC and IWUIC as applicable to the satisfaction of the Central Lyon County Fire Protection District.

12. The developer shall provide documentation of the relinquishment of water rights necessary to insure an adequate water supply for residential use of the newly created parcels to the satisfaction of the State Division of Water Resources (DWR) prior to recordation of the final parcel map.

13. The developer shall provide Intent to Serve/Will Serve Utility Letters prior to approval of the Final Map, to the satisfaction of the Planning Department.

14. Any extension of a public water system to serve the subject parcels will be required to be reviewed and approved by the Bureau of Safe Drinking Water, prior to construction.

15. The final parcel map will comply with the current Lyon County standards requiring a 7.5-foot public utility easement along the front property lines and 5-foot public utility easement along all side property lines for the proposed parcels prior to recordation.

16. The following items are required of all development:
   a. All construction shall comply with all applicable building and fire code requirements.
   b. Building permits shall be issued in compliance with Title 15 of the Lyon County Code.
   c. Site development work will require a site improvement permit(s) in accordance with Title 15.234 unless directly associated with a single family residential building permit.
   d. Structures placed on these parcels shall adhere to the County’s site and setback standards for the zoning district as it applies to each parcel at the time of development.
   e. Distinct and legible “temporary” addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.
   f. All debris on construction sites must be contained and removed periodically as required for safety and cleanliness to the satisfaction of the Lyon County Building Department.
g. Prior to any combustible materials being brought on site, street name signage shall be installed, if applicable, and emergency vehicle access has been installed to the satisfaction of the Smith Valley Fire Protection District.

17. Any further division may be subject to the imposition of subdivision improvement standards as may be legally imposed at the time. The developer shall place a note to this effect on the final parcel map prior to recordation.

18. Approval of the tentative parcel map shall not constitute acceptance of the final parcel map. Failure to submit a complete final parcel map and pay the required fees within one (1) year from the date of approval shall render the tentative parcel map approval as expired. No extension may be granted after receiving approval of the tentative parcel map.
GENERAL INFORMATION:

Location:
The subject site is generally located at the northeast corner of the intersection of USA Parkway (SR 439) and US Highway 50 in Silver Springs (3200 Opal Avenue, Silver Springs). The vicinity map below shows the subject parcel (indicated with a star and outlined in red).

Access:
Access to the subject site is from Opal Avenue, which connects to USA Parkway (as shown on the detail from the Assessor’s map outlined in red below).
Topography:
The subject site is relatively flat, as shown in the image from County GIS below. Contour lines (10 feet) are shown as light brown lines.
**Flood Zone Designation:**

The subject site is located within Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) Panel 32019C0200E (effective date 01/16/2009). Per the FEMA FIRM Panel, the subject site is located in zone X unshaded, meaning an area of minimal flood hazard with a 0.2% annual chance of flood hazard.

**Public Facilities:**

The applicant’s petition for inclusion into the Silver Springs General Improvement District (SSGID) boundaries was approved by the Lyon County Utilities Department (see LCUD letter dated January 30, 2023, attached to this report). The applicant will need to contact the Silver Spring Municipal Water Company for the water service area determination and requirements. Sewer service is not guaranteed during the parcel map process. Requirements for sewer service will be determined once civil plans are submitted.

**Background:**

The subject 25.73 acre parcel is outlined in red in the 2017 Survey below.
Below is a detail from the proposed Tentative Parcel Map. The parcel that is proposed to be subdivided into four parcels is outlined in red and proposed parcels 1-4 are shown within that.
Per the applicant’s submittal, “Parcel 1 is presently being designed as an Auto/Truck Stop, Convenience Store, Fast Food Drive-Thru Restaurant & Casino. Parcels 2 & 3 may be future multi-family residential or industrial/commercial purposes, and Parcel 4 as a future industrial/commercial or restaurant site complementary to Parcel 1.”

The subject parcel was rezoned from C-1 (Limited Commercial) and RR-3T (Third Rural Residential – 5-acre minimum with Manufactured Home Overlay) under Title 10 to EMU (Employment Mixed-Use) under Title 15, with the approval of the Board of Commissioners on June 6, 2019 (PLZ-19-0019).

Administrative Design Review was approved for a 15,718 sf Truck Stop and 4,526 sf Drive-through Restaurant in the southwestern corner of the subject parcel on August 10, 2022 (PLZ-2021-054).

STAFF REVIEW:

Chapter 15.606.07 (D) lists the Findings that the Planning Commission have to consider when reviewing tentative parcel map applications. These Findings are listed below in the staff report in bold with staff’s review of the Findings in normal type.

1. General improvement considerations for all parcel maps including, but not limited to:
a) Environmental and health laws and regulations concerning water and air pollution, the
disposal of solid waste, facilities to supply water, community or public sewage disposal
and, where applicable, individual systems for sewage disposal;

Environmental and Health Regulations:

- Water Pollution: The State Department of Environmental Protection (“NDEP”) regulates storm water
discharges through the Stormwater Pollution Prevention Plan (SWPPP”) which is required whenever
a project discharges in the Waters of the United States (WOTUS) and the project either disturbs
more than one acre or disturbs less than one acre, but is part of a larger common plan for
development or sale that will ultimately disturb one acre or more. A Stormwater Pollution Prevention
Plan (“SWPPP”) is required to be submitted and approved by the NDEP if future development of the
proposed parcels would disturb more than 1 acre.

- Air Quality: Air quality is also regulated by NDEP for dust control on development projects greater
than 5 acres in size through the Surface Area Disturbance (“SAD””) permit. The SAD would be
required by the NDEP if future development would disturb more than 5 acres.

Solid Waste:

Lyon County has a franchise agreement with D&S Disposal/Waste Management to deal with solid waste
disposal.

Water Supply:

The subject parcel’s inclusion into the Silver Springs General Improvement District SSGID) boundaries
was approved by the Lyon County Utilities Department on January 30, 2023. Connections to municipal
water systems will require approval of the NDEP.

Sewage Disposal:

As previously mentioned, requirements for sewer service will be determined once civil plans are
submitted.

b) The availability of water which meets applicable health standards and is sufficient for the
reasonably foreseeable needs of the subdivision;

The subject site is now located within the SSGID boundaries. The applicant will need to contact the
Silver Spring Municipal Water Company for the water service area determination and requirements.

c) Conformity with the zoning ordinances and master plan;

Current Zoning:

The subject parcel was rezoned from C-1 (Limited Commercial) and RR-3T (Third Rural Residential – 5-
acre minimum with Manufactured Home Overlay) under Title 10 to EMU (Employment Mixed-Use) under
Title 15, with the approval of the Board of Commissioners on June 6, 2019 (PLZ-19-0019).
The four proposed parcels would comply with the minimum lot size and width requirements of the EMU zoning district. Conformance with the development and performance standards for any proposed future uses would be reviewed as part of the development review processes for the land use entitlements in Title 15.

Master Plan:
The 2020 Comprehensive Master Plan land use designation for the subject property is Employment, as shown below.
The table below from Chapter 3 of the 2020 Comprehensive Master Plan describes the Employment land use designation as follows:

<table>
<thead>
<tr>
<th>Title 10 Zoning (Consistent with Title 15 Designation)</th>
<th>Title 15 Zoning</th>
<th>Density Range/Size</th>
<th>Description/Characteristics</th>
<th>Examples of Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>M-1 (M-1)</td>
<td>LI-R, LI-S</td>
<td>Varies depending upon location and development context</td>
<td>Suburban character district land use. Intended to provide concentrated areas of employment, combined with a mix of complementary commercial and residential uses Office/Research Park developments may be incorporated into a master planned neighborhood, or located in close proximity to residential areas. May include smaller live-work complexes consisting of a single building or several buildings that are not located within a typical office or industrial park setting, but are located on infill sites within established suburbanizing areas of the County. Activities typically take place indoors and outdoor storage or other more industrial types of uses are typically not permitted.</td>
<td>Light manufacturing, distribution, indoor and screened outdoor storage, and a wide range of other industrial and commercial services and operations. <strong>Primary Uses</strong>: Employment facilities, such as corporate offices, medical facilities and offices, research and development, service and light industrial facilities, and educational facilities. <strong>Secondary Uses</strong>: Limited residential, including residential mixed-use and live-work units, or commercial (or combination of the two) uses are encouraged in Employment Mixed-Use areas. Open space, parks, pathways, schools, other public uses, and senior housing facilities are also appropriate.</td>
</tr>
<tr>
<td>HI-R, HI-S</td>
<td>SI</td>
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The proposed Tentative Parcel Map to facilitate future development with mixed uses would be in compliance with the 2020 Comprehensive Master Plan.

d) **General conformity with the Lyon County master plan of streets and highways**;

The proposed parcel map would be in general conformance with the Lyon County 2020 Comprehensive Master Plan Transportation Network Plan.

e) **Physical characteristics of the land such as floodplain, slope and soil**;

The preliminary soils report submitted with the application materials gives no indication that the surrounding soils would require special construction conditions to support development.

The preliminary drainage report identifies no significant issues related to the project’s hydrology or hydraulics design, nor any expectation that the project would have an adverse impact on the existing drainage improvements or would fail to meet applicable Lyon County standards.

As noted previously in the staff report, the subject site is located within an area with the FEMA floodplain designation of X-Unshaded which designates the site as having a minimal statistical chance of inundation during a 100-year flooding event.

f) **The recommendations and comments of those entities reviewing the tentative parcel map**;

and

The Applicant’s submittal was shared with the Nevada Department of Environmental Protection, Lyon County Roads, Nevada Department of Transportation, Central Lyon County Fire Protection District,
and other reviewing agencies, but no comments were received regarding the tentative parcel map application.

g) The availability and accessibility of fire protection including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires including fires in wild lands.

Conformance with the 2018 editions of the International Fire Code (IFC) and International Wildland-Urban Interface Code (IWUIC) including the 2018 Northern Nevada Amendments to both the IFC and IWUIC is required, as applicable.

2. Where an applicant proposes to create parcels of less than one acre, the commission may require additional improvements which are reasonably necessary and consistent with the use of the land if it is developed as proposed.

The applicant is proposing to create four parcels, each greater than one acre.

3. For a second or subsequent parcel map with respect to a single parcel or a contiguous tract of land under the same ownership, the commission may require any reasonable improvement up to those required for subdivisions.

The applicants are aware of this possibility/likelihood of this requirement.
TENTATIVE
PARCEL MAP
FOR
DG LOCUST GROVE CIRCLE K, LLC
3200 OPAL AVENUE
APN: 015-181-03

ITEM #6
PROJECT DESCRIPTION
&
JUSTIFICATION OF
FINDINGS
Project: Tentative Parcel Map for DG Locust Grove Circle K, LLC, APN 015-181-03.

Project Description and Justification of Findings

Project Description
Application is being made for a Tentative Parcel Map to divide an existing 28.99 Acre parcel, APN 015-181-03, being a division of a parcel of land situate within the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section 26, Township 18 North, Range 25 East, Mount Diablo Meridian. The subject parcel is owned by DG Locust Grove Circle K, LLC, who desires to divide the existing parcel into four (4) parcels, proposed parcel 1 being approximately 10.48 acres, Parcel 2 being approximately 4.96 acres, Parcel 3 being 12.12 acres, and parcel 4 being approximately 1.43 acres.

Parcel 1 is presently being designed as an Auto/Truck Stop, Convenience Store, Fast Food Drive-Thru Restaurant & Casino. Parcels 2 & 3 may be future multi-family residential or industrial/commercial purposes, and Parcel 4 as a future industrial/commercial or restaurant site complementary to Parcel 1.

The FEMA floodplain designation for this property is Zone X (unshaded) per FEMA FIRM Panel 32019C0200E (not plotted), having an effective date of January 16, 2009. Water and Sewer service for the proposed parcels will be by connection to existing county water and sewer services to be extended northerly along Opal Avenue from the existing water and sanitary sewer services located in Opal Avenue near the southwest corner of the Silver Springs Airport.

15.606.07(D) – Findings for tentative parcel maps
Prior to approving a tentative parcel map, the Planning Commission shall determine that the following are or will be adequately provided for:

1. General improvement considerations for all parcel maps including, but not limited to:
a. Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;

   **Response**
   There are public improvements proposed with this tentative parcel map application, the parcels will be served by public water and sanitary sewage disposal systems that currently meet current environmental and health requirements and regulations.

b. The availability of water which meets applicable health standards and is sufficient for the reasonably foreseeable needs of the subdivision;

   **Response**
   The proposed parcels will be served by public water system to be extended northerly along Opal Avenue from existing facilities near the southwest corner of the Silver Springs Airport.

c. Conformity with the zoning ordinances and master plan;

   **Response**
   The proposed land division is in conformance with current zoning and consistent with the master plan.

d. General conformity with the governing body’s master plan of streets and highways;

   **Response**
   The subject property is adjacent to and easterly of USA Parkway and adjacent to and northerly of US Highway 50. Access to and from US Highway 50 is proposed from a proposed frontage road adjacent to and parallel with US Highway 50. Right-in/Right-out only access from USA Parkway is proposed adjacent to the existing N Bowers Avenue intersection. A future secondary frontage access is also proposed within a portion of the existing Opal Avenue dedicated right-of-way northerly towards Mackey Avenue. Additional future access is proposed from Mackey Avenue, an existing 60 foot wide dedicated right-of-way adjacent to the northerly property line.

e. Physical characteristics of the land such as floodplain, slope and soil;

   **Response**
   The subject property is not in a designated floodplain and is generally level natural ground. The existing drainage ways shall be perpetuated through the site through proposed drainage channels and detention basins.
f. The recommendations and comments of those entities reviewing the tentative parcel map;
   **Response**
   Recommendations and comments to be provided separately by each reviewing entity.

g. The availability and accessibility of fire protection including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires in wild lands;
   **Response**
   Fire protection provide by Central Lyon Fire Station 32, Silver Springs Volunteer Fire Department, located approximately 3 miles southeasterly from the subject property.

2. Where an applicant proposes to create parcels of less than one (1) acre, the commission may require additional improvements which are reasonably necessary and consistent with the use of the land if it is developed as proposed.
   **Response**
   Not applicable, minimum proposed parcel size is larger than 1 acre.

3. For a second or subsequent parcel map with respect to a single parcel or a contiguous tract of land under the same ownership, the commission may require any reasonable improvement up to those required for subdivisions.
   **Response**
   There are not any further parcel divisions anticipated at this time.

If you have any questions, please contact me at (775) 842-3690 or andy@meridiantsurveyor.com

Sincerely,

Meridian Surveying and Mapping, Inc.

Edward “Andy” Fuller, PLS
TENTATIVE
PARCEL MAP
FOR
DG Locust Grove Circle K, LLC
3200 Opal Avenue
APN: 015-181-03

ITEM #7

VICINITY MAP
TENTATIVE PARCEL MAP

FOR

DG Locust Grove Circle K, LLC

3200 Opal Avenue
APN: 015-181-03

ITEM #9

LEGAL DESCRIPTION
3200 OPAL AVENUE
(APN: 015-181-03)

All that certain real property situated within the Northwest 1/4 of the Northwest 1/4 of Section 26, Township 18 North, Range 24 East, Mount Diablo Meridian, Lyon County, Nevada, more particularly described as follows:

BEGINNING at a point of intersection being 30.0 feet southerly of the northerly line and 30.0 feet easterly of the westerly line of said Section 26;

THENCE Southerly, 30.0 feet easterly and parallel to said Westerly line of Section 26, South 00°04'48" East, 1284.11 feet, more or less, to a point of intersection with the Northerly Right-of-Way line of U.S. Highway 50;

THENCE Easterly, 200.0 feet northerly and parallel to the centerline of said Right-of-Way, North 65°10'33" East, 1421.74 feet, more or less, to a point of intersection with the Easterly line of said Northwest 1/4 of the Northwest 1/4 of Section 26;

THENCE Northerly along last said Easterly line of said Northwest 1/4 of the Northwest 1/4 of Section 26, North 00°08'05" East, 670.78 feet, more or less, to a point of intersection being 30.0 feet southerly and parallel with the Northerly line of said Section 26;

THENCE Westerly, 30.0 feet southerly and parallel to said Northerly line of Section 26, North 89°16'21" West, 1293.84 feet, more or less, to the Point of Beginning.

CONTAINING: 28.99 Acres of land, more or less.

Edward A. Fuller
PLS 11827
4/18/2022

PREPARED BY THE FIRM OF
Meridian Surveying & Mapping, Inc.
8725 TECHNOLOGY WAY, STE. C2
RENO, NV. 89521
Tentative Parcel Map

For

DG Locust Grove Circle K, LLC

3200 Opal Avenue

APN: 015-181-03

Item #10

Site Photographs
SITE PHOTOGRAPHS

TENTATIVE PARCEL MAP

FOR

DG Locust Grove Circle K, LLC

3200 OPAL AVENUE
APN: 015-181-03

Approximate NW Corner proposed Parcel 1 looking southeasterly.
Northwest corner of USA Parkway & US Highway 50 looking Easterly.

Southwest Property Corner looking northeasterly along southerly property line.

Southwest Property Corner looking northeasterly.
Southwest Property Corner looking northerly.

Southerly Drainage way looking easterly.
Northwest Property Corner looking easterly along Mackey Avenue.

Northwest Property Corner looking southerly.
Northerly drainage way looking easterly.

N Bowers Ave @ USA Parkway looking easterly.
PETITION FOR INCLUSION INTO SILVER SPRINGS GENERAL IMPROVEMENT DISTRICT BOUNDARIES

Title of Document
(Required Field)

FILL IN ALL THAT APPLY:

The Undersigned Hereby Affirms That This Document Submitted For Recording Contains Personal Information As Required By Law:

Specify Law* Signature

Specify Law* Print Name Title

*If there is no applicable State or Federal Law, Personal Information must be removed prior to recording.

If this document is a re-record or correction, fill out below:

Correcting Document# Amending:

Reason for re-record:

(For Re-records, all pages from original document must be included, $25 Non-conforming Fee may apply)

If legal description is in metes & bounds, indicate where it was obtained:

__________________________ (Document Title), Book_____Page____ or

Document #__________________ recorded __________________________ (date) in the

Lyon County Recorder's Office.

-OR-

If prepared by a surveyor, provide name and address:

________________________________________

____________

******

"Personal information" means a natural person's first name or first initial and last name in combination with any one or more of the following data elements:

1. Social security number;
2. Driver's license number or identification card number;
3. Account number, credit card number or debit card number, in combination with any required security code, access code or password.
ORDER ENLARGING THE BOUNDARIES OF THE SILVER SPRINGS GENERAL IMPROVEMENT DISTRICT

WHEREAS,  DG Locust Grove Circle K, LLC, sole fee title owner(s) of the following property has filed a petition with the Lyon County Board of County Commissioners as the ex officio Board of Directors ("Board") of the Silver Springs General Improvement District ("District"), requesting that the following property be included within the District:

APN:  015-181-03 (3200 Opal Ave, Silver Springs, NV)

WHEREAS, notice of hearing on said petition was duly published; and

WHEREAS, the Board has heard and considered said petition at an open meeting at the place, time and date contained in said published notice; and good cause appearing:

IT IS HEREBY ORDERED that the petition be granted and that the above described property be included within the Silver Springs General Improvement District.

The property included herein shall be subject to all the rules, regulations, resolutions, taxes, tolls, and charges of the District as are in existence or as may be adopted or amended from time to time.

DATED this 7 day of July 2022

ATTESTED TO:  SILVER SPRINGS GENERAL IMPROVEMENT DISTRICT

CLERK OF THE BOARD
Nikki Bryan

By:  CHAIR
Ken Gray
TENTATIVE Parcel Map

for

DG Locust Grove Circle K, LLC

3200 Opal Avenue
APN: 015-181-03

Item #4

TENTATIVE Parcel Map

Reduced Size Copy (11x17)
Shannon Juntunen <sjuntunen@lyon-county.org>

RE: DG Locust Grove Circle K, LLC (Silver Springs Commercial Center) - Tentative Parcel Map
1 message

Joan Kuys <jomkuys523@gmail.com>
To: sjuntunen@lyon-county.org

Shannon,

Per our phone conversation this morning, my wife and I (Frank and Joan Kuys) will not be able to attend the meeting scheduled February 14, 2023, regarding the above subject concerning subdivision/rezoning, however, we would like to inform you we are both in favor of this action.

We are happy and looking forward to the growth in Silver Springs.

We own a parcel of land in close proximity to the subject location. Our Parcel # and address is 018-361-07, address: 3405 Bowers Avenue, Silver Springs.

If needed, our home phone number for contact is 562-420-7898.

Thank you,

Frank and Joan Kuys
Meeting Date: 02/13/2023

Advisory Board: Silver Springs

Please select which board this item is to be brought before:

Board of Commissioners _____, (and/or) Planning Commission _____

Agenda Item:
8b For Possible Action: To forward a recommendation for a request from DG Locust Grove Circle K, LLC for a Tentative Parcel Map to subdivide an approximately 28.99-acre parcel into four (4) parcels, the smallest being 1.43 acres, located to the northeast of the intersection of U.S. Highway 50 and State Route 439 at 3200 Opal Avenue in Silver Springs (APN 015-181-03) PLZ-2022-209.

Recommended Motion and/or Report:
To forward a recommendation of approval of separating lots, with concerns listed below

Advisory Board or Public Concerns:
Concerns regarding access to the parcels from HWY 50 or USA parkway as opposed to frontage roads, traffic congestion and the potential for accident if frontage roads aren’t utilized

Submitted By: Katie Baker - Secretary
February 13, 2023

Lyon County Planning Commission
27 South Main Street
Yerington, NV 89447

RE: Public Comment in support of PLZ-2022-209

Request for a Tentative Parcel Map to create four (4) parcels (the smallest parcel proposed at approximately 1.43 acres) located at 3200 Opal Avenue, Silver Springs, NV (APN: 015-181-03)

Dear Commissioners:

On behalf of Miles Minerals LLC, owner of APNs 018-364-07 and 018-364-08 in Silver Springs, Lyon County, Nevada, please let this letter serve as a Public Comment Commitment for Item 8.d. of the Planning Commission Meeting on February 14, 2023. A representative from Miles Minerals LLC is not available to attend the Planning Commission meeting; therefore, please consider this letter as a public comment commitment.

Agenda Item 8.d. is stated as follows: For Possible Action: To approve a request from DG Locust Grove Circle K, LLC for a Tentative Parcel Map to subdivide an approximately 28.99-acre parcel into four (4) parcels, the smallest being 1.43 acres, located to the northeast of the intersection of U.S. Highway 50 and State Route 439 at 3200 Opal Avenue in Silver Springs (APN 015-181-03) PLZ-2022-209.

Within the Project Description and Justification of Findings provided by the owner’s consultant, under item 15.606.07(D) - Findings for tentative parcel maps, finding 1.b. states the following: The proposed parcels will be served by public water system to be extended northerly along Opal Avenue from existing facilities near the southwest corner of the Silver Springs Airport.

Miles Minerals LLC would like to have the opportunity to bring to your attention that as the current owner of APNs 018-364-07 and 018-364-08 which encompass said Opal Avenue, there doesn’t appear to be easements in place within Opal Avenue on APNs 018-364-07 and 018-364-08 to accommodate water or sanitary sewer utilities as described above. Please reference Boundary Line Adjustment #593251, recorded March 14, 2019 and Boundary Line Adjustment Deed #593252, recorded March 14, 2019 for more information. Miles Minerals LLC desires to bring this to the attention of the Commissioners for their consideration in their review and subsequent rulings in support of PLZ-2022-209. With this public comment commitment, it is the intention of Miles Minerals LLC to inform the Commissioners of these facts and to provide this information in a manner that adequate and accurate rulings can be applied to the proposed project and to help eliminate the assumptions of required easements being in place to support the project’s (PLZ-2022-209) proposed water and sanitary sewer utilities.
Lyon County Planning Commission Agenda Summary

Meeting Date: February 14, 2023

Agenda Item Number: 8.e

Subject:
For Possible Action: To forward a recommendation to the Board of Commissioners for a Zoning Map Amendment request from Schaller Development LLC c/o Project One to change the zoning on nine (9) parcels comprising approximately 497.52 acres south of US Highway 50 in Stagecoach from RR-5 (Fifth Rural Residential District – 20 acre minimum) and RR-2 (Second Rural Residential District – 2 acre minimum) to RR-2 (Rural Residential – 2 acre minimum) in accordance with the Master Plan designation of Specific Plan (APNs: 015-365-01, 015-365-02, 015-365-03, 015-365-04, 015-371-05, 015-371-06, 015-371-07, 015-371-08, 015-451-01) PLZ-2022-206.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS
- Staff Report
- Backup
- Public Comment
- Stagecoach Advisory Board Letter of Transmittal
- Additional Public Comment
Lyon County Planning Commission

PLZ-2022-206

Proposed Action: Zoning Map Amendment (SH Estates)

Meeting Date: February 14, 2023

Owner: Shaller Development, LLC

Applicant: Shaller Development, LLC c/o Project One

Representative: Christy Corporation, LTD. / Mike Railey

Community: Stagecoach

Locations: South of US Highway 50


Parcel Size: Total: 491.20 acres

Master Plan: Specific Plan

Current Zoning: RR-5 (Fifth Rural Residential District – 20 acre minimum) and RR-2 (Second Rural Residential District – 2 acre minimum) from Title 10 (expired Code)

Proposed Zoning: RR-2 (Rural Residential – 2 acre minimum) from Title 15 (current Code)

Flood Zone: X - Unshaded per FIRMs 32019C0305E and 32019C0310E

Case Planner: Louis Cariola

REQUEST

Shaller Development, LLC c/o Project One requests approval for a Zoning Map Amendment request from Schaller Development LLC c/o Project One to change the zoning on nine (9) parcels comprising approximately 497.52 acres south of US Highway 50 in Stagecoach from RR-5 (Fifth Rural Residential District – 20 acre minimum) and RR-2 (Second Rural Residential District – 2 acre minimum) to RR-2 (Rural Residential – 2 acre minimum) in accordance with the Master Plan designation of Specific Plan (APNs: 015-365-01, 015-365-02, 015-365-03, 015-365-04, 015-371-05, 015-371-06, 015-371-07, 015-371-08, 015-451-01) PLZ-2022-206.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a recommendation of approval of the rezoning requests based on the findings as listed in the staff report as the request would be in general conformance with the 2020
Comprehensive Master Plan designation for the property. A Zoning Map Amendment request cannot be conditioned.

RECOMMENDED MOTION

If the Planning Commission determines that they should forward a recommendation of approval of the requested zoning map amendment applications, then the Planning Commission should make a motion similar to the following.

The Planning Commission finds that:

A. The proposed amendment is consistent with the policies embodied in the adopted master plan and the underlying land use designation contained in the land use plan;

B. The proposed amendment will not be inconsistent with the adequate public facilities policies contained in this title;

C. The proposed amendment is compatible with the actual or master planned adjacent uses.

Based on the aforementioned Findings, I move that the Lyon County Planning Commission forward a recommendation of approval to the Lyon County Board of Commissioners for the request from Shaller Development, LLC c/o Project One to change the zoning on nine (9) parcels comprising approximately 497.52 acres south of US Highway 50 in Stagecoach from RR-5 (Fifth Rural Residential District – 20 acre minimum) and RR-2 (Second Rural Residential District – 2 acre minimum) to RR-2 (Rural Residential – 2 acre minimum) in accordance with the Master Plan designation of Specific Plan (APNs: 015-365-01, 015-365-02, 015-365-03, 015-365-04, 015-371-05, 015-371-06, 015-371-07, 015-371-08, 015-451-01) PLZ-2022-206.

BACKGROUND AND PROPERTY INFORMATION

Location, Access, and Size

The nine (9) subject parcels are located in Stagecoach, south of US Highway 50. The intersection with US Highway 95A is approximately 12 miles east of the parcels.

