

LYON COUNTY PLANNING COMMISSION
MEETING AGENDA

SEPTEMBER 13, 2016

COMMISSIONERS MEETING ROOM
LYON COUNTY ADMINISTRATIVE COMPLEX
27 SOUTH MAIN STREET
YERINGTON, NEVADA

(Action will be taken on all items unless otherwise noted)

TO AVOID DISRUPTIONS DURING THE MEETING, PLEASE PLACE
CELL PHONES IN THE SILENT MODE OR TURN THEM OFF.

NOTES: This is a tentative meeting schedule. The Planning Commission reserves the right to hear items in a different order, combine items for consideration and remove an item from the agenda or delay discussion relating to any item at any time to accomplish business in the most efficient manner. Items scheduled at a specific time cannot be heard earlier than at the scheduled time per Nevada Open Meeting Law Requirements.

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 on viewpoint. Members of the Planning Commission also serve as the Public Lands Management Advisory Board and during this meeting may convene as this Board as indicated on this or a separately posted agenda.

9:00 A.M. - DETERMINATION OF A QUORUM

PLEDGE OF ALLEGIANCE

REVIEW AND ADOPTION OF AGENDA (for possible action)

APPROVAL OF THE AUGUST 9, 2016 PLANNING COMMISSION MINUTES (for possible action)

PRESENTATION AND READING OF MISCELLANEOUS CORRESPONDENCE

PUBLIC PARTICIPATION – 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.

PUBLIC HEARING ITEMS

1. **S V DEVELOPMENT, LTD – PARCEL MAP (for possible action)** - Request Parcel Map to divide approximately 132.90 gross acres into four (4) parcels, ranging in size from 5.00 gross acres, being the smallest, to 117.35 gross acres, being the largest; located at 79 Old Ranch Rd, Smith Valley (APN 10-731-24) PLZ-16-0025
2. **COMSTOCK INDUSTRIAL, LLC – ZONE CHANGE (for possible action)** – Request to change the zoning on approximately 98.00 total acres from RR-2T (Rural Residential-2 acre minimum with trailer overlay) to M-E (Industrial Estates) to conform to the 2010 Comprehensive Master Plan; located at 3405 Citrus Avenue, Silver Springs, NV (APN 15-171-25) PLZ-16-0026

3. **UNION HOTEL / HASBROUCK, GLENN – SPECIAL USE PERMIT (for possible action)** - Request for a Special Use Permit to allow for a use not permitted in the underlying C-2 zoning district (single family residence) within the Historic Zoning Overlay district per LCC Title 10 Chapter 14, all on a .16 total acre parcel; located at 75 West Main Street, Dayton, NV; (APN 06-073-06) PLZ-16-0023
4. **GRANITE POINTE SUBDIVISION / SAGINAW MANUFACTURING, LLC – MERGER AND RESUBDIVISION INTO A TENTATIVE SUBDIVISION MAP (for possible action)** – Request to combine two existing (2) parcels totaling 10.3 acres, into 45 residential lots and 1 commercial lot, through the Merger and Resubdivision into a Tentative Subdivision map, process; located at 269 Dayton Valley Road, Dayton, NV (APN 16-271-22 and 16-271-23) PLZ-16-0024

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

5. Public participation
6. Board member comments
7. Future agenda items for discussion and possible action (for possible action)
8. Public participation

ADJOURN TO RECONVENE AS THE LYON COUNTY PLANNING COMMISSION

9. **STAFF COMMENTS AND COMMISSIONER COMMENTS** (no action will be taken)

PUBLIC PARTICIPATION – 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.

ADJOURNMENT

Pursuant to NRS 241.020, I, Kerry Page, Planning Assistant, do hereby certify that I have posted or caused to be posted, a copy of this agenda at the following locations on or before 5:00 p.m., September 2nd, 2016:

Lyon County Courthouse, 31 S. Main St., Yerington, NV; **Lyon County Administrative Complex**, 27 S. Main St., Yerington, NV; **Yerington City Hall**, 102 S. Main St., Yerington, NV; **Yerington Main Street Post Office**, 26 N. Main St., Yerington, NV

Kerry Page

For further information

A complete packet of supporting materials for this agenda is available for public inspection at 27 South Main Street, Yerington, NV. These materials may be reviewed at this location during regular office hours (8:00 a.m. to 5:00 p.m.), Monday through Friday, except legal holidays, or, upon request, a copy can be delivered via electronic mail.

Members of the public requesting Planning Commission meeting supporting materials may contact Kerry Page at kpage@lyon-county.org, or call 775-463-6592.

We are pleased to make reasonable accommodations for those members of the public who need assistance and wish to attend the meeting. If special arrangements are necessary, please notify the Lyon County Community Development Department in writing at 27 South Main Street, Yerington, Nevada 89447 or call 775-463-6592. 24 hours notice is required. T.D.D. services are available through 463-2301 or 463-6620 or 911 (emergency services).

**LYON COUNTY PLANNING COMMISSION MEETING MINUTES
AUGUST 9, 2016**

The Lyon County Planning Commission met this day with a quorum. The following members were present: Betty Retzer, Harold Ritter, Mike Hardcastle, Rick Jones, Doug Bennett and Audrey Allan. Attending staff were Jeff Page, County Manager, Dave Snelgrove, Community Development Director, Robert Pyzel, Planner and Kerry Page, Planning Assistant.

PLEDGE OF ALLEGIANCE

Mike Hardcastle led the Pledge of Allegiance

REVIEW AND ADOPTION OF AGENDA

Mike Hardcastle made the motion to adopt the agenda as corrected. Audrey Allan seconded and the motion passed unanimously: 6 ayes; 0 nay; 0 abstentions.

APPROVAL OF THE MINUTES

Audrey Allen made the motion to approve the minutes of the July 12, 2016, Planning Commission meeting, with corrections as noted. Mike Hardcastle seconded and the motion passed unanimously: 6 ayes; 0 nay; 0 abstentions.

MISCELLANEOUS CORRESPONDENCE

None

PUBLIC PARTICIPATION

Dave Snelgrove, Community Development Director, provided information on a couple of upcoming meetings. An NDOT workshop will be held this week regarding the USA Parkway and another will be conducted by Churchill County Joint Entities Workshop conducted by the Churchill County Planning Department, to discuss issues of mutual interest. Mr. Snelgrove said he will forward the information on both meetings to anyone who is interested in attending.

REGULAR AGENDA ITEMS

1. **HAWHEE, WILLIAM & DIANNE – DIVISION OF LAND INTO LARGE PARCELS TENTATIVE MAP WAIVER – (for possible action)** - Request to waive the requirement for a Tentative Map for a Division of Land into Large Parcels map to divide approximately 110.26 total acres into 2 parcels, the smallest being approximately 40.21 acres in size; located at 2588 Highway 208, Smith, NV (APN 10-291-59) PLZ-16-0019
2. **HAWHEE, WILLIAM & DIANNE – DIVISION OF LAND INTO LARGE PARCELS FINAL MAP (for possible action)** - Request for a Division of Land into Large Parcels Final Map pursuant to Chapter 11.06 of the Lyon County Code and NRS 278.471 et seq. The proposed map would divide the approximately 110.26 total acre property into 2 parcels, the smallest being approximately 40.21 acres in size; located at 2588 Highway 208, Smith, NV (APN 10-291-59) PLZ-16-0020

Mike Hardcastle made a motion to hear both items 1 & 2 together but to vote on each item separately. Audrey Allan seconded and the motion passed unanimously: 6 ayes; 0 nay; 0 abstentions.

Rob Pyzel, Planner, clarified the request and said that this request does qualify for the waiver of the tentative map requirements as it does not represent repeat parceling, both resulting parcels are a minimum of 40 acres in size and the request does not prompt the need for additional improvements.

Mr. Pyzel opened discussion on the letter provided by Mr. Harry Swainston, which was distributed to each of the Planning Commission members prior to the meeting. Mr. Swainston owns the agricultural land directly to the north of the Hawhee property and is concerned that the Burbank Ditch, which has been in place for over one hundred years, is not shown on the proposed map. Mr. Pyzel said that staff was unaware that the ditch existed as there are no documents in place to that affect, but he agrees that now we have been made aware, we will have it located and shown on the map if it is different from those already shown on the map. Mr. Pyzel said condition #4 should be modified to address the ditch.

Mr. Pyzel said that Mr. Swainston was also concerned with his connectivity to Theresa Way located along the easterly boundary of the subject parcel. Mr. Pyzel said that Theresa Way does appear to be a primary access to this portion of Mr. Swainston's property even though the legal access, and address, is from Rivers Rd on the north portion of their property. The parcel map shows a 40' private access and public utility easement connecting directly to the north and we believe that this will provide sufficient access to that parcel. Mr. Pyzel said that staff is recommending approval of this application with the conditions listed in the staff report. He added that condition #4 be revised, as necessary, to include the Burbank Ditch.

Betty Retzer asked for clarification on the access easement. Dave Snelgrove explained that Theresa Way has been and should continue to be the primary access for the subject parcels as well as the property to the north owned by Mr. Swainston. He added that it is important that the access for Theresa Way be extended to the south boundary of the Swainston parcel.

Betty Retzer asked if Theresa Way is a county maintained roadway. Mr. Pyzel said that the Board of Commissioners, in 2008, removed the roadway from the county inventory by making it a private roadway. This was done at the request of a previous Road Manager.

Harold Ritter asked if the conditions of approval are modified today, can the map still move forward as a final map. Mr. Pyzel said it can.

Harry Swainston, Smith Valley resident, reiterated his concerns. Ms. Retzer asked if the Burbank Ditch and the access known as Theresa Way, is addressed on the proposed map. Mr. Swainston said as long as both of those issues are addressed he is happy with the map. In response to a question by Doug Bennett, Rob Pyzel said that Mr. Swainston wrote the comment letter to make sure these issues are addressed. We cannot, by this action, require the applicant to do anything on an adjacent property and that all we can do is condition the property that is the subject of this map. Mr.

Swainston provided a little history on how the roadway easement came about. Discussion followed regarding the commissioner action in 2008 that reduced the roadway to a private roadway. He is also concerned with the potential for additional traffic impact along Theresa Way if another residential parcel is approved. Mr. Swainston said he currently uses the roadway for his haul trucks in and out of the homestead located on the south portion of his property. Mr. Swainston said that a notation on the map ensuring access to the parcel to the north would satisfy his concerns.

Dustin Homan, Road Director, read the Agenda Summary provided to the Board of Commissioners in 2008. This summary stated that Lyon County used to maintain Theresa Way but only when maintenance was requested by the property owner. Mr. Homan said that he was not with the county at the time this action took place but it does appear that Theresa Way is the main access to the portion of Mr. Swainston's property located on the south side of the ditch. Mr. Homan agrees that Mr. Swainston does need the access to this portion of his property from Theresa Way. Discussion followed regarding the commissioner's action.

Rick Jones asked if there is any recorded document or map that identifies an easement that could serve as access for Mr. Swainston's property and does Mr. Swainston become landlocked by virtue of this map. Mr. Homan said he believes he could be landlocked except that the modified conditions for an easement to the property previously addressed by Mr. Pyzel would eliminate that situation. He said the easement would terminate at Mr. Swainston's south property line.

Rick Christian, Denson Surveying, said that the applicant has no problem with identifying the easement for Theresa Way all the way from Highway 208 to the North boundary of proposed Parcel 1 as shown on the map. This will inevitably provide access to the residential homesite owned by Mr. Swainston, located just north of the north line of proposed Parcel 1. Mr. Christian said they will describe the easement appropriately on the map as a private access and utility easement.

Regarding the Burbank Ditch, Mr. Christian said there is nothing on record identifying where the ditch lies and he will have to have Mr. Swainston identify the ditch on the ground so it can be added to the map, if it is not already shown.

Discussion followed regarding whether or not the easement for Theresa Way was shown on any previous maps or documents that would prove its extension onto Swainston's property. Mr. Christian said a note could be added to this map stating that the 40' private access and public utility easement is to the benefit of the properties lying to the north and to the east of the subject property. Further discussion ensued regarding how the easements can be used.

Betty Retzer said that it sounds like all of Mr. Swainston's concerns are being addressed and asked if the Planning Commission is ready to make a motion.

Maralyn Abbrott, Smith Valley resident, asked who has access to a private access. Does this allow Mr. Swainston's hay trucks to drive along the roadway easement? Does he, or visitors to his home, need special permission to use the road? She also asked if the 40' public utility easement is separate from the 40' access easement. Rob

Pyzel said the 40' easement combines both the access easement and the public utility easement into one easement. Mr. Snelgrove said that a private access easement can be used as a non-exclusive roadway, by anyone associated with the property owners. It is typically only for the use of the property owners served by that road.

Tom Renner, Smith Valley, discussed a situation with the 10 acre piece with an existing mobile home that was separated from this larger parcel by NDOT recording a deed to the highway property. Betty Retzer said that 10 acre parcel is not the subject here today and should not be discussed as part of this application.

Mike Hardcastle made a motion **approving** the Waiver of the Requirement to Submit a Tentative Map for a Division of Land into Large Parcels for William and Diane Hawhee (APN 10-291-59) (PLZ-16-0019), after finding that the waiver A) is a reasonable action in that necessary access improvements are in place and the proposed map can be reasonably considered as being ready for recordation without extensive changes or corrections; B) is consistent with the applicable provisions of Lyon County Code and the Nevada Revised Statutes; C) will not be detrimental to the public health, safety, convenience and welfare; and D) will not result in material damage or prejudice to other property in the vicinity. Audrey Allen seconded and the motion passed unanimously: 6 ayes; 0 nay; 0 abstentions.

Rick Jones made a motion recommending approval of the Final Map of Division into Large Parcels for William and Diane Hawhee (APN 10-291-59) (PLZ-16-0019), after finding that the Final Map of Division into Large Parcels A) is consistent with the applicable provisions of Lyon County Code and the Nevada Revised Statutes; B) will not be detrimental to the public health, safety, convenience and welfare; and C) will not result in material damage or prejudice to other property in the vicinity, and .subject to the following 10 conditions as modified by mutual agreement between staff and the applicant and a note being added to the map regarding use of the access easement for Theresa Way:

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 Director prior to submitting the map for recordation.
3. 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 Planning Department prior to map recordation.
4. The final map shall identify the following:
 - a. All roads or easements that exist or as they may be proposed by the person who plans to divide the land, including Theresa Way;
 - b. Any easements for public utilities that exist or are proposed;
 - c. Any existing easements for irrigation or drainage, including but not limited to, the Burbank Ditch; and

- d. Any normally continuously flowing watercourses and any easements and rights-of-way or other property interests necessary to implement and maintain any water conveyance, including the Burbank Ditch, and delivery system required by any rule or regulation of the local Irrigation District; and
 - e. Any existing road or easement that the owner does not intend to dedicate, including Theresa Way.
5. The corners of each lot are set by a professional land surveyor.
 6. The form and content of the final map shall be in accordance with Title 11.06.04.
 7. The applicant shall obtain all necessary approvals and encroachment permits, and coordinate and comply with any requirements placed on this division of land into large parcels map by the Lyon County Public Works Department.
 8. The following items are required of all development and are provided for informational purposes:
 - a. All septic systems must be inspected and approved by the State Health Department or appropriate agency.
 - b. All construction shall comply with all applicable building and fire code requirements. Building permits shall be issued in compliance with Title 10 and 11 of the Lyon County Code.
 - c. Structures placed on these parcels shall adhere to the County's site and setback standards for the RR-5 zoning district as it applies to each parcel.
 - d. Distinct and legible "temporary" addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.
 - e. No lot shall be offered for sale or sold until the final map has been approved and recorded.
 - 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.
 9. All property taxes must be paid in full through the end of the fiscal year (June 30) prior to recordation of any final map.
 10. All agricultural deferred taxes must be paid, prior to recordation of any final map, at the discretion of the Lyon County Assessor.
 11. Required recording fees to be paid at time of recording map.
 12. The applicant shall provide the final map of division of land into large parcels to the Lyon County GIS Coordinator in form and format compatible with the County geographical information system (GIS) pursuant to 11.05.09 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.

Harold Ritter seconded and the motion passed unanimously: 6 ayes; 0 nay; 0 abstentions.

3. CENTRAL LYON COUNTY FIRE PROTECTION DISTRICT – SPECIAL USE PERMIT (for possible action) – Request for a Special Use Permit for the addition of 4,736 sq. ft. of administrative office space to the existing fire station facility; located at 231 Corral Drive, Dayton (APN 16-403-37) PLZ-16-0018

Rob Pyzel, Planner, explained the request. Mr. Pyzel said staff is unable to determine how this fire station was first approved within this zoning district, being split zoned between C-2 and NR-1. He did say they discovered a couple of deeds where the property was specifically set aside for the purpose of constructing a fire station and the property would subsequently be conveyed to the fire district. A special use permit was approved, prior to the construction of the permanent fire station facility, to allow a commercial coach to serve as a temporary office. This special use permit was revoked upon completion of the new facility in 2000. Mr. Pyzel said this facility is currently considered a legal, non-conforming use, which in order to expand or enlarge such a facility, requires approval of a special use permit. He explained the uses to be included in the expansion which will be constructed on the north side of the existing station and its construction will be compatible with the existing station and the existing residential developments. Mr. Pyzel said this will be compatible with the existing master plan.

Doug Bennett asked if there is any option available to make this a legal and conforming facility. Rob Pyzel said it may occur in the future that the county will allow some sort of rezone on this property, possibly with the implementation of the Title 15 zoning districts.

Chief John Gillenwater, Central Lyon County Fire District, explained the estimated cost for this expansion. He said that fire traffic is not likely to increase until there is substantial growth in the area. He does not anticipate any adverse effects on the surrounding community solely from this expansion. Mr. Gillenwater said they hope for construction to be complete at the end of this fiscal year (2017).