In total, the 9 parcels total approximately 497.57 acres in size.

Current access to the parcels is via Caroline Way on the west and Blackhawk Road on the east.
Current Use and Topography

The subject parcel is relatively flat and contains no ridgelines. The majority of the site is vacant with a few buildings in the southeast corner that support the operations of the Dayton Valley Turf Farm. Surrounding land uses include single family residences to the north and east, Bureau of Land Management (BLM) property and single-family residences to the west and vacant land to the south. Highway 50 is adjacent to and directly north of the property. The existing Churchill Ranchos Estates, a single family residential subdivision to the west, is comprised of 2-acre parcels.
Utilities

**Water Service and Sewer Service**
The subject parcel is within the Stagecoach General Improvement District (SGID) service boundary for water service.

Individual sewer systems would be necessary for the new parcel development, each to be approved by the Nevada Division of Environmental Protection (NDEP). The systems will have to be de-nitrification systems per the NDEP regulations for the area (and SGID standards).

**Police and Fire**
The Lyon County Sheriff Department provides police protection services to the area. The closest station is approximately 6.8 miles away, west on US Highway 50 (located at 801 Overland Loop #307 in Dayton).

The Central Lyon County Fire Protection District (CLCFPD) provides paramedic, advanced life support, and fire prevention and suppression services to the Dayton Area and will serve this project area. The nearest CLCFPD facility is Station 37, approximately 4.75 miles east on Highway 50 (in addition to the Stagecoach Volunteer Fire Department in the same vicinity).
Character District and Master Plan Designation

The Character District for the subject parcels is Rural, as is the entire Stagecoach Community.

The Master Plan designation for the site is Specific Plan. To the west is Low Density Residential (Churchill Ranchos Estates) and to the east is Low Density Residential (within the Stagecoach community).
Zoning

The existing parcels’ zoning includes two districts from the County’s expired Development Code, Title 10. They are RR-5 (Fifth Rural Residential District – 20 acre minimum) and RR-2 (Second Rural Residential District – 2 acre minimum). The proposed zoning is RR-2 (Rural Residential 2-acre minimum), a district name with the same abbreviation as part of the existing zoning, a confusing arrangement for both the public and County Staff.

Existing Zoning (from the Applicant’s submittal)

The zoning districts shown in the “Proposed Zoning” image below are “converted” per the Zoning Consistency Matrix, adopted in 2018 with the current Development Code, Title 15. The zoning of RR-2 for the subject sites (in aqua color below) is subject to the same zoning standards as the existing residential subdivision to the west (since they are both hold 2-acre minimum zoning districts, one from Title 10 and one from Title 15). “RR-20” is “Rural Residential 20-acre minimum. Notably, with the exception of one small parcel zoned CC (Community Commercial) to the north of the project site, all the surrounding parcels’ zoning is residential in nature.

Proposed Zoning
STAFF REVIEW AND COMMENTS

The proposed zoning map amendments for the subject parcels are first reviewed by staff and the Planning Commission, who make recommendations to the Board of Commissioners. The Board makes the final vote on whether or not to approve the request.

FINDINGS FOR REVIEWING A ZONING MAP AMENDMENT REQUEST

Chapter 15.220.05 of Lyon County Code states that when considering approval of a zoning map amendment, three Findings must be considered and supported by a statement of evidence, facts and conclusions. Staff has included those three Findings in **bold type** below. Each Finding is listed with the applicant’s response in *italics* and then staff’s comments.

A. **The proposed amendment is consistent with the policies embodied in the adopted master plan and the underlying land use designation contained in the land use plan.**

**Staff Note:** Much of the Applicant’s Response for Finding A is NOT APPLICABLE for a zone change, but the applicant submitted concurrent applications with both a subdivision and a the zone changes proposed. PLZ-2022-207 is a Tentative Subdivision Map for SH Estates, concurrently submitted with this application.

Staff **underlined** portions of the Applicant’s Response to Finding A that ARE applicable for the requested zone changes.

**Applicant’s Response**

The requested RR-2 zoning is consistent with the surrounding properties. The zoning supports the following Master Plan policies and goals in terms of land use diversification and is complementary to surrounding parcels.

**Goal C 1: Quality Design**

- **Policy C 1.3:** Design Tailored to Communities New development in Lyon County should address and respect the unique character of communities within the county.

- **Policy C 1.4:** Design Complementary Neighborhoods in Rural Districts Development in rural areas should minimize impacts on natural areas and nearby ranching and agricultural operations.

The SH Estates Subdivision Development is fully compatible with the surrounding neighborhood. The lots are of a comparable size to the existing developments, has minimal cut and fill for roads and site grading, will encourage native plants for landscaping and has appropriate setbacks from agricultural and developed properties.

**Goal C 5: Support Diversity**

- **Policy C 5.1:** Recognize Community Diversity. Lyon County planning efforts and regulations will consider the unique aspects of communities in the county and will allow for variation and exceptions to address key aspects of their diversity.

The SH Estates Subdivision Development is located within a partially developed rural area. The project as proposed will be compatible with the existing neighborhoods, matching in size and character, the surrounding neighborhood.

**Goal LU 5: Encourage Resource Sensitive Growth.** Development will be designed to reduce energy use and minimize environmental impacts.

- **Policy LU 5.1:** Encourage Resource-Sensitive Growth and Sustainable Design

The SH Estates Subdivision Development plans ensure that valuable resources are responsibly used. Xeriscape landscaping and low water usage will be encouraged throughout the development.
**Goal TR 2: County Roads. Local roads will be alternatives to primary highways.**

- **Policy TR 2.1: Local Access Roads**: To reduce and avoid highway congestion at peak times, Lyon County will work in conjunction with other public agencies and private developers to build and maintain alternative routes designed for shorter trips and local travel within communities.

The SH Estates plan provides a local road network that allows vehicle circulation to occur within the project without entering the highway.

**Goal NR 3: Clean Water. Adequate water supply will be available for current and future needs in Lyon County, including safe, healthy drinking water for all Lyon County residents.**

- **Policy NR 3.1: Water Supply and Quality**: Recognizing that clean water is a precious resource necessary to maintain our health, economy, and quality of life, Lyon County will protect the water supply and encourage efficient use of water resources.

**SH Estates Subdivision Development** presents an opportunity to provide additional and higher quality water supply to the Stagecoach Community. As a part of the proposed improvements, a water line will be constructed that will connect the Stagecoach General Improvement District (GID) water system with the Lyon County Utilities water system. This connection is designed to send water one way into the Stagecoach Community. It will provide water supply to the project and will also provide emergency backup supply for the existing Stagecoach GID system in the event of a system failure and will boost fire flows for better fire suppression.

**Goal NR 8: Views. Lyon County will protect scenic views of mountain backdrops and dark skies.**

- **Policy NR 8.1: Mountain Backdrop**: Recognizing that views of the mountains in and around the county provide a unique scenic value for residents and visitors, Lyon County will strive to preserve such views.

**SH Estates Subdivision Development** is designed to preserve the mountain views in the valley. The larger lots, conformance with existing development standards and other regulations will serve to minimize impacts on the views of existing neighborhoods and new development.

**Staff Comment**

The applicant’s Response to Finding A (and their entire submittal package) doesn’t effectively separate the requested zone change for the subject parcels from the requested Tentative Subdivision Map concurrently submitted. That stated, the requested zoning is consistent with the Master Plan designation of Specific Plan. The underlined items above represent the Staff-recognized appropriate portions of their Response. The existing Churchill Ranchos Estates, which border the west of the subject parcels, holds RR-2 zoning from Title 10 and is subject to the same development standards as the proposed zoning of RR-2 from Title 15. The location of the subject parcels along US Highway 50 frontage and the Stagecoach General Improvement District’s ability to serve the project with a public water service are both qualities of the subject parcels that make 2-acre minimum zoning for residential uses appropriate. The roadway accesses are established and do not require long extensions into rural areas. The SGID water system may expand incrementally. These facts support the following 2020 Master Plan Goals and Policies.

**Policy LU 1.1** Follow Development Patterns as Established in the Land Use Plan

- **Policy LU 1.2**: Residential Development Patterns in Neighborhoods
- **Policy LU 2.2**: Service Levels to Vary by Character Areas

The Master Plan requires that project areas over 160 acres have the Specific Plan designation, as the subject parcels do, and that zoning such as the one proposed are utilized to connect new communities to existing development. The proposed zone change (and concurrently submitted subdivision) represent a consistent process with the Master Plan. Based on the 2020 Master Plan’s Goals, Policies and Strategies, Staff believes the proposed zoning map amendment is consistent with the Master Plan. This Finding may be made in the affirmative.
B. The proposed amendment will not be inconsistent with the adequate public facilities policies contained in this title;

**Applicant’s Response**

Public facilities necessary to serve the site are already occurring. Uses permitted within the RR-2 zone are consistent with the existing infrastructure and levels of service within the Stagecoach area.

**Staff Comment**

The subject parcels’ accesses via existing roadways to US Highway 50 and the availability of the SGID to connect the properties to their system demonstrates compliance with this Finding, as do the locations of Police and Fire responses along Highway 50 in the vicinity. The proposed amendment is not inconsistent with the public facilities policies of Title 15.

C. That the proposed amendment is compatible with the actual or master planned adjacent uses.

**Applicant’s Response**

The majority of adjoining parcels are already developed as single-family residential. The envisioned residential use is compatible and complementary to existing uses in the area and are not anticipated to result in any negative impacts.

**Staff Comment**

The parcels surrounding the subject parcels include single family residential and vacant lands (plus one commercially-zoned parcel on the Highway frontage). To the west, the Churchill Ranchos Estates are comprised of two acre parcels with single family development subject to the same RR-2 zoning standard as is proposed in this application. Transitioning from 2-acre minimums to 5-acre and 20-acre minimums on the east and south of the subject parcels is an appropriate transition because all the zoning districts are residential and Rural in Character. Considering these facts, this Finding may be made in the affirmative.
SH ESTATES SUBDIVISION DEVELOPMENT

ZONE AMENDMENT AND MERGER AND RESUBDIVISION/TENTATIVE SUBDIVISION MAP

Prepared by:

CHRISTY CORPORATION

December 5, 2022
SH ESTATES SUBDIVISION DEVELOPMENT

ZONE AMENDMENT AND MERGER AND RESUBDIVISION/
TENTATIVE SUBDIVISION MAP

Prepared for:
Schaller Development, LLC
490 Hot Springs Road
Carson City, Nevada 89706

Prepared by:
Christy Corporation, Ltd.
1000 Kiley Parkway
Sparks, Nevada 89436
(775) 502-8552

December 5, 2022
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Lyon County Development Application
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Vesting Deeds

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PDF Files
**SH ESTATES SUBDIVISION DEVELOPMENT**

**Introduction**

This application includes the following requests:

- **A Zoning Map Amendment (ZMA)** to rezone 333.57± acres from Fifth Rural Residential (RR-5) to Second Rural Residential (RR-2).

- **A Merger and Resubdivision/Tentative Subdivision Map (TSM)** to allow for the merger of 9 existing parcels and creation of 186 single-family lots in the Second Rural Residential (RR-2) zoning district.

**Project Location**

The project site consists of 491.20± acres located in Stagecoach. Specifically, the project site is located adjacent to and south of US Highway 50 between Caroline Way and Blackhawk Road. Figure 1 (below) depicts the project location.

![Figure 1 – Vicinity Map](image)
SH ESTATES SUBDIVISION DEVELOPMENT

Existing Conditions

The project site consists of nine (9) parcels as shown in Table 1 below. The majority of the site is vacant with a few buildings in the southeast corner that support the operations of the Dayton Valley Turf Farm. Surrounding land uses include single family residences to the north and east, Bureau of Land Management (BLM) property and single-family residences to the west and vacant land to the south. Highway 50 is adjacent to and directly north of the property.

Table 1 – Parcel Summary

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<thead>
<tr>
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<th>Acres (±)</th>
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<tbody>
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<td>015-371-06</td>
<td>60.00</td>
</tr>
<tr>
<td>015-371-07</td>
<td>40.01</td>
</tr>
<tr>
<td>015-371-08</td>
<td>24.32</td>
</tr>
<tr>
<td>015-451-01</td>
<td>160.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>491.20</strong></td>
</tr>
</tbody>
</table>

The properties are accessed via existing encroachments to Highway 50 at the following roads: Caroline Way, Leegard Avenue, Wrong Way, and Blackhawk Road. Figures 2 (below) and 3 (page 3) depict the existing onsite conditions.

Figure 2 – Existing Conditions
Figure 3 – Existing Conditions
SH ESTATES SUBDIVISION DEVELOPMENT

The property is relatively flat and contains no ridgelines. Drainage patterns flow generally from north to south, with some flows moving from west to east. A preliminary geotechnical report completed for the site determined the native soils to generally consist of silty sand, gravel, elastic silt and dense clayey sand. No active or potentially active faults were discovered. The geotechnical report is included as Appendix D. The property is located in FEMA Flood Zone X as shown on FEMA Maps 32019C0305E and 32019C0310E.

The project site is located in the Stagecoach Community and within a Rural Character District as defined by the 2010 Lyon County Comprehensive Master Plan. The Master Plan designation for all the property except a small portion on the eastern side is Specific Plan. The small eastern side portion has a Master Plan designation of Rural Residential.

The property is currently zoned Second Rural Residential (RR-2) and Fifth Rural Residential (RR-5).

Request Summary

There are two separate entitlement requests included with this application; a Zoning Map Amendment to rezone the property from Fifth Rural Residential to Second Rural Residential and a Merger and Resubdivision/Tentative Subdivision Map request to allow for the merger of 9 existing parcels and creation of 186 single-family lots including common area.

The requested changes are logical given surrounding conditions and will result in a minimum lot size of 2 acres and a maximum lot size of 17.77 acres. The lots sizes proposed are complementary to surrounding developments/uses.

Project impacts will be minimal and are consistent with existing development trends in the area. The rural design of the subdivision and limited number of lots (186) will ensure that the project is consistent with the surrounding area and will not result in development that contrasts with the community character. The subdivision will provide for new housing options and can serve to meet the growing residential needs of Lyon County. Its proximity to existing suburban centers such as Dayton and Carson City, and its location close to the newly construction USA Parkway that connects Lyon County to the Tahoe Reno Industrial Center and Interstate 80, makes SH Estates Subdivision ideally situated to accommodate additional residential development.

As shown in Figure 4 (page 5), SH Estates Subdivision is located in close proximity to the Tahoe Reno Industrial Center (TRIC) and is approximately nine miles west of the USA Parkway/Highway 50 intersection. The project site is situated on an important leg (Highway 50) of what is increasingly becoming known as the regional loop that ties our entire Northern Nevada Region together, both physically and economically.
Each of the land use requests included with this application are summarized below:

- **Zoning Map Amendment**

The first component of this request is a Zoning Map Amendment (ZMA). Currently, the project site is zoned as a mix of Second Rural Residential (RR-2) and Fifth Rural Residential (RR-5). This application proposes to rezone the property to RR-2 with minimum 2 acres lots.

Figure 5 (Page 6) depict the existing and proposed site zoning and surrounding parcels.
Figure 5 – Existing and Proposed Zoning Plan
Table 2 (Below) identifies the adjacent parcels and includes current legal ownership, present use and zoning for each parcel.

**Table 2 – Adjacent Parcel Ownership, Zoning and Land Use**

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Legal Ownership</th>
<th>Zoning</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Properties – Immediately Adjacent</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>015-461-01</td>
<td>Chiechi, Michele A &amp; Janice C T</td>
<td>RR-5</td>
<td>Vacant</td>
</tr>
<tr>
<td>015-461-03</td>
<td>Moriondo, Edward</td>
<td>RR-5</td>
<td>Vacant</td>
</tr>
<tr>
<td>015-461-04</td>
<td>Moriondo, Edward</td>
<td>RR-5</td>
<td>Vacant</td>
</tr>
<tr>
<td>015-461-05</td>
<td>Corbo, Ida</td>
<td>RR-5</td>
<td>Vacant</td>
</tr>
<tr>
<td>015-461-06</td>
<td>Pitruzzello, Vincent Et Al</td>
<td>RR-5</td>
<td>Vacant</td>
</tr>
<tr>
<td>015-461-07</td>
<td>Palmieri, Frank Et Al</td>
<td>RR-5</td>
<td>Vacant</td>
</tr>
<tr>
<td>015-461-08</td>
<td>2304 Investments LLC</td>
<td>RR-5</td>
<td>Vacant</td>
</tr>
<tr>
<td>015-461-09</td>
<td>2304 Investments LLC</td>
<td>RR-5</td>
<td>Vacant</td>
</tr>
<tr>
<td>015-461-10</td>
<td>2304 Investments LLC</td>
<td>RR-5</td>
<td>Vacant</td>
</tr>
<tr>
<td>015-451-16</td>
<td>Golbek, Leslie &amp; Janet</td>
<td>RR-5 &amp; M-1</td>
<td>Vacant</td>
</tr>
<tr>
<td>East Properties – Immediately Adjacent</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>015-371-30</td>
<td>Sell, Larry R &amp; Rhonda L</td>
<td>RR3-T</td>
<td>Residential</td>
</tr>
<tr>
<td>015-371-09</td>
<td>Roets, Earl G &amp; Penny M</td>
<td>RR-3T</td>
<td>Residential</td>
</tr>
<tr>
<td>015-371-31</td>
<td>Lyle, Brandon A</td>
<td>RR-3</td>
<td>Residential</td>
</tr>
<tr>
<td>015-371-32</td>
<td>Retzer, Betty</td>
<td>RR-3</td>
<td>Vacant</td>
</tr>
<tr>
<td>015-371-33</td>
<td>Lamm, Willis &amp; Sharon</td>
<td>RR-3T</td>
<td>Residential</td>
</tr>
<tr>
<td>North Properties – Immediately Adjacent</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>019-392-03</td>
<td>Lamm, Willis &amp; Sharon</td>
<td>RR-5T</td>
<td>Residential</td>
</tr>
<tr>
<td>019-392-02</td>
<td>Sherman, John &amp; Ruth</td>
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<td>019-392-01</td>
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<tr>
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<td>Retzer, Betty L Tr</td>
<td>RR-3</td>
<td>Residential</td>
</tr>
<tr>
<td>015-371-29</td>
<td>Motamenpour, Bahram Et Al</td>
<td>RR-3</td>
<td>Residential</td>
</tr>
<tr>
<td>015-371-26</td>
<td>Mau Loa Properties LLC</td>
<td>C-2</td>
<td>Vacant</td>
</tr>
<tr>
<td>North Properties – Across Highway 50</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>015-362-24</td>
<td>I-50 Plaza LLC</td>
<td>C-1 &amp; RR-3</td>
<td>Vacant</td>
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<tr>
<td>015-364-01</td>
<td>Chim, Marilyn M</td>
<td>VCMU</td>
<td>Vacant</td>
</tr>
<tr>
<td>015-364-03</td>
<td>Chim, Marilyn M</td>
<td>RR-5</td>
<td>Vacant</td>
</tr>
<tr>
<td>015-364-04</td>
<td>Chim, Marilyn M</td>
<td>RR-5</td>
<td>Vacant</td>
</tr>
<tr>
<td>West Properties – Immediately Adjacent</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>019-466-07</td>
<td>Ott, Lynda L &amp; Gerald J</td>
<td>RR-2T</td>
<td>Residential</td>
</tr>
<tr>
<td>019-466-08</td>
<td>Garrett, Heather &amp; Kevin</td>
<td>RR-2T</td>
<td>Residential</td>
</tr>
<tr>
<td>019-466-09</td>
<td>Conlon, Claudia M</td>
<td>RR-2T</td>
<td>Residential</td>
</tr>
<tr>
<td>019-466-10</td>
<td>Parks, Nile E Jr</td>
<td>RR-2T</td>
<td>Residential</td>
</tr>
<tr>
<td>019-466-11</td>
<td>Camp-Campbell, Spencer Et Al</td>
<td>RR-2T</td>
<td>Residential</td>
</tr>
<tr>
<td>019-466-12</td>
<td>Marek, Michael D &amp; Linda R TRS</td>
<td>RR-2T</td>
<td>Residential</td>
</tr>
<tr>
<td>019-466-13</td>
<td>Howard, Daniel M &amp; Joyce E</td>
<td>RR-2T</td>
<td>Residential</td>
</tr>
<tr>
<td>019-466-14</td>
<td>Abbott, Warren W &amp; Caren J</td>
<td>RR-2T</td>
<td>Residential</td>
</tr>
</tbody>
</table>
• **Merger and Resubdivision/Tentative Subdivision Map**

The second component of this request is a Merger and Resubdivision/Tentative Subdivision Map (TSM). This application includes a TSM request to allow for the merger of 9 existing parcels and creation of 186 single-family lots.

The proposed single-family homes within the SH Estates Subdivision Development are complementary to existing single family lots to the north, east and west, surrounding the site. This project will serve as a functional extension of the existing neighborhoods.

A homeowner’s association (HOA) will be created to provide maintenance of common areas including streets and drainage/detention facilities. The single-family lots will be sold individually. All the remaining land surrounding the single-family lots including the roadside ditches, detention pond, etc. will be common area to be maintained by the HOA.

Roadways within the SH Estates Subdivision are proposed as gravel with roadside ditches (as depicted on the attached plans). Streets within the project will therefore be private and maintained by the HOA. Individual lots will be served by community water and will include individual septic systems consistent with Lyon County and Nevada Department of Environmental Protection (NDEP) standards. Figure 6 (Page 9) depicts the proposed lot layouts and phasing plan.
The following table provides an overall summary of SH Estates Subdivision Development.

**Table 3 – Development Summary**

<table>
<thead>
<tr>
<th>Development Standard</th>
<th>Proposed with SH Estates Subdivision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Project Area</td>
<td>497.52± acres</td>
</tr>
<tr>
<td>Total Lot Area</td>
<td>455.90± acres</td>
</tr>
<tr>
<td>Right-of-Way Area</td>
<td>40.39± acres</td>
</tr>
<tr>
<td>Open Space</td>
<td>1.23± acres</td>
</tr>
<tr>
<td>Smallest Lot Size</td>
<td>2.00± acres</td>
</tr>
<tr>
<td>Largest Lot Size</td>
<td>17.77± acres</td>
</tr>
<tr>
<td>Average Unit Size</td>
<td>2.45± acres</td>
</tr>
</tbody>
</table>

SH Estates Subdivision is not anticipated to generate negative impacts upon adjoining properties. The rural character of the proposed project respects the adjoining environment and will be consistent with development patterns that exist within Stagecoach. Based on Institute of Transportation Engineers (ITE) trip generation data, the project is anticipated to generate 1,754 average daily trips (ADT) with 130 am and 175 pm peak hour trips.
SH ESTATES SUBDIVISION DEVELOPMENT

The trip generation is well below that previously contemplated with the Desert Wells project and can be accommodated by the existing roadway network. To accommodate the traffic impacts at the various existing and future intersections, various improvement recommendations are made that are outlined in detail in the Traffic Study attached to this report. These recommendations have been made with input received from consultation with the Nevada Department of Transportation and Lyon County. In summary, the improvements include improving Wrong Way and Blackhawk Road to Lyon County paved standards and add additional stop signs as described in the traffic report.

With only 186 lots, the project will not unduly burden the existing schools serving the site. It is important to consider that the property has long been envisioned for development and thus additional student generation has been anticipated.

Included as an attachment to this report is a detailed drainage study that outlines the proposed hydrology and drainage system for the project, in accordance with Lyon County standards. Per Lyon County and State requirements, storm water runoff will be captured and routed to an onsite detention basin. This ensures that no additional offsite flows will result with the development of the project.

Overall, SH Estates serves to continue the expansion of the existing neighborhoods and will provide new housing opportunities within the Stagecoach area. The project is consistent with the existing and planned uses of adjoining properties and is designed to complement the existing built environment.

Request Findings

The Lyon County Municipal Code establishes legal findings that must be made by the Planning Commission and Board of Commissioners in order to approve Zoning Map Amendment and Tentative Map requests. These findings are listed below and addressed in bold face type.

- **Zoning Map Amendment**

When approving a zoning text or map amendment the planning commission and the board must make the following findings, supported by a statement of evidence, facts and conclusions.

  A. That the proposed amendment is consistent with the policies embodied in the adopted master plan and the underlying land use designation contained in the land use plan;

  The requested RR-2 zoning is consistent with the surrounding properties. The zoning supports Master Plan policies and goals in terms of land use diversification and is complementary to surrounding parcels.

  B. That the proposed amendment will not be inconsistent with the adequate public facilities policies contained in this title;

  Public facilities necessary to serve the site are already occurring. Uses permitted within the RR-2 zone are consistent with the existing infrastructure and levels of service within the Stagecoach area.
C. That the proposed amendment is compatible with the actual and master planned use of the adjacent properties.

The majority of adjoining parcels are already developed as single-family residential. The envisioned residential use is compatible and complementary to existing uses in the area and are not anticipated to result in any negative impacts.

- Tentative Subdivision Map

The Commission in making its recommendation and the Board in rendering a decision on the tentative subdivision map shall base its decision on the requirements of NRS and make affirmative findings on the following factors, taking into account the recommendations of reviewing agencies:

1. The property to be subdivided is zoned for the intended uses and the density and design of the subdivision conforms to the requirements of the zoning regulations contained in this code;

The tentative map design is consistent with the RR-2 zoning being reviewed concurrently with this application. Density proposed is consistent with the surrounding area and the project will be complementary to the existing built environment.

2. If located within a planned unit development, the tentative subdivision map conforms to the density requirements, lot dimension standards and other design standards regulations approved for the planned unit development;

Not applicable.

3. The tentative subdivision map conforms to public facilities and improvement standards contained in the development code;

The project, as detailed in this report and the attached engineering drawings/reports, is in full compliance with the policies and requirements of the Lyon County Code.

4. The tentative subdivision map conforms to the improvement and design standards contained in the development code and adopted design criteria and improvement standards;

The project, as detailed in this report and the attached engineering drawings/reports, is in full compliance with the policies and requirements of the Lyon County Code.

5. If applicable, that a phasing plan has been submitted and is deemed acceptable;

The project will be completed in four phases as is delineated in the attached phasing exhibit.
6. There are no delinquent taxes or assessments on the land to be subdivided, as certified by the county treasurer;

All property taxes are current for the subject parcel. A verification of this by the Lyon County Deputy Clerk is included as an attachment to this report.

7. The project complies with all environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;

As detailed in the attached engineering reports and plans, the project is in compliance with all applicable standards. Units within SH Estates Subdivision will be served by individual wells and septic systems along with solid waste disposal service.

8. The availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the subdivision;

Water sufficient to serve the project will be dedicated with final map to the approval of Lyon County.

9. There is adequate access and availability to public services such as schools, police protection, transportation, recreation and parks;

The SH Estates Subdivision project is within the school district zone of the Silver Springs schools and the school district has indicated that there is capacity for middle and high school students at this location. Police protection exists in the area and can be provided by the Lyon County Sheriff’s office. The recently widened Highway 50 exists adjacent to the project and can accommodate additional traffic proposed with this project.

10. The project is in general conformity with the Lyon County Comprehensive Master Plan, the local community plan, if adopted, and the master plan of streets and highways;

The project is consistent with the Lyon County Comprehensive Plan and Master Plan.

11. The project will have no adverse impacts, or provides adequate mitigation of adverse impacts, to existing public streets;

The effect of the SH Estates subdivision on existing public streets is discussed in detail in the provided Traffic Study. A series of new streets ranging from major and minor arterials to local residential streets are proposed with development.
12. The physical characteristics of the land such as floodplain, slope and soil have been considered and provisions to adequately mitigate adverse impacts of development on the environment have been incorporated;

The site is well suited for development. The property is essentially flat and is not located within a flood zone or natural hazard area. A detailed soils report is included as an attachment to this report.

13. The project demonstrates availability and accessibility of fire protection services, including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires, including fires in wild lands.

The project site will be served by municipal water. The project will be reviewed by the fire department and conditions can be included as necessary to address fire protection.
Public Comment Proposed SH Estates 2/1/23 Mtg.
1 message

Mandy Brinnand <sunstream3@yahoo.com>  
To: Stage Coach CAB <sccab@lyon-county.org>  

Tue, Jan 31, 2023 at 3:01 PM

Attached is a public comment for the Stagecoach Advisory Board 2/1/23 Agenda Items #9 and #10 for SH Estates. Instead of sending 25 individual comments, there are 25 signatures attached to this comment from individuals either currently living or will be moving east of the proposed SH Estates.

ScCAB Public Comments Proposed SH Estates.pdf  
1024K
Page 9 of PLZ-2022-207 states that *SH Estates is not anticipated to generate negative impacts upon adjoining properties*. We, the surrounding residents of SH Estates, do not agree with this statement and are opposed to the proposed SH Estates Subdivision as presented.

At the March 7, 2018 Stagecoach Advisory Board meeting concerning Desert Wells Preserve, which was located in the same area, applicant Don Smit stated “200 homes would have negative impacts on this community”. Although Mr. Smit made this statement with 14 more homes than what SH Estates is now proposing, the applicant himself has stated there would be negative impacts in a public meeting. As the applicant has stated this, these known negative impacts should be disclosed.

At the November 2, 2022 Stagecoach Advisory Board meeting, residents expressed concerns about negative impacts and also possible ways to mitigate those impacts. SH Estates representatives also encouraged residents to provide input for the project. However, it appears SH Estates choose to ignore the resident concerns and possible mitigations.

SH Estates makes similar statements throughout the documents that indicate this development is what currently exists in the area, including: The requested changes are logical given surrounding conditions; Project impacts will be minimal and are consistent with existing development trends in the area; Development won’t be in contrast with community character; SH Estates will be complementary to existing family lots to the north, east and west and serve as a functional extension of the existing neighborhoods; The project is consistent with the existing and planned uses of adjoining properties and complements the existing built environment; RR-2 zoning is consistent with surrounding properties, envisioned residential use is compatible and complementary to existing uses in the area and not anticipated to result in any negative impacts; The density proposed is consistent with the surrounding area; The project will be complementary to the existing built environment. These statements are inaccurate, below are comments, impacts and mitigations from some of the residents (as indicated by names and signatures at the end of document).

**Lot Sizes and Locations.** The area around SH Estates is very rural, many residents of Stagecoach have repeatedly expressed their desire for this area to stay rural with large lot sizes of 5+ acres. SH Estates lot sizes range from 2 to 17.77 acres, with an average of 2.45+ acres. There are only 5 lots about 17.77 acres, as those are the anomaly and if not included in the average, the remaining 181 lots average 2.2 acres. SH Estates as a whole is not consistent or complementary to surrounding properties or development trends in rural Stagecoach and does contrast with community character; the density also isn’t consistent with the built environment. Churchill Ranchos Estates on the west boundary is currently 2-acre lots, which is adjacent to the SH Estates property that is also currently zoned 2-acres, this area may be consistent and complementary to existing surrounding properties. The remainder, however, isn’t, especially on the north, east and south areas of the project. The remainder of the adjacent properties, and properties within ½ mile of the project, are all zoned 5 to 20 acres or larger with actual acreage, or built environment (properties with homes), ranging from approximately 5 to 60 acres. Vacant property actual acreage ranges from 5 to 640 acres. The 5 approximate 17-acre lots are located adjacent to and near Churchill Ranchos 2-acre lots, not adjacent to or near the current 5- or 20-acre lots. At the 11/2/22 Stagecoach advisory board meeting, SH Estates representatives stated the lot sizes would be a functional extension of what exists today and they would essentially be lot matching so it will look like the existing neighborhood. Mitigation requested at the meeting to reduce negative impacts were to locate larger lots, minimum 5-acres, adjacent to and near the existing larger lots,
especially on the east, northeast and southeast boundaries, primarily phase 3. No changes were made to the lot sizes or locations, and they are still shown as approximate 2-acres lots adjacent to the 5 and 20 acre lots on the east, northeast and southeast of the project area. Figure 1 visually displays the current built environment around SH Estates, indicating that with the exception of Churchill Ranchos, the area is larger size lots. This clearly displays the changes are not logical, or complementary and with the exception of Churchill Ranchos, contrast with the surrounding conditions and communities. 

**Mitigation** – Larger lots, 5+ acres, adjacent to the existing 5 and 20 acre lots, especially on the east, northeast and southeast boundaries, primarily phase 3.

**Flooding.** There are very large concerns from existing residents concerning flooding, we have lived here a long time and have witnessed what occurs in this area. The SH Estates hydrology report states there will be no adverse impacts to adjoining properties, we do not agree with this statement. The report states it is anticipated the project will result in a minor increase in stormwater volumes, but these will not leave the site. The same report states culvert crossings under driveways and roadside ditches will flow to their ultimate release to the south of the property, so the report states water both will and won’t leave the project site. The hydrology report also refers to a detention basin on the westerly portion of the development, we are presuming the cross-hatched area on the map is the detention basin. The report also says overflows from the detention basin will be conveyed through conveyance ditches, to the old playa bed to the south of the property. Figure 1 depicts the project area and the “old playa bed” to the south of the property and the route water typically takes as it flows out to misfits flat. The photo clearly indicates the playa bed water flow direction, which is directly into existing homes. During high water events, even Thunderstorms in the Virginia Range during the summer, flood waters also flow east down highway 50; there is no culvert under Blackhawk, but there is a ditch that diverts water south down Blackhawk and an additional ditch that crosses west to east at Silver Lane to divert water down Silver Lane. The Blackhawk/Silver drainage issues need to be dealt with by the County before any improvements to Blackhawk by SH Estates occurs. For the County to ignore the fact they are using a residential public street as a drainage ditch is a negative impact from the County and just re-paving the ditch will exacerbate that negative impact. As the hydrology report states water will overflow into the old playa (basically the lower laying areas) and our homes are in that area, the report basically states SH Estates water flows will flood our properties. We are also very concerned about a HOA maintaining the drainage ditches and detention basins. How long will it be before roads, ditches and detention ponds are actually maintained? When the first phase is built, after phase 4 is complete, somewhere in between or long after phase 4 is completed? What happens if a high water event occurs and damages the drainage features, causing them to fail and there isn’t enough money in the HOA yet to repair or maintain?

**Gravel Roads.** SH Estates says there will be 29,936 lineal feet (about 5.5 miles) of gravel roads proposed within the project. Adjoining and nearby properties to the east of SH Estates are downwind from the development. Non-paved roads will cause an immense amount of dust. This will be continual fugitive dust from 186 residences and not dust from a wind event or an occasional vehicle that currently exists. There is also a huge concern about the roads being private and a HOA maintaining them. How will they maintain them and how often, will they continually water them to capture fugitive dust? How deep with the gravel be and what happens when wind storms cover the gravel with dirt? We know we live in a rural area with a lot of dirt and when the wind blows, we know the dirt blows. When vehicles travel on non-paved roads though, dust is prevalent without wind. Dust from 186 new residences travelling non-paved roads will cause severe negative impacts. A news report from May 2022 indicated the Environmental Protection Agency (EPA) is sampling for mercury
contamination in the soil in this area due to the proximity of Virginia City. We are very concerned about this and effects if it present and becomes airborne with the dust. If the HOA fails (as nearby Iron Mountain Ranch HOA did), the maintenance of the roads would not occur, causing more non-maintained roads in this County and possibly increased flooding and erosion issues. Mitigation requested at the 11/2/22 meeting was to pave the internal roads. No changes have been made to the internal roads and they are still shown as gravel.

**Mitigation** – Pave all project roads, sample the soils in the project area for mercury and remove contaminated soils if present.

**Existing Roads.** Page 1, Paragraph 1 of the SH Estates Traffic Impact Study describes the proposed study area as generally south of US-50 and west of Sand Dune Drive. Silver Lane is within that area but wasn’t mentioned in the report findings. Silver Lane is a dirt, non-maintained County Road, the residents of Silver Lane have repeatedly voiced concerns that Silver Lane will be used as alternate route for commuters as vehicles back up on Blackhawk at Hwy 50 during rush hour. Traffic from SH Estates utilizing Silver Lane will cause it to deteriorate, possibly reducing or removing the access route for existing residents to reach their homes. Mitigation requested at the 11/2 meeting was to bring Silver Lane up to County Standards. Silver Lane was not mentioned in any of the SH Estates documents, so we can assume this was ignored. SH Estates indicates they will pave Blackhawk and Wrong Way. This is needed for the 1,754 additional daily vehicle trips (for the whole project), but we are concerned about speeding traffic on existing roads and residents ability to turn right onto Blackhawk from Silver Lane during rush hour. Posting speed limits and an additional stop sign will assist with slowing traffic down. Blackhawk currently doesn’t have a culvert under it at hwy 50 and flood waters are diverted south down Blackhawk, then east down Silver from a County constructed drainage ditch across Blackhawk at Silver. Unsure if Blackhawk will be widened, but there is also an existing domestic wellhead close to the edge of Blackhawk, how will that be protected?

**Mitigation** – Bring Silver Lane up to County Road standards. Protect the existing domestic wellhead adjacent to Blackhawk. Post 25 mph speed limit signs on Blackhawk, Caroline, Leegard, Silver and the Frontage Road between Blackhawk and Breakaheart. Install a stop sign on Blackhawk heading north, at Silver Lane, as depicted in Figure 1. Prior to improving or paving Blackhawk, the County needs to manage flood waters so Silver Lane isn’t used as a drainage ditch. Maybe install a culvert under Blackhawk at US-50, remove the drainage ditch across Silver Lane, and manage the flood water in that area to continue east down US-50 and under the Breakaheart culvert to misfits flat.

**Water.** Stagecoach is within water basin 103-Dayton Valley. This water basin includes Dayton and Stagecoach in Lyon County and portions of Carson City, Storey and Douglas Counties. According to the State of Nevada, Division of Water Resources well log database, there are 2,337 wells within water basin 103; 1,659 of these are in Lyon County. Of the 1,659 wells in Lyon County, 1,265 are domestic wells. The SGID letter attached to the SH Estates document indicates SGID is requesting a lower consumptive rate from 1.12 acre feet per lot to .67 acre feet per lot. This appears to indicate less water will be used by each lot, but in reality water use will stay the same and each lot charged for water use over .67 acre feet. The lower consumptive rate will also allow developers to build more homes. Existing residents on domestic wells are very concerned about unreasonable adverse effects to their wells from over-pumping from municipal wells. Although water rights are required by SH Estates for each home and SGID has stated they have the water in their municipal wells and the hook-ups, this doesn’t mean we have enough water. This exact situation occurred in Washoe County in the Mt. Rose fan area, approximately 20 direct miles from Stagecoach. Pumping of ground water from municipal
wells created unreasonable adverse effects to domestic wells in this area. A large amount of development had occurred in this area; the developers had water rights for the hookups for municipal wells, but the amount of available ground water was less than the water rights. The result being Truckee Meadows Water Authority (TMWA) Rule 10 - TMWA reimburses fees and costs to the property owners to connect to the water system or reimburses costs to the property owner to deepen an existing well or drill a new well if deepening isn’t feasible.

**Mitigation** – Leave consumptive rate at 1.12 acre feet per lot. The County or SGID put into place something similar to TMWA Rule #10 to protect existing domestic well owners from unreasonable adverse effects of municipal wells over-pumping the ground water.

**Septic Tanks.** We are aware Stagecoach General Improvement District (SGID) requires denitrification septic systems for new construction and that they maintain the septic tanks and blowers, but not the leach lines. Denitrification septic systems convert nitrates to nitrogen gas, which is released into the air. Denitrification systems remove 80-90% of nitrogen, so 10-20% is still leached out. We are concerned 186 leach fields in such a condensed area that over time nitrates will still leach into the soil, affecting our domestic wells. We did look at the USDA (United States Department of Agriculture) soils report for the SH Estates area. Figure 2 depicts the soils septic tank absorption field report (WebSoilSurvey.nrcs.usda.gov). This indicates that about 31% of the development area is “somewhat limited” and 2% is “very limited” due to flooding, will anything different occur in these areas? As evidenced from January 2023, flooding occurs in this area and leach fields becoming overcome by flooding would impact our wells.

**Mitigation** – Documentation of potential harmful effects from the nitrogen being released into the air from the denitrification process and the distance it may travel. Documentation of what additional safe-guards will be put into place for leach lines in the very and somewhat limited soil absorption fields.

**Wildland Fires.** Wildland fires are an increasing occurrence. In this rural area, with an additional 186 homes, there is an increased risk of starting or spreading a wildland fire and the ability to safely evacuate during a fire or other emergency.

**Fencing** – At the 11/2 meeting, SH Estates indicated they weren’t planning on fencing and the individual buyers would fence their own lots. SH Estates further said they would consider fencing if that was a concern. Residents expressed a desire to have the boundary fenced and cattle guards in place to restrict wild horse incursions into the project and the increasing issues that is causing.

**Mitigation.** To restrict wild horse incursions, we are requesting the perimeter be fenced with wildlife friendly fencing with cattle guards on roads. The reduce impacts, we are also requesting a solid fence (block or similar material) be built on the boundaries with existing residences.

**Electricity.** There are existing power poles and transformers servicing existing residents; some transformers were purchased by individual residents. Some power poles are on SH Estates property, guessing NV Energy has an easement for these. Will power be underground or overhead and will any of the existing power pole locations be changed or transformers purchased by residents be utilized?
Approximate boundary
Area of requested 5+ acre lots and solid fence on boundary
Proposed stop sign.
Figure 2 – Web Soils Survey Septic Field Absorption Field
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<td>Nikita Gifford 11040 Silver Lane</td>
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<td>Brenda Marley 11045 Silver Lane</td>
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<td>Brenda Courduff 11045 Silver Lane</td>
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Agenda 2-1-2023

4 messages

LINDA MAREK <lindamom75@hotmail.com>  
To: "sccab@lyon-county.org" <sccab@lyon-county.org>  
Wed, Jan 25, 2023 at 1:42 PM

In the event I cannot attend the meeting, I would appreciate this being read into the record.

I looked at the agenda for the 2-1-23 meeting and I’m not sure if I can attend, so I wanted to voice my concern with the Schaller Development (formerly Desert Wells) subdivision.

As a property owner and resident of Leegard Ave., I have been very vocal in my objections to parts of this proposal. Now they have renamed it and come back with 2 acre parcels. That is more within the structure of the area, but there are still concerns.

1. They are proposing no infrastructure. They will build 186 homes and do NO road improvements. The roads within the subdivision will be maintained by the "HOA". We all know that especially in rural areas, HOAs usually disappear as fast as the developer. So we will have potted, washboard roads and no maintenance. At least if the developer were to install asphalt roads, there would be a better chance of maintaining.

2. The developer in one section says that the water will be provided by the GID, then in another section they say it will be individual wells. Which is it? I worry for the availability of water for the whole area, and adding another 186 homes will only make that stress on the ecosystem worse. If they do individual wells, what will that do to the property owners who have wells? Will that lower the water table and make their wells go dry?

Those are the 2 main questions I have. I understand the need for development and I welcome well planned development. I believe this plan still has some holes that need to be addressed.

Thanks for your time.

Linda Marek  
512 Leegard Ave.  
Stagecoach

Stage Coach CAB <sccab@lyon-county.org>  
Thu, Jan 26, 2023 at 1:49 PM
To: Charlie Shirley <weldmee@gmail.com>, Annette <a.carpenter1223@gmail.com>, Cassandra Aveiro <jcaveiro@ymail.com>, Angela DeFord <angelwildz@yahoo.com>, Angela DeFord <angelwildz98@gmail.com>

[Quoted text hidden]

Stage Coach CAB <sccab@lyon-county.org>  
Thu, Jan 26, 2023 at 1:51 PM
To: LINDA MAREK <lindamom75@hotmail.com>

Yes, the comment has been forwarded to the board and also printed for each member.  
[Quoted text hidden]
Great, thank you so much!

From: Stage Coach CAB <sccab@lyon-county.org>
Sent: Thursday, January 26, 2023 1:51 PM
To: LINDA MAREK <lindamom75@hotmail.com>
Subject: Re: Agenda 2-1-2023

[Quoted text hidden]
To whom it may concern,

Hello, my name is Nikita Gifford and I live on Silver Lane. I urge you to please hear our concerns and Reject the request for a zoning map amendment and merger and re-subdivision/tentative subdivision map (PLZ-2022-206 and PLZ-2022-207). We need to have as little negative impact on the environment and current residents as possible, allowing these requests will have a huge negative impact on myself, my neighbors and this beautiful area.

First, I understand some dust will occur during construction, however each extra house that SH Estates is trying to squeeze into their plan will only compound the problem both with construction and after: the vehicles of all proposed 186 homes, with the average amount of vehicles per home of about 2, that’s at least 372 vehicles going up and down gravel/dirt roads. This will be a huge factor on the quality of air especially during the summer when the entire area dries up kicking dust and pollen into our lungs.

The dirt roads that we rely on to have access to the highway need major improvements for the amount of traffic it would be expected to hold. Every time it floods, Silver Lane turns into a river, at times we can’t go anywhere! The flooding has been happening quite often now and would only get worse with new developments, Blackhawk/Silver Ln. drainage issues need to be solved by the county before any new homes are built.

I’m also concerned if our water wells will be impacted from over pumping of our most precious resource and if water would become too polluted to drink because of new septic systems leeching large amounts of nitrates. Most individual septic systems are not even designed to capture pollutants such as microplastics, including fine microplastic particles called microfibers (for example washing clothes made from synthetic fibers such as nylon/polyester/acrylic).

Please Keep Stagecoach Rural and Spacious.
February 8, 2023

Re: February 1, 2023 Stagecoach Advisory Board meeting compliance and planning item recommendations

To the Lyon County Board of County Commissioners. Below is a compliance requirement update from the Stagecoach Advisory Board (ScCAB) February 1, 2023 meeting (agenda item 8).

8. For Review Only: Discussion and review of 2022 retention update for documents and compliance requirements.

The ScCAB was active May through December 2022; from January through April 2022 there were only three board members and the ScCAB was non-functional. Commissioners appointed two additional members at the March 3, 2022 BOCC meeting and the ScCAB held their first meeting of the year May 4, 2022. All agendas, minutes and audio for May through December 2022 are uploaded to the County google drive and all agendas and minutes are posted to the County website. An email was sent to Erin O’Conner on January 17, 2023 indicating this, which is attached. The May 4, 2022 ScCAB minutes indicate all members of the ScCAB unanimously reported they had completed the required 2022 training.

To the Lyon County Board of County Commissioners and Planning Commission. Below are two planning item recommendations (agenda items 9 and 10) from the ScCAB February 1, 2023 meeting, followed by rationale for recommendation and additional information. At the meeting Mike Railey introduced himself as the applicant. As the documents provided by the applicant addressed both agenda items, he provided a presentation for both agenda items. The ScCAB requested comments for each agenda item separately and each agenda item recommendation was voted on separately. The rationale for the recommendations is also combined and includes both agenda items. Because of the timing of the ScCAB and Planning Commission meetings, the staff report was not completed or available for this meeting. The meeting was well attended with approximately 30 participants, 28 written comments were also received, which are attached; although only 3 physical comments are attached, one contained the comments from 25 residents.

9. For Possible Action: To forward a recommendation to the Board of Commissioners for a Zoning Map Amendment request from Schaller Development LLC c/o Project One to change the zoning on nine (9) parcels comprising approximately 497.52 acres south of US Highway 50 in Stagecoach from RR-5 (Fifth Rural Residential District – 20 acre minimum) and RR-2 (Second Rural Residential District – 2 acre minimum) to RR-2 (Rural Residential – 2 acre minimum) in accordance with the Master Plan designation of Specific Plan (APNs: 015-365-01, 015-365-02, 015-365-03, 015-365-04, 015-371-05, 015-371-06, 015-371-07, 015-371-08, 015-451-01) PLZ-2022-206.

The Stagecoach Advisory Board made a recommendation of denial to forward to the Board of Commissioners for a Zoning Map Amendment request from Schaller Development LLC c/o Project One to change the zoning on nine (9) parcels comprising approximately 497.52 acres south of US Highway 50 in Stagecoach from RR-5 (Fifth Rural Residential District – 20 acre minimum) and RR-2 (Second Rural

10. **For Possible Action:** To forward a recommendation to the Board of Commissioners for a request from Schaller Development LLC c/o Project One of a Merger and Re-subdivision/Tentative Subdivision Map of nine (9) parcels comprising approximately 497.52 acres south of US Highway 50 in Stagecoach into 186 single family residential lots with a minimum lot size of 2 acres and a maximum size of 17.7 acres (APNs: 015-365-01, 015-365-02, 015-365-03, 015-365-04, 015-371-05, 015-371-06, 015-371-07, 015-371-08, 015-451-01) PLZ-2022-207.

The Stagecoach Advisory Board made a recommendation of denial to forward to the Board of Commissioners for a request from Schaller Development LLC c/o Project One of a Merger and Re-subdivision/Tentative Subdivision Map of nine (9) parcels comprising approximately 497.52 acres south of US Highway 50 in Stagecoach into 186 single family residential lots with a minimum lot size of 2 acres and a maximum size of 17.7 acres (APNs: 015-365-01, 015-365-02, 015-365-03, 015-365-04, 015-371-05, 015-371-06, 015-371-07, 015-371-08, 015-451-01) PLZ-2022-207.

**Rational for Recommendation.** Below is the rationale for recommendation of denial for agenda items 9 & 10.

- a) Increased flooding risk to Churchill Ranchos from additional overflow water into the old playa adjacent to existing residents. Increased flooding risk to the Blackhawk/Silver lane areas from additional overflow water from the old playa and also US50.
- b) Possible implications from the applicant indication the reports were completed under the erroneous assumption the current zoning on 338 acres is 5-acre minimum when it is actually 20-acre minimum.
- c) Smaller 2-acre lot sizes adjacent to larger 5- and 20-acre lot sizes.
- d) Home Owners Association (HOA) maintenance of detention pond and drainage ditches, possible HOA failure to maintain and the Counties ability to maintain the drainage ditches and detention basin.
- e) Detention basin and drainage ditch locations immediately adjacent to existing Churchill Ranchos residents and possible breach.
- f) Impacts to existing rural roads, including increased and possibly speeding traffic and unreasonable damage.
- g) Increased wildland fire risk and building practices in the Wildland Urban Interface (WUI).
- h) Unreasonable adverse impacts on existing domestic wells from increased municipal well ground water pumping. Additional possible domestic well impacts from 10-20% of nitrates leaching into soil and possible effects from excessive livestock manure (if permitted, which is unknown at this time) with such a large number of homes in a concentrated area with livestock.
- i) Wild horse excursion into developed areas causing increased wild horse/human interaction and safety issues.
- j) Stagecoach residents provided applicant encouraged input at the 11/2/22 Stagecoach Advisory Board meeting to work with the developer on this development, however the developer didn’t include any changes to the map from the 11/2/22 meeting.
- k) In 2018, the applicant stated there would be negative impacts to the community with 200 homes, these should be disclosed if they are known.
Additional Information. Below is additional information related to each rationale point for recommendation for denial for agenda items 9 and 10.

a) The hydrology report supplied by the applicant states water will overflow, through a series of drainage ditches and a detention basin, into the old playa to the south of their property. The old playa is also adjacent to existing Churchill Ranchos properties. Residents have indicated the old playa currently fills with water during flood events and additional water in the old playa could cause their homes to flood. In addition, a written comment included a google earth photo, indicating the location of the old playa and it’s extension to Misfits flat, and concerns the water will flow into the existing residences in the Blackhawk/Silver lane area. The applicant stated Blackhawk and Wrong Way will be paved. Blackhawk road has no culvert under it to continue overflow water east down US50, so flood waters travel south down Blackhawk at US50. A drainage dip, installed by the County, diverts flood waters down Silver lane, turning this public road into a drainage system river. Residents live on Silver lane and access to homes is restricted because of this. Additional water into the Blackhawk area and Silver lane road, cum drainage ditch, may cause residents homes to flood.

b) In the presentation, Mr. Railey stated the zoning request on about 338 acres was going from RR5, 5-acre minimum to RR2, 2-acre minimum. During public comment, an individual questioned the current RR5, 5-acre minimum zoning because the agenda stated RR5 was 20-acre minimum. Mr. Railey stated he believed there was a typo on the agenda and RR5 is 5-acre minimum. The agenda was accurate and didn’t contain a typo. Mr. Railey, who stated their company had prepared the report, didn’t have the understanding the current zoning on 338 acres of the project is currently under title 10, where RR5 is 20-acre minimum, he was referring to title 15, where RR5 is 5-acre minimum. There are unknown implications and issues that could possibly arise from completing a report under the assumption the zoning request was to go from 5 to 2- acre zoning when it is going from 20 to 2-acre zoning.

c) The applicant supplied documents state the development is similar to what currently exists, won’t contrast with community character and will be complementary to existing lots to the north, east and west of the existing neighborhoods and serve as functional extensions, and the density is consistent with the surrounding area. At the 11/2/22 ScCAB meeting the applicant also stated the lot sizes would be a functional extension of what exists today, and they would essentially be lot matching so it will look like the existing neighborhood. With the exception of Churchill Ranchos Estates and the 160 acres the applicant owns adjacent to Churchill Ranchos, which are both currently 2-acre minimum zoning, the entire area around the proposed development is zoned 5 acre minimum or larger. At the 11/2/22 meeting residents requested larger lots adjacent to the existing larger low density 5 and 20 residences in the Blackhawk/Silver lane area to be more similar with what exists. No changes were made to lot sizes on the map displayed at the 2/1/23 ScCAB meeting.

d) The applicant stated a HOA would maintain the detention basin and drainage ditches, fees would be assessed on each lot to fund this. They also stated if the HOA failed to maintain, the County would receive the fees and maintain. There is a resident concern on how often and how the HOA will maintain them, because if not properly maintained, the surrounding residents will receive even more flood water from improperly maintained ditches and pond. There is also a concern the County is already stretched in maintaining roads and ditches and even though they would receive the funds, when and how often would the drainage ditches and detention pond be maintained and how.

e) The applicant indicated a detention basin immediately adjacent to the north and east corner of a Churchill Ranchos Estates property and a drainage ditch immediately adjacent to the eastern boundary of Churchill Ranchos. The applicant didn’t provide specifics on how the detention basin would be built and with the close
proximity of the pond and ditches to existing homes there is a concern a breach or overflow would flood
existing residences.

f) There are public safety concerns from the increased and possibly speeding vehicles on Blackhawk and
Caroline as these are rural streets with residents and people and dogs walking, people riding horses, wild
horses, and ATV’s are a common occurrence. There is also a concern with children going to and from bus
stops, walking along the subdivision roads with no sidewalks. Comments included building sidewalks,
placement of 25 mph signs and additional stop signs to slow traffic down, especially on Blackhawk at Silver
andremedying the Blackhawk/Silver drainage and flood issues prior to any improvements to Blackhawk.
Silver lane may also be used by commuting traffic when backups on HWY 50 and Blackhawk occur; this is a
dirt, non-maintained road with current water issues (refer to (a) above) and may deteriorate to the point
where residents can’t access their homes.

g) As this area is within the WUI, there is an increased risk of a wildland fire from 186 additional homes,
especially to residents downwind to the east, as the wind and fires are typically from the west in this area.
Applicant provided documents or responses didn’t indicate if WUI recommended building practices, including
more fire-resistant building materials and defensible space will be required.

h) Concern existing domestic wells may go dry due to groundwater over-pumping. Although the developer
states they do or will have the water rights, the groundwater can still be over-pumped by deep municipal
wells causing shallower domestic wells to dry up. This situation occurred within 25 miles of Stagecoach.
Domestic well residents requested domestic well monitoring and a program similar to the Truckee Meadows
Water Authority Rule #10 implemented if well depths are adversely affected. The new septic tanks will be
denitrification systems, but there is still a concern that 10 to 20% of the nitrates still leaching into the soil and
the effects from that on adjacent wells from 186 septic tank leach fields. There was also a concern about
how far and the effects of nitrogen gas as denitrification systems turn nitrates into nitrogen gas. The
developer didn’t know if livestock would be allowed, but there were additional concerns from a large
concentration of livestock in such a concentrated area and the manure effects on domestic wells.

i) Wild horse excursion into residential areas is currently a big problem in Stagecoach, with some residents
illegally feeding or watering them to encourage the excursions and interactions. Results are increased wild
horses on the roads, accidents and human fatalities. Fencing of the property boundary with cattle guards at
road access points was requested as possible mitigation to reduce wild horses entering the subdivision and
adverse wild horse/human interactions.

j) A general concern from residents that input was encouraged by the developer at the 11/2/22 ScCAB
meeting. The residents also indicated they want to work with the developer to make the subdivision more
palatable. The map and documents provided by the applicant appear to be the same and it seems input from
residents wasn’t taken seriously. The applicant did state the County will require them to pave the internal
roads, and the residents acknowledged that was a positive change, but it came from the County, not the
applicant.

k) Concern that in 2018, the applicant stated that 200 homes would have a negative impact on the
community. Although there are 14 fewer homes now, if there are known negative impacts by the applicant,
those should be disclosed.