Mike Hardcastle asked if there are any plans to make the Silver Springs Fire Station a manned station. Mr. Gillenwater said it is not likely and that the demand for a manned station depends on growth in the area. A discussion followed regarding the need for volunteers for the fire departments and the lack thereof.

Doug Bennett asked if the expansion of the building will require a fire suppression system. Chief Gillenwater said that the current building is sprinklered as will be the expansion. He said that all of their fire station buildings were retrofitted for sprinklers with federal grant funding.

There was no public participation.

Mike Hardcastle made a motion recommending approval of the Special Use Permit for Central Lyon County Fire Protection District, after finding that the Special Use Permit application A) Is consistent with the general purpose and intent of the applicable zoning district regulations; B) Will not cause an adverse, visual impact to the surrounding area; C) Will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and is compatible with and preserves the character and integrity of adjacent development and neighborhoods or includes improvements or modifications either on-site or within the public right-of-way to mitigate development related to adverse impacts such as noise,

vibrations, fumes, odors, dust, glare or physical activity; D) Will not be detrimental to the public health, safety, convenience and welfare; and E) Will not result in material damage or prejudice to other property in the vicinity, and subject to the following 10 conditions recommended by staff:

1. Compliance with the following conditions of the previous special use permit(s):
 - a. Compliance with all County, State and Federal requirements; and
 - b. Annual review
2. The applicant shall obtain a building permit for the office remodel.
3. The applicant shall comply with all applicable fire, building, zoning and improvement code requirements.
4. If outdoor lighting is provided, it shall comply with the outdoor lighting requirements of Chapter 10.20 of the Lyon County Code.
5. The applicant shall comply with Lyon County's 1996 (revised) drainage guidelines. The property owner shall be responsible for maintenance of all roads, walks and drainage facilities within the development, as well as the storm water detention facilities, if applicable, whether it is onsite or offsite. Lyon County shall have no financial responsibility for maintenance of these facilities.
6. All of the requirements placed on the special use permit by the County Building Official, Central Lyon County Fire Protection District, Community Development Director, and other agencies with jurisdiction shall be met prior to the applicant commencing use of the site.
7. The applicant shall acquire all State, County and special purpose district permits and obtain all necessary public inspections.
8. Any modification, expansion, intensification or material change in use or operation shall require an application for and public hearings on a expansion of legal non-conforming use pursuant to Lyon County Code.
9. The substantial failure to comply with any conditions imposed on the issuance of a special use permit or the operation of a special 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 special use or the non-use of the permit for a year may result in the institution of revocation proceedings.
10. Annual review - The special use permit is subject to annual review by Lyon County.

Harold Ritter seconded and the motion passed unanimously: 6 ayes; 0 nay; 0 abstentions.

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

4. Public participation

Jim Dunlap, Mason Valley resident, presented each member a copy of the Constitution of the State of Nevada and offered discussion regarding the authority of residents over any unappropriated land as designated in that document. Additionally, he discussed

the limitations of Federal jurisdiction over public lands within the state. He added that, in Lyon County, there is only one piece of property that was purchased and by the state legislature, being the Post Office Building in Yerington. This is the only property where the federal government has jurisdiction. Mr. Dunlap said that our policy should note that neither BLM nor the USFS has any police powers throughout the county, only the County Sheriff.

Jeff Page, County Manager, said the BLM has completed its Resource Management Plan and anticipates it being published by spring of 2017. Lyon County, among other jurisdictions, submitted comments and BLM is addressing each of those comments and making the requested changes where necessary.

Mr. Page said the USFS is taking public comment on the Sage Grouse issue in south Lyon County area. This document has been submitted to our consultant, Resource Concepts, for review and comment.

5. Board member comments

None

6. Future agenda items for discussion and possible action (for possible action)

None

7. Public participation

None

ADJOURN TO RECONVENE AS THE LYON COUNTY PLANNING COMMISSION

8. STAFF COMMENTS AND COMMISSIONER COMMENTS

Dave Snelgrove discussed at length, the comments from the community workshops recently held in Dayton and Yerington. He said the turn-out at both meetings was good and the comments were well received. Mr. Snelgrove said he has been attending as many Advisory Council meetings as possible and will continue that practice. Discussion followed.

Rob Pyzel stated that all of the Planning items recommended for approval by the Planning Commission at their June 12th meeting, were approved by the Board of Commissioners at their July 7th, meeting.

Harold Ritter announced he will be attending the SLUPAC meeting coming up this Friday.

Doug Bennett asked when staff anticipates adoption of the ordinance change recommended for approval last month. Rob Pyzel said it has been agendized for September 7th. Mr. Bennett asked if staff has had the opportunity to discuss the wording of the ordinance with the District Attorney. Mr. Pyzel said Mr. Rye has been on vacation and he has not yet had an opportunity to discuss the matter with him.

Betty Retzer asked about the vacancy on the Planning Commission board. It was stated that this is something normally advertised by the County Manager's office and no further information as to whether that has yet been done, is available at this time.

PUBLIC PARTICIPATION

Tom Cartwright, Mason Valley resident, ordered the Planning Commission to cease its mention or reference to Title 15, in any of its decision making practices prior to the adoption of the new title.

Dave Ray, Mason Valley Advisory Board Chairman, commended the staff on its attention to the concerns of the advisory boards. He added that he is doing research into the revision of the outdoor lighting ordinance.

ADJOURNMENT

At approximately 11.00 A.M. it was unanimously motioned that the meeting be adjourned.

Betty Retzer, Chairperson

ATTEST:

Jeff Page, County Manager
as Community Development Director

Kerry Page, Planning Assistant



LYON COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

BUILDING • DEVELOPMENT ENGINEERING • PLANNING

DAVE SNELGROVE
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Lyon County Planning Commission

PLZ-16-0025 Parcel Map to subdivide an existing 132.90 gross acre property into 4 parcels
Meeting Date: September 13, 2016
Owner(s): S V Development, LTD
Surveyor: Owens Engineering / Wyatt Owens
Location: 79 Old Ranch Road, Wellington, NV
Parcel Number: (APN) 010-731-24
Master Plan: Rural Residential
Zoning: RR-3 (Third Rural Residential - 5 acres)
Flood Zone(s): Flood Zone D (areas with possible but undetermined flood hazards)

Request:

The applicant proposes that the above-referenced parcel be subdivided into four (4) parcels through the parcel map land division process. Three of the proposed parcels would be approximately 5.00 acres (gross) with a remainder parcel of 117.35 total acres. The property is currently zoned RR-3 (Rural Residential Third – 5 acre minimum). As such, all of the proposed parcels would be in conformance with the minimum lot size requirement for the RR-3 zoning district.

STAFF RECOMMENDATION:

Staff is in favor of the proposed parcel map if it is subject to necessary conditions of approval. The parcel map is in compliance with the 2010 Comprehensive Master Plan land use designation as well as the minimum lot size requirements of the RR-3 zoning district. As conditioned, adequate access will be provided and secured.

Staff's recommendation is based on the findings and recommended conditions as listed in this staff report and substantiated in the public record.

RECOMMENDED MOTION:

I move that the Lyon County Planning Commission approves the parcel map consisting of four (4) parcels, the smallest being 5.00 acres, within the 132.9 total acre subject site for SV Development, LLC, APN 010-731-24 (PLZ 16-0025), based on the following findings and subject to the conditions of approval contained in the staff report and substantiated in the public record:

Findings:

- A. The proposed parcel map conforms to the requirements set forth for the RR-3, Third Rural Residential (5 acres) zoning district in Title 10 of the Lyon County Code, or such requirements can be met with the imposition of reasonable conditions of approval.
- B. The proposed parcel map conforms to the requirements set forth in Title 11 of the Lyon County Code or such requirements can be met with the imposition of reasonable conditions of approval.

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 Director prior to submitting the map for recordation.
3. 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 Planning Department prior to map recordation.
4. The applicant shall comply with Lyon County's 1996 drainage guidelines, as revised.
5. The applicant shall comply with Lyon County improvement requirements as set forth in Chapter 11.07 of the Lyon County Code.
6. Any on-site improvements existing at the time of final parcel map recordation (e.g., buildings, wells and septic systems) must be in compliance with current County setback requirements from property lines.
7. The applicant shall comply with all applicable fire code requirements to the satisfaction of the Smith Valley Fire Protection District.
8. The applicant shall complete any and all required development improvements and facilities to the satisfaction of the Community Development Director, County Engineer and Road Superintendent, as applicable, or an appropriate security must be provided and approved prior to map recordation. There may be temporary restrictions to obtaining building permits even with an acceptable security instruments depending on the County's approval of the various systems.
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 dedication or relinquishment of water rights necessary to insure an adequate water supply for residential use of the newly created parcels prior to recordation of the final parcel map.
11. Prior to recordation of the final parcel map for the project, the 50-foot access/utility/ditch easement that establishes the extension of Old Ranch Road access to the subject site will be established by separate document and that the recorded document number will be included on the final parcel map to the satisfaction of the Community Development Director prior to recordation of the final parcel map.
12. The applicant shall install Type 2 gravel base material upon Old Ranch Road from the intersection of Old Ranch Road/Wellington Cut Off to the eastern boundary of the subject site to the satisfaction of the County's Road Superintendent prior to the issuance of any grading/building permits on the subject parcels.
13. The applicant shall relabel the proposed parcel currently labeled as "Remainder" to "Parcel 4" prior to the recordation of the final parcel map.
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 Titles 10 and 11 of the Lyon County Code.
 - c. Site development work will require a grading permit(s) in accordance with Title 11.07.14 (F).
 - 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.
15. The applicant shall pay in full all property taxes through the end of the fiscal year (June 30) and any applicable agricultural deferred taxes prior to recordation of the final parcel map.
16. The applicant shall comply with the final parcel map requirements as prescribed by NRS 278 and Title 11 of the Lyon County Code.
17. The applicant shall pay required recording fees at time of final parcel map recordation.
18. Any further division may be subject to the imposition of subdivision improvement standards, including access improvements to Old Ranch Road 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.
19. Approval of the tentative parcel map shall not constitute acceptance of the final parcel map. Approval of the tentative parcel map shall lapse unless a final parcel map based thereon is submitted within two (2) years from the date of such approval. No extension may be granted after receiving approval of the tentative parcel map.
20. 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) pursuant to 11.05.09 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.

General Information

Property Location:

The parcel is located at 79 Old Ranch Road, approximately 3,596 feet east of the Wellington Cutoff/Old Ranch Road intersection in Smith Valley, Nevada.

Size:

The subject site is 132.9 acres in size.

Background:

The parcel in question was created in 2000 by Parcel Map # 254728 as a further subdivision of Parcel 1 of Parcel Map #97348. The site is currently occupied by agricultural uses (productive fields), various out-buildings (well house, sheds, etc.) and a single family dwelling (constructed in 1958 per the Assessor's records). The application materials propose to subdivide the existing 132.9 acres in order to create three 5-acre minimum "home sites" (Parcel 1 – 5.00 acres; Parcel 2 – 5.00 acres; and Parcel 3 – 5.56 acres). Parcel #3 would include the existing single family dwelling currently located on the property. The remaining proposed Parcel 4 (Remainder) would remain in agricultural production.

Staff Review and Comments:

The subject site has a land use designation of Rural Residential within the 2010 Comprehensive Master Plan. The existing zoning of the subject site is RR-3 (Third Rural Residential – 5 acres) which requires a minimum lot size of 5 acres. The current uses on the property in question are agricultural fields with a single family dwelling, associated accessory out-buildings and associated agricultural activities. The proposed parcel map would split off three 5-acre parcels (one of which would include the existing single family dwelling) with the remaining 117.35 acres remaining in agricultural production. The existing uses are in compliance with the 2010 Comprehensive Master Plan and current zoning district regulations. The proposed parcel map would be in compliance with the RR-3 minimum lot size and land use regulations.

The proposed parcel map must meet the minimum discretionary requirements and mandatory water rights requirements set forth in Lyon County Code (“LCC”) Section 11.05.02 – Requirements:

“Discretionary requirements and mandatory water rights requirements are as follows:

- A. *Discretionary Requirements: Requirements which may be imposed by the planning commission are as follows:*
 - 1. *Street grading, drainage provisions and lot designs as are reasonably necessary.*
 - 2. *Off-site access, street alignment, surfacing and width, water quality and sewage provisions as are reasonably necessary and consistent with the existing use of any land zoned for similar use which is within six hundred sixty feet (660') of the proposed parcel. The planning commission may require additional improvements that are reasonably necessary and consistent with the use of land if it is developed as proposed.*
 - 3. *For a second or subsequent parcel map with respect to a single parcel, or contiguous tract of land under the same ownership, any reasonable improvement, but not more than would be required if the parcel was developed as a subdivision.*
- B. *Mandatory Water Rights Dedication or Relinquishment Requirements: All parcel maps submitted for approval must dedicate or relinquish water rights as follows:*
 - 1. *If the parcel map is not within the existing boundaries of a municipal or private water system and the newly created parcels are to be served by domestic well:*
 - (a) *The parcel owner shall relinquish to the State Engineer water rights necessary to insure an adequate water supply for the domestic use of the newly created parcels from within the water basin in which the parcel is located; and*
 - (b) *Relinquishment of water rights in paragraph 1(A) shall be at the applicant’s cost; and*
 - (c) *For purposes of this section, necessary water rights required by paragraph 1(a) shall be 2.00 acre feet per year valid underground water rights; and*
 - (d) *No parcel map shall be recorded by the County until the requirements in paragraph 1 have been satisfied.”*
 - 2. *If the parcel map is within the existing boundaries of a municipal or private water system:*
 - (a) *The dedication or relinquishment of water rights necessary to ensure an adequate water supply for the domestic use of the newly created parcels shall follow the rules and requirements of that system, or a written statement from the municipal or private water system that no dedication or relinquishment requirements exist, or that dedication or relinquishment requirements have been satisfied, must be submitted before any map may be recorded; and*
 - (b) *Dedication or relinquishment of the water rights shall be at the applicant's cost; and*
 - (c) *For purposes of this section, necessary water rights required by subsection B2a of this section shall be determined by the rules and requirements of the municipal or private water system. (Ord. 520, 7-3-2008)*

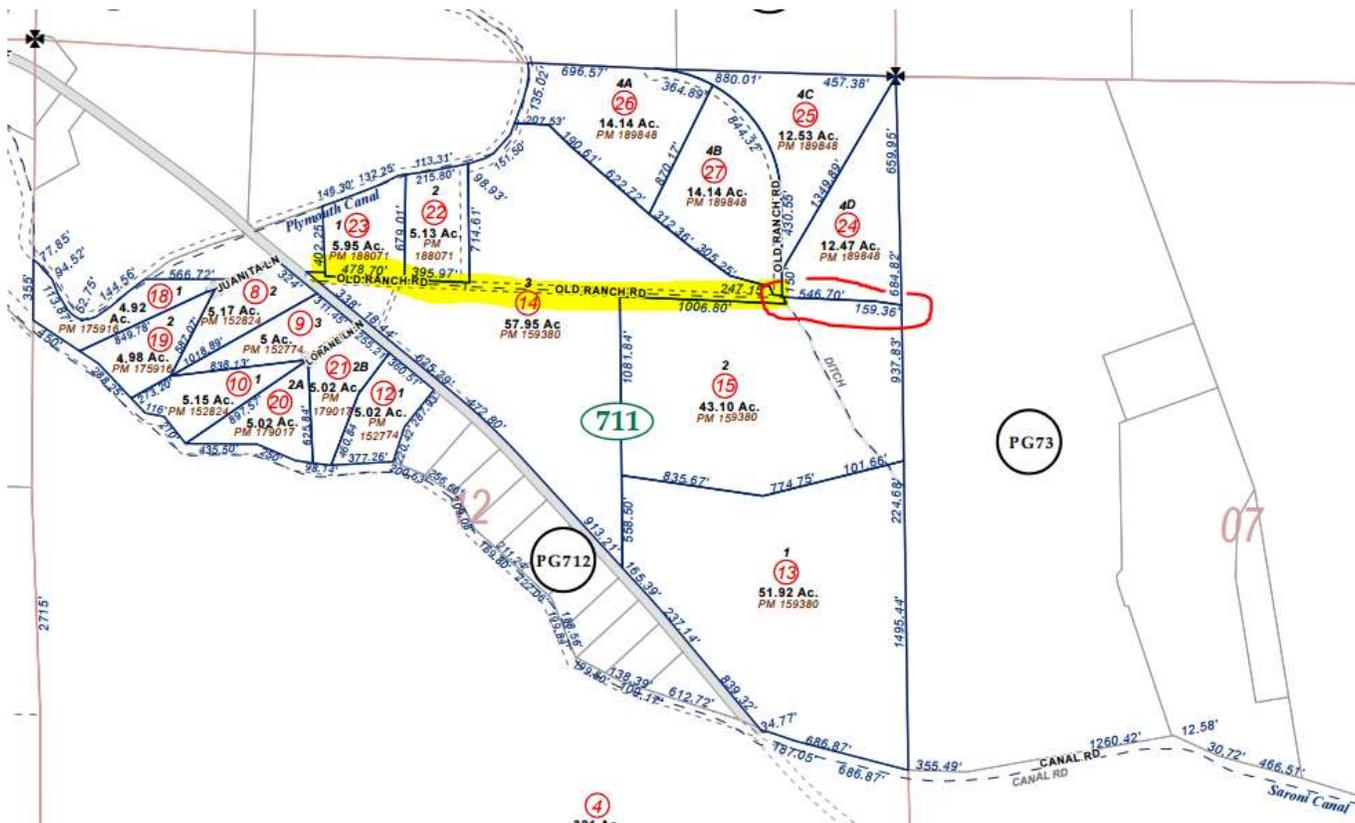
Access:

LCC Chapter 11.07.14(A)(2)(c) requires a minimum road easement width of 50 feet with an improved section of not more than 36 feet width if the local road has the future potential to provide access for more than forty (40) lots.