Sincerely,

/s/ Charles Shirley

Charles Shirley
Chair, Stagecoach Advisory Board
5 Attachments
My name is Amanda Brinnand and I live adjacent to the proposed development, and have attended every meeting and read every document to do with the development of this area (the old turf farm). Below are my comments for PLZ-2022-206 Staff Report, my comments are in a different font with red color. Italicized words are the applicant responses and black font are the staff responses from the same report.

Residents from the surrounding areas have tried to work with the applicant at both the November 2022 and February 2023 Stagecoach Advisory board meetings to make this project more compatible with the surrounding community and existing residents. Input was provided with many suggestions, but all have been ignored. An additional concern is that at the February 2023 meeting, the applicant stated twice, about 338 acres of their project is currently zoned 5 acres, not the accurate 20 acres. The implications of this erroneous assumption by the applicant are unknown but does indicate there could be a lower level of care and accuracy for this project.

Pg 7, #A. The proposed amendment is consistent with the policies embodied in the adopted master plan and the underlying land use designation contained in the land use plan. The requested RR-2 zoning is consistent with the surrounding properties. The zoning supports the following Master Plan policies and goals in terms of land use diversification and is complementary to surrounding parcels. Goal C 1, Policy C 1.3: Design Tailored to Communities New development in Lyon County should address and respect the unique character of communities within the county. Policy C 1.4: The SH Estates Subdivision Development is fully compatible with the surrounding neighborhood. The lots are of a comparable size to the existing developments, has minimal cut and fill for roads and site grading, will encourage native plants for landscaping and has appropriate setbacks from agricultural and developed properties. Goal C 5, Policy C 5.1: The SH Estates Subdivision Development is located within a partially developed rural area. The project as proposed will be compatible with the existing neighborhoods, matching in size and character, the surrounding neighborhood.

Page 9, # C. That the proposed amendment is compatible with the actual or master planned adjacent uses. Applicant’s Response: The majority of adjoining parcels are already developed as single-family residential. The envisioned residential use is compatible and complementary to existing uses in the area and are not anticipated to result in any negative impacts.

With the exception of 2-acre Churchill Ranchos, SH Estates is NOT comparable, consistent or complementary to the surrounding properties and DOES NOT match is size and character with the surrounding neighborhood. The applicant just repeats this statement repeatedly but doesn’t state how and ignores that the MAJORITY of the surrounding area and properties are currently 5- and 20-acres, many with homes built on them. The applicant should specifically state how the 2-acre zoning is comparable, consistent, and complementary to the majority of the surrounding properties, other than Churchill Ranchos. Residents have tried to work with the applicant, repeatedly requesting minimum 5-acre lots adjacent to the existing 5 and 20 acre lots on the east, northeast and southeast boundaries, but have repeatedly been ignored. SH Estates has further added insult by placing the five 17+ acre lots on the west end of the property in the current 2-acre zoning adjacent to and near Churchill Ranchos, not the existing large lots on the east. Figure 1 depicts the surrounding area. I would also recommend a cinder block 6 or 8 foot wall be built on the east, northeast and southeast boundaries to reduce conflicts with the existing large lots located there.

Are the setbacks SH refers to the County required setbacks, which are required; are they saying they will follow the law or are they going beyond those and requiring larger ones?

Encouraging native plants for landscaping is beneficial, but retention of the existing native plants is more important and to the extent possible, not removing the existing native plants before and during construction should be a requirement.
Goal LU 5, Policy LU 5.1: The SH Estates Subdivision Development plans ensure that valuable resources are responsibly used. Xeriscape landscaping and low water usage will be encouraged throughout the development. The applicant should specifically state how low water use will be accomplished, not just an unsupported statement. "Encouraging" isn't the same as requiring, if lot owners don't want to xeriscape or implement low water usage techniques, water saving measures won't exist. Will it be a requirement in the HOA for xeriscape and no lawns? What are the specific low water usage techniques they are recommending? (Duplicate comment in PLZ-2022-207).

Page 8, #A. Goal TR 2, Policy TR 2.1, Local Access Roads: The SH Estates plan provides a local road network that allows vehicle circulation to occur within the project without entering the highway. Silver Lane, an existing road with existing residents, will also be used to reduce and avoid highway congestion at peak times, but is not included or addressed at all. (Duplicate comment in PLZ-2022-207).

Goal NR 3, Policy NR 3.1: SH Estates Subdivision Development presents an opportunity to provide additional and higher quality water supply to the Stagecoach Community. As a part of the proposed improvements, a water line will be constructed that will connect the Stagecoach General Improvement District (GID) water system with the Lyon County Utilities water system. This connection is designed to send water one way into the Stagecoach Community. It will provide water supply to the project and will also provide emergency backup supply for the existing Stagecoach GID system in the event of a system failure and will boost fire flows for better fire suppression. Water may be available for this project, but what about the remainder of the existing Stagecoach residents, especially those on domestic wells? There has been no ground water study completed for this valley (confirmed by SGID at 2/9/23 meeting) to determine how much ground water there actually is in this valley. Municipal wells are much larger and deeper than domestic wells and can easily out-pump the ground water available for domestic wells, causing unreasonable adverse impacts (wells drying up). This development may cause existing domestic wells to dry up and residents would seek remedies including County or GID paying for deepening or re-drilling wells. At the same SGID meeting, the applicant stated they have 135 hook ups and are looking at acquiring 35 more (SGID thought this way 30). Where will the remaining 16 or 21 hookups come from, or will they drill individual wells? (Duplicate comment in PLZ-2022-207).

Staff Comment. The existing Churchill Ranches Estates, which border the west of the subject parcels, holds RR-2 zoning from Title 10 and is subject to the same development standards as the proposed zoning of RR-2 from Title 15. The location of the subject parcels along US Highway 50 frontage and the Stagecoach General Improvement District's ability to serve the project with a public water service are both qualities of the subject parcels that make 2-acre minimum zoning for residential uses appropriate. The roadway accesses are established and do not require long extensions into rural areas. The SGID water system may expand incrementally. These facts support the following 2020 Master Plan Goals and Policies. The Staff Comment doesn't even acknowledge that the majority of the surrounding area is not 2-acre lots and is silent on the fact that it is 5 to 20 acre lots. Very upset and concerned about the statement that SGID water system may expand incrementally – residents on domestic wells have repeatedly stated they don't want to hook up to SGID and many financially couldn't afford to as this would be a huge cost which many on fixed incomes can't afford.
Figure 1 – SH Estates approximate boundary is in yellow. Google Earth photo from 9/2020 indicating the large lots surrounding the project area, referred to in PLZ-2022-206 and 207 comments and the playa to the south and the general flow of water to Misfits Flat referred to in PLZ-2022-207 comments.
My name is Amanda Brinnand and I live adjacent to the proposed development, my comments from the PLZ-2022-207 Staff Report are in a different font with blue coloring. Italicized words are the applicant responses and black font are the staff responses from the same report. There are duplicate statements in this document and PLZ-2022-206, I didn’t duplicate my responses, but they are included as if stated in both documents.

Residents from the surrounding areas have tried to work with the applicant at both the November 2022 and February 2023 Stagecoach Advisory board meetings to make this proposal more compatible with the surrounding community and existing residents. Input was provided with many suggestions, but all have been ignored. A concern that arose from the February 2023 meeting, is the applicant stated twice, that about 338 acres of their project is currently zoned 5 acres, not the accurate 20 acres. The implications of this erroneous assumption by the applicant are unknown but does indicate there could be a lower level of care and accuracy for this project.

Concerns with this project:

**Flooding**

**RECOMMENDED MOTION**

Pg 2, #8. The availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the subdivision. This only addresses the water needs of the subdivision, why doesn’t it address the big picture and the water needs for the residents of Stagecoach and Dayton, as both are in the same water basin?

Pg 2, #11. The project will have no adverse impacts, or provides adequate mitigation of adverse impacts, to existing public streets. Silver Lane is an existing public street and will be adversely impacted, although brought up multiple times in multiple meetings, this street is entirely ignored and the name isn’t even mentioned in any documents so no mitigation is included. Silver Lane needs to be addressed as SH residents will use it – either as a commuter route or for off-road vehicles as Silver is the only viable route to the desert for most of the SH estates lots. Blackhawk is also an existing street, with major drainage issues that adversely effect existing residents.

Pg 2, #12. The physical characteristics of the land such as floodplain, slope and soil have been considered and provisions to adequately mitigate adverse impacts of development on the environment have been incorporated. The movement of the water from SH Estates to its ultimate location of Misfits Flats should be addressed by SH Estates, not just stating it will go into the “old playa”. I have lived in this area for over 25 years and have personally witnessed flood events, where the water goes, what it does and where it wants to go. Stagecoach is in a valley and at the west end of the valley, water flows east, north and south off the surrounding hills and mountain ranges into the Valley and wants to continue to flow east towards Misfits flats. Although there are high points (little hillocks), there is a small, continual elevation drop in the valley from west to east towards Misfits flats, moving the water in that direction. There are existing subdivisions in the way of this water movement though and due to the age of some subdivisions, no drainage facilities. Due to this, flooding is already an issue in the Silver Lane/Blackhawk area. Some water falling from the sky and flowing was intercepted by the soils in the 497 acres that will now be developed. The additional waters this subdivision will be contributing is only going to contribute to the flooding and drainage issues in the area. The applicant doesn’t address where the water will go once of his property and how it will get to Misfits Flats. This area needs to have a comprehensive drainage study completed and drainage facilities installed before additional subdivisions are built. Existing
residents shouldn’t be penalized because the County didn’t require drainage facilities in their subdivision, I’m not a hydrologist and didn’t even know this was an issue when I moved here.

I read the Preliminary Hydrology Report (Report), it states they will be building a detention pond or basin to control proposed water flows and drainage ditches to move water off the property. The detention pond is located immediately adjacent to the north and east boundaries of an existing property in Churchill Ranchos (referred to as Caroline Way subdivision in the Report). Will this basin be cement lined, what is the capacity, and will it be partially or wholly above or below ground? What are the impacts to the existing property owner’s septic and leach lines as well as property flooding from detention pond seepage if not cement? The detention basin may need to “hold” water for an extended period of time when atmospheric river events, such as the event we just experienced, what are the safeguards for a breach that, if it occurred, would flood existing residents.

There is an acknowledgement on page 3 that the project will directly receive storm water flows from NDOT culverts (off-site water) and on page 6 it states that storm waters generated on-site will not flow offsite or affect adjacent developed properties to the west and east. Page 9 states the proposed development is anticipated to result in a minor increase in stormwater volumes and it will not leave the site. This indicates no on or off-site water will leave the property, so all water flowing into or generated by the development will stay within the property boundary. However, the document also states drainage ditches will discharge waters into the “old playa bed” at the southern portion of the property; this playa bed is located on and off SH Estates properties, indicating water will be discharged off-site. There are conflicting statements that on and off site water will and won’t be released off their property.

The old playa bed to the south already receives a large amount of water from the hills to the south and runoff from Churchill Ranchos. Homes at the south end of Churchill Ranchos already experience high waters on the playa and risk of flooding because water does pool on the playa. Once the water in the playa reaches the saturation point water no longer soaks into the soil or evaporates, it continues to rise and eventually starts to slowly flow easterly towards Misfits Flats. A large volume of water in a short period of time and the inability of the playa to absorb or move the water quick enough and the additional water into this playa from SH Estates, especially during atmospheric river events like we are experiencing, may flood Churchill Ranchos. I have personally witnessed water continually rising on this playa and slowly flowing east, an un-named road and Breakaheart Road both block the path of this easterly water flow. Both are raised roadbeds with non-existent, unmaintained, or inadequate drainage devices. This effectively dams the water flow, so water continues to rise east of Silver Lane; again, I have personally witnessed this. Additional water in this area has the possibility of causing flooding to the existing residents there. The document doesn’t adequately address effects of the water once off their property and that the additional water could flood the south and east properties in Churchill Ranchos as well as the Silver Lane/Blackhawk areas.

Page 9 states there will be a series of ditches along the common property lines of the easternmost proposed lots to capture storm water from the upstream lots and convey it to release along the eastern property line, it doesn’t state what will happen to this water once off their property. There are homes along the eastern property line, there are no drainage structures in this area as the County didn’t require that when they were constructed. The Report states they will be releasing water directly into properties with homes, this drastically increases the risk of flooding and is an adverse negative impact.

RECOMMENDED CONDITIONS OF APPROVAL
Pg. 4, #19 c. The developer shall install all required signage, striping and traffic control improvements in compliance with Nevada Department of Transportation and Lyon County requirements. Speeding commuters are a safety hazard, mitigation to slow speeding traffic would be to install a stop sign on Blackhawk at Silver Lane and 25 mph speed limit signs posted on Wrong Way, Blackhawk and Silver (there are currently none).

Pg. 4, #19e. The developer shall install street lighting in compliance with the requirements of the Roads Department. At the November 2022 Stagecoach Advisory Board meeting, the applicant indicated they were not planning on installing streetlights. The public in attendance agreed with that, I also request no additional streetlights be installed so our dark skies can be somewhat maintained.

Pg. 5, #20b. The applicant shall provide documentation that easements have been recorded to permit discharge of project-generated stormwater to all off-site properties receiving stormwater discharges prior to recordation of a final subdivision map or first in a series of final maps for this project. This should include properties to the south and also to the east, as the Preliminary Hydrology Report states stormwater will be discharged to both locations.

Pg. 6, #26. The applicant will maintain the property until the development is complete. This maintenance will include the semi-annual mowing of all weeds within the development boundaries and the removal of noxious weeds when they are identified. The maintenance of the detention basin and all drainage ditches should also be included in this condition, so these storm water devices don’t degrade through the development process. Fugitive dust during construction is also a concern as I live downwind from this area, watering of lots during construction should be included until the lot is completed. This will ensure if a contractor slows or stops construction on a partially-complete lot with large areas of dirt exposed, fugitive dust that would effect downwind residents would be managed.

Pg. 6, #27. The applicant shall post and maintain a rules and regulations sign at the entryways to the property until it is fully developed. The signs shall be intended for the subcontractors performing work a to e. Would like to recommend adding f Work Hours, Monday thru Friday, 7 am-5 pm, no work on Federal or State holidays and g All construction vehicles MUST abide by speed limits. The applicant stated at the February SGID meeting that they intended to sell lots and not use one contractor. This will result in many contractors and a lot of additional vehicles. As smaller construction companies with fewer employees may be utilized, also long construction times. The lot across from me is installing a manufactured home, it’s been over 4 months just to install this manufactured home and build a garage. I’ve had headlights blaring in my bedroom window at 5 am, work on weekends and some contractor vehicles speeding up and down the street.

Pg. 6, #28. All debris on construction sites must be contained and removed periodically as required for safety and cleanliness to the satisfaction of the Lyon County Community Development Department. Would like to add “and be legally disposed of”. I’ve witnessed contractors illegally dumping in the desert, it needs to be stressed that desert dumping is illegal and won’t be tolerated.

Pg. 9 facility is Station 37, approximately 4.75 miles east on Highway 50 (in addition to the Stagecoach Volunteer Fire Department in the same vicinity). Just a point of clarification to a possible misconception. The Stagecoach Volunteer Fire Department and the Station 37 are the same thing, not two separate agencies. The fire bays at the Stagecoach Community Center contain no equipment and are not staffed and it isn’t a volunteer fire station.

TENTATIVE MAP

Pg. 11, Stormwater. My comments on pages 1 and 2 in response to (Pg. 2, #12) are wholly my response to this.
Off-site, both Blackhawk Road and Wrong Way will be required for improvement at the developer’s expense. These improvements will include stormwater management facilities. These roadways to the project will compliment Caroline Way as primary accesses to the subdivision. This seems to indicate stormwater management facilities (drainage ditches) will be installed on Blackhawk by the developer. Where will the stormwater on Blackhawk be directed to? It currently is directed down Silver Lane by a County installed drainage ditch across Blackhawk; Silver is public street. This is a health & safety hazard as emergency cannot access or some residents exit their homes when Silver lane is a river. The drainage issues, some County caused, should be remedied on Blackhawk and Silver prior to any improvements to Blackhawk. People heading east on Highway 50 will use Blackhawk as an ingress/egress route, as that is the shortest route, what specifically will be done so Caroline will be used as a primary access for SH Estates? Commuters will take the quickest route. As repeatedly stated, and ignored, commuters may also use Silver Lane as a short cut, what will be done to improve this non-maintained road as excessive use will cause the road to further deteriorate, causing a safety issue. Some off-road vehicles do currently use Silver Lane, but are mostly local to Silver Lane, are respectful and drive slowly down the road to minimize dust and road damage. Silver Lane is the most direct and one of the only routes for off-road vehicles in SH Estates wishing to ride in the surrounding desert. There will be an additional 186 homes, the presumption is that a portion of these homes will have off-road vehicles and there is a concern from the additional dust and damage to Silver Lane and the SH Estates residents. This should be addressed and mitigation provided by the applicant.

**FINDINGS FOR REVIEWING A TENTATIVE SUBDIVISION MAP REQUEST**

Pg. 12, #1. The property to be subdivided is zoned for the intended uses and the density and design of the subdivision conforms to the requirements of the zoning regulations contained in this title. The tentative map design is consistent with the RR-2 zoning being reviewed concurrently with this application. Density proposed is consistent with the surrounding area and the project will be complementary to the existing built environment.

**Staff Comment.** The applicant’s response is correct. Presuming the Zoning Map Amendment to change the zoning on the subject parcel is approved. With the exception of 2-acre Churchill Ranchos, SH Estates is NOT comparable, consistent or complementary to the surrounding properties and DOES NOT match is size and character with the surrounding neighborhood. The applicant just repeats this statement repeatedly but doesn’t state how and ignores that the MAJORITY of the surrounding area and properties are currently 5- and 20-acres, many with homes built on them. The applicant should specifically state how the 2-acre zoning is comparable, consistent, and complementary to the majority of the surrounding properties, other than Churchill Ranchos. Residents have tried to work with the applicant, repeatedly requesting minimum 5-acre lots adjacent to the existing 5 and 20 acre lots on the east, northeast and southeast boundaries, but have repeatedly been ignored. SH Estates has further added insult by placing the five 17+ acre lots on the west end of the property in the current 2-acre zoning adjacent to and near Churchill Ranchos, not the existing large lots on the east.

Are the setbacks SH refers to the County required setbacks, which are required; are they saying they will follow the law or are they going beyond those and requiring larger ones?

Encouraging native plants for landscaping is beneficial, but retention of the existing native plants is more important and to the extent possible, not removing the existing native plants before and during construction should be a requirement.

Pg. 13, #7. The project complies with all environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal. Applicant’s Response As detailed in the attached engineering reports and plans, the project is in compliance with all applicable standards. Units within SH Estates
Subdivision will be served by individual wells and septic systems along with solid waste disposal service. **Staff Comment.** The subdivision will be served by individual wells and septic systems that will require approval by the Nevada Division of Environmental Protection. Solid Waste disposal services in Lyon County are provided by Waste Management. As conditioned and processed through the pending Final Map process, staff feels this finding may be made in the affirmative. This applicant response and staff comments state the project would be served by individual wells; page 3, #6 states the proposed parcels are able to be served by SGID. This indicates there will be both SGID hookups and individual wells. I attended the February 9, 2023 SGID meeting where the applicant stated they currently have 135 SGID “privilege to connect” and are working on acquiring an additional 35 (SGID thought this number was 30). What will occur with the remaining 16 or 21 lots (or 51 lots if they can’t acquire the additional 30 or 35). At the February 1, 2023 Stagecoach Advisory Board meeting the applicant confirmed they will be serviced by SGID, and when this apparent conflict (SGID and individual wells) was brought up, they stated it was an error and would be fixed. Between the SGID meeting and the continued SGID/individual well error, it now appears both will be used? Where will the individual wells be located? Denitrification tanks will be required by SGID, but not if individual wells are drilled, so there is the possibility of standard septic systems introducing 100% of nitrates, along with the 10-20% nitrates that are leached into the soils from denitrification septic systems. I’m a downstream domestic well owner and am very concerned with contamination of the ground water from this condensed housing. Denitrification systems convert nitrates to nitrogen gas, what is the dispersal and effects of this nitrogen gas, will there be any effects to existing or new residents? This question should be answered as there will be many septic systems releasing this in a relatively small area and I am downwind from that area.

Pg. 14, #8. The availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the subdivision. **Applicant’s Response:** Water sufficient to serve the project will be dedicated with final map to the approval of Lyon County. **Staff Comment** The Intent-to-Serve letter from SGID notes that sufficient water rights will need to be attained to record final maps, with connection to the SGID water system required. As conditioned and processed through the pending Final Map process, staff feels this finding may be made in the affirmative. Water may be available for this project, what about the remainder of existing Stagecoach residents, especially those on domestic wells? There has been no ground water study completed for this valley (confirmed by SGID at the 2/9/23 meeting) to determine how much ground water there actually is in this valley. Municipal wells are much larger and deeper than domestic wells and can easily out-pump the ground water available for domestic wells, causing unreasonable adverse impacts (wells drying up). This development may cause existing domestic wells to dry up and residents would seek remedies including County or GID paying for deepening or re-drilling wells. This situation occurred on the Mt. Rose Fan and TMWA pays these fees for qualified domestic well owners, so a precedence is in place.

Pgs. 14 & 15, #10. **The project is in general conformity with the Lyon County Comprehensive Master Plan, the local community plan, if adopted, and the master plan of streets and highways.** **Applicant’s Response:** The project is consistent with the Lyon County Comprehensive Master Plan as described in the Zoning Map Amendment Part A, included above [as submitted for PLZ-2022-206/Zone Change Application and partially copied here, below]. The SH Estates Subdivision Development is fully compatible with the surrounding neighborhood. The lots are of a comparable size to the existing developments, has minimal cut and fill for roads and site grading, will encourage native plants for landscaping and has appropriate setbacks from agricultural and developed properties. Goal C 5: Support Diversity: The SH Estates Subdivision Development is located within a partially developed rural area. The project as proposed will be compatible with the existing neighborhoods, matching in size and character, the surrounding neighborhood. Same comment as

**Goal LU 5: Encourage Resource Sensitive Growth.** Development will be designed to reduce energy use and minimize environmental impacts. Wild horse incursions into neighborhoods and wild horse/human/vehicle interactions are an impact and have resulted in property damage and fatalities and are an existing issue
in Stagecoach. Although illegal, some residents continue to entice wild horses onto their properties with food and/or water. Some wild horses are now so tame they can be easily approached and they equate humans to food so approach them and their vehicles. The concern is additional wild horses enticed into this subdivision will cause more wild horses in the area and additional environmental impacts and adverse impacts to existing residents. To mitigate this issue, I am requesting the outside boundary of the project be fenced with wildlife friendly fencing and cattle guards placed in road crossings. With this mitigation in place, the wild horses won’t have access to SH Estates. This was suggested at the February 2023 Stagecoach Advisory Board meeting, but once again, ignored.

Policy LU 5.1: Encourage Resource-Sensitive Growth and Sustainable Design. The SH Estates Subdivision Development plans ensure that valuable resources are responsibly used. Xeriscape landscaping and low water usage will be encouraged throughout the development. The applicant should specifically state how low water use will be accomplished, not just an unsupported statement. “Encouraging” isn’t the same as requiring, if lot owners don’t want to xeriscape or implement low water usage techniques, water saving measures won’t exist. Will it be a requirement in the HOA for xeriscape and no lawns? What are the specific low water usage techniques they are recommending? (Duplicate comment in PLZ-2022-206).

Goal TR 2: County Roads. Local roads will be alternatives to primary highways. Silver Lane, an existing road with existing residents, will also be used to reduce and avoid highway congestion at peak times, but is not included or addressed at all. (Duplicate comment in PLZ-2022-206).

Policy TR 2.1: Local Access Roads: To reduce and avoid highway congestion at peak times, Lyon County will work in conjunction with other public agencies and private developers to build and maintain alternative routes designed for shorter trips and local travel within communities. The SH Estates plan provides a local road network that allows vehicle circulation to occur within the project without entering the highway.

Goal NR 3: Clean Water. Adequate water supply will be available for current and future needs in Lyon County, including safe, healthy drinking water for all Lyon County residents. Policy NR 3.1: Water Supply and Quality. Recognizing that clean water is a precious resource necessary to maintain our health, economy, and quality of life, Lyon County will protect the water supply and encourage efficient use of water resources. SH Estates Subdivision Development presents an opportunity to provide additional and higher quality water supply to the Stagecoach Community. As a part of the proposed improvements, a water line will be constructed that will connect the Stagecoach General Improvement District (GID) water system with the Lyon County Utilities water system. This connection is designed to send water one way into the Stagecoach Community. It will provide water supply to the project and will also provide emergency backup supply for the existing Stagecoach GID system in the event of a system failure and will boost fire flows for better fire suppression. Water may be available for this project, but what about the remainder of the existing Stagecoach residents, especially those on domestic wells? There has been no ground water study completed for this valley (confirmed by SGID at 2/9/23 meeting) to determine how much ground water there actually is in this valley. Municipal wells are much larger and deeper than domestic wells and can easily out-pump the ground water available for domestic wells, causing unreasonable adverse impacts (wells drying up). This development may cause existing domestic wells to dry up and residents would seek remedies including County or GID paying for deepening or re-drilling wells. At the same SGID meeting, the applicant stated they have 135 hook ups and are looking at acquiring 35 more (SGID thought this way 30). Where will the remaining 16 or 21 hookups come from, or will they drill individual wells? (Duplicate comment in PLZ-2022-206).

Pgs. 15 & 16, #11. The project will have no adverse impacts, or provides adequate mitigation of adverse impacts, to existing public streets. Applicant’s Response: The effect of the SH Estates subdivision on existing public streets is discussed in detail in the provided Traffic Study. A series of new streets ranging from major and minor arterials to local residential streets are proposed with development. I’ve provided comments to the street impacts throughout this document, as well as PLZ-2022-206.
12. The physical characteristics of the land such as floodplain, slope and soil have been considered and provisions to adequately mitigate adverse impacts of development on the environment have been incorporated. My comment on pages 1 and 2, responding to staff report page 2, #12 is also my response to this statement.

Pg. 16, #13. The project demonstrates availability and accessibility of fire protection services, including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires, including fires in wild lands. Applicant's Response The project site will be served by municipal water. The project will be reviewed by the fire department and conditions can be included as necessary to address fire protection. This project is within the Wildland Urban Interface (WUI) and will increase the risk of a wildland fire from 186 additional homes. I, as well as most residents of Stagecoach, are downwind to the east and winds are typically from the west in this area, so would be directly impacted by a wind-driven wildland fire. Although the wildland fire risk can’t be removed, it can be reduced through the use of more fire-resistant, WUI recommended building materials and defensible space. The HOA should also require maintenance of defensible space areas and weed management.
Attention Planning commission.
The master plan was intended to prevent this area from urban sprawl, now the rezoning is trying to change this by an unprecedented increase of over two thousand percent if you factor 2.4 persons per new household and an equal amount for auto traffic and amount of owned autos and or other vehicles. I have to question the environmental impact this will occur to a neighborhood such as ours to be impacted. I firmly oppose changing the rezoning to impact the natural flood plain area. Also the additional proposed septic systems will irreversibly damage the eco system and the ground water due to the increased lack of absorption from such a density use of septic system proposed.
The increase population will definitely affect the aquaphor because of such a huge increase demand for water use. I would like the planning commission to impose that the developers be required to pay for the existing homeowners to have their wells redrilled should we require due to the increased demand thus lowering the existing water table due to the much higher demand on the water resource. We as the existing homeowners should not have to bear the expense of redrilling for deeper wells knowing full well such an increase which was non-existent is being impacted due to the planning commission allowing a water supply which is already impacted due to the present drought conditions and unforeseeable continued drought conditions which we have been experiencing for the future.
This increased impact on the present resources must be taken into account for such a dense population increase for the future.
If this proposal is allowed to proceed, the area will drastically be impacted, the planning commission must not allow a rezoning of this area which is historically been a rural area.
Lastly, least we forget it was but a few years back that the "Chavez" fire was only a short distance in back of the Fort Churchill area and we did not have the fire suppression resources back then so what makes you think such an increase in housing density can be mitigated if a fire is again started by nature.
Thank you for your consideration in opposing such a ill conceived plan to rezone such a small area never intended for any parcels so small.
Raymond Lee
11285 Silver Lane
Stagecoach  NV
Willis and Sharon Lamm
11345 Silver Lane
Stagecoach, NV 89429
(Property owners of APN 015-371-33, 7600 Snafu Drive)

February 14, 2023

Lyon County Planning Commission and Community Development Department
27 S. Main Street
Yerington, NV 89447

Re: Zoning Map Amendment, Shaller Development, LLC
Submitted for the public record

To whom it may concern:

Our residential parcel (11345 Silver Lane) is located at the northeast corner of the proposed development. We also own 7600 Snafu Drive located on the east side of Snafu Drive across from the easterly boundary of the proposed development. I have some significant concerns and fair notice warnings with respect to the present proposal.

For context, I am not some “no growth” advocate. Based on prior experiences, I am a “smart growth” or “responsible growth” advocate. Prior to moving to Stagecoach some 20 years ago, I lived in a rural town in the San Joaquin Valley. Overdensification and hardening of formerly arable land produced concentrated runoff that inundated numerous parcels in town. I was one of the plaintiffs in the litigation that followed. Here is how that experience relates to the Shaller proposal.

Stagecoach in effect is a terminal basin with challenging hydrology. One only needs to study alkaline buildups in various locations to grasp the issue here. The topography will not facilitate the introduction of increased runoff, particularly in the area bounded by Black Hawk Road, Silver Lane, Wrong Way, Snafu Drive, Maverick Way and Walker Way.
Currently, storm runoff originating from the north side of US-50 has been redirected by NDOT to the west side of Black Hawk Road. It then courses across Black Hawk Road by means of a shallow asphalt swale where it flows down and scours unimproved Silver Lane. Water that cannot be accommodated by the swale follows a minor grade to the south, then flows easterly along Wrong Way, then across my parcel located at the corner of Wrong Way and Snafu Drive, where it ponds and floods Walker Way at the east end of Maverick.

The county has been aware of this issue for years and has taken some steps to mitigate the issue, shifting the burden more to Silver Lane in order to try to keep Walker Way passable.

Image: Water coursing down Silver Lane having been diverted across Black Hawk Road in an effort to keep Walker Way passable, 1999.
Willis and Sharon Lamm
Re: Shaller Development, LLC
Page 3

Image: Walker Way at Maverick (due east of the development) on the same date that the image of runoff down Silver Lane was taken. Please note that this ponding does not just occur during more extreme rain events.

Being retired from three decades in the fire service, I can attest that under these conditions it would not be feasible to provide emergency services to the residences impacted by this high water.

This neighborhood is already impacted by prior poor planning and increased runoff being concentrated into the area with no adequate mitigation. While recognizing that the county has provided some relief to the Walker Way / Maverick Way area by shifting some of the burden and hardship onto Silver Lane, this area simply cannot take on more runoff without some entity providing significant infrastructure improvements.
Willis and Sharon Lamm
Re: Shaller Development, LLC
Page 4

I researched and documented the aforementioned flood-related civil matter for nearly a year. (The town’s Community Services District uses my data even today.) What concerns me are issues where history appears to be repeating itself. These issues are:

1. Hardening of substantial portions of perkable agricultural land that currently could absorb significant amounts of rainfall, and by its nature, could otherwise “meter” the outflows of storm water in excess of what it could immediately absorb.

2. Failure to adequately consider the combined impacts of runoﬀ inflows directed into the impacted area from preexisting as well as newly proposed sources.

3. Development over alkaline soils that historically allowed excess water to pond and evaporate (in this case, the historical ponding areas south of the current agricultural operation.)

4. Retention facilities that are inadequate for probable heavy storm events.

5. Concentration of ﬂows without properly engineered drainage.

The current Master Plan calls for lots of sufﬁcient size that the percentages of surface hardening presented by structures and other improvements would produce far fewer impacts. While Master Plans are not set in stone, they provide rational standards by which private properties can be improved without producing undue impacts on other property owners and residents.

From my experience in both the San Joaquin Valley and in Stagecoach (documenting flooding issues for Jeff Page and Public Works) I have every reason to believe that there has been a lack of due diligence in this proposal.
Willis and Sharon Lamm  
Re: Shaller Development, LLC  
Page 5  

The topography at this edge of the Stagecoach Terminal Basin is not conducive to adequately removing any significant increase of storm waters beyond what the properties proposed for development could historically reasonably absorb. Easements, construction costs, maintenance, etc., can run into the millions as there is no practical “quick fix” here. Beyond construction, who pays for maintenance?

In my comparative example, the County tried to shift the burden of controlling the flooding that it facilitated impacting the community. (I guess that’s a California thing.) That attempt failed and 25 years later there are still tangled issues between the town and the county, with new legal action potentially pending. More regionally, Reno settled the Swan Lake flooding at a cost of $4.5 million. We don’t need to create those kinds of situations in Lyon County.

The Master Plan is reflective of multiple issues that impact the Stagecoach community and its citizens. Some minor adjustments could be considered reasonable so long as those impacts can be resolved. This extreme proposal appears to be “Déjà vu all over” and is a can of worms better off remaining sealed.

Respectfully submitted,  

Willis Lamm
Lyon County Planning Commission Agenda Summary

Meeting Date: February 14, 2023

Agenda Item Number:
8.f

Subject:
For Possible Action: To forward a recommendation to the Board of Commissioners for a request from Schaller Development LLC c/o Project One of a Merger and Re-subdivision/Tentative Subdivision Map of nine (9) parcels comprising approximately 497.52 acres south of US Highway 50 in Stagecoach into 186 single family residential lots with a minimum lot size of 2 acres and a maximum size of 17.7 acres (APNs: 015-365-01, 015-365-02, 015-365-03, 015-365-04, 015-371-05, 015-371-06, 015-371-07, 015-371-08, 015-451-01) PLZ-2022-207.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS
- Staff Report
- Backup
- Public Comment
- Stagecoach Advisory Board Letter of Transmittal
Lyon County Planning Commission

PLZ-2022-207

Proposed Action: Tentative Subdivision Map (SH Estates)

Meeting Date: February 14, 2023

Owner: Schaller Development, LLC

Applicant: Schaller Development, LLC c/o Project One

Representative: Christy Corporation, LTD. / Mike Railey

Community: Stagecoach

Locations: South of US Highway 50


Parcel Size: Total: 491.20 acres

Master Plan: Specific Plan

Current Zoning: RR-2 (Rural Residential – 2 acre minimum) presuming that PLZ-2022-206 (an application for a Zoning Map Amendment concurrently submitted with this Tentative Subdivision Map) is approved

Flood Zone: X - Unshaded per FIRMs 32019C0305E and 32019C0310E

Case Planner: Louis Cariola

REQUEST


STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a recommendation of approval of the merger and re-subdivision/tentative subdivision request based on the Findings as listed in the staff report as the request would be in general conformance with the 2020 Comprehensive Master Plan designation for the property.
RECOMMENDED MOTION

If the Planning Commission determines that they should forward a recommendation of approval of the requested tentative subdivision map application, then the Planning Commission should make a motion similar to the following.

The Planning Commission finds that:

1. The property to be subdivided is zoned for the intended uses and the density and design of the subdivision conforms to the requirements of the zoning regulations contained in this title;
2. If located within a planned unit development, the tentative subdivision map conforms to the density requirements, lot dimension standards and other design standards regulations approved for the planned unit development;
3. The tentative subdivision map conforms to public facilities and improvement standards contained in this title;
4. The tentative subdivision map conforms to the improvement and design standards contained in this title and adopted design criteria and improvement standards;
5. If applicable, that a phasing plan has been submitted and is deemed acceptable;
6. There are no delinquent taxes or assessments on the land to be subdivided, as certified by the County Treasurer;
7. The project complies with all environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;
8. The availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the subdivision;
9. There is adequate access and availability to public services such as schools, police protection, transportation, recreation and parks;
10. The project is in general conformity with the Lyon County Comprehensive Master Plan, the local community plan, if adopted, and the master plan of streets and highways;
11. The project will have no adverse impacts, or provides adequate mitigation of adverse impacts, to existing public streets;
12. The physical characteristics of the land such as floodplain, slope and soil have been considered and provisions to adequately mitigate adverse impacts of development on the environment have been incorporated;
13. The project demonstrates availability and accessibility of fire protection services, including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires, including fires in wild lands.

Based on the aforementioned Findings, I move that the Lyon County Planning Commission forward a recommendation of approval to the Lyon County Board of Commissioners for the request from Schaller Development, LLC c/o Project One for approval of a merger and re-subdivision/tentative subdivision map on nine (9) parcels totaling approximately 491.20 acres in Stagecoach proposing 186 residential lots ranging between 2 and 17.77 acres in size (APNs: 015-451-01, 015-365-01, 015-365-02, 015-365-03, 015-365-04, 015-371-05, 015-371-06, 015-371-07, 015-371-08) PLZ-2022-207.

RECOMMENDED CONDITIONS OF APPROVAL

1. Approval of the tentative map shall not constitute acceptance of the final map. Approval of the tentative map shall lapse unless a final map based thereon is presented to the Board of Commissioners within four (4)
years from the date of such approval, unless a provision for an extension of time has been granted. The Board of County Commissioners, with the recommendation of the Community Development Department, may grant to the developer a single extension of not more than two (2) years within which to record a final map after receiving approval of the tentative map.

2. The applicant shall comply with all Federal, State, County and special purpose district regulations.

3. The developer shall provide the proposed Covenants, Conditions and Restrictions ("CC&Rs"), landscape maintenance association/homeowners association agreements, easements and/or other legal instruments containing sufficient detail to constitute enforceable provisions necessary for operation and maintenance by the developer and his successors, and assignees as well as the individual subdivision lot property owners as the project is subdivided and the individual lots sold for all common areas and storm drainage facilities (easements, channels and basins) as well as any other provisions necessary for the subdivision as approved, for review by the Community Development Director, the County Engineer and District Attorney’s Office. The approved legal instrument shall be signed and recorded prior to approval of a final map or first in a series of final maps for the project.

4. Prior to issuance of any Final Map, the applicant shall submit for the County’s approval a landscape/treatment development plan for all common areas on the site including the maintenance access road for overhead utilities (if needed or otherwise required).

5. The applicant shall submit and receive approval of a street-naming application prior to submittal of an application for a final map or first in a series of final maps. Should any requested street name(s) be denied, the Community Development Director is authorized to administratively process a request for a replacement street name(s), obtain review and comment from the fire district with jurisdiction, Road Department and any other appropriate agency, and approve a revised street name(s) without the requirement of a public hearing before the Planning Commission.

6. Before requesting a Will-Serve Letter for the final subdivision map, the developer must submit an application for water service to the Stagecoach General Improvement District (SGID). The applicant shall provide written evidence (i.e. ‘will-serve’ letters) to the County demonstrating that the proposed parcels are able to be served by the SGID prior to recordation of a final subdivision map or first in a series of final maps for this project. SGID requirements will include provisions for water rights, connection fees, and any other identified fees and reimbursements.

7. The roadways for the subdivision must be paved in accordance with the Lyon County Roads Department standards and to the satisfaction of the Lyon County Roads Department, the Community Development Department, and the County Engineer.

8. All property taxes must be paid in full through the end of the fiscal year (June 30) and any applicable agricultural deferred taxes shall be paid in full prior to recordation of any final map.

9. The applicant shall comply with the final subdivision map requirements as prescribed by NRS 278 and Title 15 of the Lyon County Code.

10. Required recording fees to be paid at time of recording map.

11. No lot shall be offered for sale or sold until the final subdivision map has been approved and recorded.

12. No building permits shall be accepted for processing until a final subdivision map has been approved and recorded.

13. The applicant shall make corrections of any engineering or drafting errors and other technical map corrections to the satisfaction of the County Engineer and Community Development Director prior to submitting the final subdivision map for recordation.

14. The applicant shall pay the actual costs for County Engineer plan and map checking and County Inspector site improvement inspection fees, in accordance with the adopted County fee resolution in effect at the time, and
provide proof of payment to the Community Development Department prior to final subdivision map recordation.

15. The applicant shall provide the final subdivision map to the Lyon County GIS Coordinator in form and format compatible with the County geographical information system (GIS) pursuant to 15.607.08(B) of the Lyon County Code. The scale of the site plan, improvements, monuments and other items shall be in model space correctly oriented to coordinate system as established by the GIS Coordinator. Cover sheet and standard details need not be included.

16. The applicant shall comply with County requirements, in accordance with Chapter 15.234 of the Lyon County Code, mandating that a site improvement permit(s) be obtained for any disturbance occurring on the subject site. The site improvement permit applications shall also include documentation of approval of a Stormwater Pollution Prevention Plan (“SWPPP”) permit and a Surface Area Disturbance (“SAD”) permit with the Nevada Department of Environmental Protection (NDEP).

17. The site improvements required by the terms of Title 15 of the Lyon County Code shall be inspected by the County as the work progresses. Such improvements shall not be started until the inspection fee, required as a prerequisite to the filing of the final map, has been paid.

18. Prior to any construction of improvements, a preconstruction conference shall be held between the contractor/developer and the appropriate County inspection personnel.

19. The applicant shall comply with Lyon County requirements as set forth in the adoption of Title 15 and as set forth in Title 15 of the Lyon County Code including, but not limited to:

   a. The developer shall obtain all necessary encroachment permits and approvals as well as coordinate and comply with the requirements of the Roads Department;
   b. The developer shall design the street alignments in compliance with AASHTO standards to the approval of the Road Superintendent;
   c. The developer shall install all required signage, striping and traffic control improvements in compliance with Nevada Department of Transportation and Lyon County requirements;
   d. The developer shall attain a Floodplain Development Permit from the County before construction or development begins within any area of special flood hazard established in subsection 15.800.07A of Lyon County Code. The permit shall be for all structures, including manufactured homes and accessory structures whether a building permit is required or not required as defined herein or in chapter 1200 of Lyon County Code, appendix A, and for all development, including fill and other activities, including river bank and stream bank erosion repair activities, as defined in chapter 1200 of Lyon County Code, appendix A.
   e. The developer shall install street lighting in compliance with the requirements of the Roads Department;
   f. The developer shall submit a detailed geotechnical report with the final map(s) for the project that includes roadway structural sections and the structural section calculations demonstrating that the proposed structural section is adequate to support the weight of the anticipated traffic;
   g. The developer shall provide a slurry seal onto the streets and roadways in compliance with the current County standards every five (5) years from the date of installation of asphalt concrete paving of the subdivision’s streets and roadways until such time as the subdivision is 90% completed and the County accepts the offer for dedication for the rights-of-way for all streets and roadways within the subdivision; and
   h. The developer shall make a perpetual offer of dedication for the right-of-way for all streets and roadways within the proposed subdivision. The County rejects the offer of dedication at this time and will not accept the offer of dedication until at least 90% of the lots within the respective unit have been developed, the improvements are inspected and approved by the County, and the County accepts the improvements for maintenance.
20. The applicant shall comply with Lyon County’s Dayton Valley Drainage Master Plan. The applicant shall demonstrate that the proposed drainage facilities will comply with the Lyon County Drainage Guidelines to the satisfaction of the County Engineer and Utilities Department Director prior to recordation of the final subdivision map. Major drainage facilities shall be constructed in the first phase of development and each phase of building development shall have drainage improvements that tie into the major facilities and function without dependency on improvements in future phases of development.

a. The developer shall demonstrate to the satisfaction of the County Engineer, the County Utilities Department Director and the Community Development Director that provisions for maintenance and continued operation of the stormwater system have been developed and put in place prior to approval of a final subdivision map or first in a series of final maps for this project.

b. The applicant shall provide documentation that easements have been recorded to permit discharge of project-generated stormwater to all off-site properties receiving stormwater discharges prior to recordation of a final subdivision map or first in a series of final maps for this project.

c. The applicant shall demonstrate to the satisfaction of the County Engineer, the County Road Superintendent, the County Utilities Department Director, and the Community Development Director that facilities necessary to protect source water from potential stormwater contamination have been designed and will be installed prior to approval of a final subdivision map or first in a series of final maps for this project.

d. The applicant shall demonstrate to the satisfaction of the County Engineer, the County Road Superintendent, the County Utilities Department Director, and the Community Development Director that facilities necessary for the treatment of stormwater prior to discharge have been designed and installed prior to approval of a final subdivision map or the first in a series of final maps for this project.

e. The applicant shall demonstrate to the satisfaction of the County Engineer, the County Road Superintendent, the County Utilities Department Director and the Community Development Director that provisions for maintenance and continued operation of the stormwater system have been developed and put in place prior to approval of a final subdivision map or first in a series of final maps for this project.

f. Debris grates are required at the pipe inlets of the retention/detention basins.

21. The applicant shall complete any and all required development improvements and facilities to the satisfaction of the Community Development Director, County Engineer, the County Road Superintendent, Utilities Director, Building Official, Central Lyon County Fire Protection District or other authorized County personnel, as applicable, or an appropriate security must be provided and approved prior to recordation of a final subdivision map or first in a series of final maps for this project. There may be temporary restrictions to obtaining building permits even with an acceptable security instrument depending on the County’s approval of the various systems. All facility construction shall be completed/installed to satisfaction of the Community Development Director, the Building Official, the County Engineer, the County Road Superintendent, the Facilities Department Director, Central Lyon County Fire Protection District, their respective designees or other authorized County personnel, as applicable prior to the issuance of a Certificate of Occupancy will be allowed in a single family residence for this project or if done in phases, that portion of the project.

22. The applicant shall comply with all applicable building and fire code requirements including the requirement for an independent plan review by the Central Lyon County Fire Protection District.

23. The water system must meet the requirements of the Stagecoach General Improvement District and Central Lyon County Fire Protection District and be constructed in accordance with the following:

a. The location of fire hydrants shall be determined by the Central Lyon County Fire Protection District.

b. A minimum required fire flow is required for each fire hydrant as directed by the Central Lyon County Fire Protection District.
c. Prior to any combustible materials being brought on site, all required fire hydrants are to be installed and fully operating.

24. Each new parcel will be required to attain approval from the Nevada Division of Environmental Protection for individual de-nitrification septic systems in accordance with Stagecoach General Improvement District requirements.

25. Distinct and legible “temporary” addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.

26. The applicant will maintain the property until the development is complete. This maintenance will include the semi-annual mowing of all weeds within the development boundaries and the removal of noxious weeds when they are identified.

27. The applicant shall post and maintain a rules and regulations sign at the entryways to the property until it is fully developed. The signs shall be intended for the subcontractors performing work and shall include:
   a. No loud music;
   b. No alcohol or drugs;
   c. Dispose of personal trash and site debris;
   d. Clean up any mud and or dirt that is deposited from the construction parcels onto the streets; and
   e. No burning of construction or other debris on the property.

28. All debris on construction sites must be contained and removed periodically as required for safety and cleanliness to the satisfaction of the Lyon County Community Development Department.
BACKGROUND AND PROPERTY INFORMATION

Location, Access, and Size

The nine (9) subject parcels are located in Stagecoach, south of US Highway 50. The intersection with US Highway 95A is approximately 12 miles east of the parcels.

In total, the 9 parcels total approximately 490.20 acres in size.

Current access to the parcels is via Caroline Way on the west and Blackhawk Road on the east.

County GIS Images
Current Use and Topography
The subject parcel is relatively flat and contains no ridgelines. Drainage patterns flow generally from north to south, with some flows moving from west to east. A preliminary geotechnical report completed for the site determined the native soils to generally consist of silty sand, gravel, elastic silt and dense clayey sand. No active or potentially active faults were discovered.

The majority of the site is vacant with a few buildings in the southeast corner that support the operations of the Dayton Valley Turf Farm. Surrounding land uses include single family residences to the north and east, Bureau of Land Management (BLM) property and single-family residences to the west and vacant land to the south. Highway 50 is adjacent to and directly north of the property. The existing Churchill Ranchos Estates, a single family residential subdivision to the west, is comprised of 2-acre parcels.

Utilities

Water Service and Sewer Service
The subject parcel is within the Stagecoach General Improvement District (SGID) service boundary for water service. The GID provided an Intent-to-Serve letter for the applicant’s submittal.

Individual sewer systems would be necessary for the new parcels, each to be approved by the Nevada Division of Environmental Protection (NDEP). The systems will have to be de-nitrification systems per the NDEP regulations for the area.

Police and Fire
The Lyon County Sheriff Department provides police protection services to the area. The closest station is approximately 6.8 miles away, west on US Highway 50 (located at 801 Overland Loop #307 in Dayton).

The Central Lyon County Fire Protection District (CLCFPD) provides paramedic, advanced life support, and fire prevention and suppression services to the Dayton Area and will serve this project area. The nearest CLCFPD
facility is Station 37, approximately 4.75 miles east on Highway 50 (in addition to the Stagecoach Volunteer Fire Department in the same vicinity).

Character District and Master Plan Designation

The Character District for the subject parcels is Rural, as is the entire Stagecoach Community.

The Master Plan designation for the site is Specific Plan. To the west is Low Density Residential (Churchill Ranchos Estates) and to the east is Low Density Residential (within the Stagecoach community).
Zoning

Provided the zone change request per Lyon County file number PLZ-2022-206 to RR-2 (Rural Residential 2-acre minimum) is approved, the zoning on all nine of the subject parcel will be identical. The zoning districts shown in the image below are “converted” per the Zoning Consistency Matrix, adopted in 2018 with the current Development Code, Title 15. The zoning of RR-2 for the subject sites (in aqua color below) is the same as the existing zoning for the existing residential subdivision to the west. (RR-20 is “Rural Residential 20-acre minimum.) Notably, with the exception of one small parcel zoned CC (Community Commercial) to the north of the project site, all the surrounding zoning is residential in nature.

Flood zone

The site is located in an X-Un-Shaded zone per the FEMA Flood Insurance Rate Maps (FIRMs) 32019C0305E and 32019C0310E. Floodplain Development permits will not be necessary for the new structures.
TENTATIVE MAP

The applicant proposes a Tentative Subdivision Map with 186 lots for single family residential development, new roadways, and associated stormwater infrastructure. The development is tentatively named “SH Estates”.

- The **smallest** residential lots are **2 acres** and the **largest** is **17.77 acres** in size with an **average** lot size in the proposed subdivision map of **2.45 acres**.

- There are four Phases proposed
  - Phase 1 includes **24 lots**
  - Phase 2 includes **56 lots**
  - Phase 3 includes **51 lots**
  - Phase 4 includes **39 lots**

Stormwater

The proposed location of the Stormwater Retention Basin for the development is shown in the image above. Per the **Lyon County Drainage Guidelines**, updated in 2018, the developer is obligated to retain, on-site, any increases in stormwater generated by the new impervious surfaces in the proposed subdivision. The historical drainage patterns through the project area will be altered by the new roadways and associated ditches and re-route stormwater to the proposed Detention Basin. After detention of stormwater of the proper volume is achieved, discharge of overflow out of the project area will occur towards the south/south west, as the undeveloped properties currently do. All of the stormwater facilities will be maintained by an HOA (Home Owners Association) or some like entity. Per the Recommended Conditions of Approval, the stormwater infrastructure design must be further reviewed by the County Engineer for compliance with all Lyon County Development and Improvement Standards prior to recordation of a Final Map for the subdivision. Additionally, verification of the HOA maintenance responsibilities must recorded prior to recordation of a Final Map.
**Roadways**
The applicant’s submittal materials indicate that the internal roadways are to be un-paved. The Lyon County Community Development Department, in coordination with the Lyon County Roads Department, have made the determination that Staff will not recommend approval of this Merger/Re-subdivision-Tentative Subdivision Map without requiring paved roadways. The applicant’s representatives have met with County Staff and indicated that they are prepared to comply with the County’s requirement for paved roadways (although ditches will be used for stormwater management instead of curbs and gutters as is typical in Rural Character Districts).

Off-site, both Blackhawk Road and Wrong Way will be required for improvement at the developer’s expense. These improvements will include stormwater management facilities. These roadways to the project will compliment Caroline Way as primary accesses to the subdivision.

**STAFF REVIEW AND COMMENTS**
The proposed Tentative Subdivision Map for the subject parcel is first reviewed by staff and the Planning Commission, who make recommendations to the Board of Commissioners. The Board makes the final vote on whether or not to approve the request.

**FINDINGS FOR REVIEWING A TENTATIVE SUBDIVISION MAP REQUEST**
Chapter 15.607.03 of the Lyon County Code lists the findings that the County must consider when reviewing a tentative subdivision map application. Findings must be considered and supported by a statement of evidence, facts and conclusions. Staff has included those three Findings in **bold type** below. Each Finding is listed with the applicant’s response in *italics* and then staff’s comments. Underlined sections of the Applicant’s response are especially pertinent to the Staff Comment that follows.

1. **The property to be subdivided is zoned for the intended uses and the density and design of the subdivision conforms to the requirements of the zoning regulations contained in this title;**

   **Applicant’s Response**

   The tentative map design is consistent with the RR-2 zoning being reviewed concurrently with this application. Density proposed is consistent with the surrounding area and the project will be complementary to the existing built environment.

   **Staff Comment**

   The applicant’s response is correct. Presuming the Zoning Map Amendment to change the zoning on the subject parcel is approved (PLZ-2022-206) the proposed Tentative Subdivision Map will conform to RR-2 zoning standards.

2. **If located within a planned unit development, the tentative subdivision map conforms to the density requirements, lot dimension standards and other design standards regulations approved for the planned unit development;**

   **Applicant’s Response**

   N/A

   **Staff Comment**

   The applicant is correct. This Finding is not applicable.