The subject parcel is located off of Old Ranch Road, which runs east from the Wellington Cutoff that connects State Route 208 and State Route 338 in Smith Valley. Old Ranch Road is a non-maintained graveled minor County road that ends approximately 706.06 feet from the subject site (refer to LDM #159380). Access to the subject site from the end of Old Ranch Road is currently gained via a 15-foot wide prescriptive easement for ingress and egress (refer to Easement Agreement Document #150393). Access to properties located east and south of the subject site is via additional 15-foot wide access easements (Roadway Easement Document #147973 and Parcel Map #254728).

As a part of the current parcel map application materials, Sheet 3 of the map shows details of "Easement To Be Acquired", a 701.65-foot long, 50-foot wide easement that would include the existing 15-foot wide prescriptive easement. The parcel map under consideration would extend a 50-foot access easement across proposed Parcels 1 and 2 all the way up to the eastern edge of proposed Parcel 3. Staff recommends a Condition of Approval that requires the 50-foot access/utility/ditch easement that establishes the 50-foot wide access easement that would extend the full width of Old Ranch Road access to the western edge of the subject site must be established by separate document and that the recorded document number will be included on the final parcel map to the satisfaction of the Community Development Director prior to recordation of the final parcel map.

The area in question is highlighted and circled in red below.





LCC 11.07.D.6 details the standards for roadway improvement required for county roads existing or proposed at the time of subdivision. LCC Chapter 11.07.14 requires that parcel maps in the RR-3 zoning district, both initial and repeat parceling, are subject to Plate 3 Gravel road standards. However, in staff's discussions with the County Road Superintendent, Old Ranch Road does not currently serve a sufficient number of residences to require Plate 3 gravel road improvements at this time. Per staff's discussion of Old Ranch Road with the Road Superintendent, the applicant shall install Type 2 gravel base material upon Old Ranch Road from the intersection of Old Ranch Road/Wellington Cut Off to the eastern boundary of the subject site to the satisfaction of the County's Road Superintendent prior to the recordation of the final parcel map. In addition the Road Superintendent did recommend the applicant add as a Condition of Approval a note on the map that any further subdivision of the subject parcels may require additional access improvements due to the increase in traffic created by further subdivisions.

The 50-foot wide private access and public utility easement will not be maintained by the County.

Public Utility Easements:

Lyon County's current standard for public utility easements listed in Chapter 11.07.14(E) requires a minimum 7.5-foot utility easement in the front yard of a parcel and a minimum 5-foot utility easement along all other property lines. In addition to the proposed 50-foot wide right-of-way and utility easement from the current terminus of Old Ranch Road to the subject site, new 7.5-foot wide utility easements must be added to the parcel frontages adjacent to the access easement and 5-foot wide public utility easements must be provided along all other property lines for proposed Parcels 1, 2, and 3. At this point in time, staff believes that no other utility easements are necessary for proposed Parcel 4 (Remainder). However, future division of proposed Parcel 4 (Remainder) may trigger the need for additional utility easements at that point in time.

Land Use:

The subject property is currently being used for residential and agricultural purposes. As noted above, there is currently one single family residence and various outbuildings associated with the residential and agricultural use currently occurring on the property. The subject site is currently designated as Rural Residential in the 2010 Comprehensive Master Plan and zoned Third Rural Residential. The current land uses taking place on the subject site are compatible with the 2010 Comprehensive Master Plan land use designation of Rural Residential as well as the Third Rural Residential zoning.

Water Rights:

LCC Chapter 11.05.02(B) states that:

- “B. Mandatory Water Rights Dedication Or Relinquishment Requirements: All parcel maps submitted for approval must dedicate or relinquish water rights as follows:*
- 1. If the parcel map is not within the existing boundaries of a municipal or private water system and the newly created parcels are to be served by domestic well:*
 - a. The parcel owner shall relinquish to the state engineer water rights necessary to ensure an adequate water supply for the domestic use of the newly created parcels from within the water basin in which the parcel is located; and*
 - b. Relinquishment of water rights in subsection B1a of this section shall be at the applicant's cost; and*
 - c. For purposes of this section, necessary water rights required by subsection B1a of this section shall be 2.00 acre-feet per year valid underground water rights; and*
 - d. No parcel map shall be recorded by the county until the requirements in this subsection B1 have been satisfied. “*

LCC Chapter 11.05.04 sets out the mandatory and discretionary requirements for Parcel Maps. County Code and Nevada Revised Statutes permits the imposition of reasonable requirements as part of the approval of a parcel map. The subject site is not located not within the existing boundaries of a municipal or private water system. This parcel map would permit the additional development of three (3) residences with one domestic well for each new parcel. Water rights relinquishment for Parcels 1, 2 and 4 (Remainder) would be required prior to recordation the parcel map.

Water Supply and Sewer Service:

The subject property is currently served by domestic well and by individual sewage disposal system (ISDS or septic systems). Municipal water and sewer service are not currently available in this area. Any future residential development of the Parcels 1, 2 and the Remainder Parcel (Parcel 4) will be served by wells and individual septic systems.

Drainage:

No drainage report was submitted as part of the parcel map application. The property is designated on the County’s FEMA Flood Insurance Rate Map Geographic Information System (“GIS”) as Zone “D”. Zone “D” identifies areas with possible but undetermined flood hazards.

Fire Protection:

The property is within the Smith Valley Fire Protection District.

Alternatives to the Staff Recommendations:

Alternative for Continuance

If the Planning Commissioners determine that there is insufficient information with which to make a decision on the application before them, that additional information, discussion and public comment are necessary to have a more complete and thorough review of the proposed parcel map, then the Planning Commission should make the appropriate findings and move to continue the Public Hearing for the parcel map application.

If so, then the Planning Commission may wish to consider a motion similar to the following:

The Lyon County Planning Commission finds that:

- A. Additional information, discussion and public review are necessary for a more thorough review of the proposed parcel map.

Based on the finding listed above and the applicant's concurrence, the Planning Commission continues the parcel map consisting of four (4) parcels, the smallest being 5.00 acres, within the 132.9 total acre subject site for SV Development, LLC, APN 010-731-24 (PLZ 16-0025), for ___ days.

Alternative Motion for Denial:

If the Planning Commission determines that they should deny the parcel map application, then the Planning Commission may wish to consider a motion similar to the following:

The Lyon County Planning Commission finds that:

- A. The parcel map is not in substantial compliance with the Master Plan goals, objectives and actions.
- B. The parcel map is not in substantial compliance with the requirements of Title 11 of the Lyon County Code.
- C. The proposed use will be detrimental to the public health, safety, convenience and welfare,
- D. The proposed use will result in material damage or prejudice to other properties in the area.

Based on the aforementioned findings, the Lyon County Planning Commission denies the parcel map consisting of four (4) parcels, the smallest being 5.00 acres, within the 132.9 total acre subject site for SV Development, LLC, APN 010-731-24 (PLZ 16-0025).

LCC 11.05.05.C: An applicant aggrieved by a decision of the planning commission may appeal to the Board of County Commissioners within thirty (30) days of the mailing of the decision. The Board of County Commissioners shall render their decision within forty five (45) days after filing of the appeal and payment of fees.

DESCRIPTION OF PROJECT

S. V. Development , LTD., proposes to divide APN 10-731-24 (132.90 acres) into three 5 acre parcels and a remainder. The remainder will remain in agriculture. The project land is presently in agriculture and occupied by a single family residence.

Access to the proposed project will be from State Route 829 along a 50 foot easement (Old Ranch Road). See Record Map 189848.

The Parcel Map in support of this project will continue the 50 foot easement to the easterly end of the easterly 5 acre parcel,

**JUSTIFICATION FOR PARCEL MAP FOR
THE S. V. DEVELOPMENT, LLD**

The following justifies the requirements for the Parcel Map.

A. The property to be divided is zoned for the intended use of the property and the density and design of the division conforms to the requirements of the zoning regulations contained in the Development Code.

B. The proposed Parcel Map conforms to public facilities and improvement standards of the Land Development Code.

C. The proposed Parcel Map conforms to the improvement and design standards of Lyon County.

D. There are no delinquent taxes or assessments on the land to be divided as certified by the County Treasurer.

E. The project is not located within an identified archeological/cultural study area as recognized by Lyon County.

DRAINAGE REPORT

The project land (132.90 acres) has been graded for agricultural use to a uniform slope of 0.01 (1%). The land drains to the west-northwest.

No natural water courses enter the property, nor are any generated within the property. All sheet flow from the south will be intercepted by the Saroni Canal which runs the entire length of the property from west to east.

There are approximately 360 acres of agricultural land east of the project. Runoff generated within this area will be intercepted by irrigation ditches running south-north with very little water reaching the project area.

The FEMA flood zone designation for the project area is "x shaded". Areas within this zone have a 0.2% annual-chance flood plain (500 yr. Storm) or a 15 annual-chance flood plain (100 yr. Storm) with sheet flows having a depth less than 1 foot. No flood insurance is required in this zone.

TRAFFIC REPORT

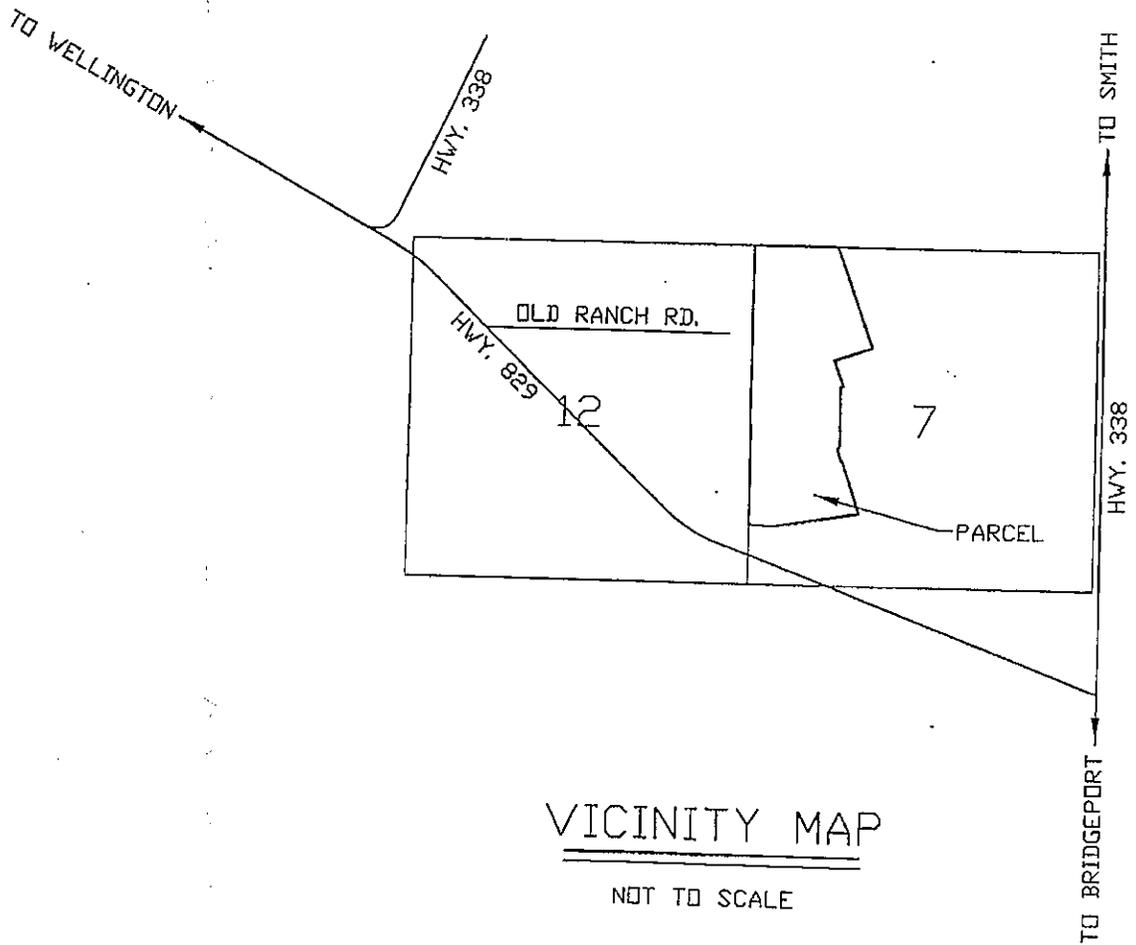
As stated in the Description of The Project, the access to the parcel to be divided will be from State Route 829 and proceed in an easterly direction to the project.

Two additional 5 acre parcels will be created upon recording the Parcel Map.

A 15 foot wide access easement exists through the project. A gravel road exists within the easement and serves the residence within the project and a 5.64 acre parcel (APN 10-731-07) just east of the project.

In urban areas, 10 round trips per household is generally used for traffic generated within a residential area. Because this project is in an agricultural valley with no or little shopping, entertainment and etc., It would seem that 5 round trips per household would be more realistic. This should not create any traffic problems.

The existing 50 foot access easement (Old Ranch Road) begins at Hwy 829 and ends approximately 706 feet from the westerly end of the proposed project, a distance of approximately 2,830 feet. Most of the traveled way within the easement is 17 feet in width and would not present any problem for emergency vehicles.

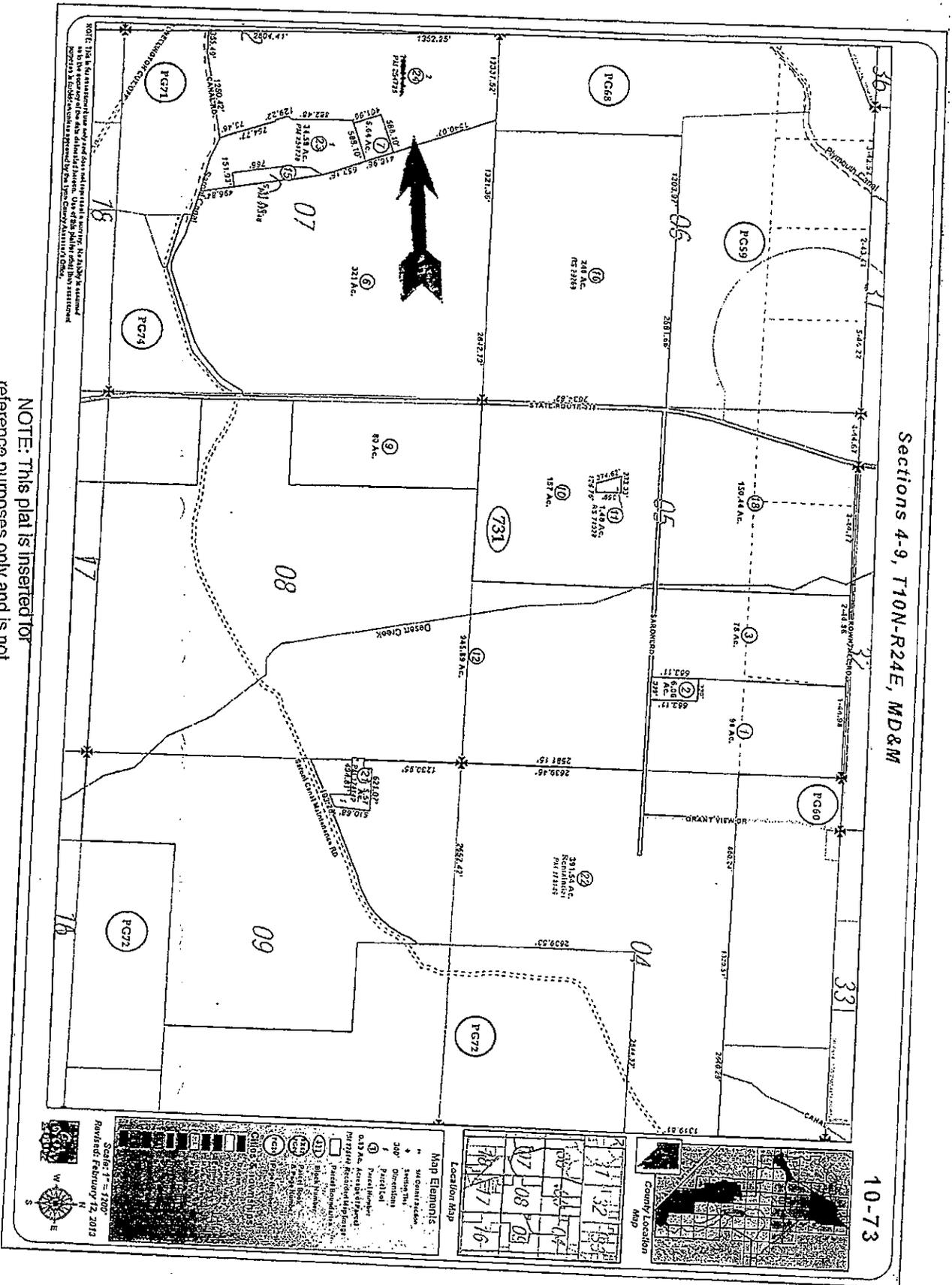


VICINITY MAP

NOT TO SCALE

Sections 4-9, T10N-R24E, MD&M

10-73

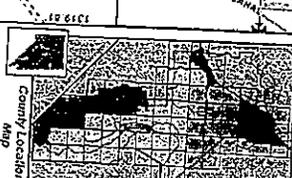


NOTE: This is for informational purposes only. It is not intended to be used as a legal document. The accuracy of the measurements and bearings shown on this plat is guaranteed by the Professional Land Surveyor who prepared this plat. The Professional Land Surveyor's name and license number are shown on this plat.