3. **The tentative subdivision map conforms to public facilities and improvement standards contained in this title;**

   **Applicant’s Response**
As The project, as detailed in this report and the attached engineering drawings/reports, is in full compliance with the policies and requirements of the Lyon County Code.

Staff Comment

The application materials indicate the subdivision is to be served by unpaved roadways. In accordance with the outcome of multiple discussions with the applicant’s representatives, the recommended Conditions of Approval for this Tentative Map require the roadways to be paved to the County’s Standards. Water service to the subdivision will/would be provided by the Stagecoach General Improvement District, who provided an Intent-to-Serve letter indicating that the subdivision is within the GID’s service area and is capable of being served. The CLCFPD will provide fire suppression services and fire hydrants throughout the development will be required. This Finding is made in the affirmative.

4. The tentative subdivision map conforms to the improvement and design standards contained in this title and adopted design criteria and improvement standards;

Applicant’s Response

The project, as detailed in this report and the attached engineering drawings/reports, is in full compliance with the policies and requirements of the Lyon County Code.

Staff Comment

The roadways will require pavement to the County’s standards in order to be in compliance with County standards for new subdivisions. The stormwater management and detention designs included in the project still require review for approval by the County Engineer, who will ensure compliance with County standard. Staff believes that in accordance with the recommended Conditions of Approval, this Finding may be made in the affirmative.

5. If applicable, that a phasing plan has been submitted and is deemed acceptable;

Applicant’s Response

The project will be completed in four phases as is delineated in the attached phasing exhibit.

Staff Comment

The proposed phasing plan is acceptable per Nevada Revised Statutes and Lyon County Code. This Finding is made in the affirmative.

6. There are no delinquent taxes or assessments on the land to be subdivided, as certified by the County Treasurer;

Applicant’s Response

All property taxes are current for the subject parcel. A verification of this by the Lyon County Deputy Clerk is included as an attachment to this report.

Staff Comment

The applicant is correct. The Finding is made in the affirmative.

7. The project complies with all environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;

Applicant’s Response (underline added)

As detailed in the attached engineering reports and plans, the project is in compliance with all applicable standards. Units within SH Estates Subdivision will be served by individual wells and septic systems along with solid waste disposal service.
The subdivision will be served by individual wells and septic systems that will require approval by the Nevada Division of Environmental Protection. Solid Waste disposal services in Lyon County are provided by Waste Management. As conditioned and processed through the pending Final Map process, staff feels this Finding may be made in the affirmative.

8. The availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the subdivision;

Applicant’s Response
Water sufficient to serve the project will be dedicated with final map to the approval of Lyon County.

Staff Comment
The Intent-to-Serve letter from SGID notes that sufficient water rights will need to be attained to record final maps, with connection to the SGID water system required. As conditioned and processed through the pending Final Map process, staff feels this Finding may be made in the affirmative.

9. There is adequate access and availability to public services such as schools, police protection, transportation, recreation and parks;

Applicant’s Response
The SH Estates Subdivision project is within the school district zone of the Silver Springs schools and the school district has indicated that there is capacity for middle and high school students at this location. Police protection exists in the area and can be provided by the Lyon County Sheriff’s office. The recently widened Highway 50 exists adjacent to the project and can accommodate additional traffic proposed with this project.

Staff Comment
The availability of public services is described in the BACKGROUND AND PROPERTY INFORMATION section of this report. The Finding is made in the affirmative.

10. The project is in general conformity with the Lyon County Comprehensive Master Plan, the local community plan, if adopted, and the master plan of streets and highways;

Applicant’s Response
The project is consistent with the Lyon County Comprehensive Master Plan as described in the Zoning Map Amendment Part A, included above [as submitted for PLZ-2022-206/Zone Change Application and partially copied here, below].

The SH Estates Subdivision Development is fully compatible with the surrounding neighborhood. The lots are of a comparable size to the existing developments, has minimal cut and fill for roads and site grading, will encourage native plants for landscaping and has appropriate setbacks from agricultural and developed properties.

Goal C 5: Support Diversity

• Policy C 5.1: Recognize Community Diversity. Lyon County planning efforts and regulations will consider the unique aspects of communities in the county and will allow for variation and exceptions to address key aspects of their diversity.

The SH Estates Subdivision Development is located within a partially developed rural area. The project as proposed will be compatible with the existing neighborhoods, matching in size and character, the surrounding neighborhood.

Goal LU 5: Encourage Resource Sensitive Growth. Development will be designed to reduce energy use and minimize environmental impacts.
• **Policy LU 5.1: Encourage Resource-Sensitive Growth and Sustainable Design**

The SH Estates Subdivision Development plans ensure that valuable resources are responsibly used. Xeriscape landscaping and low water usage will be encouraged throughout the development.

**Goal TR 2: County Roads. Local roads will be alternatives to primary highways.**

• **Policy TR 2.1: Local Access Roads:** To reduce and avoid highway congestion at peak times, Lyon County will work in conjunction with other public agencies and private developers to build and maintain alternative routes designed for shorter trips and local travel within communities.

The SH Estates plan provides a local road network that allows vehicle circulation to occur within the project without entering the highway.

**Goal NR 3: Clean Water. Adequate water supply will be available for current and future needs in Lyon County, including safe, healthy drinking water for all Lyon County residents.**

• **Policy NR 3.1: Water Supply and Quality:** Recognizing that clean water is a precious resource necessary to maintain our health, economy, and quality of life, Lyon County will protect the water supply and encourage efficient use of water resources.

SH Estates Subdivision Development presents an opportunity to provide additional and higher quality water supply to the Stagecoach Community. As a part of the proposed improvements, a water line will be constructed that will connect the Stagecoach General Improvement District (GID) water system with the Lyon County Utilities water system. This connection is designed to send water one way into the Stagecoach Community. It will provide water supply to the project and will also provide emergency backup supply for the existing Stagecoach GID system in the event of a system failure and will boost fire flows for better fire suppression.

**Goal NR 8: Views. Lyon County will protect scenic views of mountain backdrops and dark skies.**

• **Policy NR 8.1: Mountain Backdrop:** Recognizing that views of the mountains in and around the county provide a unique scenic value for residents and visitors, Lyon County will strive to preserve such views.

SH Estates Subdivision Development is designed to preserve the mountain views in the valley. The larger lots, conformance with existing development standards and other regulations will serve to minimize impacts on the views of existing neighborhoods and new development.

The SH Estates Subdivision Development is in general conformity with the master plan of streets and highways as well. The project site is adjacent to Highway 50, which provides the main transportation access for the project and can adequately serve traffic for the project. In addition, the configuration of the proposed streets within SH Estates Subdivision Development meet Lyon County’s master plan by offering alternatives to the highway transportation within the project. The streets as shown on the tentative map provide for complete internal circulation within the SH Estates Project without needing to access Highway 50.

**Staff Comment**

The applicant’s statements include appropriate quotations from the Master Plan and, aside from the lack of noting the County’s expectation for paved roadways, are consistent with the County’s development standards, zoning standards, and common planning practices in Nevada and Lyon County. This Finding is made in the affirmative.

11. **The project will have no adverse impacts, or provides adequate mitigation of adverse impacts, to existing public streets.**

**Applicant’s Response**

The effect of the SH Estates subdivision on existing public streets is discussed in detail in the provided Traffic Study. A series of new streets ranging from major and minor arterials to local residential streets are proposed with development.
**Staff Comment**

The Traffic Impact Study for this map is consistent with common planning practices in Nevada and Lyon County. The Recommended Conditions of Approval multiple qualities of the proposed roadways including the requirement for paving, maintenance, and dedication to the County. (The County will not accept paved roads for dedication until at least 90% of the lots in each phase have been developed.) As conditioned, this Finding is made in the affirmative.

12. The physical characteristics of the land such as floodplain, slope and soil have been considered and provisions to adequately mitigate adverse impacts of development on the environment have been incorporated; and

*Applicant’s Response*

The site is well suited for development. The property is essentially flat and is not located within a flood zone or natural hazard area. A detailed soils report is included as an attachment to this report.

**Staff Comment**

Although not yet reviewed by the County Engineer (Dowl) the intended stormwater management designs will be reviewed for compliance with Lyon County Drainage Guidelines (revised September 20, 2018). As conditioned and processed, this Finding is made in the affirmative (because the County Engineer will have to approve the design prior to recordation of the Final Map).

13. The project demonstrates availability and accessibility of fire protection services, including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires, including fires in wild lands.

*Applicant’s Response*

The project site will be served by municipal water. The project will be reviewed by the fire department and conditions can be included as necessary to address fire protection.

**Staff Comment**

Per the Recommended Conditions of this report, the applicant must demonstrate compliance with all Central Lyon County Fire Protection District standards. As conditioned and processed, this Finding is made in the affirmative.
SH ESTATES SUBDIVISION DEVELOPMENT

ZONE AMENDMENT AND MERGER AND RESUBDIVISION/ TENTATIVE SUBDIVISION MAP

Prepared by:

CHRISTY CORPORATION

December 5, 2022
SH ESTATES SUBDIVISION DEVELOPMENT

ZONE AMENDMENT AND MERGER AND RESUBDIVISION/
TENTATIVE SUBDIVISION MAP

Prepared for:
Schaller Development, LLC
490 Hot Springs Road
Carson City, Nevada 89706

Prepared by:
Christy Corporation, Ltd.
1000 Kiley Parkway
Sparks, Nevada 89436
(775) 502-8552

December 5, 2022
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Vesting Deeds

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Introduction

This application includes the following requests:

- **A Zoning Map Amendment (ZMA)** to rezone 333.57± acres from Fifth Rural Residential (RR-5) to Second Rural Residential (RR-2).

- **A Merger and Resubdivision/Tentative Subdivision Map (TSM)** to allow for the merger of 9 existing parcels and creation of 186 single-family lots in the Second Rural Residential (RR-2) zoning district.

Project Location

The project site consists of 491.20± acres located in Stagecoach. Specifically, the project site is located adjacent to and south of US Highway 50 between Caroline Way and Blackhawk Road. Figure 1 (below) depicts the project location.
Existing Conditions

The project site consists of nine (9) parcels as shown in Table 1 below. The majority of the site is vacant with a few buildings in the southeast corner that support the operations of the Dayton Valley Turf Farm. Surrounding land uses include single family residences to the north and east, Bureau of Land Management (BLM) property and single-family residences to the west and vacant land to the south. Highway 50 is adjacent to and directly north of the property.

Table 1 – Parcel Summary

<table>
<thead>
<tr>
<th>Assessor’s Parcel Number</th>
<th>Acres (±)</th>
</tr>
</thead>
<tbody>
<tr>
<td>015-365-01</td>
<td>44.43</td>
</tr>
<tr>
<td>015-365-02</td>
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<tr>
<td>015-371-05</td>
<td>40.00</td>
</tr>
<tr>
<td>015-371-06</td>
<td>60.00</td>
</tr>
<tr>
<td>015-371-07</td>
<td>40.01</td>
</tr>
<tr>
<td>015-371-08</td>
<td>24.32</td>
</tr>
<tr>
<td>015-451-01</td>
<td>160.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>491.20</strong></td>
</tr>
</tbody>
</table>

The properties are accessed via existing encroachments to Highway 50 at the following roads: Caroline Way, Leegard Avenue, Wrong Way, and Blackhawk Road. Figures 2 (below) and 3 (page 3) depict the existing onsite conditions.

Figure 2 – Existing Conditions
Figure 3 – Existing Conditions
SH ESTATES SUBDIVISION DEVELOPMENT

The property is relatively flat and contains no ridgelines. Drainage patterns flow generally from north to south, with some flows moving from west to east. A preliminary geotechnical report completed for the site determined the native soils to generally consist of silty sand, gravel, elastic silt and dense clayey sand. No active or potentially active faults were discovered. The geotechnical report is included as Appendix D. The property is located in FEMA Flood Zone X as shown on FEMA Maps 32019C0305E and 32019C0310E.

The project site is located in the Stagecoach Community and within a Rural Character District as defined by the 2010 Lyon County Comprehensive Master Plan. The Master Plan designation for all the property except a small portion on the eastern side is Specific Plan. The small eastern side portion has a Master Plan designation of Rural Residential.

The property is currently zoned Second Rural Residential (RR-2) and Fifth Rural Residential (RR-5).

Request Summary

There are two separate entitlement requests included with this application; a Zoning Map Amendment to rezone the property from Fifth Rural Residential to Second Rural Residential and a Merger and Resubdivision/Tentative Subdivision Map request to allow for the merger of 9 existing parcels and creation of 186 single-family lots including common area.

The requested changes are logical given surrounding conditions and will result in a minimum lot size of 2 acres and a maximum lot size of 17.77 acres. The lots sizes proposed are complementary to surrounding developments/uses.

Project impacts will be minimal and are consistent with existing development trends in the area. The rural design of the subdivision and limited number of lots (186) will ensure that the project is consistent with the surrounding area and will not result in development that contrasts with the community character. The subdivision will provide for new housing options and can serve to meet the growing residential needs of Lyon County. Its proximity to existing suburban centers such as Dayton and Carson City, and its location close to the newly construction USA Parkway that connects Lyon County to the Tahoe Reno Industrial Center and Interstate 80, makes SH Estates Subdivision ideally situated to accommodate additional residential development.

As shown in Figure 4 (page 5), SH Estates Subdivision is located in close proximity to the Tahoe Reno Industrial Center (TRIC) and is approximately nine miles west of the USA Parkway/Highway 50 intersection. The project site is situated on an important leg (Highway 50) of what is increasingly becoming known as the regional loop that ties our entire Northern Nevada Region together, both physically and economically.
Each of the land use requests included with this application are summarized below:

- **Zoning Map Amendment**

  The first component of this request is a Zoning Map Amendment (ZMA). Currently, the project site is zoned as a mix of Second Rural Residential (RR-2) and Fifth Rural Residential (RR-5). This application proposes to rezone the property to RR-2 with minimum 2 acres lots.

  Figure 5 (Page 6) depict the existing and proposed site zoning and surrounding parcels.

---

**Figure 4 – Regional Location**

![SH Estates Subdivision Map](image)
Figure 5 – Existing and Proposed Zoning Plan
Table 2 (Below) identifies the adjacent parcels and includes current legal ownership, present use and zoning for each parcel.

**Table 2 – Adjacent Parcel Ownership, Zoning and Land Use**

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Legal Ownership</th>
<th>Zoning</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>South Properties – Immediately Adjacent</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>015-461-01</td>
<td>Chiechi, Michele A &amp; Janice C T</td>
<td>RR-5</td>
<td>Vacant</td>
</tr>
<tr>
<td>015-461-03</td>
<td>Moriondo, Edward</td>
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</tr>
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<td>015-461-06</td>
<td>Pitruzzello, Vincent Et Al</td>
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</tr>
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<td>015-461-07</td>
<td>Palmieri, Frank Et Al</td>
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<td>Vacant</td>
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<td></td>
</tr>
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</tr>
<tr>
<td><strong>North Properties – Immediately Adjacent</strong></td>
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<tr>
<td>019-392-03</td>
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<td><strong>North Properties – Across Highway 50</strong></td>
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<td>I-50 Plaza LLC</td>
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<td><strong>West Properties – Immediately Adjacent</strong></td>
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<tr>
<td>019-466-07</td>
<td>Ott, Lynda L &amp; Gerald J</td>
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<td>019-466-08</td>
<td>Garrett, Heather &amp; Kevin</td>
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<tr>
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<td>Abbott, Warren W &amp; Caren J</td>
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</tr>
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</table>
### SH ESTATES SUBDIVISION DEVELOPMENT

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Legal Ownership</th>
<th>Zoning</th>
<th>Land Use</th>
</tr>
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<tr>
<td>019-466-15</td>
<td>Sallaberry, Louis &amp; Ronda</td>
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</table>

- **Merger and Resubdivision/Tentative Subdivision Map**

The second component of this request is a Merger and Resubdivision/Tentative Subdivision Map (TSM). This application includes a TSM request to allow for the merger of 9 existing parcels and creation of 186 single-family lots.

The proposed single-family homes within the SH Estates Subdivision Development are complementary to existing single family lots to the north, east and west, surrounding the site. This project will serve as a functional extension of the existing neighborhoods.

A homeowner’s association (HOA) will be created to provide maintenance of common areas including streets and drainage/detention facilities. The single-family lots will be sold individually. All the remaining land surrounding the single-family lots including the roadside ditches, detention pond, etc. will be common area to be maintained by the HOA.

Roadways within the SH Estates Subdivision are proposed as gravel with roadside ditches (as depicted on the attached plans). Streets within the project will therefore be private and maintained by the HOA. Individual lots will be served by community water and will include individual septic systems consistent with Lyon County and Nevada Department of Environmental Protection (NDEP) standards. Figure 6 (Page 9) depicts the proposed lot layouts and phasing plan.
The following table provides an overall summary of SH Estates Subdivision Development.

**Table 3 – Development Summary**

<table>
<thead>
<tr>
<th>Development Standard</th>
<th>Proposed with SH Estates Subdivision</th>
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<tbody>
<tr>
<td>Total Project Area</td>
<td>497.52± acres</td>
</tr>
<tr>
<td>Total Lot Area</td>
<td>455.90± acres</td>
</tr>
<tr>
<td>Right-of-Way Area</td>
<td>40.39± acres</td>
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<tr>
<td>Open Space</td>
<td>1.23± acres</td>
</tr>
<tr>
<td>Smallest Lot Size</td>
<td>2.00± acres</td>
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<tr>
<td>Largest Lot Size</td>
<td>17.77± acres</td>
</tr>
<tr>
<td>Average Unit Size</td>
<td>2.45± acres</td>
</tr>
</tbody>
</table>

SH Estates Subdivision is not anticipated to generate negative impacts upon adjoining properties. The rural character of the proposed project respects the adjoining environment and will be consistent with development patterns that exist within Stagecoach. Based on Institute of Transportation Engineers (ITE) trip generation data, the project is anticipated to generate 1,754 average daily trips (ADT) with 130 am and 175 pm peak hour trips.
The trip generation is well below that previously contemplated with the Desert Wells project and can be accommodated by the existing roadway network. To accommodate the traffic impacts at the various existing and future intersections, various improvement recommendations are made that are outlined in detail in the Traffic Study attached to this report. These recommendations have been made with input received from consultation with the Nevada Department of Transportation and Lyon County. In summary, the improvements include improving Wrong Way and Blackhawk Road to Lyon County paved standards and add additional stop signs as described in the traffic report.

With only 186 lots, the project will not unduly burden the existing schools serving the site. It is important to consider that the property has long been envisioned for development and thus additional student generation has been anticipated.

Included as an attachment to this report is a detailed drainage study that outlines the proposed hydrology and drainage system for the project, in accordance with Lyon County standards. Per Lyon County and State requirements, storm water runoff will be captured and routed to an onsite detention basin. This ensures that no additional offsite flows will result with the development of the project.

Overall, SH Estates serves to continue the expansion of the existing neighborhoods and will provide new housing opportunities within the Stagecoach area. The project is consistent with the existing and planned uses of adjoining properties and is designed to complement the existing built environment.

**Request Findings**

The Lyon County Municipal Code establishes legal findings that must be made by the Planning Commission and Board of Commissioners in order to approve Zoning Map Amendment and Tentative Map requests. These findings are listed below and addressed in **bold face** type.

- **Zoning Map Amendment**

  When approving a zoning text or map amendment the planning commission and the board must make the following findings, supported by a statement of evidence, facts and conclusions.

  A. That the proposed amendment is consistent with the policies embodied in the adopted master plan and the underlying land use designation contained in the land use plan;

  The requested RR-2 zoning is consistent with the surrounding properties. The zoning supports Master Plan policies and goals in terms of land use diversification and is complementary to surrounding parcels.

  B. That the proposed amendment will not be inconsistent with the adequate public facilities policies contained in this title;

  Public facilities necessary to serve the site are already occurring. Uses permitted within the RR-2 zone are consistent with the existing infrastructure and levels of service within the Stagecoach area.
C. That the proposed amendment is compatible with the actual and master planned use of the adjacent properties.

The majority of adjoining parcels are already developed as single-family residential. The envisioned residential use is compatible and complementary to existing uses in the area and are not anticipated to result in any negative impacts.

- Tentative Subdivision Map

The Commission in making its recommendation and the Board in rendering a decision on the tentative subdivision map shall base its decision on the requirements of NRS and make affirmative findings on the following factors, taking into account the recommendations of reviewing agencies:

1. The property to be subdivided is zoned for the intended uses and the density and design of the subdivision conforms to the requirements of the zoning regulations contained in this code;

The tentative map design is consistent with the RR-2 zoning being reviewed concurrently with this application. Density proposed is consistent with the surrounding area and the project will be complementary to the existing built environment.

2. If located within a planned unit development, the tentative subdivision map conforms to the density requirements, lot dimension standards and other design standards regulations approved for the planned unit development;

Not applicable.

3. The tentative subdivision map conforms to public facilities and improvement standards contained in the development code;

The project, as detailed in this report and the attached engineering drawings/reports, is in full compliance with the policies and requirements of the Lyon County Code.

4. The tentative subdivision map conforms to the improvement and design standards contained in the development code and adopted design criteria and improvement standards;

The project, as detailed in this report and the attached engineering drawings/reports, is in full compliance with the policies and requirements of the Lyon County Code.

5. If applicable, that a phasing plan has been submitted and is deemed acceptable;

The project will be completed in four phases as is delineated in the attached phasing exhibit.
6. There are no delinquent taxes or assessments on the land to be subdivided, as certified by the county treasurer;

All property taxes are current for the subject parcel. A verification of this by the Lyon County Deputy Clerk is included as an attachment to this report.

7. The project complies with all environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;

As detailed in the attached engineering reports and plans, the project is in compliance with all applicable standards. Units within SH Estates Subdivision will be served by individual wells and septic systems along with solid waste disposal service.

8. The availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the subdivision;

Water sufficient to serve the project will be dedicated with final map to the approval of Lyon County.

9. There is adequate access and availability to public services such as schools, police protection, transportation, recreation and parks;

The SH Estates Subdivision project is within the school district zone of the Silver Springs schools and the school district has indicated that there is capacity for middle and high school students at this location. Police protection exists in the area and can be provided by the Lyon County Sheriff’s office. The recently widened Highway 50 exists adjacent to the project and can accommodate additional traffic proposed with this project.

10. The project is in general conformity with the Lyon County Comprehensive Master Plan, the local community plan, if adopted, and the master plan of streets and highways;

The project is consistent with the Lyon County Comprehensive Plan and Master Plan.

11. The project will have no adverse impacts, or provides adequate mitigation of adverse impacts, to existing public streets;

The effect of the SH Estates subdivision on existing public streets is discussed in detail in the provided Traffic Study. A series of new streets ranging from major and minor arterials to local residential streets are proposed with development.
12. The physical characteristics of the land such as floodplain, slope and soil have been considered and provisions to adequately mitigate adverse impacts of development on the environment have been incorporated;

The site is well suited for development. The property is essentially flat and is not located within a flood zone or natural hazard area. A detailed soils report is included as an attachment to this report.

13. The project demonstrates availability and accessibility of fire protection services, including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires, including fires in wild lands.

The project site will be served by municipal water. The project will be reviewed by the fire department and conditions can be included as necessary to address fire protection.
August 26, 2022

To Whom It May Concern,

RE: Possible future development by Schaller Development, LLC within the Stagecoach General Improvement District Service Area

As per a previous agreement with our GID, Schaller Development has secured the right to service for up to 200 lots within our Service Area and has already petitioned, and been accepted, into our District Boundaries on their corresponding parcels.

The GID acknowledges that Schaller Development has 135 Privilege to Connect permits securing sufficient water to service the development of 135 lots within our Service Area. Any additional lots beyond the 135 will require water rights dedication to our GID. The current dedication requirement is 1.12 acre feet per lot. Our GID is currently in the process of requesting a lower consumptive use allocation approval of .67 from the State of Nevada, Division of Water Resources. As of the date of this letter we have yet to receive that approval from the State Engineer’s office but are hopeful that decision will be forthcoming.

Other than the ability to provide the Water and the Developer’s adherence to the requirement of Denitrification Septic Systems throughout the Development, the District essentially remains neutral on the approval of any Subdivision Map.

The GID currently charges a $5,000 per lot hook up fee. That amount is subject to change as the Board of Trustees deems necessary. Any change to a hook up fee would be subject to a Public Hearing. As per the same previous agreement the GID will honor the $5,000.00 per lot hook up fee through October 31, 2023 for Schaller Development regardless of any future changes to that fee. Hook up fees must be paid before a Will Serve letter for the project will be provided. If the Developer desires to pay the hook up fees by Phase, the will serve letter will only cover those lots located within that Phase of development.

Regards,

Teri A. Hurt
Manager
Stagecoach General Improvement District
PRELIMINARY HYDROLOGY REPORT

TO SUPPORT THE

SH ESTATES TENTATIVE MAP
PRELIMINARY SUBDIVISION PERMIT APPLICATION

PREPARED FOR:

SCHALLER DEVELOPMENT, LLC
c/o DON SMIT, PROJECT ONE
4990 HOT SPRINGS ROAD
CARSON CITY, NV 89706

PREPARED BY:

CIVIL
ENGINEERING CONSULTANTS

JOB #: DesertWells.001
DATE: December 1st, 2022
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II. Introduction

A. Site Location

The proposed SH Estates Subdivision Development project consists of a +/-491.20-acre site, containing 186 proposed residential lots two acres or greater in size, located on the south side of U.S. Highway 50 East, generally between Caroline Way and Blackhawk Road. The subject property is situated within parts of Sections 17, 18 and 19, Township 17 North, Range 23 East. An approximate longitude and latitude location for the property is 39°20'02.40"N and 119°26'13.59"W. The project site contains nine separate parcels, which are identified by the Assessor’s Parcel Numbers (APN’s) listed below in Table 1.

Table 1: Existing Parcels and Acreages

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The parcel, legal ownership, zoning and land use of the adjacent developments are listed below in Table 2.

Table 2: Parcel, Legal Ownership, Zoning and Land use of the adjacent developments

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<td><strong>North Properties Across Highway 50</strong></td>
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<td>I-50 Plaza LLC</td>
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**B. Site Description**

The SH Estates Subdivision Development site is located in the Stagecoach Community and is currently zoned General Commercial (C-2), Second Rural Residential – 2 Acres (RR-2) and Fifth Rural Residential -20 acres (RR-5). The project site is mostly vacant and consists of only a few buildings in the southeast corner of the property that currently support an existing turf farm. The property is relatively flat without ridgelines and drainage patterns generally flow from the north to south with some flows moving from west to east. A previously prepared geotechnical report completed for this project determined the native soils to be silty sand, gravel, elastic silt and dense clayey sand. No active or potentially active faults were discovered on the property by the Geotechnical Engineer. The site currently has no existing drainage facilities. The project is located in the Federal Emergency Management Agency (FEMA) Flood Zone X as shown on FEMA Maps 32019C0305E (not published) and 32019C0310E, effective date 01/16/2009 (See Appendices).
The Panel is listed in the FEMA FIRM Index Map as being entirely within an Unshaded Flood Zone X (areas determined to be outside the 500-year flood plain) according to the FEMA National Flood Insurance Program.

C. Proposed Project Description

The SH Estates Subdivision Development project site will include 186 residential lots on approximately 491 acres. The site is considered to be a low-density residential area and is proposed to contain lot sizes predominantly 2 acres in size, with five lots to the south proposed to be approximately 17 acres in size. The project is proposed to occur in four main phases, with the first phase consisting of 40 residential lots on the westernmost portion of the property and along the U.S. Highway 50 East frontage, the second phase consisting of 56 residential lots on the north central portion of the property and along the U.S. Highway 50 East frontage, the third phase consisting of 51 residential lots on the easternmost portion of the property and south of Blackhawk Road, and the fourth and final phase consisting of 39 residential lots on the southernmost portion of the property and east of the existing Caroline Way Subdivision.

D. Other Previous Studies Relevant to the Site

No other previous studies relevant to the site were made available prior to the production of this report.

III. Historic Drainage System

A. Basins

a. Relationship to Major Drainage Facilities

The site currently does not contain any storm drain infrastructure. All surface runoff flows offsite or to existing drainage channels running through the site. The development will directly receive storm water flows from (4) four Nevada Department of Transportation (NDOT) culverts that cross U.S. Highway 50 East from north to south and discharge onto or adjacent to the site.

b. Major Basin Drainage Characteristics

The general topography of Offsite Basins EX-1, EX-2 and EX-3 consist of mountainside terrain with average slopes of 5-9% or steeper at the northernmost portion, then transitioning to sparsely populated rural development areas consisting of rural lots with large areas of undeveloped land between residences. The southernmost topography of these three offsite basins consists of drainage channels within the U.S. Highway 50 East right-of-way along the north side of the highway roadbed. The existing channels run along the north side of Highway 50, where the runoff drains through one of four Nevada Department of Transportation (NDOT) culverts that cross U.S. Highway 50 East, from north to south and discharge onto, or adjacent to, the SH Estates Subdivision Development. Runoff from Offsite Basins EX-1, EX-2 and EX-3 consist of a combination of sheet flows within the upper 300 feet of the basins, then converting to shallow concentrated flows as they continue southerly towards the highway, and finally end up as open channel flows when they arrive at the aforementioned existing channels along the north side of the highway roadbed. The predominant cover for Offsite Basins EX-1, EX-2 and EX-3 is nearly bare and untilled (overland flow) conditions, with all three basins falling within the NRCS Hydrologic Soil Group D soils, thereby having high runoff potential. Reference Figure 2 and Figure 3 in the Appendix.

Offsite Basins EX-4, EX-5, EX-6 and EX-7 consist of relatively bare median swales with shallow runoff slopes of less than 0.5%, draining either northeasterly or southwesterly to existing drainage facilities that then convey runoff to the south to the subject property. Runoff from Offsite Basins EX-4, EX-5, EX-6 and
EX-7 is primarily shallow concentrated flow due their short overall length of travel. The predominant cover for Offsite Basins EX-4, EX-5, EX-6 and EX-7 is nearly bare and untilled (overland flow) conditions, with all four basins falling within the NRCS Hydrologic Soil Group B soils, thereby having moderately low runoff potential when thoroughly wet and unimpeded water transmission through the soil. Reference Figure 2 and Figure 3 in the Appendix.

The general topography of Onsite Basins EX-8, EX-9, EX-10 and EX-11 is relatively flat (slopes along the northern/highway boundary are approximately 1%, slopes in the middle of the property approximately 0.5-0.75%, and slopes along the southern portion extremely flat between 0.1-0.5%), without ridgelines. Drainage patterns generally flow from the north to south with some flows moving from west to east. Runoff from Onsite Basins EX-9 and EX-11 consist of a combination of sheet flows within the upper 300 feet of the basins, then converting to shallow concentrated flows as they continue southerly across the site, while runoff from Onsite Basins EX-8 and EX-10 consist primarily of a combination of shallow concentrated flow that transitions into open channel flow when traveling north to south in the existing access road ditches. The predominant cover for Onsite Basins EX-8, EX-9, EX-10 and EX-11 is nearly bare and untilled (overland flow) conditions, with Basin EX-8 falling within the NRCS Hydrologic Soil Group B, Basins EX-9 and EX-10 falling within the NRCS Hydrologic Soil Groups B and C, and EX-11 falling within the NRCS Hydrologic Soil Groups A, B, C and D. Reference Figure 2 and Figure 3 in the Appendix.

c. Existing Drainage Patterns, Channelized or Overland Flow and Point of Discharge, etc.

Offsite runoff north of the proposed project and north of U.S. Highway 50 East drains southerly towards the subject parcels, where the runoff is captured by drainage channels within the U.S. Highway 50 East right-of-way along the north side of the highway roadbed. The existing channels run either southwest to northeast, or northeast to southwest, along the north side of Highway 50, where the runoff drains through one of four Nevada Department of Transportation (NDOT) culverts that cross U.S. Highway 50 East from north to south and discharge onto or adjacent to the SH Estates Subdivision Development. There are also median swales (EX-4, EX-5, EX-6 and EX-7) with existing drainage facilities that collect the median runoff and either intercept one of the four NDOT culverts that cross U.S. Highway 50 East or convey the runoff through a separate existing culvert and onto the subject property. A portion of the offsite runoff that crosses the highway at the easternmost side of the subject property is collected and conveyed through a channel along the north side of the property and flows easterly, entirely offsite and has no effect to the subject property. Additionally, all runoff that flows from adjacent lands, to both the South and the East, drains away from the proposed development and are located downhill of the project site and have no effect to the subject property.

Offsite Basin EX-1 is collected and conveyed through a 24" HDPE corrugated pipe and crosses to the median of the highway to an existing storm drain manhole, where an existing 18" HDPE corrugated pipe enters from the east to deliver the runoff from the median basin EX-5, then exits the storm drain manhole to the south and onto the subject property through another 24" HDPE corrugated pipe. Once the runoff flows from EX-1 and EX-5 are released to the south side of the highway and onto the subject property, it is captured by a shallow channel that flows southerly and quickly dissipates, thereby returning the flow to a sheet flow condition for the remainder of its path across the site.

Offsite Basin EX-2 is captured by a 24" HDPE corrugated pipe and crosses to the median of the highway to an existing storm drain manhole, where an existing 18" HDPE corrugated pipe enters from the west to deliver the runoff from the median basin EX-6, then exits the storm drain manhole to the south and onto the subject property through another 24" HDPE corrugated pipe. Once the runoff flows from EX-2 and EX-6 are released to the south side of the highway and onto the subject property, it enters a slightly more defined existing channel that also flows southerly, but that ultimately also dissipates approximately 580 feet from the outfall of the highway culvert, thereby returning the flow to a sheet flow condition for the
remainder of its path across the site, flowing to the existing sump/playa along the southernmost portion of the subject property.

Offsite Basin EX-3 is captured by (2) two existing 30”Ø HDPE corrugated pipes in parallel and crosses to the median of the highway to an existing storm drain manhole, where an existing 18”Ø HDPE corrugated pipe enters from the west to deliver the runoff from the median basin EX-7, then exits the storm drain manhole to the south and onto the subject property through another (2) two existing 30”Ø HDPE corrugated pipes in parallel. Once the runoff flows from EX-3 and EX-7 are released to the south side of the highway and onto the subject property, it enters a well-defined but shallow existing channel that also flows southerly and maintains its course for the entirety of its path across the site, continuing to the southernmost portion of the subject property.

Offsite Basin EX-4 is located in the highway median north of the northwest corner of the subject property, and the runoff flows from this basin are collected by an existing area drain and then exit to the south and onto the subject property through an existing 18”Ø HDPE corrugated pipe to then join with Basin EX-8. Primarily, Offsite Basin EX-4 in the median was separated out from Basin EX-8 simply to verify the NDOT sizing of the existing culvert in that area. Both Offsite Basin EX-4 and Basin EX-8 end up entering the subject property by way of the existing ditch along the eastern side of the existing Caroline Way and are then conveyed through said ditch into the Caroline Way Subdivision watershed area. The existing easement for that access roadway and associated ditch are to remain.

Onsite Basins EX-9 and EX-11 are predominantly sheet flow condition across the entirety of the subject property from north to south.

Onsite Basin EX-10 consists of the existing secondary access roadway and roadside ditches already servicing the Caroline Way Subdivision and a part of that watershed area. The Caroline Way Subdivision has a legal easement for that access roadway and associated ditches, and these flows would have been accounted for during its development. The intent during the SH Estates Subdivision development is simply to provide equivalent “pass through” of that portion of the runoff flows without adding additional flows. This roadway and associated ditches are part of the overall development layout to be incorporated into the SH Estates Subdivision development.

Reference Figure 2 and Figure 3 in the Appendix for the existing drainage basins and runoff patterns.
d. Historic Information (Rainfall or Discharge Data)

Runoff calculations using the SCS Runoff Curve Number Method are shown in Table 3.

Table 3: Existing Drainage Basins Hydrology

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<th>Ia</th>
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<th>Peak Runoff Rate (Q)</th>
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<td>2.82</td>
<td>0.5641</td>
<td>476.90</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>TOTALS=</td>
<td></td>
<td></td>
<td>981.75</td>
<td>243.9</td>
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</table>

As indicated in Table 3, approximately 243.903 cfs for the 100-year, 24 hour storm event of peak runoff are generated with predeveloped conditions. Reference Figure 2 and Figure 3 in the Appendix for the existing drainage basins.

e. Effect of Historic Flows on Adjacent Properties

There are no apparent adverse effects, based on current historic flows, on adjacent properties. All of the basins analyzed end up contributing to, and conveying from, north to south across the subject property and end up in the playa bed on the southernmost portion of the project site. In terms of Basins EX-4, EX-8 and EX-10, they are currently flowing into existing ditches along existing access roads serving the Caroline Way Subdivision and have already been accounted for during its development, and the intent during the SH Estates Subdivision development is simply to provide equivalent “pass through” of that portion of the runoff flows and not provide additional mitigation. Storm waters generated on site will not flow offsite or affect adjacent developed properties to the west and east.

IV. Proposed (Developed) Drainage System

A. Criteria Used in Design

The 100-year, 24-hour duration design storm event was used to design the proposed developed drainage system based on the Drainage Guidelines for Lyon County. In addition, per the Drainage Guidelines for Lyon County and based on the fact that the overall watershed area analyzed is greater than 200 acres,
hydrologic modeling utilizing HEC-HMS (balanced storm) was used. The drainage study is based upon rainfall data from NOAA ATLAS 14, Latest Edition soils data from the SCS Soils Report for Lyon County was used to establish hydrologic soils groupings, and runoff curve numbers were based upon SCS TR-55 Table 2-2 (AMC 2). Lag times were based upon TR-55, Figure 3-3.

Due to the size of the areas contributing runoff to the proposed development area, the SCS Runoff Curve Number Method was utilized in determining the existing and proposed peak runoff rates. The following elements are required in utilizing the SCS Runoff Curve Number Method:

\[ Q = \frac{(P - I_a)^2}{(P - I_a) + S} \]

Where:
- \( Q \) = Runoff (in)
- \( P \) = Rainfall (in)
- \( S \) = Potential maximum retention after runoff begins (in)
- \( I_a \) = Initial abstraction (in)

**B. Time of Concentration (Tc)**

A maximum time of concentration was determined by utilizing the longest drainage flow path in each particular hydrologic basin. The time of concentration was calculated using the time travel figure in the appendix.

Overland flow, ditch, and gutter travel time were calculated using the following equation:

\[ t_r = \frac{D}{V} \left( \frac{1}{60} \right) \]

Where:
- \( t_r \) = Overland flow, ditch, and gutter flow time (minutes)
- \( D \) = Distance of travel (feet)
- \( V \) = Velocity (feet per second) (Travel Time Velocity Figure – Appendix A)

Rainfall depths were derived from the National Oceanic and Atmospheric Administration (NOAA) Atlas. The rainfall data point was utilized to derive point precipitation frequency estimates. Time of concentration values were calculated using the TR-55 software. These values were applied to the SCS Method to estimate peak flows for both the proposed development and the parcel as it exists today. A copy of the NOAA Atlas Point Precipitation Frequency Estimate and Time Travel Velocity Figure is provided in the Appendix.

**C. Runoff**

Reference Figure 2 and Figure 3 in the Appendix for the existing drainage basins and runoff patterns and Table 3 above for historic storm flow rates. Developed storm flow paths can be found on the Preliminary Subdivision Grading & Drainage Sheets C-10 through C-16. Developed storm flow rates for each of the network of ditches proposed for the site will be provided in full detail during final design. The network of ditches will be designed to an appropriate geometry and additional freeboard to mitigate peak flow drainage.
conditions produced by development with SH Estates Subdivision to existing conditions or less, in accordance with Lyon County requirements.

D. Summary of Proposed Improvements

The proposed site improvements to capture, convey, and release storm water flows generated within the proposed development, consists of a network of ditches throughout the project, along with proposed culvert crossings under future driveways and roadside ditches to mitigate the flows to their ultimate release to the south of the property. In addition, a proposed detention pond area is proposed on the westerly portion of the development to mitigate and control proposed flows prior to re-release into a southerly ditch along the easterly boundary of the existing Caroline Way Subdivision that will carry that portion of runoff flows to the existing sump located at the southern portion of the subject property. Proposed onsite drainage channels within the SH Estates Subdivision Development will typically begin at the NDOT culvert outlets and end in either the onsite detention basin mentioned above, or in the old playa bed at the southern portion of the subject property mentioned above. Both the primary and secondary network of ditches, as well as the proposed detention basin, will be designed during the final design to accommodate the 100-year peak drainage flows. The detention basin will be modeled with weir overflows, and overflows will generally discharge into the proposed network of conveyance ditches on the site and be conveyed south to the old playa bed to the south of the property. Accordingly, both the detention basin and the network of ditches will mitigate peak flow drainage conditions produced by development with SH Estates Subdivision to existing conditions or less, in accordance with Lyon County requirements. (Please reference Preliminary Subdivision Grading & Drainage Sheets C-10 through C-16 for the proposed storm drain system layout.)

E. Detention/Retention

Detention volume is found by finding the difference between pre- and post-conditions of the site. To mitigate any increased runoff, the proposed detention basin and network of ditches will be sized and metered out at existing rates with final design and reduce impact to surrounding areas. Volume within the proposed detention basin will be determined with final design to provide for zero increase in peak flows from predevelopment to post-development conditions. The proposed detention basin will provide for an emergency overflow that will not cause a direct impact to neighboring sites. Final design report will provide detailed description of any downstream constraints, and will include appropriate mitigation measures in the design. All related improvements required for proper detention basin operation will also be made a part of the final detention basin design.

In addition to the proposed detention basin to be provided on site, the existing playa along the southernmost portion of the property will serve as overall retention for the project areas not passing through said proposed detention pond on site.

V. Conclusions: Discuss Impact of Improvements

No adjacent properties exist between the discharge point (the received flows from the existing culverts under Highway 50 East in the NDOT right of way) and the ultimate receiving body (old playa bed). Also, the proposed drainage improvements for the SH Estates Subdivision Development will provide several benefits to both the existing conditions along the frontage of U.S. Highway 50 East and the current runoff conditions from the existing project site to the Caroline Way Subdivision along the western portion of the development. With regard to the benefits relating to the existing conditions along the frontage of the highway, the current NDOT culverts crossing the highway north to south and conveying offsite flows to the subject property are sized for a 25-year storm event. The 24"Ø HDPE corrugated pipe conveying Offsite Basins EX-1 and EX-5 currently has a maximum capacity to transport 37.2 cfs, whereas the 100-year peak flows from these two basins is actually 79.44 cfs, resulting in a deficiency of 42.24 cfs for a 100-year event.

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The 24"Ø HDPE corrugated pipe conveying Offsite Basins EX-2 and EX-6 currently has a maximum capacity to transport 32.2 cfs, whereas the 100-year peak flows from these two basins is actually 60.25 cfs, resulting in a deficiency of 28.05 cfs for a 100-year event. The (2) two 30"Ø HDPE corrugated pipes in parallel conveying Offsite Basins EX-3 and EX-7 currently has a maximum capacity to transport 114.85 cfs, and the 100-year peak flows from these two basins is actually 36.59 cfs, so these pipes are sufficient to convey a 100-year event. Nonetheless, the proposed drainage system for the project intends to capture all the flows for a 100-year event from the offsite basins to the north, regardless of the sizing of the NDOT culverts. Additionally, with regards to current runoff conditions from the existing project site to the Caroline Way Subdivision along the western portion of the development, the proposed drainage improvements for the project includes a cutoff ditch running east-west along the entire northern boundary of the Caroline Way Subdivision to capture all runoff currently travelling across the subject property and thence onto and through the Caroline Way Subdivision, thereby attempting to improve the runoff effects to the subdivision currently in place. With regards to current runoff conditions from the existing project site to the neighboring properties along the eastern portion of the development, the proposed drainage improvements for the project include a series of ditches along common property lines of the easternmost proposed lots that capture storm water from the upstream lots and convey it to release along the eastern property line. The amount of runoff being captured by these ditches and, therefore, conveying to the neighboring easterly properties will be less than those easterly properties are receiving now due to the additional network of proposed ditches further to the west that are designed to intercept flows and convey to the existing playa along the south of the project. Nonetheless, these ditches will be designed to convey at equal or flatter slopes than current conditions in the area in order to reduce flow velocities in the ditches, and final design will include further mitigation of runoff flows and velocities to ensure runoff flows and velocities will be at or below historic rates prior to release. Furthermore, due to the topography at the northeast portion of the project site directing flows in a southeasterly direction, and proposed design not altering the overall nature of that path, there will be no adverse impact, and zero storm water contributions, to any neighboring properties northeast of the project site as a result of the development.

The performance of proposed project improvements, roadways, and storm water conveyance facilities, once constructed, will not adversely impact upstream or downstream properties adjacent to this site. The development of SH Estates Subdivision will not significantly increase upstream or downstream storm flow runoff rates, volumes, velocities or depths, and will not influence floodplain boundaries. Drainage patterns for the proposed development will duplicate historic flow rates for the existing project area. The proposed site may utilize, but is not limited to, a network of drainage ditches, culverts, drainage swales, and a detention basin/settling pond to convey and manage the predicted stormwater. The proposed development is anticipated to result in a minor increase in stormwater volumes. These increases will be handled via detention, retention and ditching and will not leave the site. Regardless, any increase in runoff will be captured, detained, and metered out at historic rates with the use of a detention basin/settling pond and outlet structures that will be sized with final design. Additionally, the network of ditches will be designed to control the flow rates prior to release. All stormwater infrastructure is proposed to be private, with responsibility for ownership and maintenance falling to the proposed project’s HOA. As such, no adverse hydrologic effects on downstream infrastructure are anticipated due to the development of this project site.

The proposed drainage improvements for the SH Estates Subdivision Development does meet all appropriate Lyon County Standards. A final drainage report will be submitted with the final improvement plans which shall provide all hydrologic and hydraulic calculations necessary to verify that the proposed facilities will be functional for both existing and future developed conditions and shall show that the proposed improvements meet or exceed the requirements outlined in the drainage guidelines for Lyon County.

References
Appendices & Figures

➢ Figure 1: Vicinity Map

➢ FEMA Flood Insurance Rate Map

➢ National Oceanic and Atmospheric Administration (NOAA) Atlas

➢ Time Travel Velocity Figure

➢ Figure 2: Predevelopment & Post-Development Offsite Watershed Exhibit

➢ Figure 3: Predevelopment Onsite Watershed Exhibit
VICINITY MAP

PRELIMINARY HYDROLOGY REPORT TO SUPPORT THE SH ESTATES SUBDIVISION TENTATIVE MAP

FIGURE 1
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Figure 15-4  Velocity versus slope for shallow concentrated flow

<table>
<thead>
<tr>
<th>Flow type</th>
<th>Depth (ft)</th>
<th>Manning's n</th>
<th>Velocity equation (ft/s)</th>
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<tr>
<td>Pavement and small upland gullies</td>
<td>0.2</td>
<td>0.025</td>
<td>$V = 20.328(s)^{0.6}$</td>
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<td>Grassed waterways</td>
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<td>$V = 16.136(s)^{0.65}$</td>
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<td>Nearly bare and untilled (overland flow); and alluvial fans in western mountain regions</td>
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<td>0.051</td>
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<td>Cultivated straight row crops</td>
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<td>0.058</td>
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<td>Short-grass pasture</td>
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<tr>
<td>Minimum tillage cultivation, contour or strip-cropped, and woodlands</td>
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<td>0.101</td>
<td>$V = 5.032(s)^{0.65}$</td>
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<tr>
<td>Forest with heavy ground litter and hay meadows</td>
<td>0.2</td>
<td>0.202</td>
<td>$V = 2.516(s)^{0.65}$</td>
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Attached is a public comment for the Stagecoach Advisory Board 2/1/23 Agenda Items #9 and #10 for SH Estates. Instead of sending 25 individual comments, there are 25 signatures attached to this comment from individuals either currently living or will be moving east of the proposed SH Estates.
Page 9 of PLZ-2022-207 states that *SH Estates is not anticipated to generate negative impacts upon adjoining properties.* We, the surrounding residents of SH Estates, do not agree with this statement and are opposed to the proposed SH Estates Subdivision as presented.

At the March 7, 2018 Stagecoach Advisory Board meeting concerning Desert Wells Preserve, which was located in the same area, applicant Don Smit stated “200 homes would have negative impacts on this community”. Although Mr. Smit made this statement with 14 more homes than what SH Estates is now proposing, the applicant himself has stated there would be negative impacts in a public meeting. As the applicant has stated this, these known negative impacts should be disclosed.

At the November 2, 2022 Stagecoach Advisory Board meeting, residents expressed concerns about negative impacts and also possible ways to mitigate those impacts. SH Estates representatives also encouraged residents to provide input for the project. However, it appears SH Estates choose to ignore the resident concerns and possible mitigations.

SH Estates makes similar statements throughout the documents that indicate this development is what currently exists in the area, including: The requested changes are logical given surrounding conditions; Project impacts will be minimal and are consistent with existing development trends in the area; Development won’t be in contrast with community character; SH Estates will be complementary to existing family lots to the north, east and west and serve as a functional extension of the existing neighborhoods; The project is consistent with the existing and planned uses of adjoining properties and complements the existing built environment; RR-2 zoning is consistent with surrounding properties, envisioned residential use is compatible and complementary to existing uses in the area and not anticipated to result in any negative impacts; The density proposed is consistent with the surrounding area; The project will be complementary to the existing built environment. These statements are inaccurate, below are comments, impacts and mitigations from some of the residents (as indicated by names and signatures at the end of document).

**Lot Sizes and Locations.** The area around SH Estates is very rural, many residents of Stagecoach have repeatedly expressed their desire for this area to stay rural with large lot sizes of 5+ acres. SH Estates lot sizes range from 2 to 17.77 acres, with an average of 2.45+ acres. There are only 5 lots about 17.77 acres, as those are the anomaly and if not included in the average, the remaining 181 lots average 2.2 acres. SH Estates as a whole is not consistent or complementary to surrounding properties or development trends in rural Stagecoach and does contrast with community character; the density also isn’t consistent with the built environment. Churchill Ranchos Estates on the west boundary is currently 2-acre lots, which is adjacent to the SH Estates property that is also currently zoned 2-acres, this area may be consistent and complementary to existing surrounding properties. The remainder, however, isn’t, especially on the north, east and south areas of the project. The remainder of the adjacent properties, and properties within ½ mile of the project, are all zoned 5 to 20 acres or larger with actual acreage, or built environment (properties with homes), ranging from approximately 5 to 60 acres. Vacant property actual acreage ranges from 5 to 640 acres. The 5 approximate 17-acre lots are located adjacent to and near Churchill Ranchos 2-acre lots, not adjacent to or near the current 5- or 20-acre lots. At the 11/2/22 Stagecoach advisory board meeting, SH Estates representatives stated the lot sizes would be a functional extension of what exists today and they would essentially be lot matching so it will look like the existing neighborhood. Mitigation requested at the meeting to reduce negative impacts were to locate larger lots, minimum 5-acres, adjacent to and near the existing larger lots,
especially on the east, northeast and southeast boundaries, primarily phase 3. No changes were made to the lot sizes or locations, and they are still shown as approximate 2-acres lots adjacent to the 5 and 20 acre lots on the east, northeast and southeast of the project area. Figure 1 visually displays the current built environment around SH Estates, indicating that with the exception of Churchill Ranchos, the area is larger size lots. This clearly displays the changes are not logical, or complementary and with the exception of Churchill Ranchos, contrast with the surrounding conditions and communities. **Mitigation** – Larger lots, 5+ acres, adjacent to the existing 5 and 20 acre lots, especially on the east, northeast and southeast boundaries, primarily phase 3.

**Flooding.** There are very large concerns from existing residents concerning flooding, we have lived here a long time and have witnessed what occurs in this area. The SH Estates hydrology report states there will be no adverse impacts to adjoining properties, we do not agree with this statement. The report states it is anticipated the project will result in a minor increase in stormwater volumes, but these will not leave the site. The same report states culvert crossings under driveways and roadside ditches will flow to their ultimate release to the south of the property, so the report states water both will and won’t leave the project site. The hydrology report also refers to a detention basin on the westerly portion of the development, we are presuming the cross-hatched area on the map is the detention basin. The report also says overflows from the detention basin will be conveyed through conveyance ditches, to the old playa bed to the south of the property. Figure 1 depicts the project area and the “old playa bed” to the south of the property and the route water typically takes as it flows out to misfits flat. The photo clearly indicates the playa bed water flow direction, which is directly into existing homes. During high water events, even Thunderstorms in the Virginia Range during the summer, flood waters also flow east down highway 50; there is no culvert under Blackhawk, but there is a ditch that diverts water south down Blackhawk and an additional ditch that crosses west to east at Silver Lane to divert water down Silver Lane. The Blackhawk/Silver drainage issues need to be dealt with by the County before any improvements to Blackhawk by SH Estates occurs. For the County to ignore the fact they are using a residential public street as a drainage ditch is a negative impact from the County and just re-paving the ditch will exacerbate that negative impact. As the hydrology report states water will overflow into the old playa (basically the lower laying areas) and our homes are in that area, the report basically states SH Estates water flows will flood our properties. We are also very concerned about a HOA maintaining the drainage ditches and detention basins. How long will it be before roads, ditches and detention ponds are actually maintained? When the first phase is built, after phase 4 in complete, somewhere in between or long after phase 4 is completed? What happens if a high water event occurs and damages the drainage features, causing them to fail and there isn’t enough money in the HOA yet to repair or maintain?

**Gravel Roads.** SH Estates says there will be 29,936 lineal feet (about 5.5 miles) of gravel roads proposed within the project. Adjoining and nearby properties to the east of SH Estates are downwind from the development. Non-paved roads will cause an immense amount of dust. This will be continual fugitive dust from 186 residences and not dust from a wind event or an occasional vehicle that currently exists. There is also a huge concern about the roads being private and a HOA maintaining them. How will they maintain them and how often, will they continually water them to capture fugitive dust? How deep will the gravel be and what happens when wind storms cover the gravel with dirt? We know we live in a rural area with a lot of dirt and when the wind blows, we know the dirt blows. When vehicles travel on non-paved roads though, dust is prevalent without wind. Dust from 186 new residences travelling non-paved roads will cause severe negative impacts. A news report from May 2022 indicated the Environmental Protection Agency (EPA) is sampling for mercury
contamination in the soil in this area due to the proximity of Virginia City. We are very concerned about this and effects if it present and becomes airborne with the dust. If the HOA fails (as nearby Iron Mountain Ranch HOA did), the maintenance of the roads would not occur, causing more non-maintained roads in this County and possibly increased flooding and erosion issues. Mitigation requested at the 11/2/22 meeting was to pave the internal roads. No changes have been made to the internal roads and they are still shown as gravel.

**Mitigation** – Pave all project roads, sample the soils in the project area for mercury and remove contaminated soils if present.