NOTE: This plat is inserted for reference purposes only and is not made a part of the title evidence. TITLE SERVICE AND ESCROW CO.

Scale: 1" = 720'
 Revised: February 12, 2013

Map Elements:
 - Survey Lines
 - 30' Distances
 - Partials
 - Old Ac. Accretions
 - Partial Accretions
 - Partial Easements
 - Partial Easements
 - Partial Easements





April 5, 2016

Owens Engineering
Attn.: Mark Owens
P.O. Box 44
Smith, NV 89430

Subject: Electric Service
APN: 10-731-24
79 Old Ranch Road

Dear Mr. Owens:

This letter is to inform you that the property mentioned above lies within NV Energy's electric service territory boundaries. Provided all necessary fees and contracts are negotiated in a proper and timely manner, in accordance with our filed rules and tariffs, we will provide electric service to your proposed project.

The necessary utility extensions and services will be made from the nearest source of adequate capacity in accordance with our Rules and Regulations on file and approved by the Nevada Public Utilities Commission.

This letter does not constitute application for electric service.

Sincerely,

A handwritten signature in cursive script that reads "Cindy Wudke".

Cindy Wudke
Utility Design Administrator
New Business Utility Design Services
775-834-7324



4-11-2016

RE: 79 Old ranch Road, Wellington, NV.
APN; 10-731-24

Gentlemen:

We have reviewed the above referenced proposed assessor's map. Frontier existing service will not be impaired by the easement change in the North side of the above property and can service New lots with Voice, Video, and Internet. If you should have further questions, please feel free to contact me at: 775.782.0966.

Sincerely,

John Poole
Frontier OSP Engineer
Network Engineering & Planning
West Coast Market Area

SOILS REPORT
FOR
S. V. DEVELOPMENT, LLD

APRIL, 2016

PREPARED BY:

OWENS ENGINEERING
P.O. BOX 44
SMITH, NEVADA 89430

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APPENDIX

Vicinity Map

Site Map

Percolation Test Results

PURPOSE OF REPORT

This report was prepared for S. V. Development, LLD, for submittal to Lyon County Planning Department in support of their Parcel Map Application.

DESCRIPTION OF PROPOSED PROJECT

The applicant proposes to divide their 132.90 acre parcel (APN 10-731-24) into three 5 acre parcels. The remainder will remain in agriculture.

The parcel to be divided is presently in agriculture and occupied by a single family residence.

Each parcel will be served by an individual water system and an individual sewage disposal system.

TESTING PROCEDURE

All percolation tests were conducted as per NAC 444.796 thru 444.7968 as adopted by the Nevada State Board of Health.

A test pit was dug on each of the proposed parcels to a depth of 10 feet to provide a soil profile for the immediate area.

Two test holes for each proposed parcel were dug by hand using a 6" hand auger after the top material was removed. The test holes were within 15 feet of the test pit.

The tests were conducted on March 18th and 19th of 2016.

See the Site Map in the Appendix of this report for the location of the test holes.

INDIVIDUAL SEWAGE DISPOSAL SYSTEM DESIGN CRITERIA

The following was used to design the Individual Sewage Disposal Systems for the individual parcels:

1. Three bedroom home.
2. 1,000 gallon septic tank.
3. Leach field with three feet of rock below the distribution pipe.

4. $Q = 5/t^{1/2}$; where Q = rate of sewage application in gallons per square foot per day and
 t = percolation rate in minutes per inch.

SOIL PROFILES

TEST PIT 1

Depth (ft)	Material
0 - 1.0	Brown Sandy Clay
1.0 - 4.0	Gray Fine Sand
4.0 - 10.0	Gray Fine Sand With Gravel

TEST PIT 2

0 - 2.0	Brown Sandy Clay
2.0 - 4.0	Gray Medium Sand With Gravel
4.0 - 10.0	Gray Medium Sand With Gravel And Rocks

No ground water or impervious material was encountered at either test site.

PERCOLATION TEST RESULTS

Test hole No.1 was taken in the proposed Parcel 2. It was taken at a depth of 42 inches. The average percolation rate over the testing period was 5.1 minutes per inch with a stabilized rate of 5.7 minutes per inch.

Test hole No.2 was also taken in the proposed Parcel 2. It was taken at a depth of 42 inches. The average percolation rate over the testing period was 4.1 minutes per inch with a stabilized rate of 5.0 minutes per inch.

Test hole No.3 was taken in the proposed Parcel 3. It was taken at a depth of 52 inches. The average percolation rate over the testing period was 1.9 minutes per inch with a stabilized rate of 2.4 minutes per inch.

Test hole No.4 was taken in the proposed Parcel 3. It was taken at a depth of 52 inches. The average percolation rate over the testing period was 1.7 minutes per inch with a stabilized rate of 2.0 minutes per inch.

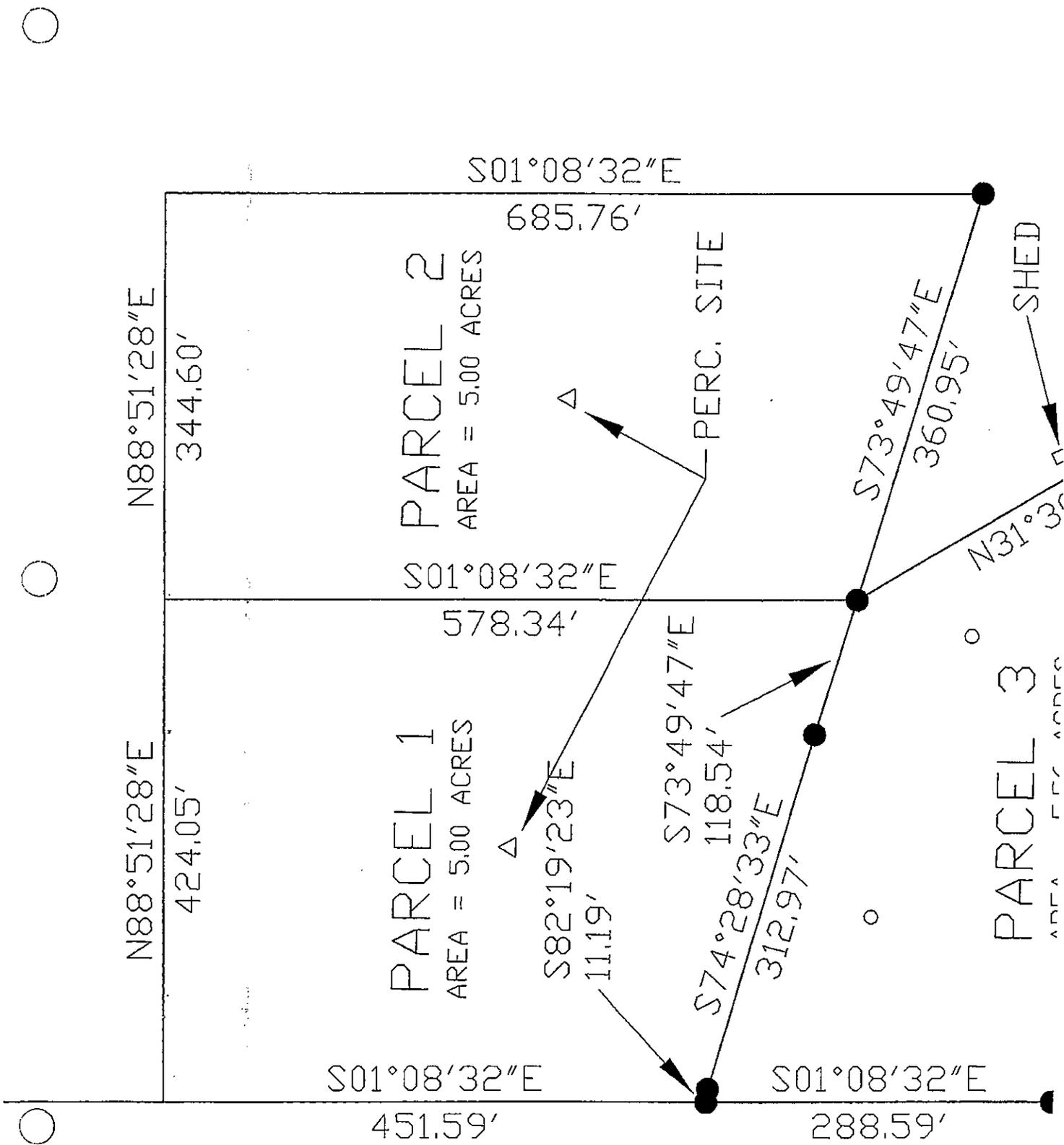
CONCLUSIONS & RECOMMENDATIONS

Using the design criteria as described above, with 3 feet of gravel under the distribution pipe, and a percolation rate of 30.0 minutes per inch (the fastest allowed), the total length of leach trench required is 106 feet. Use 2-53 foot long trenches.

The bottom of the leach trenches shall be 54 inches below the ground surface with the spacing of the trenches 10 feet center to center.

When the location of the septic systems are determined, new percolation rates should be established and the high annual ground water depth determined. An engineer will then determine the horizontal distance from the domestic well to the septic system and if the leach field should be constructed within imported material with a slower percolation rate.

APPENDIX



N88°51'28"E
424.05'

N88°51'28"E
344.60'

PARCEL 1
AREA = 5.00 ACRES

PARCEL 2
AREA = 5.00 ACRES

PARCEL 3
AREA = PERC. ACRES

S01°08'32"E
451.59'

S01°08'32"E
578.34'

S01°08'32"E
685.76'

S82°19'23"E
11.19'

S74°28'33"E
312.97'

S73°49'47"E
118.54'

S73°49'47"E
360.95'

S01°08'32"E
288.59'

N31°33'E

SHED

PERC. SITE

OWENS ENGINEERING
P.O. BOX 44
SMITH, NV 89430

Project: S. V. Development, LLD
Test Hole No. 1
Test taken at 42 Inches below existing grade
Soil type: fine sand

Time	Elapsed Time	Reading	Column Height	Drop	Perc. Rate	Remarks
10:35		4	6			
	3			1 1/8	2.7	
10:38		5 1/8	4 7/8			
	3			5/8	4.8	
10:41		5 3/4	4 1/4			
	3			3/4	4.0	
10:44		6 1/2	3 1/2			
	3			3/8	8.0	
10:47		6 7/8	3 1/8			
10:50		3 7/8	6 1/8			refill
	5			1	5.0	
10:55		4 7/8	5 1/8			
	5			7/8	5.7	
11:00		5 3/4	4 1/4			
	5			7/8	5.7	
11:05		6 5/8	3 3/8			stable

OWENS ENGINEERING
P.O. BOX 44
SMITH, NV 89430

Project: S. V. Development, LLD
Test Hole No: 3
Test taken at 52 Inches below existing grade
Soil type: medium sand with gravel

Time	Elapsed Time	Reading	Column Height	Drop	Perc. Rate	Remarks
10:17		4 3/4	6			
	3			2 1/2	1.2	
10:20		7 1/4	3 1/2			
10:21		4	6 3/4			refill
	3			17/8	1.6	
10:24		5 7/8	4 7/8			
	3			1 3/8	2.2	
10:27		7 1/4	3 1/2			
10:28		4 1/2	6 1/4			refill
	3			1 5/8	1.8	
10:31		6 1/8	4 5/8			
	3			1 1/4	2.4	
10:34		7 3/8	3 3/8			
	3			1 1/4	2.4	
10:37		8 5/8	2 1/8			

THE FOLLOWING PUBLIC UTILITY EASEMENTS ARE HEREBY MADE A PART OF THIS MAP:
 1. A 10' PUBLIC UTILITY EASEMENT ALONG ALL ROAD FRONTAGES.
 2. A 5' PUBLIC UTILITY EASEMENT ALONG ALL SIDE AND REAR LOT LINES.

NOTE: ACCEPTANCE BY LYON COUNTY OF THIS SUBDIVISION MAP IS NOT A COMMITMENT THAT ANY OR ALL OF THE LOTS ARE ELIGIBLE FOR A COUNTY BUILDING PERMIT.

ROAD NOTE: ROADWAYS DESIGNATED AS PUBLIC ROADS AS SHOWN UPON THIS MAP WILL NOT BE ELIGIBLE FOR COUNTY MAINTENANCE UNTIL THE ROADWAYS ARE IMPROVED AT NO COST TO THE COUNTY TO PUBLIC MAINTENANCE ROAD STANDARDS APPROVED BY THE BOARD OF COMMISSIONERS AND IN EFFECT AT SUCH TIME THAT THE ROADWAYS ARE CONSIDERED FOR ACCEPTANCE INTO THE COUNTY'S ROAD SYSTEM.

NOTE: THE CITY, COUNTY, SCHOOL DISTRICT AND SPECIAL DISTRICTS ARE NOT OBLIGATED TO FURNISH ANY SERVICE, SPECIFICALLY MENTIONING FIRE PROTECTION AND ROADS, TO THE LAND SO DIVIDED, AND THAT ANY PUBLIC UTILITY MAY BE SIMILARLY FREE OF OBLIGATION.

A PUBLIC UTILITY EASEMENT IS ALSO HEREBY GRANTED WITHIN EACH PARCEL FOR THE EXCLUSIVE PURPOSE OF INSTALLING AND MAINTAINING UTILITY SERVICE FACILITIES TO THAT PARCEL AND THE RIGHT TO EXIT THAT PARCEL WITH SAID UTILITY FACILITIES FOR THE PURPOSE OF SERVING ADJACENT PARCELS AT LOCATIONS MUTUALLY AGREED UPON BY THE OWNER OF RECORD AT THAT TIME AND THE UTILITY COMPANY.

THIS MAP IS NOT IN CONFLICT WITH THE REQUIREMENTS OF NRS 278.010 TO 278.650 INCLUSIVE, AND THE REGULATIONS OF TRANSACTIONS PERTAINING THEREIN SHALL BE COMPLIED WITH.

NOTE: A DIGITAL COPY OF THIS MAP HAS BEEN PROVIDED TO THE LYON COUNTY GIS DEPARTMENT.

SURVEYOR'S CERTIFICATE

1. WYATT J. DWENS, A REGISTERED LAND SURVEYOR REGISTERED IN THE STATE OF NEVADA, CERTIFY THAT:
1. THIS IS A TRUE AND ACCURATE REPRESENTATION OF THE LANDS SURVEYED UNDER MY SUPERVISION AT THE INSTANCE OF STEVE FULSTONE.
2. THE LANDS SURVEYED LIE WITHIN SECTION 7, TOWNSHIP 10 NORTH, RANGE 24 EAST, M.D.B. & M. AND THE SURVEY WAS COMPLETED ON MARCH 14, 2016.
3. THIS PLAT COMPLIES WITH THE APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCES IN EFFECT ON THE DATE THAT THE GOVERNING BODY GAVE IT'S FINAL APPROVAL.
4. THE MONUMENTS DEPICTED ON THE PLAT WILL BE OF THE CHARACTER SHOWN AND WILL OCCUPY THE POSITIONS INDICATED.

WYATT J. DWENS, PLS 3090 _____ DATE _____

WALKER RIVER IRRIGATION DISTRICT CERTIFICATE

THE IRRIGATION AND DRAINAGE EASEMENTS SHOWN ON THIS MAP HAVE BEEN CHECKED AND APPROVED, TOGETHER WITH A REVIEW AND CONFIRMATION OF APPURTENANT WATER RIGHT ACRES WITHIN THE BOUNDARIES OF THE WALKER RIVER IRRIGATION DISTRICT.

BY: _____ DIRECTOR _____ DATE _____

PLANNING DEPARTMENT AND PLANNING COMMISSION CERTIFICATE

THIS PLAT HAS BEEN EXAMINED AND FOUND TO BE IN SUBSTANTIAL CONFORMANCE WITH THE TENTATIVE PARCEL MAP APPROVED BY THE PLANNING COMMISSION ON THE _____ DAY OF _____, 2016, AND ALL CONDITIONS IMPOSED UPON ITS APPROVAL HAVE BEEN SATISFIED.

ROBERT G. LOVERBERG _____ DATE _____ BY: _____ DATE _____
 COMMUNITY DEVELOPMENT DIRECTOR PLANNING COMMISSION CHAIRPERSON

RIGHT TO FARM

THE LANDS SHOWN HEREON ARE SUBJECT TO THE PROVISIONS OF NEVADA REVISED STATUTES 40.140 AND CHAPTER 10.15 OF THE LYON COUNTY CODE, THE RIGHT TO FARM. LYON COUNTY HAS DETERMINED THAT THE HIGHEST AND BEST USE FOR AGRICULTURE LAND IS TO DEVELOP OR PRESERVE SAID LANDS FOR THE PURPOSES OF AGRICULTURE OPERATIONS AND IT WILL NOT CONSIDER THE INCONVENIENCES OR DISCOMFORTS ARISING FROM OR RELATED TO AGRICULTURAL OPERATIONS TO BE A PERCEIVED NUISANCE IF SUCH OPERATIONS ARE LEGAL, CONSISTENT WITH ACCEPTED CUSTOMS AND STANDARDS OPERATED IN A NON-NEGLIGENT MANNER.

OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT THE UNDERSIGNED, S.V. DEVELOPMENT, LLD IS THE OWNER OF THE TRACT OF LAND REPRESENTED ON THIS PLAT, AND HAS CONSENTED TO THE PREPARATION AND RECORDATION OF THIS PLAT AND THAT THE SAME IS EXECUTED IN COMPLIANCE WITH AND SUBJECT TO THE PROVISIONS OF THE NEVADA REVISED STATUTES, CHAPTER 278 AND LYON COUNTY CODE, TITLE 11, THE ACCESS AND PUBLIC UTILITY EASEMENTS SHOWN HEREON ARE HEREBY GRANTED AS PERMANENT EASEMENTS FOR THE STATED PURPOSE.