**Existing Roads.** Page 1, Paragraph 1 of the SH Estates Traffic Impact Study describes the proposed study area as generally south of US-50 and west of Sand Dune Drive. Silver Lane is within that area but wasn’t mentioned in the report findings. Silver Lane is a dirt, non-maintained County Road, the residents of Silver Lane have repeatedly voiced concerns that Silver Lane will be used as alternate route for commuters as vehicles back up on Blackhawk at Hwy 50 during rush hour. Traffic from SH Estates utilizing Silver Lane will cause it to deteriorate, possibly reducing or removing the access route for existing residents to reach their homes. Mitigation requested at the 11/2 meeting was to bring Silver Lane up to County Standards. Silver Lane was not mentioned in any of the SH Estates documents, so we can assume this was ignored. SH Estates indicates they will pave Blackhawk and Wrong Way. This is needed for the 1,754 additional daily vehicle trips (for the whole project), but we are concerned about speeding traffic on existing roads and residents ability to turn right onto Blackhawk from Silver Lane during rush hour. Posting speed limits and an additional stop sign will assist with slowing traffic down. Blackhawk currently doesn’t have a culvert under it at hwy 50 and flood waters are diverted south down Blackhawk, then east down Silver from a County constructed drainage ditch across Blackhawk at Silver. Unsure if Blackhawk will be widened, but there is also an existing domestic wellhead close to the edge of Blackhawk, how will that be protected?

**Mitigation** – Bring Silver Lane up to County Road standards. Protect the existing domestic wellhead adjacent to Blackhawk. Post 25 mph speed limit signs on Blackhawk, Caroline, Leegard, Silver and the Frontage Road between Blackhawk and Breakaheart. Install a stop sign on Blackhawk heading north, at Silver Lane, as depicted in Figure 1. Prior to improving or paving Blackhawk, the County needs to manage flood waters so Silver Lane isn’t used as a drainage ditch. Maybe install a culvert under Blackhawk at US-50, remove the drainage ditch across Silver Lane, and manage the flood water in that area to continue east down US-50 and under the Breakaheart culvert to misfits flat.

**Water.** Stagecoach is within water basin 103-Dayton Valley. This water basin includes Dayton and Stagecoach in Lyon County and portions of Carson City, Storey and Douglas Counties. According to the State of Nevada, Division of Water Resources well log database, there are 2,337 wells within water basin 103; 1,659 of these are in Lyon County. Of the 1,659 wells in Lyon County, 1,265 are domestic wells. The SGID letter attached to the SH Estates document indicates SGID is requesting a lower consumptive rate from 1.12 acre feet per lot to .67 acre feet per lot. This appears to indicate less water will be used by each lot, but in reality water use will stay the same and each lot charged for water use over .67 acre feet. The lower consumptive rate will also allow developers to build more homes. Existing residents on domestic wells are very concerned about unreasonable adverse effects to their wells from over-pumping from municipal wells. Although water rights are required by SH Estates for each home and SGID has stated they have the water in their municipal wells and the hook-ups, this doesn’t mean we have enough water. This exact situation occurred in Washoe County in the Mt. Rose fan area, approximately 20 direct miles from Stagecoach. Pumping of ground water from municipal
wells created unreasonable adverse effects to domestic wells in this area. A large amount of
development had occurred in this area; the developers had water rights for the hookups for municipal
wells, but the amount of available ground water was less than the water rights. The result being
Truckee Meadows Water Authority (TMWA) Rule 10 - TMWA reimburses fees and costs to the property
owners to connect to the water system or reimburses costs to the property owner to deepen an
existing well or drill a new well if deepening isn’t feasible.

**Mitigation** – Leave consumptive rate at 1.12 acre feet per lot. The County or SGID put into place
something similar to TMWA Rule #10 to protect existing domestic well owners from unreasonable
adverse effects of municipal wells over-pumping the ground water.

**Septic Tanks.** We are aware Stagecoach General Improvement District (SGID) requires denitrification
septic systems for new construction and that they maintain the septic tanks and blowers, but not the
leach lines. Denitrification septic systems convert nitrates to nitrogen gas, which is released into the
air. Denitrification systems remove 80-90% of nitrogen, so 10-20% is still leached out. We are
concerned 186 leach fields in such a condensed area that over time nitrates will still leach into the soil,
affecting our domestic wells. We did look at the USDA (United States Department of Agriculture) soils
report for the SH Estates area. Figure 2 depicts the soils septic tank absorption field report
(WebSoilSurvey.nrcs.usda.gov). This indicates that about 31% of the development area is “somewhat
limited” and 2% is “very limited” due to flooding, will anything different occur in these areas? As
evidenced from January 2023, flooding occurs in this area and leach fields becoming overcome by
flooding would impact our wells.

**Mitigation** – Documentation of potential harmful effects from the nitrogen being released into the air
from the denitrification process and the distance it may travel. Documentation of what additional
safe-guards will be put into place for leach lines in the very and somewhat limited soil absorption
fields.

**Wildland Fires.** Wildland fires are an increasing occurrence. In this rural area, with an additional 186
homes, there is an increased risk of starting or spreading a wildland fire and the ability to safely
evacuate during a fire or other emergency.

**Fencing** – At the 11/2 meeting, SH Estates indicated they weren’t planning on fencing and the
individual buyers would fence their own lots. SH Estates further said they would consider fencing if
that was a concern. Residents expressed a desire to have the boundary fenced and cattle guards in
place to restrict wild horse incursions into the project and the increasing issues that is causing.

**Mitigation.** To restrict wild horse incursions, we are requesting the perimeter be fenced with wildlife
friendly fencing with cattle guards on roads. The reduce impacts, we are also requesting a solid fence
(block or similar material) be built on the boundaries with existing residences.

**Electricity.** There are existing power poles and transformers servicing existing residents; some
transformers were purchased by individual residents. Some power poles are on SH Estates property,
guessing NV Energy has an easement for these. Will power be underground or overhead and will any
of the existing power pole locations be changed or transformers purchased by residents be utilized?
Figure 1 – Google Earth view of the project area

- SH Estates approximate boundary
- Area of requested 5+ acre lots and solid fence on boundary
- Proposed stop sign.
Figure 2 – Web Soils Survey Septic Field Absorption Field
<table>
<thead>
<tr>
<th>#</th>
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<th>Signature</th>
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<tbody>
<tr>
<td>1</td>
<td>Amanda Brinnand 11080 Silver Lane</td>
<td>Amanda</td>
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<td>2</td>
<td>Nikita Gifford 11040 Silver Lane</td>
<td>Nikita Gifford</td>
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<td>3</td>
<td>Brenda Marley 11045 Silver Lane</td>
<td>Brenda Marley</td>
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<td>4</td>
<td>Brenda Courduff 11045 Silver Lane</td>
<td>Brenda Courduff</td>
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<td>5</td>
<td>Barbara Espinoza 11160 Silver Lane</td>
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<td>6</td>
<td>Ernest Espinoza 11160 Silver Lane</td>
<td>Ernest Espinoza</td>
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<td>7</td>
<td>Loraine De La Torre 11160 Silver Lane</td>
<td>Loraine De La Torre</td>
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<td>8</td>
<td>Robert Butler 11340 Silver Lane</td>
<td>Robert Butler</td>
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<tr>
<td>9</td>
<td>Willis Lamm 11345 Silver Lane and 7600 Snafu Dr.</td>
<td>Willis Lamm</td>
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<tr>
<td>10</td>
<td>Sharon Lamm 11345 Silver Lane and 7600 Snafu Dr.</td>
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<td>11</td>
<td>Ruth Sherman 11405 Silver Lane</td>
<td>Ruth Sherman</td>
</tr>
<tr>
<td>12</td>
<td>Betty Retzer 11625 Hwy 50 W (Blackhawk Rd) and 7700 Snafu Dr.</td>
<td>Individual approved Proxy Signature, they were sick and couldn’t provide signature.</td>
</tr>
<tr>
<td>13</td>
<td>Lora Schueller 7385 Blackhawk Rd</td>
<td>Lora Schueller</td>
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<tr>
<td>14</td>
<td>Bob Motamenpour 7385 Blackhawk Rd</td>
<td>B. Motamenpour</td>
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<tr>
<td>15</td>
<td>Jole Strange 11220 Silver Lane</td>
<td>Jole Strange</td>
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<td>Name and Address</td>
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<tr>
<td>16</td>
<td>Shannon McCarthy 435 Keystone Dr Dayton, NV 89403</td>
<td>[Signature]</td>
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<tr>
<td>17</td>
<td>Joshua Ruby 435 Keystone Dr Dayton, NV 89403</td>
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<tr>
<td>18</td>
<td>Johnny Anderson 11045 Silver Ln Stagecoach NV 89429</td>
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<tr>
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<td>Ricardo H Gutierrez 11460 Silver Lane Stagecoach NV 89429</td>
<td>[Signature]</td>
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<td>Martene Gutierrez 11460 Silver Lane Stagecoach NV 89429</td>
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<td>Gail Lee Emm 11165 Silver Lane Stagecoach NV 89429</td>
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<td>22</td>
<td>Martine Emm 11165 Silver Lane Stagecoach NV 89429</td>
<td>[Signature]</td>
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<tr>
<td>23</td>
<td>Raymond Lee 11225 and 11285 Silver Lane, Stagecoach</td>
<td>Individual approved Proxy Signature, they were away from home and couldn’t provide signature.</td>
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<tr>
<td>24</td>
<td>Patrick M. Jones 11280 Silver Lane, Stagecoach</td>
<td>Individual approved Proxy Signature, they were away from home and couldn’t provide signature.</td>
</tr>
<tr>
<td>25</td>
<td>Jean Marie Perchaluk 11280 Silver Lane, Stagecoach</td>
<td>Individual approved Proxy Signature, they were away from home and couldn’t provide signature.</td>
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</tbody>
</table>
In the event I cannot attend the meeting, I would appreciate this being read into the record.

I looked at the agenda for the 2-1-23 meeting and I’m not sure if I can attend, so I wanted to voice my concern with the Schaller Development (formerly Desert Wells) subdivision.

As a property owner and resident of Leegard Ave., I have been very vocal in my objections to parts of this proposal. Now they have renamed it and come back with 2 acre parcels. That is more within the structure of the area, but there are still concerns.

1. They are proposing no infrastructure. They will build 186 homes and do NO road improvements. The roads within the subdivision will be maintained by the "HOA". We all know that especially in rural areas, HOAs usually disappear as fast as the developer. So we will have potted, washboard roads and no maintenance. At least if the developer were to install asphalt roads, there would be a better chance of maintaining.

2. The developer in one section says that the water will be provided by the GID, then in another section they say it will be individual wells. Which is it? I worry for the availability of water for the whole area, and adding another 186 homes will only make that stress on the ecosystem worse. If they do individual wells, what will that do to the property owners who have wells? Will that lower the water table and make their wells go dry?

Those are the 2 main questions I have. I understand the need for development and I welcome well planned development. I believe this plan still has some holes that need to be addressed.

Thanks for your time.

Linda Marek
512 Leegard Ave.
Stagecoach
Great, thank you so much!

From: Stage Coach CAB <sccab@lyon-county.org>
Sent: Thursday, January 26, 2023 1:51 PM
To: LINDA MAREK <lindamom75@hotmail.com>
Subject: Re: Agenda 2-1-2023

[Quoted text hidden]
To whom it may concern,

Hello, my name is Nikita Gifford and I live on Silver Lane. I urge you to please hear our concerns and Reject the request for a zoning map amendment and merger and re-subdivision/tentative subdivision map (PLZ-2022-206 and PLZ-2022-207). We need to have as little negative impact on the environment and current residents as possible, allowing these requests will have a huge negative impact on myself, my neighbors and this beautiful area.

First, I understand some dust will occur during construction, however each extra house that SH Estates is trying to squeeze into their plan will only compound the problem both with construction and after: the vehicles of all proposed 186 homes, with the average amount of vehicles per home of about 2, that’s at least 372 vehicles going up and down gravel/dirt roads. This will be a huge factor on the quality of air especially during the summer when the entire area dries up kicking dust and pollen into our lungs.

The dirt roads that we rely on to have access to the highway need major improvements for the amount of traffic it would be expected to hold. Every time it floods, Silver Lane turns into a river, at times we can’t go anywhere! The flooding has been happening quite often now and would only get worse with new developments, Blackhawk/Silver Ln. drainage issues need to be solved by the county before any new homes are built.

I’m also concerned if our water wells will be impacted from over pumping of our most precious resource and if water would become too polluted to drink because of new septic systems leeching large amounts of nitrates. Most individual septic systems are not even designed to capture pollutants such as microplastics, including fine microplastic particles called microfibers (for example washing clothes made from synthetic fibers such as nylon/polyester/acrylic).

Please Keep Stagecoach Rural and Spacious.
Stagecoach Citizen Advisory Board
Letter of Transmittal

February 8, 2023

Re: February 1, 2023 Stagecoach Advisory Board meeting compliance and planning item recommendations

To the Lyon County Board of County Commissioners. Below is a compliance requirement update from the Stagecoach Advisory Board (ScCAB) February 1, 2023 meeting (agenda item 8).

8. For Review Only: Discussion and review of 2022 retention update for documents and compliance requirements.

The ScCAB was active May through December 2022; from January through April 2022 there were only three board members and the ScCAB was non-functional. Commissioners appointed two additional members at the March 3, 2022 BOCC meeting and the ScCAB held their first meeting of the year May 4, 2022. All agendas, minutes and audio for May through December 2022 are uploaded to the County google drive and all agendas and minutes are posted to the County website. An email was sent to Erin O’Conner on January 17, 2023 indicating this, which is attached. The May 4, 2022 ScCAB minutes indicate all members of the ScCAB unanimously reported they had completed the required 2022 training.

To the Lyon County Board of County Commissioners and Planning Commission. Below are two planning item recommendations (agenda items 9 and 10) from the ScCAB February 1, 2023 meeting, followed by rationale for recommendation and additional information. At the meeting Mike Railey introduced himself as the applicant. As the documents provided by the applicant addressed both agenda items, he provided a presentation for both agenda items. The ScCAB requested comments for each agenda item separately and each agenda item recommendation was voted on separately. The rationale for the recommendations is also combined and includes both agenda items. Because of the timing of the ScCAB and Planning Commission meetings, the staff report was not completed or available for this meeting. The meeting was well attended with approximately 30 participants, 28 written comments were also received, which are attached; although only 3 physical comments are attached, one contained the comments from 25 residents.

9. For Possible Action: To forward a recommendation to the Board of Commissioners for a Zoning Map Amendment request from Schaller Development LLC c/o Project One to change the zoning on nine (9) parcels comprising approximately 497.52 acres south of US Highway 50 in Stagecoach from RR-5 (Fifth Rural Residential District – 20 acre minimum) and RR-2 (Second Rural Residential District – 2 acre minimum) to RR-2 (Rural Residential – 2 acre minimum) in accordance with the Master Plan designation of Specific Plan (APNs: 015-365-01, 015-365-02, 015-365-03, 015-365-04, 015-371-05, 015-371-06, 015-371-07, 015-371-08, 015-451-01) PLZ-2022-206.

The Stagecoach Advisory Board made a recommendation of denial to forward to the Board of Commissioners for a Zoning Map Amendment request from Schaller Development LLC c/o Project One to change the zoning on nine (9) parcels comprising approximately 497.52 acres south of US Highway 50 in Stagecoach from RR-5 (Fifth Rural Residential District – 20 acre minimum) and RR-2 (Second Rural

10. For Possible Action: To forward a recommendation to the Board of Commissioners for a request from Schaller Development LLC c/o Project One of a Merger and Re-subdivision/Tentative Subdivision Map of nine (9) parcels comprising approximately 497.52 acres south of US Highway 50 in Stagecoach into 186 single family residential lots with a minimum lot size of 2 acres and a maximum size of 17.7 acres (APNs: 015-365-01, 015-365-02, 015-365-03, 015-365-04, 015-371-05, 015-371-06, 015-371-07, 015-371-08, 015-451-01) PLZ-2022-207.

The Stagecoach Advisory Board made a recommendation of denial to forward to the Board of Commissioners for a request from Schaller Development LLC c/o Project One of a Merger and Re-subdivision/Tentative Subdivision Map of nine (9) parcels comprising approximately 497.52 acres south of US Highway 50 in Stagecoach into 186 single family residential lots with a minimum lot size of 2 acres and a maximum size of 17.7 acres (APNs: 015-365-01, 015-365-02, 015-365-03, 015-365-04, 015-371-05, 015-371-06, 015-371-07, 015-371-08, 015-451-01) PLZ-2022-207.

Rational for Recommendation. Below is the rationale for recommendation of denial for agenda items 9 & 10.

a) Increased flooding risk to Churchill Ranchos from additional overflow water into the old playa adjacent to existing residents. Increased flooding risk to the Blackhawk/Silver lane areas from additional overflow water from the old playa and also US50.

b) Possible implications from the applicant indication the reports were completed under the erroneous assumption the current zoning on 338 acres is 5-acre minimum when it is actually 20-acre minimum.

c) Smaller 2-acre lot sizes adjacent to larger 5- and 20-acre lot sizes.

d) Home Owners Association (HOA) maintenance of detention pond and drainage ditches, possible HOA failure to maintain and the Counties ability to maintain the drainage ditches and detention basin.

e) Detention basin and drainage ditch locations immediately adjacent to existing Churchill Ranchos residents and possible breach.

f) Impacts to existing rural roads, including increased and possibly speeding traffic and unreasonable damage.

g) Increased wildland fire risk and building practices in the Wildland Urban Interface (WUI).

h) Unreasonable adverse impacts on existing domestic wells from increased municipal well ground water pumping. Additional possible domestic well impacts from 10-20% of nitrates leaching into soil and possible effects from excessive livestock manure (if permitted, which is unknown at this time) with such a large number of homes in a concentrated area with livestock.

i) Wild horse excursion into developed areas causing increased wild horse/human interaction and safety issues.

j) Stagecoach residents provided applicant encouraged input at the 11/2/22 Stagecoach Advisory Board meeting to work with the developer on this development, however the developer didn’t include any changes to the map from the 11/2/22 meeting.

k) In 2018, the applicant stated there would be negative impacts to the community with 200 homes, these should be disclosed if they are known.
**Additional Information.** Below is additional information related to each rationale point for recommendation for denial for agenda items 9 and 10.

a) The hydrology report supplied by the applicant states water will overflow, through a series of drainage ditches and a detention basin, into the old playa to the south of their property. The old playa is also adjacent to existing Churchill Ranchos properties. Residents have indicated the old playa currently fills with water during flood events and additional water in the old playa could cause their homes to flood. In addition, a written comment included a google earth photo, indicating the location of the old playa and it’s extension to Misfits flat, and concerns the water will flow into the existing residences in the Blackhawk/Silver lane area. The applicant stated Blackhawk and Wrong Way will be paved. Blackhawk road has no culvert under it to continue overflow water east down US50, so flood waters travel south down Blackhawk at US50. A drainage dip, installed by the County, diverts flood waters down Silver lane, turning this public road into a drainage system river. Residents live on Silver lane and access to homes is restricted because of this. Additional water into the Blackhawk area and Silver lane road, cum drainage ditch, may cause residents homes to flood.

b) In the presentation, Mr. Railey stated the zoning request on about 338 acres was going from RR5, 5-acre minimum to RR2, 2-acre minimum. During public comment, an individual questioned the current RR5, 5-acre minimum zoning because the agenda stated RR5 was 20-acre minimum. Mr. Railey stated he believed there was a typo on the agenda and RR5 is 5-acre minimum. The agenda was accurate and didn’t contain a typo. Mr. Railey, who stated their company had prepared the report, didn’t have the understanding the current zoning on 338 acres of the project is currently under title 10, where RR5 is 20-acre minimum, he was referring to title 15, where RR5 is 5-acre minimum. There are unknown implications and issues that could possibly arise from completing a report under the assumption the zoning request was to go from 5 to 2- acre zoning when it is going from 20 to 2-acre zoning.

c) The applicant supplied documents state the development is similar to what currently exists, won’t contrast with community character and will be complementary to existing lots to the north, east and west of the existing neighborhoods and serve as functional extensions, and the density is consistent with the surrounding area. At the 11/2/22 ScCAB meeting the applicant also stated the lot sizes would be a functional extension of what exists today, and they would essentially be lot matching so it will look like the existing neighborhood. With the exception of Churchill Ranchos Estates and the 160 acres the applicant owns adjacent to Churchill Ranchos, which are both currently 2-acre minimum zoning, the entire area around the proposed development is zoned 5 acre minimum or larger. At the 11/2/22 meeting residents requested larger lots adjacent to the existing larger low density 5 and 20 residences in the Blackhawk/Silver lane area to be more similar with what exists. No changes were made to lot sizes on the map displayed at the 2/1/23 ScCAB meeting.

d) The applicant stated a HOA would maintain the detention basin and drainage ditches, fees would be assessed on each lot to fund this. They also stated if the HOA failed to maintain, the County would receive the fees and maintain. There is a resident concern on how often and how the HOA will maintain them, because if not properly maintained, the surrounding residents will receive even more flood water from improperly maintained ditches and pond. There is also a concern the County is already stretched in maintaining roads and ditches and even though they would receive the funds, when and how often would the drainage ditches and detention pond be maintained and how.

e) The applicant indicated a detention basin immediately adjacent to the north and east corner of a Churchill Ranchos Estates property and a drainage ditch immediately adjacent to the eastern boundary of Churchill Ranchos. The applicant didn’t provide specifics on how the detention basin would be built and with the close
proximity of the pond and ditches to existing homes there is a concern a breach or overflow would flood existing residences.

f) There are public safety concerns from the increased and possibly speeding vehicles on Blackhawk and Caroline as these are rural streets with residents and people and dogs walking, people riding horses, wild horses, and ATV’s are a common occurrence. There is also a concern with children going to and from bus stops, walking along the subdivision roads with no sidewalks. Comments included building sidewalks, placement of 25 mph signs and additional stop signs to slow traffic down, especially on Blackhawk at Silver and remedying the Blackhawk/Silver drainage and flood issues prior to any improvements to Blackhawk. Silver lane may also be used by commuting traffic when backups on HWY 50 and Blackhawk occur; this is a dirt, non-maintained road with current water issues (refer to (a) above) and may deteriorate to the point where residents can’t access their homes.

g) As this area is within the WUI, there is an increased risk of a wildland fire from 186 additional homes, especially to residents downwind to the east, as the wind and fires are typically from the west in this area. Applicant provided documents or responses didn’t indicate if WUI recommended building practices, including more fire-resistant building materials and defensible space will be required.

h) Concern existing domestic wells may go dry due to groundwater over-pumping. Although the developer states they do or will have the water rights, the groundwater can still be over-pumped by deep municipal wells causing shallower domestic wells to dry up. This situation occurred within 25 miles of Stagecoach. Domestic well residents requested domestic well monitoring and a program similar to the Truckee Meadows Water Authority Rule #10 implemented if well depths are adversely affected. The new septic tanks will be denitrification systems, but there is still a concern that 10 to 20% of the nitrates still leaching into the soil and the effects from that on adjacent wells from 186 septic tank leach fields. There was also a concern about how far and the effects of nitrogen gas as denitrification systems turn nitrates into nitrogen gas. The developer didn’t know if livestock would be allowed, but there were additional concerns from a large concentration of livestock in such a concentrated area and the manure effects on domestic wells.

i) Wild horse excursion into residential areas is currently a big problem in Stagecoach, with some residents illegally feeding or watering them to encourage the excursions and interactions. Results are increased wild horses on the roads, accidents and human fatalities. Fencing of the property boundary with cattle guards at road access points was requested as possible mitigation to reduce wild horses entering the subdivision and adverse wild horse/human interactions.

j) A general concern from residents that input was encouraged by the developer at the 11/2/22 ScCAB meeting. The residents also indicated they want to work with the developer to make the subdivision more palatable. The map and documents provided by the applicant appear to be the same and it seems input from residents wasn’t taken seriously. The applicant did state the County will require them to pave the internal roads, and the residents acknowledged that was a positive change, but it came from the County, not the applicant.

k) Concern that in 2018, the applicant stated that 200 homes would have a negative impact on the community. Although there are 14 fewer homes now, if there are known negative impacts by the applicant, those should be disclosed.

Sincerely,

/s/ Charles Shirley

Charles Shirley
Chair, Stagecoach Advisory Board
5 Attachments
Lyon County Planning Commission Agenda Summary

Meeting Date: February 14, 2023

Agenda Item Number:
8.g

Subject:
For Possible Action- To forward a recommendation to the Board of County Commissioners for Conditional Use Permit request from Blackcomb Property Group, LLC to allow for a Self storage/RV storage use at 222 Dayton Valley Road in Dayton (APN 006-091-10) PLZ-2022-213.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

- Request for Continuance
- Advisory Board Letter of Transmittal
February 8, 2023

Via E-mail: broth@lyon-county.org

Bill Roth, Senior Planner
Lyon County Planning
27 Main Street
Yerington, NV 89447

RE: REQUEST FOR CONTINUANCE OF PLZ2022-213 (BLACKCOMB CONDITIONAL USE PERMIT), AKA STORE MORE BOAT AND RV

Dear Bill:

Per our recent conversations, my client is making some adjustments to the site plan, removing the storage/locker units and widening the drive aisles. I have shared a conceptual revised plan with you that maintains the general form and format of the site from the initially submitted conditional use permit plan. While I believe that this plan is in substantial conformance, just less intense than the plan that was initially submitted plans, you have requested that amended plan sheets be provided before moving to the Planning Commission hearing. It is understood that this would include amendments to the preliminary landscape plan, site plan, access plan and fencing plan along with an updated narrative to reflect the modified site plan details. To accommodate the necessary time to prepare the amendments to the plan sheets to show the lesser intensity on the site, we are formally requesting that the February 14th hearing item for this case be continued for up to 60 days. It is our intent to get the amended plans back to you as soon as possible to make the March 14th Planning Commission hearing agenda.

It is understood that this item can be automatically continued and there will not be a need to attend the February 14th meeting either in person nor by Zoom to request continuance. Please let me know if my understanding is incorrect.

Please feel free to contact me if you have any questions, comments or concerns regarding this formal request for continuance.

Respectfully submitted,

R. David Snelgrove, AICP
Planning and Right-of-Way Manager
Citizen Advisory Board
Letter of Transmittal

Meeting Date: February 1, 2023

Advisory Board: _____ Dayton Regional Advisory Board

Please select which board this item is to be brought before:

Board of Commissioners _X__, (and/or) Planning Commission _X__

Agenda Item:
11. For presentation, discussion and possible action: Conditional Use Permit request from Blackcomb Property Group, LLC to allow for a Self storage/RV storage use at 222 Dayton Valley Road in Dayton (APN 006-091-10) PLZ-2022-213.

Recommended Motion and/or Report:
Christopher Gonzales moved that the Conditional Use Permit request, as read into the record by the chairman, be forwarded to the Planning Commission/BOCC with a recommendation for approval, conditioned on the following:

• project incorporates roadway improvements including reconfiguration of the pedestrian crosswalk, installation of a left hand turn lane into project, and analysis of sight distance at project exit.
• project incorporates features to address adverse visual impacts on Dayton Valley Road frontage.
• Lyon County Boards and Staff consider the adverse impacts of creating spaces between existing and proposed walls, specifically on the projects north lot line, that can collect debris and promote houseless encampments.

Gina Lee seconded, motion carried 5-0.

Advisory Board or Public Concerns:
Gina Lee asked how it was established that there was a need for this type of facility in this location. Speaker Ely May answered that a similar facility opened in Moundhouse in October 2022 for 150 units and it was full by January. Also the nearby restrictive HOA requirements at the Golf Course communities do not allow for any RV or Boat storage onsite.
Phil Cowee wants taller fencing along Dayton Valley Road as his (neighboring) business was required to do. The intersection of Como Road is a concern as it does not quite line up with the intended access point for the facility.
Leandra Carr is fully supportive of this project

Submitted By: Gina Lee, Secretary       Date: February 2, 2023
Lyon County Planning Commission Agenda Summary

Meeting Date: February 14, 2023

Agenda Item Number:
14.a

Subject:
For Possible Action: Staff Update on recent County Commissioner actions

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS
•