THE OWNER OF THIS PARCEL MAP AND THEIR HEIRS, ASSIGNS AND SUCCESSORS, AGREE TO PROVIDE NOTICE OF THE PROVISIONS OF NRS 40.140 AND CHAPTER 10.15 OF THE LYON COUNTY CODE TO ANY AND ALL SUBSEQUENT PURCHASERS.

WE DECLARE THAT WE EXECUTED THIS CERTIFICATE FOR THE PURPOSE STATED HEREIN, IN WITNESS WHEREOF, THE UNDERSIGNED HAVE AFFIXED THEIR NAMES.

STEVE FULSTONE _____ DATE _____
 OWNER

STATE OF NEVADA _____ S.S.
 COUNTY OF LYON _____

ON THIS _____ DAY OF _____, 2016, PERSONALLY APPEARED BEFORE ME, A NOTARY IN AND FOR SAID COUNTY AND STATE, _____ KNOWN TO ME TO BE THE PERSON(S) DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT, IN WITNESS WHEREOF I HAVE HERETO SET MY HAND AND SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC

COUNTY ENGINEER'S CERTIFICATE

I, _____ P.E. HEREBY CERTIFY THAT I HAVE EXAMINED THIS FINAL PARCEL MAP FOR S.V. DEVELOPMENT, LLD, LOCATED IN SECTION 7, T. 10 N., R. 24 E., M.D.B. & M. AS SHOWN ON THIS PLAT, THAT IT IS SUBSTANTIALLY AS IT APPEARS ON THE APPROVED TENTATIVE MAP AND I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

DATE _____
 CLERK TREASURER'S CERTIFICATE

I, NIKKI BRYAN, LYON COUNTY CLERK/TREASURER HEREBY CERTIFY THAT THERE ARE NO LIENS FOR UNPAID STATE, COUNTY, CITY OR LOCAL TAXES OR SPECIAL ASSESSMENTS AND THAT ALL TAXES FOR THE FISCAL YEAR HAVE BEEN PAID ON PROPERTY THAT IS THE SUBJECT OF THIS MAP.
 A.P.N. 10-731-24.

NIKKI BRYAN, COUNTY CLERK/TREASURER _____ DATE _____

RECORDER'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____, 2016, AT _____ MINUTES PAST _____ O'CLOCK _____ M. IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA, AT THE REQUEST OF STEVE FULSTONE.

FEE: _____ LYON COUNTY RECORDER

FILE NO _____ BY: _____ DEPUTY

SHEET 1 OF 3

77 DWENS
 7777 ENGINEERING
 Civil Engineering, Land Surveying
 P.O. BOX 44
 SMITH, NEVADA 89430
 7727 782-2881 OR 7725 455-2472
 e-mail: pulpond@rnan214.com

TENTATIVE PARCEL MAP
 FOR
 S.V. DEVELOPMENT, LLD
 WITHIN THE W1/2 OF SECTION 7, T. 10 N., R. 24 E., M.D.B. & M.
 LYON COUNTY, NEVADA
 APRIL, 2016

BASIS OF BEARINGS

THE BASIS OF BEARINGS OF THIS MAP IS THE WEST LINE OF THE SW 1/4 OF SECTION 7, T. 10 N., R. 24 E., M.D.B. & M. SAID LINE BEARS N01°09'28"W.

LEGEND

- SET 5/8" REBAR WITH PLASTIC CAP STAMPED PLS 3090.
- (R) RECORD MAP #254728 (2000).
- (R1) RECORD MAP #159380 (1993).
- (M) MEASURED.
- (C) CALCULATED.
- POWER POLE.
- △ PERC. LOCATION.

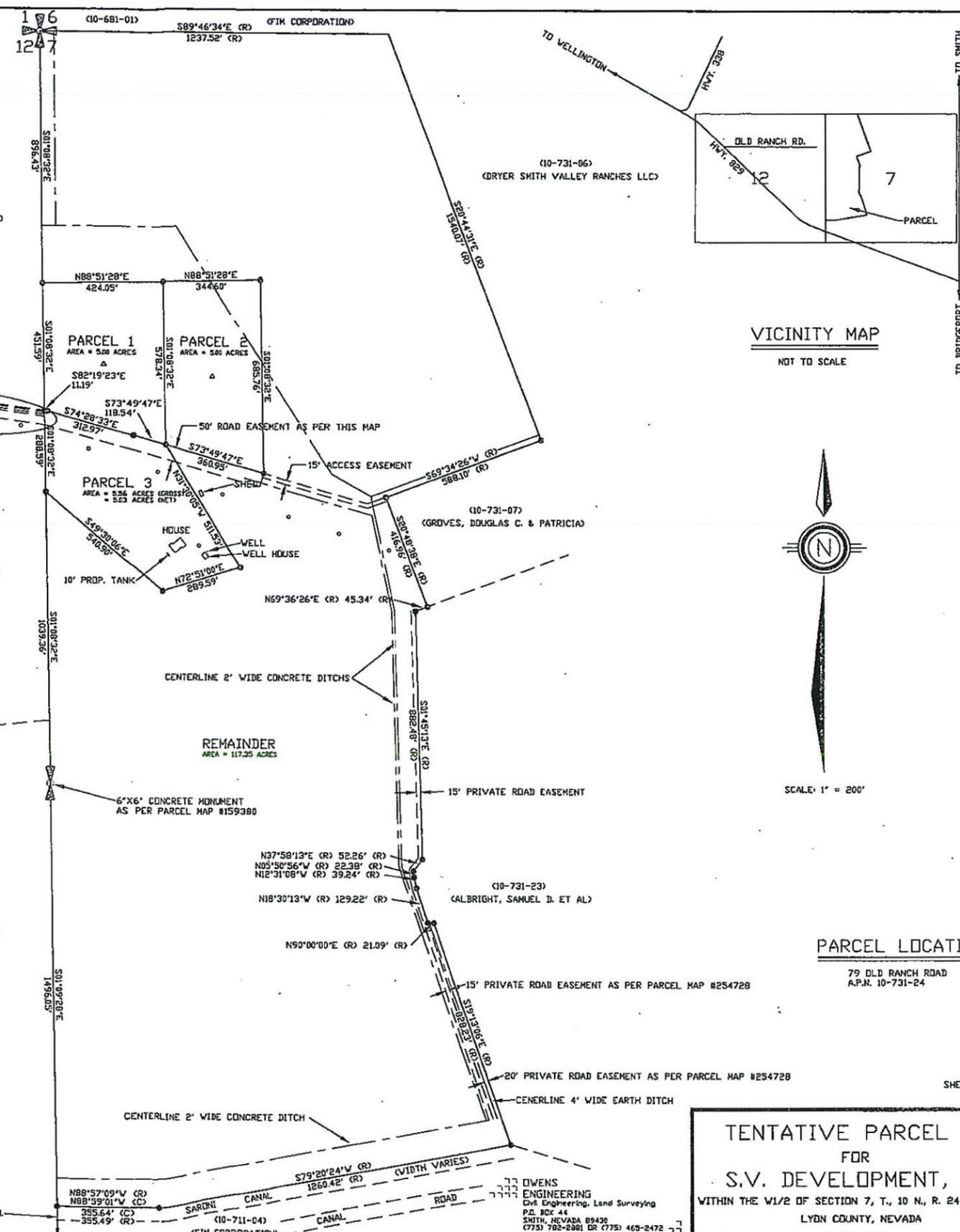
NOTES

1. THIS IS A SURVEY OF PARCEL 2 OF DEED, DOCUMENT #331379, WHICH REFERS TO RECORD MAP #254728 RECORDED IN 2000. THIS MAP SHOWS ONLY THE NW CORNER AND THE SW CORNER OF SECTION 7 BEING FOUND AND USED TO ESTABLISH THE WEST LINE OF SECTION 7. HOWEVER, IN 1993 RECORD MAP #159380 SHOWS THE WEST 1/4 CORNER AS BEING FOUND. THIS MAP WILL REFLECT THE WAY THE WEST LINE OF SECTION 7 WAS ESTABLISHED IN 1993 BY RECORD MAP #159380 AND HOW IT EXISTED IN 2000. THE WEST LINE OF THE SECTION HAS BEEN ROTATED FROM RECORD MAP #159380 TO RECORD MAP #254728.
2. AN EXISTING 15' WIDE ACCESS EASEMENT (DOCUMENT #147973) LIES WITHIN THE 50' ACCESS EASEMENT CREATED BY THIS MAP AND EXTENDS TO THE EAST PROPERTY LINE. FOR MAP CLARITY, IT IS NOT SHOWN WITHIN THE 50' EASEMENT.
3. THIS IS A DIVISION OF A.P.N. 10-731-24.

EASEMENTS

- DOCUMENT NO. 04780
10 FOOT WIDE STRIPS OF LAND FOR TELEPHONE AND COMMUNICATIONS STRUCTURES. THE STRIPS ARE AS FOLLOWS: STRIP NO. 1 - BEGINNING AT THE WESTERLY PROPERTY LINE AND GOING IN AN EASTERLY DIRECTION TO THE WESTERLY PROPERTY LINE OF A.P.N. 10-731-07. THE ALIGNMENT APPROXIMATES THE 15 FOOT ACCESS EASEMENT. STRIP NO. 2 - BEGINS 323.58 FEET ALONG STRIP NO. 1 FROM THE WEST PROPERTY LINE AND GOES IN A SOUTHEASTERLY DIRECTION 405.47 FEET TO THE EXISTING RESIDENCE. STRIP NO. 3 - A 14 FOOT STRIP GOING IN A NORTHERLY DIRECTION FROM STRIP NO. 1 AT A POINT 329.52 FEET FROM THE WESTERLY PROPERTY LINE. STRIP NO. 4 - THIS STRIP BEGINS AT STRIP NO. 1 AT A POINT 1,151.85 FEET FROM THE WESTERLY PROPERTY LINE AND GOES 1,054.34 FEET IN A SOUTHEASTERLY DIRECTION AND THE EASTERLY OFF OF THE PROJECT PROPERTY. STRIP NO. 5 A 19.00 FOOT STRIP GOING IN A SOUTHERLY DIRECTION FROM STRIP NO. 1 AT A POINT 1,151.85 FEET FROM THE WESTERLY PROPERTY LINE.
- DOCUMENT NO. 08125
NOT ON PROJECT PROPERTY.
- DOCUMENT NO. 06580
A 5 FOOT WIDE STRIP OF LAND FOR POWER LINES OVER THE PROJECT PARCEL DESCRIBED AS FOLLOWS: N89°46'34"W ALONG THE NORTH PROPERTY LINE, THENCE S20°44'31" TO THE NORTHEASTERLY PROPERTY CORNER OF A.P.N. 10-731-07, THENCE S69°34'26"W ALONG THE NORTHERLY PROPERTY LINE OF A.P.N. 10-731-07, THENCE APPROXIMATELY S04°20'00"E A DISTANCE OF 190.00 FEET MORE OR LESS.
- DOCUMENT NO. 147973
A 15 FOOT WIDE NON-EXCLUSIVE ACCESS EASEMENT BEGINNING AT THE WESTERLY PROPERTY LINE OF THE PROJECT PARCEL AND ENDING AT THE WESTERLY PROPERTY LINE OF A.P.N. 10-730-07. THE EASEMENT IS WITHIN THE PROPOSED 50 FOOT WIDE ACCESS EASEMENT AND EXTENDS BEYOND ITS EASTERLY TERMINUS TO A.P.N. 10-730-07 AS SHOWN ON THIS MAP.
- DOCUMENT NO. 150393
AN EASEMENT AGREEMENT CONFIRMING A PRESCRIPTIVE EASEMENT FOR THE OWNER OF THE PROJECT PARCEL TO HAVE ACCESS TO THEIR PROPERTY THROUGH THE PROPERTY JUST TO THE WEST.
- DOCUMENT NO. 147975
IT APPEARS THE 200 FOOT LONG BY 15 FOOT WIDE ACCESS EASEMENT IS NORTHERLY OF THE NORTHERLY PROPERTY LINE OF A.P.N. 10-731-07, ALL ON THE PROJECT PROPERTY. IT IS UNCLEAR WHAT THE EASEMENT ACCOMPLISHES.
- EASEMENTS CREATED BY THIS MAP
IN ADDITION TO THE 50 FOOT WIDE ACCESS EASEMENT SHOWN ON THIS MAP, THE THREE NEW PARCELS WILL CREATE THE FOLLOWING: A 10 FOOT WIDE UTILITY EASEMENT ON ROAD FRONTS WITHIN THE PARCELS AND A 5 FOOT WIDE UTILITY EASEMENT ALONG THE SIDE AND REAR PROPERTY LINES.

S01°09'28"E 1179.82' TO THE SW CORNER OF SECTION 7, T. 10 N., R. 24 E., M.D.B. & M. CORNER BEING A 1941 GLO BRASS CAP.



VICINITY MAP
NOT TO SCALE

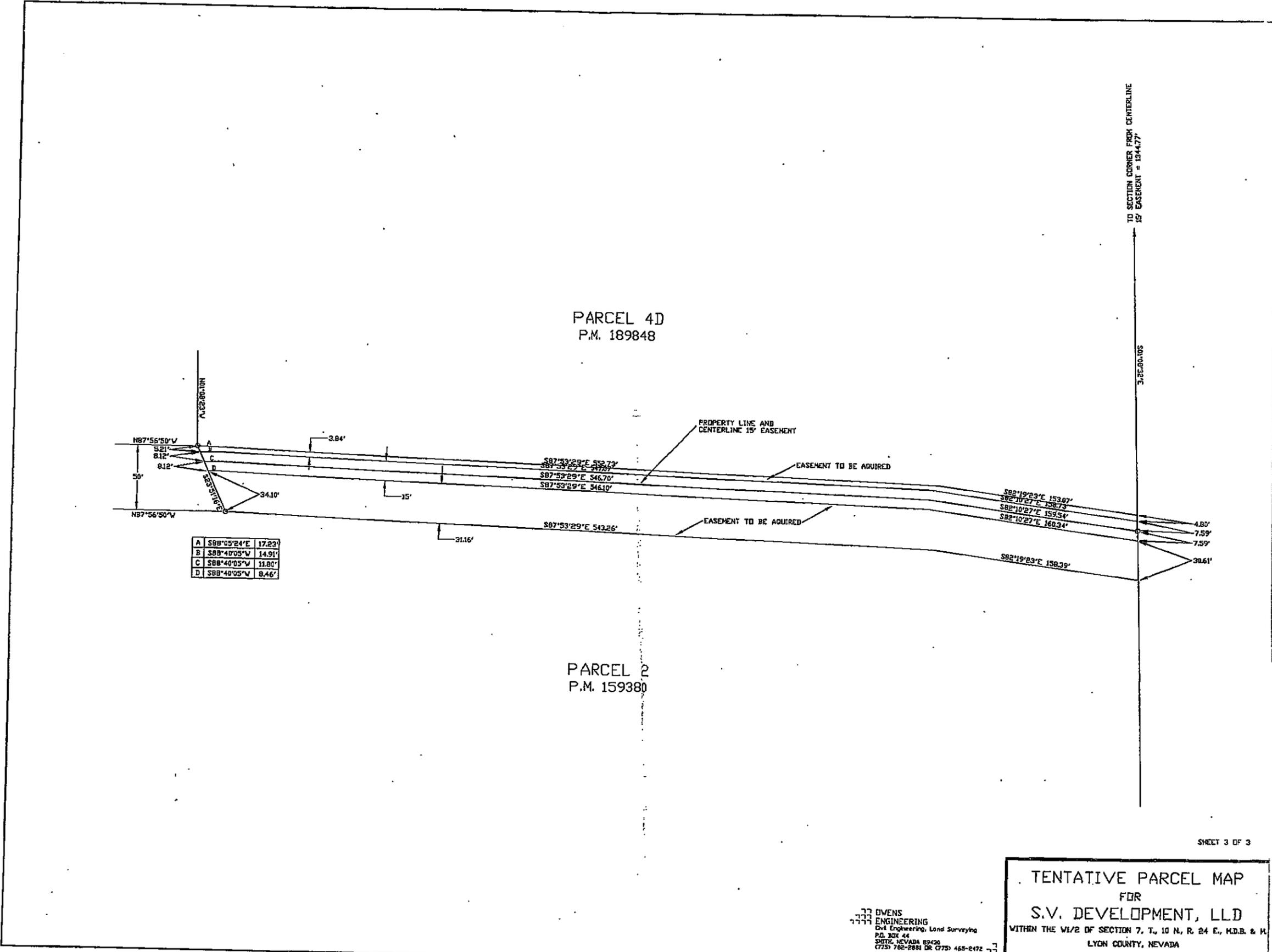


SCALE: 1" = 200'

PARCEL LOCATION
79 OLD RANCH ROAD
A.P.N. 10-731-24

TENTATIVE PARCEL MAP
FOR
S.V. DEVELOPMENT, LLD
WITHIN THE W1/2 OF SECTION 7, T. 10 N., R. 24 E., M.D.B. & M.
LYON COUNTY, NEVADA
APRIL, 2016

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(775) 782-2881 OR (775) 463-2472
e-mail: pulpan@dwenseng.com



SHEET 3 OF 3

TENTATIVE PARCEL MAP
FOR
S.V. DEVELOPMENT, LLD
WITHIN THE 1/2 OF SECTION 7, T. 10 N, R. 24 E., M.D.B. & M.
LYON COUNTY, NEVADA
APRIL, 2016

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LYON COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

BUILDING • DEVELOPMENT ENGINEERING • PLANNING

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DAYTON, NEVADA 89403
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STAFF REPORT

Lyon County Planning Commission

PLZ-16-0026 Zone Change
Meeting Date: September 13, 2016
Owners: Comstock Industrial, LLC
Applicant: Same
Area Location: Silver Springs
Parcel Number(s): (APN) 015-171-25
Master Plan: Employment
Existing Zoning: RR-2T (Rural Residential - 2 acre minimum w/trailer overlay)
Proposed Zoning: M-E (Industrial Estates)
Case Planner: Rob Pyzel and Kerry Page

Community Development Director Approval:

REQUEST:

The applicant has requested a zone change from RR-2T (Rural Residential - 2 acre minimum w/trailer overlay) to M-E (Industrial Estates) Zoning district on 98.00 gross acres, located at 3405 Citrus St., Silver Springs, NV, to conform to the current Master Plan designation.

STAFF RECOMMENDATION:

Staff is in favor of the rezoning request as the request is in conformance with the 2010 Comprehensive Master Plan land use designation for the location and is compatible with the existing and potential surrounding development pattern. Staff's recommendation is based on the findings as listed in this staff report and substantiated in the public record.

RECOMMENDED MOTION:

Based on the following findings, the Lyon County Planning Commission recommends approval of the Zone Change request for Comstock Industrial, LLC, from RR-2T (Rural Residential - 2 acre minimum w/trailer overlay) to M-E (Industrial Estates), on 98.00 gross acres, located at 3405 Citrus St., Silver Springs (APN: 015-171-25) all as set forth in the zone change application and supporting documents, received by the Community Development Department on August 13, 2016 (PLZ-16-0026).

Findings:

- A. The zone change is in substantial compliance with and promotes the Master Plan goals, objectives and actions.
- B. The proposed zoning promotes development that is commensurate with the character and current use of the surrounding land and will not have detrimental impacts to other properties in the vicinity.
- C. The proposed zoning is timely and contributes to the orderly and efficient arrangement of transportation and other public facilities and services.
- D. The proposed zoning will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare.

STAFF REVIEW AND COMMENTS:

On December 23, 2010, Lyon County adopted the Comprehensive Master Plan County-wide Component. A master plan designation is an expression of the county's long-term expectations for development within a particular area. It does not necessarily mandate that zoning be changed concurrent with the master plan designation (see Nevada Attorney General Opinion No. 84-6).

The subject site is located within an area categorized as having a Suburban Character District. The Character District guides the development intensity and standards which are to be applied. Suburban Character Districts are those areas that are predominately medium to high density residential development with regional/community commercial, neighborhood, industrial and employment uses. Improvement standards will reflect the "suburban" character of these areas and will include requirements for municipal water and sewer, roadway design appropriate to the planned land uses, landscaping of public areas, and pedestrian facilities (sidewalks and paths).

Zoning is an implementation measure for carrying out the goals, objectives and actions contemplated in the Master Plan. It designates that the County feels that the time is right for development to occur to the densities allowed. Zoning districts that are equal to or less dense/intense than the underlying master plan designation are considered to be consistent with the Master Plan.

The requested M-E zoning district is consistent with the uses, intensity and density as expressed in the 2010 Comprehensive Master Plan for that portion of the property under consideration.

The applicant has not provided any details regarding the future use of the property.

PROPERTY INFORMATION:

Location:

The parcel is located at 3405 Citrus Street, Silver Springs, Nevada.

Size:

The subject site is 98.00 total acres in size.

Land Use

The subject property is currently vacant land and is surrounded by other vacant similarly zoned property, the Silver Springs Airport and medium to low density residential.

This proposed zone change would provide concentrated areas of employment, combined with a mix of complementary commercial and residential uses where Office/Research Park developments may be incorporated into a master planned neighborhood, or located in close proximity to residential areas.

Within the Employment Master Plan designation, the M-E zoning district is intended to provide, for example, smaller live-work complexes, offices, medical facilities, light industrial facilities and educational facilities that are located on infill sites within established suburbanizing areas of the County. Activities typically take place indoors with outdoor storage or other more industrial types of uses not typically permitted.

Subject Property and Surrounding Area Land Use

	<i>Current Master Plan</i>	<i>Zoning</i>	<i>Current Land Use</i>
Subject Property	Employment	RR-2T	Undeveloped
North	Public/Quasi-Public	M-1	Airport
South	Employment and Residential	RR-1/2T & E1/2T	Undeveloped & Developed Residential
East	Suburban Residential	RR-1/2T, E1/2T	Developed Residential
West	Public/Quasi-Public & Employment	M-1	Airport / Undeveloped Industrial

Public Facilities and Services:

The subject parcel is within the service district of Silver Springs General Improvement District (SSGID) for sewer service and Silver Springs Mutual Water Service (SSMWC) for water service. It is anticipated that potential industrial users/developers will bring necessary water rights when required for industrial development, based on the requirements set forth by the district.

The Central Lyon County Fire Protection District provides fire and emergency medical services. An un-manned, volunteer fire station is located at 1135 West Spruce Avenue in Silver Springs.

The Lyon County Sheriff's Department maintains a substation at 2475 Fort Churchill Road, Silver Springs.

Physical and Topographic Attributes:

The subject parcel is suitable for light industrial development. The parcel is identified as being within Flood Zone X, Unshaded; an area "determined to be outside the 0.2% annual chance floodplain" (less than 0.2% chance of flooding).

Access:

Current access to the subject property is via Idaho Avenue (off of Highway 95A) to Citrus Avenue. Both are improved, county maintained roadways.

Requirements for Granting a Zone Change Request:

NRS 278.250 grants authority to the County to establish zoning districts, and to regulate the use of land within those zoning districts provided the districts and uses are adopted in accordance with the Master Plan and are designed to achieve specific goals.

When making an approval, modification or denial of a zoning map or text, the Commission and the Board should, at a minimum, make one of the following findings of fact:

1. Consistency with the Master Plan.

The proposed zone change is in substantial compliance with and promotes the 2010 Comprehensive Master Plan's goals, objectives and actions.

Policy LU 1.1: Follow development patterns as established on Countywide Land Use Plan or a More Specific Community Plan:

The proposed rezoning would reflect the development pattern as shown on the 2010 Comprehensive Master Plan's land use plan for Silver Springs.

2. Contributes to the timely, orderly and efficient arrangement of transportation and other public facilities and services.

Policy LU 1.3: Commercial and Mixed-Use Development in community centers:

The proposed rezoning would enable non-residential development to occur in defined and planned mixed-use centers, rather than in a linear pattern along roads. New suburban and rural residential development will be located near existing and future community centers

Policy FS 1.1: Location of New Development:

The proposed rezoning will ensure that new urban development will occur in areas that are served by, or are adjacent to, areas with existing utility systems to avoid distant and costly extensions. The subject site is located adjacent to an area with existing water and sewer services.

3. Promotes the protection of existing neighborhoods and communities.

Policy LU 3.1: Economic diversity:

The proposed rezoning will encourage economic diversity, attracting businesses that will provide a broader range of employment opportunities to residents in primary jobs, as well as service jobs that meet the needs of local residents.

ALTERNATIVE TO THE STAFF RECOMMENDED FINDINGS AND MOTION:

The alternative motions suggested below are offered for Planning Commission consideration.

ALTERNATIVE FOR CONTINUANCE

If the Commission determines that additional information, discussion and public review are necessary for a more thorough review of the proposed Zone Change, the Commission should make appropriate findings and move to **continue** the Public Hearing with a specific time period for the applicant to provide additional specific information necessary for the analysis of the request:

The Commission may wish to consider a motion similar to the following:

Based on the above findings and with the applicant's concurrence, the Planning Commission continues the Zone Change request for Comstock Industrial, LLC from RR-2T (Rural Residential - 2 acre minimum w/trailer overlay) to M-E (Industrial Estates) on 98.00 gross acres, located at 3405 Citrus St., Silver Springs (APN: 015-171-25) PLZ-16-0026, for __ days.

- A. Additional information, discussion and public review are necessary for a more thorough review of the proposed Zone Change.

ALTERNATIVE FOR DENIAL

If the Planning Commission determines that they should recommend denial of the requested zone change, the Planning Commission may take the following action:

The Lyon County Planning Commission finds that:

- A. The zone change is not in substantial compliance with the Master Plan goals, objectives and actions.
- B. The proposed use will be detrimental to the public health, safety, convenience and welfare; and
- C. The proposed use will result in material damage or prejudice to other property in the vicinity.

Based on the aforementioned findings, the Lyon County Planning Commission recommends denial of the Zone Change request for Comstock Industrial, LLC, from RR-2T (Rural Residential - 2 acre minimum w/trailer overlay) to M-E (Industrial Estates), on 98.00 gross acres, located at 3405 Citrus St., Silver Springs (APN: 015-171-25) PLZ-16-0026.

NARRATIVE

APN 15-171-25

The Parcel is in an area that is Master Planned for Employment which includes both:

10.04.03 M1 Industrial Zoning District and the Zoning the applicant is requesting:

10.04.04: M-E INDUSTRIAL ESTATES DISTRICT:  

The uses of land within the industrial estates district (M-E) must comply with the following requirements:

A. Site And Structure Requirements:

1. Lot Area: Required area is eight thousand (8,000) square feet.
2. Lot Width: Each lot shall be a minimum of sixty feet (60') average width.
3. Setbacks: There is no required front, side or rear yard.

B. Uses Permitted: Uses permitted on a lot or parcel having the required area and required width are as follows:

Administrative, executive, professional, research and similar office uses, having limited contact with the general public.

Manufacturing, processing, assembly, fabricating or storage of products or materials.

Accessory uses customarily incident to the above.

Other uses which are, in the opinion of the administrator, similar to the above.

A residential owner or watchman may reside in the same structure that the business occupies.

C. Conditions For Permitted Use: Conditions under which the above uses may be established are as follows:

1. Screening Outside Storage: Any outside storage shall be suitably screened from the surrounding area by walls, plantings or other barriers.

2. Landscaping: Provisions for landscaping shall be included in the preliminary development plan. These shall include, but are not limited to, screen planting, lawn areas, trees, shrubs, fences and walls. It shall be the responsibility of the owner or developer to carry out this program and to provide such maintenance and care as is required to obtain the effect intended by the original plan.
3. Exterior Lighting: Exterior spotlighting shall be so installed as to eliminate any nuisance to adjoining residential districts or to traffic on the public highways. No unshaded light sources shall be permitted. Necessary safety lighting of roads and buildings, and lighting required by governmental regulations shall be required.
4. Authorization Of Substances: All users that will be handling any substances regulated by the federal superfund amendment and reauthorization act (SARA) title III section 302 when held in quantities requiring notification under sections 311 and 312 of the act shall, prior to commencing operation, obtain authorization from the board of county commissioners of Lyon County. Said authorization shall be duly considered at a duly noticed public hearing, held not more than forty five (45) days after written request by an applicant.

D. Prohibited Uses: Uses specifically prohibited are as follows:

Any residential use (except incidental to a permitted use), hotels, motels, mobile home parks and recreational vehicle parks or other similar uses.

Churches, schools, institutions and other similar public and semipublic uses.

Manufacturing or storage of explosives or byproducts from fish, meat or animals (including slaughterhouse), fertilizer.

Retail shops, service shops, theaters and commercial recreational or nonindustrial uses. Merchandising or merchandising services, except incidental to a permitted use.

- E. Special Uses: Uses requiring a special use permit are the same as those requiring special use permits in the general industrial district (I-1) and are subject to the same limitations and conditions. (Ord. 393, 2-3-1994, eff. 2-18-1994)

JUSTIFICATION

APN 15-171-25

The Lyon County Master Plan for the Silver Springs area designates the area in this Zone as:

EMPLOYMENT

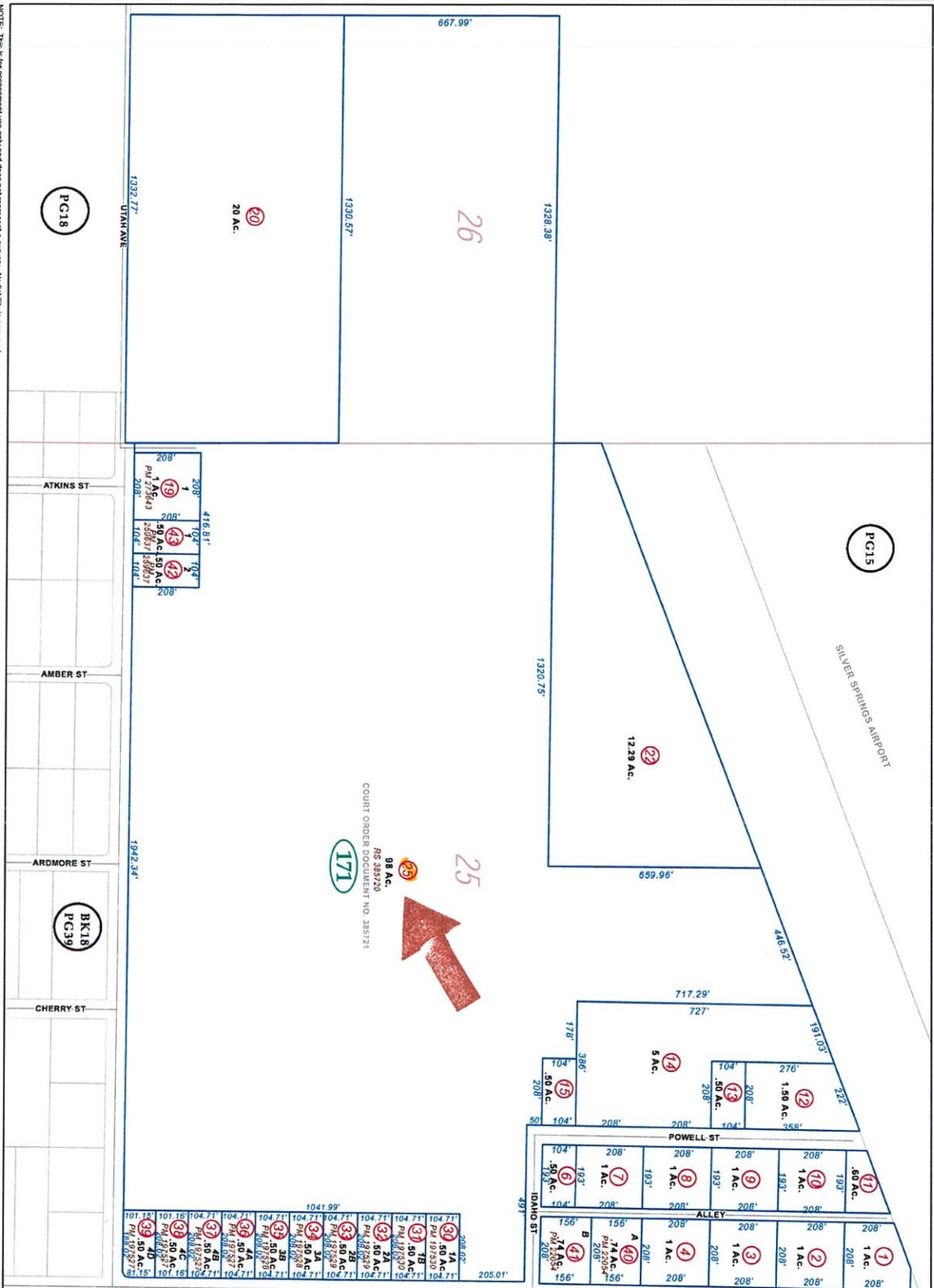
See attached letter of Verification from Lyon County dated 7-14-16.

This allows for M1 or M-E Zoning of the Parcel.

The Applicant is justified in conforming the parcel from RR2T zoning to meet the Master Plan Designation of Employment and requests the Board of County Commissioners to approve the Zone change to M-E creating alignment with the Mater Plan and employment potential.

NW 1/4 Section 25 & SE 1/4 NE 1/4 Section 26, T18N-R24E, MD&M

15-17



NOTE: This is for assessment use only and does not represent a survey. No liability is assumed for errors or omissions. This plat is for assessment purposes only and does not represent a survey. No liability is assumed for errors or omissions. This plat is for assessment purposes only and does not represent a survey. No liability is assumed for errors or omissions.

COURT ORDER DOCUMENT NO. 383721
 PG 88 AC
 R3 800720
 171

208	19	19	19	19	19
208	19	19	19	19	19
208	19	19	19	19	19
208	19	19	19	19	19
208	19	19	19	19	19
208	19	19	19	19	19

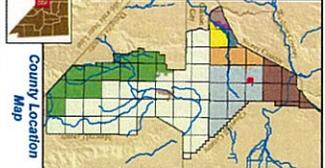
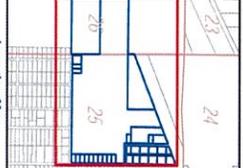


Scale: 1" = 300'
 Revised: July 24, 2006

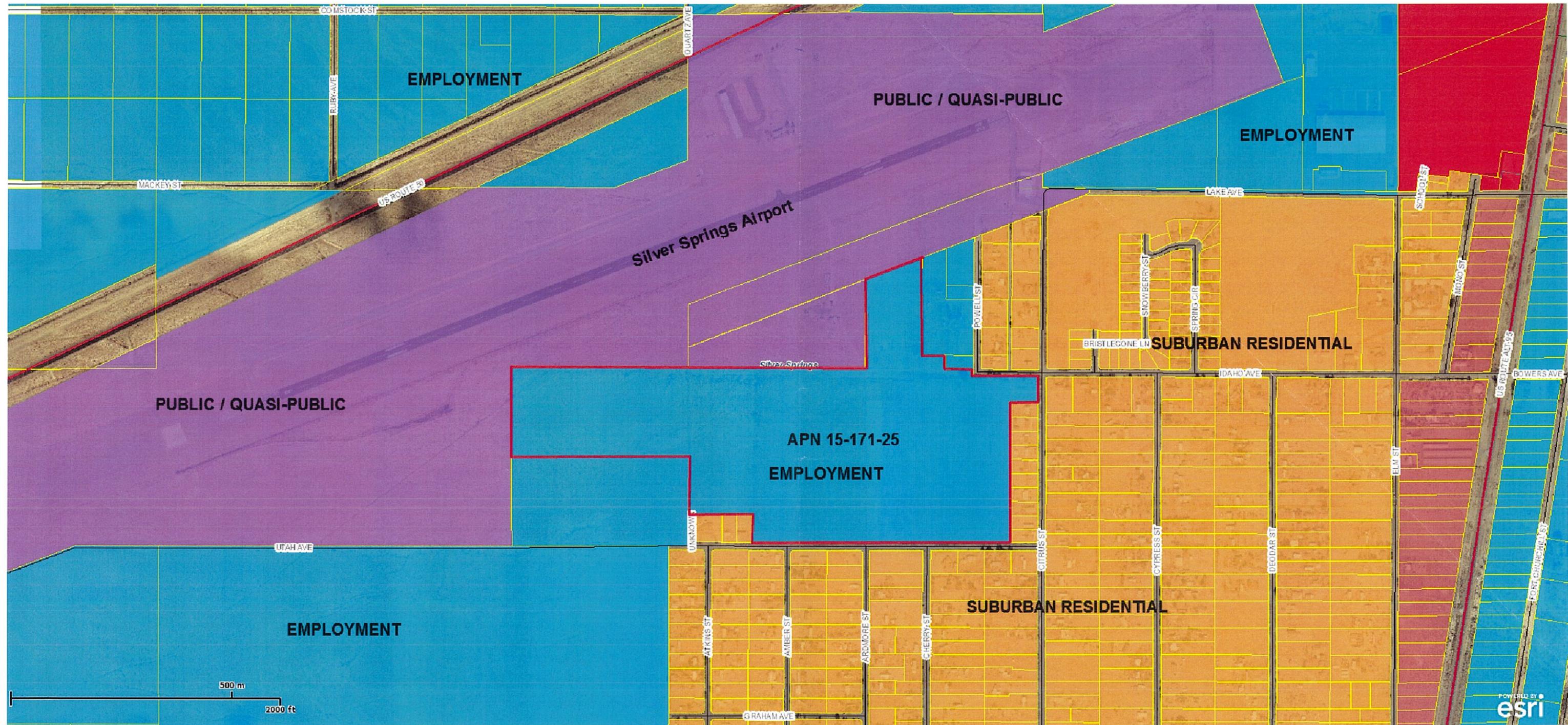
300'	Dimensions
1	Parcel Lot
0.13 Ac.	Acres of Parcel
PG 130149	Recorded Map Image
Parcel Boundaries	Parcel Boundaries
Block Number	Block Number
Parcel Book & Page Number	Parcel Book & Page Number
Page Number	Page Number

Cities & Townships

Dixton	Dixton
Dayton Valley	Dayton Valley
Farmley	Farmley
Hartsville	Hartsville
Mason Valley	Mason Valley
Mound House	Mound House
Silver City	Silver City
Silver Springs	Silver Springs
Smith Valley	Smith Valley
Stupecoch	Stupecoch
Yemignon	Yemignon



APN 15-171-25 MASTER PLAN





LYON COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

BUILDING • DEVELOPMENT ENGINEERING • PLANNING

DAVE SNELGROVE
COMMUNITY DEVELOPMENT DIRECTOR

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DAYTON, NEVADA 89403
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FAX: (775) 246-6147

STAFF REPORT

Lyon County Planning Commission

PLZ-16-0023 Special Use Permit to allow a use other than those permitted in the underlying C-2 (General Commercial) zoning district to allow for a use other than those permitted in the underlying C-2 (General Commercial) zoning district (a single family residence) for the Union Hotel within the Historic Overlay District.

Meeting Date: September 13, 2016

Property Owner: Glenn Hasbrouck and Katie Davies

Applicant: Same

Area Location: Dayton

Parcel Number: (APN) 006-073-006

Master Plan: Commercial Mixed Use

Zoning: C-2 (General Commercial)

Case Planner: Rob Pyzel

Community Development Director Approval:

Request:

The applicant is requesting a special use permit to allow for a residential use in the C-2 zoning district. They are rehabilitating/remodeling the Union Hotel into a single family residence and the Old Post Office into an accessory building for their residence. The rehabilitation/remodel includes making the necessary improvements (i.e., seismic retrofitting of the buildings) as recommended by the investigation of the historic buildings by their structural engineer. These improvements are necessary in order to make the historic buildings safe when a seismic event occurs. The rehabilitation/remodel would convert the Union Hotel building into a residential use (single family residence).

STAFF RECOMMENDATION:

Staff recommends approval of the Special Use Permit based on the Findings and Recommended Conditions of Approval as listed in the staff report.

RECOMMENDED MOTION:

I move that the Lyon County Planning Commission recommend approval of the Special Use Permit for Glenn Hasbrouck and Katie Davies, to allow a use other than those permitted in the underlying C-2 (General Commercial) zoning district (a single family residence) for the Union Hotel within the Historic Overlay District, on a 0.16 acre parcel located at 75 W. Main Street, Dayton, NV (APN 006-073-006) PLZ-16-0023, based on the Findings as listed in the staff report and subject to the following conditions:

FINDINGS:

In reviewing the application materials and hearing public comment on the application, the Special Use Permit application:

- A. Is consistent with the general purpose and intent of the applicable zoning district regulations;
- B. Will not cause an adverse, visual impact to the surrounding area;
- C. Will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and is compatible with and preserves the character and integrity of adjacent development and neighborhoods or includes improvements or modifications either on-site or within the public right-of-way to mitigate development related to adverse impacts such as noise, vibrations, fumes, odors, dust, glare or physical activity;
- D. Will not be detrimental to the public health, safety, convenience and welfare; and
- E. Will not result in material damage or prejudice to other property in the vicinity.

CONDITIONS OF APPROVAL:

- 1. The applicant shall obtain a building permit for the seismic retrofitting and single family residential remodel of the historic buildings located at the subject site.
- 2. The applicant shall comply with all applicable fire, building, zoning and improvement code requirements.
- 3. If outdoor lighting is provided, it shall comply with the outdoor lighting requirements of Chapter 10.20 of the Lyon County Code.
- 4. The applicant shall comply with Lyon County's 1996 (revised) drainage guidelines. The property owner shall be responsible for maintenance of all roads, walks and drainage facilities within the development, as well as the storm water detention facilities, if applicable, whether it is onsite or offsite. Lyon County shall have no financial responsibility for maintenance of these facilities.
- 5. All of the requirements placed on the special use permit by the County Building Official, Central Lyon County Fire Protection District, Community Development Director, and other agencies with jurisdiction shall be met prior to the applicant commencing use of the site.
- 6. The applicant shall acquire all State, County and special purpose district permits and obtain all necessary public inspections.
- 7. If any proposed improvements to the exterior architectural feature(s) of the structures are proposed, then the Community Development Department shall review and approve the features based on the Comstock Historic District Commission's design guidelines book prior to the installation of the features.
- 8. If the structures are damaged or partially destroyed by natural calamity, then the structures may be restored to its original state for the same use or uses permitted by this Special Use Permit. If the property owner chooses not to restore the structures, then the property owner shall have the right to apply for a zone change to remove the Historic Zoning Overlay on the subject property.
- 9. Any modification, expansion, intensification or material change in use or operation shall require an application for and public hearings on a modification of the special use permit pursuant to Lyon County Code.
- 10. The substantial failure to comply with any conditions imposed on the issuance of a special use permit or the operation of a special 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 special use or the non-use of the permit for a year may result in the institution of revocation proceedings.
- 11. Annual review - The special use permit is subject to annual review by Lyon County.

GENERAL INFORMATION

Location:

The property is located at 75 West Main Street, Dayton, NV

Size:

The subject parcel is 0.16 acre in size.

Background:

The Union Hotel was reconstructed at its current location in 1870 after the 1869 fire destroyed the original building which was located across from the subject site on West Main Street. Most recently the hotel building has been used as a residence until the death of the previous owner. Subsequent to the passing of the property owner, a squatter located in the hotel building until the estate of the previous property owner was settled and the property sold to the current owners, Mr. Hasbrouck and Ms. Davies. The current property owners want to save the historic structures and legally convert the Union Hotel building from a commercial use into a residential use.

The buildings face is located immediately adjacent to Main Street, just west of the Main Street/Pike Street intersection in Old Dayton.

The rehabilitation would include structural additions that would make the historic buildings safe to inhabit. The property owners have had the buildings inspected by a structural engineer who submitted a report of the findings after the inspection (included as a part of the application materials).

Based on the building inspection, the structural engineer recommended the following mitigations and the ranking of the improvements:

1. Priority Level One:
 - 1.1. Parapets
 - 1.2. Masonry Wall To Roof and Roof Diaphragm Anchorage
 - 1.3. Shear Walls
 - 1.4. Foundations
2. Priority Level Two:
 - 2.1. Diaphragm Strengthening
 - 2.2. Wall Height-to-Thickness Ratio Mitigation
 - 2.3. Wall Mortar Re-pointing
 - 2.4. Other Deficiencies

The structural engineer's report details the needed improvements necessary to make the buildings habitable.

The remodel would convert the current Union Hotel space into a bathroom, a living room ("Saloon") that at this point will include the original bar and a piano, dining room/kitchen as well as storage rooms on the first floor. The second floor will consist of 3 to 4 bedrooms, a bathroom, a laundry room, two office spaces and a master suite that look over Main Street. The Post Office building will be remodeled to include a bathroom and work space for the owners.

The site plan shows that the property owners will eventually add a detached garage at the back of the property with access out onto Silver Street.

The applicants have submitted a 'hold-harmless' agreement to allow for the rehabilitation/remodel of the buildings begin as the Special Use Permit is being processed.

Staff Review and Comments:

Master Plan:

The 2010 Comprehensive Master Plan land use designation for the subject site is Commercial Mixed Use. The 2010 Comprehensive Master Plan Commercial Mixed Use land use designation is described in the County-wide Land Use Categories Table (pg. 3.21) as follows:

“Characteristics: This category is designed to encourage a more cohesive mix of commercial uses than exist today, including residential, designed in centers. (See Mixed-Use Centers principles on Page 5.6)

Examples of uses: A mix of commercial services (see above), offices, and residential. Mix and scale varies, depending on location in character district, but intent is to encourage more residential and office. “

The proposed floor plans show that the rehabilitation/remodel of the Union Hotel and Post Office Buildings would allow for both residential and professional office/commercial uses. This mix of residential and commercial/professional office land uses are promoted within the Commercial Mixed Use land use designation of the 2010 Comprehensive Master Plan.

Current Zoning:

The subject site is currently zoned C-2 (General Commercial). Per Section 10.04.07(B)(1), the C-2 zoning district does not allow for residential uses with the sole exception that a resident watchman can reside in the same structure that the business occupies, as an allowed, accessory use to the primary general commercial use on-site.

Historic Zoning Overlay:

The subject site is also located within the Historic Zoning Overlay covering the Old Dayton area. Historic Zoning Overlay regulations are listed in Title 10.14 of the Lyon County Code (“LCC”). The purpose of the Historic Zoning Overlay district is “...to help property owners preserve or protect properties which have historic, architectural, cultural, or landmark value.”

LCC Section 10.14.05 regulates the permitted uses within the Historic Zoning Overlay. This section states that:

“10.14.05: PERMITTED USES WITHIN THE HISTORIC OR LANDMARK OVERLAY:

Any use permitted in the underlying zone. An owner may apply for a special use permit for any use other than those permitted in the underlying zone which is not detrimental to the surrounding property owners and would contribute to the protection, promotion and preservation of the historical significance of the property. No special use permit shall be issued if the use is found to be detrimental to the quiet enjoyment of the surrounding properties.”

Since the underlying C-2 zoning district does not permit residential uses except as a resident watchman’s quarters, the property owners are applying for a special use permit to allow a use (single family residence) not currently permitted in the C-2 zoning district.

LCC Section 10.14 also contains the following regulations:

- The property owners shall receive a certificate of appropriateness for a proposed improvement to the exterior architectural features of the structures from the Lyon County Historical Site Advisory Board.

- If the structures are damaged or partially destroyed by natural calamity, the structures may be restored to its original state for the same use or uses permitted by this special use permit. Any restoration requires a certificate of appropriateness from the Lyon County Historic Site Advisory Board.
- If the property owners choose not to restore the structures, then the property owners shall have the right to apply for a zone change to remove the Historic Zoning Overlay.

Unfortunately, Lyon County does not have a Lyon County Historic Site Advisory Board. In lieu of creating a historic site advisory board on such short notice, staff recommends three conditions to address the historic site advisory board regulations currently in Title 10.14:

- if any proposed improvement to the exterior architectural feature(s) of the structures are proposed, then the Community Development Department shall review and approve the features based on the Comstock Historic District Commission’s design guidelines book prior to the installation of the features;
- if the structures are damaged or partially destroyed by natural calamity, then the structures may be restored to its original state for the same use or uses permitted by this Special Use Permit; and
- if the property owners choose not to restore the structures, then the property owner shall have the right to apply for a zone change to remove the Historic Zoning Overlay.

Access:

Access to the subject site is from both Main Street and Silver Street. Both roadways are improved and are proven suitable for circulation around the subject site. As the Union Hotel is becoming a single family residence, it is not anticipated that this project will necessitate any further access improvements at this time.

Water Supply and Wastewater Treatment:

The parcel is served by Dayton Utilities for domestic water service and sewer service. Dayton Utilities has sufficient capacity within its water and sewer service facilities to handle the additional demand and as such, no adverse impact is likely to occur or would require an increase in the size of the existing services to the public or the County because of this project.

Exterior Lighting:

Lyon County Code, Chapter 10.04.01(C) (2) (d), requires that:

“d. If lighting is provided, it shall be so arranged to reflect away from residential areas, any public street or highway.”

Lyon County Code Chapter 10.20, Outdoor Lighting Control, sets forth the requirements that must be followed for building and outdoor site lighting.

Emergency Services:

The subject parcel lies within the Central Lyon County Fire Protection District boundaries. The Fire District provides fire and emergency medical services to the subject parcel.

The Central Lyon County Fire Protection District is the agency having jurisdiction regarding compliance with the International Fire Code. The proposed project will need to conform to the Fire Code as required by the Fire District.

The Lyon County Sheriff’s Department will provide law enforcement services.

Flood Plain:

The subject site is located within an X Unshaded FEMA-designated flood zone. This designation indicates the site is not prone to flooding.

Consistent with General Purpose and Intent of Applicable Zoning District Regulations:

While inconsistent with the C-2 zoning district regulations, the Historic Zoning Overlay designation allows through the Special Use Permit process a property owner to propose a use not typically permitted in the underlying zoning district if the use can be shown to not be detrimental to the quiet enjoyment of surrounding properties.

The use of the historic building as a single family residence within the Union Hotel building and accessory uses normally associated with single family residential use within the old Post Office building will not diminish the ability of the surrounding properties to enjoy their current uses of their properties.

No Adverse Visual Impact to the Surrounding Area:

The rehabilitation/remodel of the historic buildings will not alter the existing exterior architectural features, building materials and building colors. As such, staff believes the rehabilitation/remodel will match and blend into the existing surrounding neighborhood.

Compatible with Adjacent Development or Includes Sufficient Mitigation Measures:

The residential use of the rehabilitated/remodeled historic buildings will be compatible with and blend into the existing surrounding neighborhood. Sufficient mitigation measures are recommended as Conditions of Approval such as requiring any new exterior lighting to not reflect on the surrounding adjoining properties per the Lyon County Code requirements. The rehabilitation of the historic buildings should encourage other property owners within the neighborhood to look again at their buildings and potentially consider similar investment in this neighborhood.

Not Detrimental to Public Health, Safety, Convenience and Welfare:

Staff is not aware of any issue involved with the proposed residential use of the rehabilitated/remodeled historic buildings would be considered detrimental to the public health, safety, convenience or welfare.

No Material Damage or Prejudice to Property in the Vicinity:

There is no evidence that would support a claim that the proposed residential use of the rehabilitated/remodeled historic buildings would cause material damage or prejudice to a property in the vicinity.

Considerations and Requirements for Granting Approval:

When considering applications for a special use permit, the commission should evaluate the impact of the special use on and its compatibility with surrounding properties and neighborhoods to ensure the appropriateness of the use at a particular location.

Chapter 10.12.01(B) of the Lyon County Code stipulates that:

The Commission shall, at the public hearing, hear and consider such testimony, written communications or documents as presented relative to the permit application. Said Commission, at the conclusion of the hearing, shall recommend: issuance, conditional issuance or denial of the permit or the modified permit.

Staff Recommendation:

Staff recommends approval of this request based on our review of the required findings and subject to the conditions of approval listed in the staff report.

ALTERNATIVES TO THE STAFF RECOMMENDATION:

Alternative Motion for Continuance:

If the Planning Commission determines that additional information, discussion and public review are necessary for a more thorough review of the proposed special use permit; the Planning Commission should make appropriate findings and move to **continue** the Public Hearing with a specific time period for the applicant to provide additional specific information necessary for the analysis of the request. The Planning Commission may wish to consider a motion similar to the following:

The Planning Commission finds that:

- A. Additional information, discussion and public review are necessary for a more thorough review of the proposed special use permit.

Based on the above findings and with the applicant's concurrence, the Lyon County Planning Commission continues the request of the Special Use Permit for Glenn Hasbrouck and Katie Davies, to allow a use other than those permitted in the underlying C-2 (General Commercial) zoning district (a single family residence) for the Union Hotel within the Historic Overlay District, on a 0.16 acre parcel located at 75 W. Main Street, Dayton, NV (APN 006-073-006) PLZ-16-0023, for __ days.

Alternative Motion for Denial:

If the Commission determines that the request for a Special Use Permit should be **denied**, the Commission must make findings supporting a denial. The Planning Commission may wish to consider a motion similar to the following:

The Lyon County Planning Commission finds that the proposed use:

- A. Will be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and is incompatible with and detrimental to the character and integrity of adjacent development and neighborhoods, nor has the applicant proposed mitigation of adverse impacts such as noise, vibrations, fumes, odors, dust, glare or physical activity related to the proposed project.
- B. Will be detrimental to the public health, safety, convenience and welfare; and
- C. Will result in material damage or prejudice to other property in the vicinity.

Based on the aforementioned findings, the Lyon County Planning Commission recommends denial of the request for a Special Use Permit for Glenn Hasbrouck and Katie Davies, to allow a use other than those permitted in the underlying C-2 (General Commercial) zoning district (a single family residence) for the Union Hotel within the Historic Overlay District, on a 0.16 acre parcel located at 75 W. Main Street, Dayton, NV (APN 006-073-006) PLZ-16-0023.

Justification

Respectfully, I am requesting approval for Special Use Permit and Historic Overlay for the property located at 75 Main Street, Dayton, NV 89403 also known as the Union Hotel. The current zoning of commercial; however, a residential zoning is more viable for the following reasons:

- No off street parking for clientele
- Insufficient commercial traffic on Main and Pike street to support retail in the Downtown Dayton community
- Three existing restaurants have already saturated the area for dining and parking spaces
- Two other store fronts on Main and Pike have successfully been converted to residential
- The Union Hotel had been used for 50 years as a residential space by Edna MacDIARMID
- Renovation for residential will turn a currently derelict building into an attractive focal point
- Renovations may encourage other property owners to renovate their own structures
- Seismic retrofits conducted for residential use will improve public safety
- Residential use will preserve the Union Hotel for future commercial use
- The Union Hotel has been on and off the market since 2000 when Edna MacDIARMID passed away. There have been no viable commercial offers on the property and it is now, due to decay, one of Nevada's most endangered historic structures.

Narrative

With an interest in historic preservation, I have been working with the Planning Commission, Building Department, Comstock Historical Society, and Dayton Historical Society to ensure that the restoration of this property is both historically correct and upgraded for current building code and seismic retrofitting for public safety. Reconfiguration of the interior will focus on conserving original millwork and architectural details with minimal alterations to the floor plan. The majority of the work will be centered around repairing existing walls and providing modern electrical, mechanical and plumbing.

Regarding use of the property, the main hotel structure will be used as the residential living space. The 2nd floor will have 3 or 4 bedrooms, a full bathroom, a laundry room, his and hers office spaces and a secondary living room. The first floor saloon will serve as the primary living room while retaining the original bar and historic piano. The existing oversized dining room will become a country kitchen with dining area. The first floor will also have a full bath and walk in pantry. The post office space will become a workspace for numerous personal hobbies and art projects. It will also provide space to create millwork for the interior renovation of the hotel. The back yard will be cleaned up and used as recreation and garden space.

Clean up and prep work has already been started. 60 cubic yards of trash have been removed from the interior and backyard of the property and a structural inspection has been completed. The structural engineer, Terrence Tobey, P.E., S.E., has investigated the building and his findings are that the building can be saved but at cost. In spite of this cost, we have decided that it is worth the cost and effort to

proceed with the historic use overlay zoning and special use permit to allow the use of this building as a residence.

My goal is to convert the Union Hotel from a derelict property to an attractive focal point at the center of town preserving the historic character of the neighborhood. This will provide incentive and inspiration for other current and prospective property owners in the Historic District to renovate their properties. This goal has been well received by the neighbors and over the last two months my wife and I have met many of the residents of downtown Dayton, who are supportive and have encouraged our efforts to save the Union Hotel from its current designation of one of the most endangered historic buildings in Nevada. As quoted by Preserve Nevada, "The Union Hotel - This Dayton hostelry was constructed in 1870 and, having been neglected, may soon deteriorate beyond repair." With the support of the town and desire to be a steward to this amazing property, I request you consider my application for a Special Use Permit.

REQUEST FOR PLAN REVIEW AND BUILDING PERMIT PRIOR TO ZONE CLEARANCE

SUBJECT: PROPOSED CONSTRUCTION OF 75 Main Street Dayton NV

Glenn Hasbrouck requests permission to submit construction documents and a building permit application for the above referenced project prior to final approval by the Planning Commission and/or the Planning Division.

Glenn Hasbrouck is aware that this plan check is being done at their own risk and that plan check fees will not be refunded if the necessary Planning Division approvals for this project are not granted.

Glenn Hasbrouck requests that the County issue a building permit for the limited purpose of completing structural engineering and work on the building. Any construction work and plans are being done at their own risk and that plan check fees and building permit fees will not be refunded if the necessary Planning Division approvals for this project are not granted.

Glenn Hasbrouck also agrees to resubmit revised drawings and pay supplemental plan check fees should the documents require revisions based on additional plan check or Planning Division comments.

Glenn Hasbrouck understands that the Building Permit and plan review expires 180 days from the date of submittal or if the zone change is denied for any reason.

Developer and/or property owner understands and agrees that by submitting for plan review or applying for a building permit, the developer and/or property owner does not obtain any vested rights in the project or the planning applications. The *developer and/or property owner* agrees not to use the building permit or plan review as a basis for approval of the planning application(s). The *developer and/or property owner* agree to hold County harmless for any damages, expenses, costs, engineering, attorney fees or other charges associated with the project in the event the planning application is denied.

Glenn Hasbrouck also agrees that no person or entity may occupy the structure until the Building Department issues a certificate of occupancy and all required planning applications are approved and any related conditions of approval are satisfied.

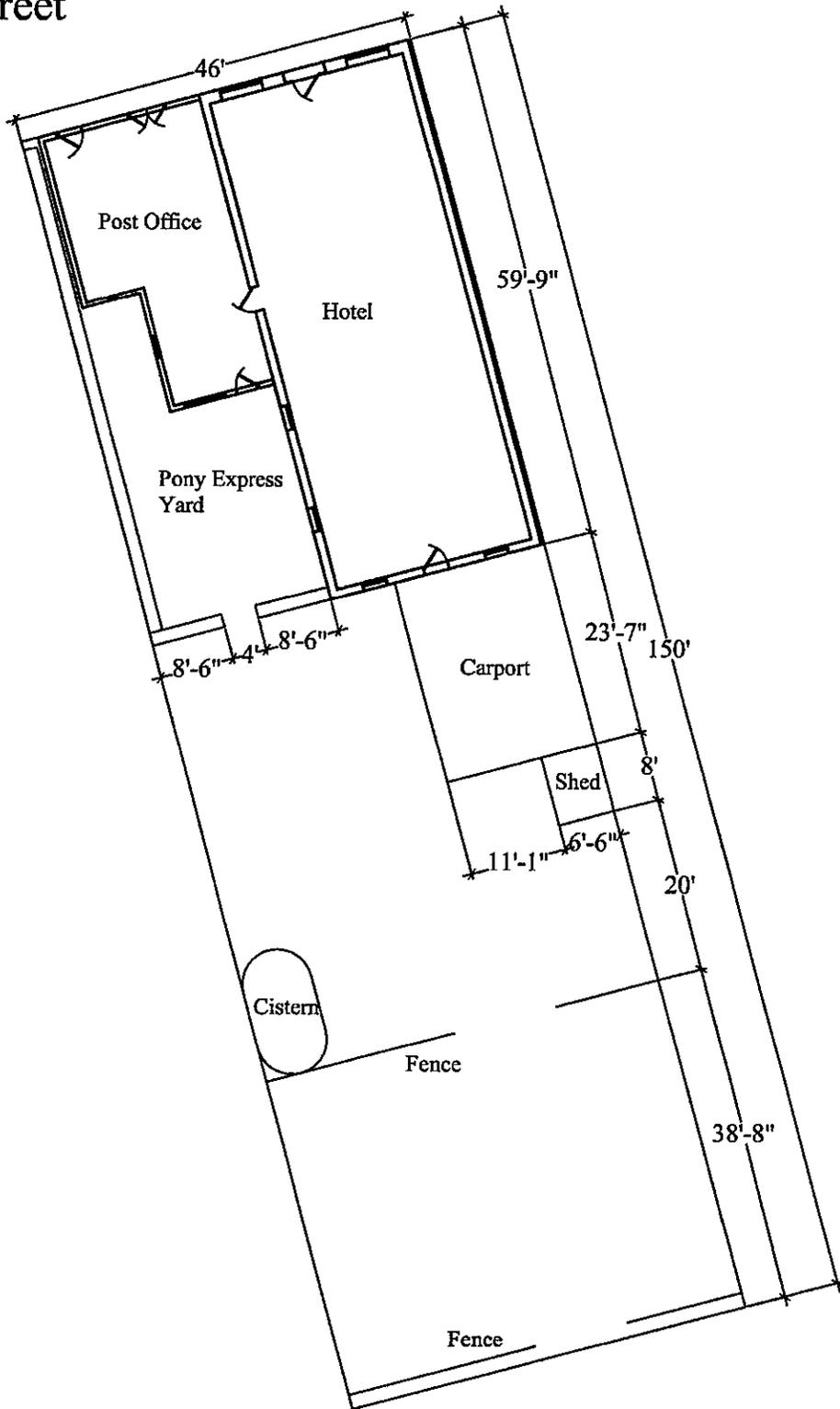
Please authorize us to proceed with the building plan check and building permit and application process. Should you have any questions, please contact Glenn Hasbrouck (408) 887-3328

Sincerely,


6-28-16

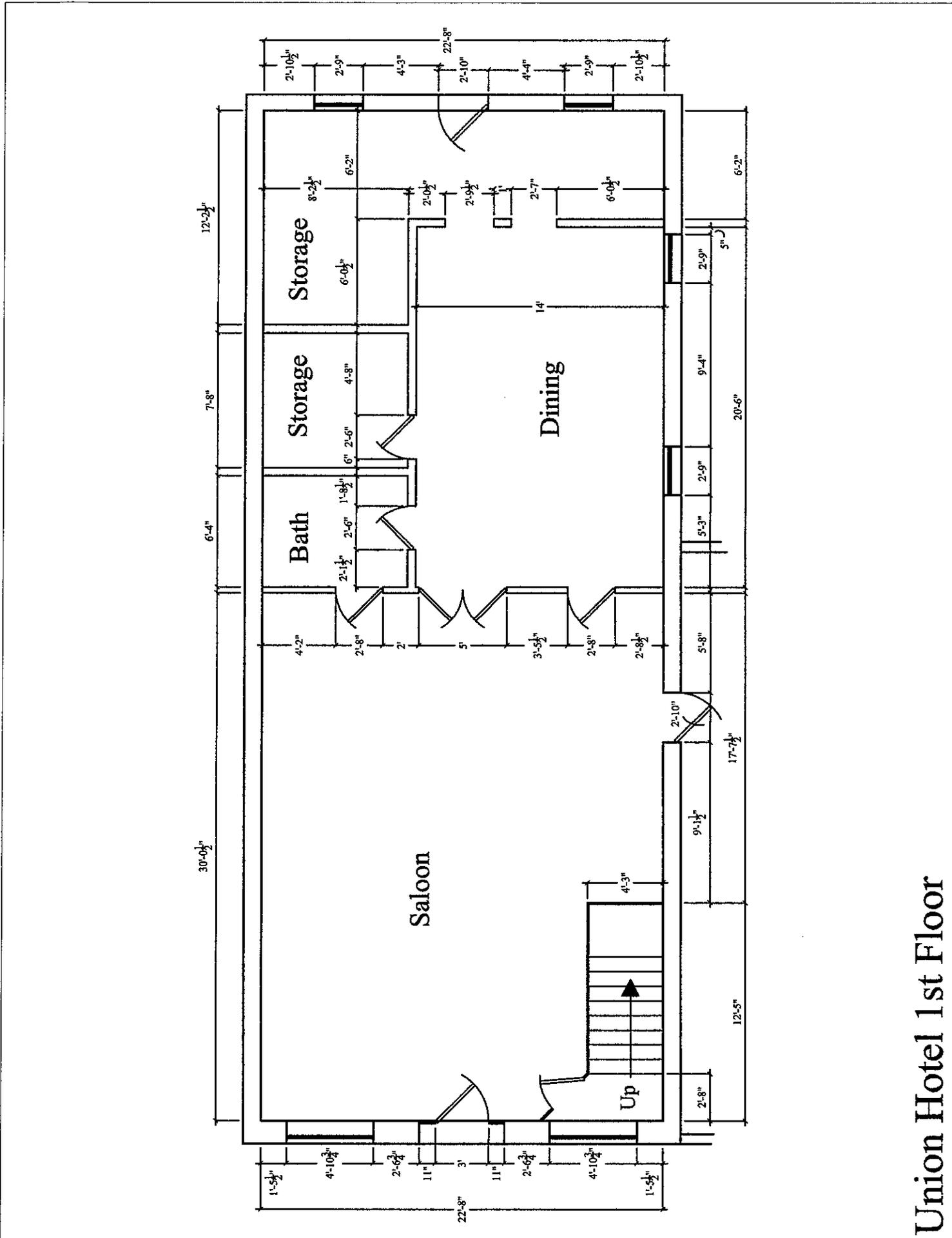
Owner, Officer of Developer, Name, Title

Main Street

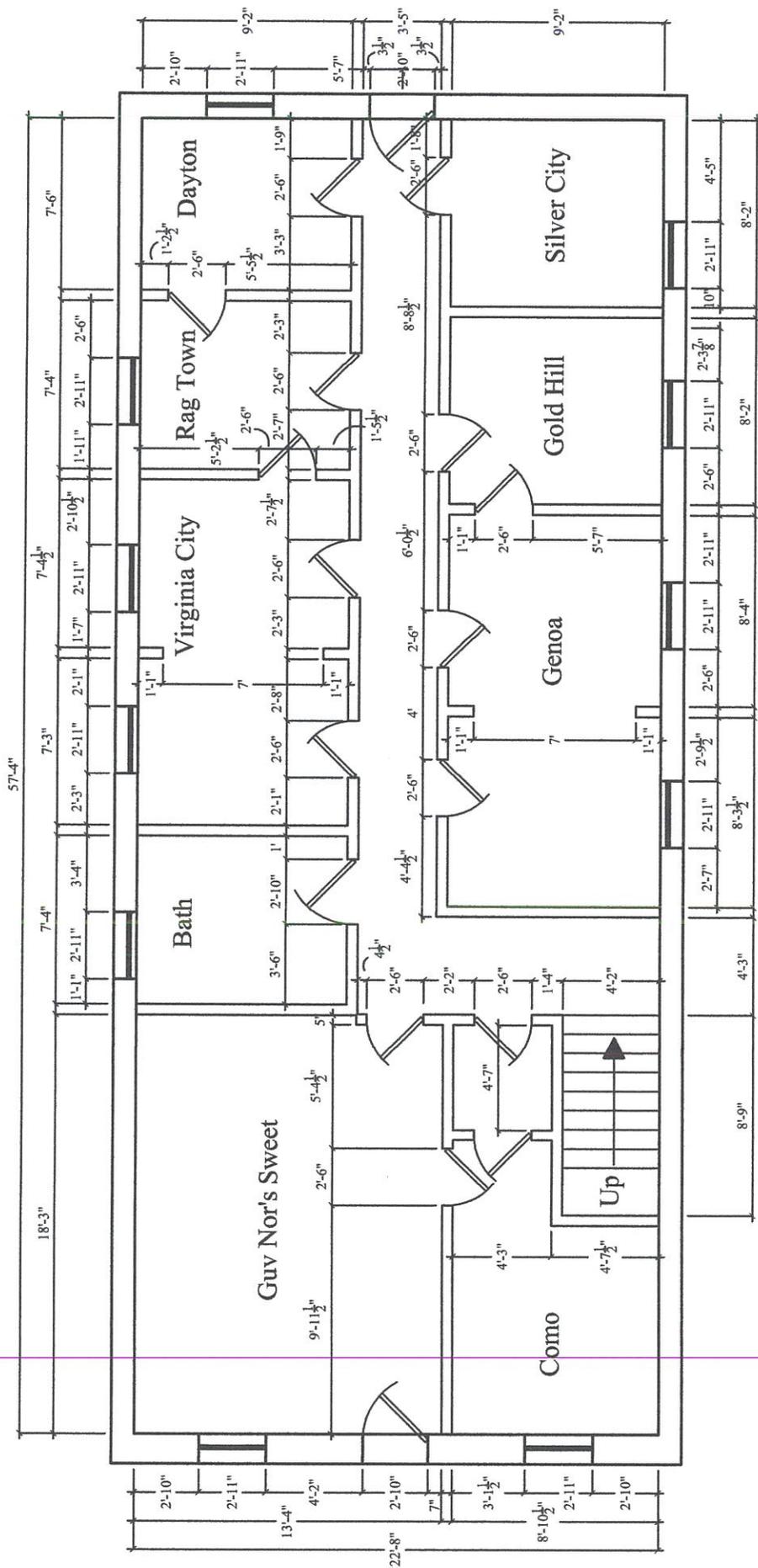


Silver Street

Site Plan
Union Hotel 75 Main Street Dayton NV



Union Hotel 1st Floor

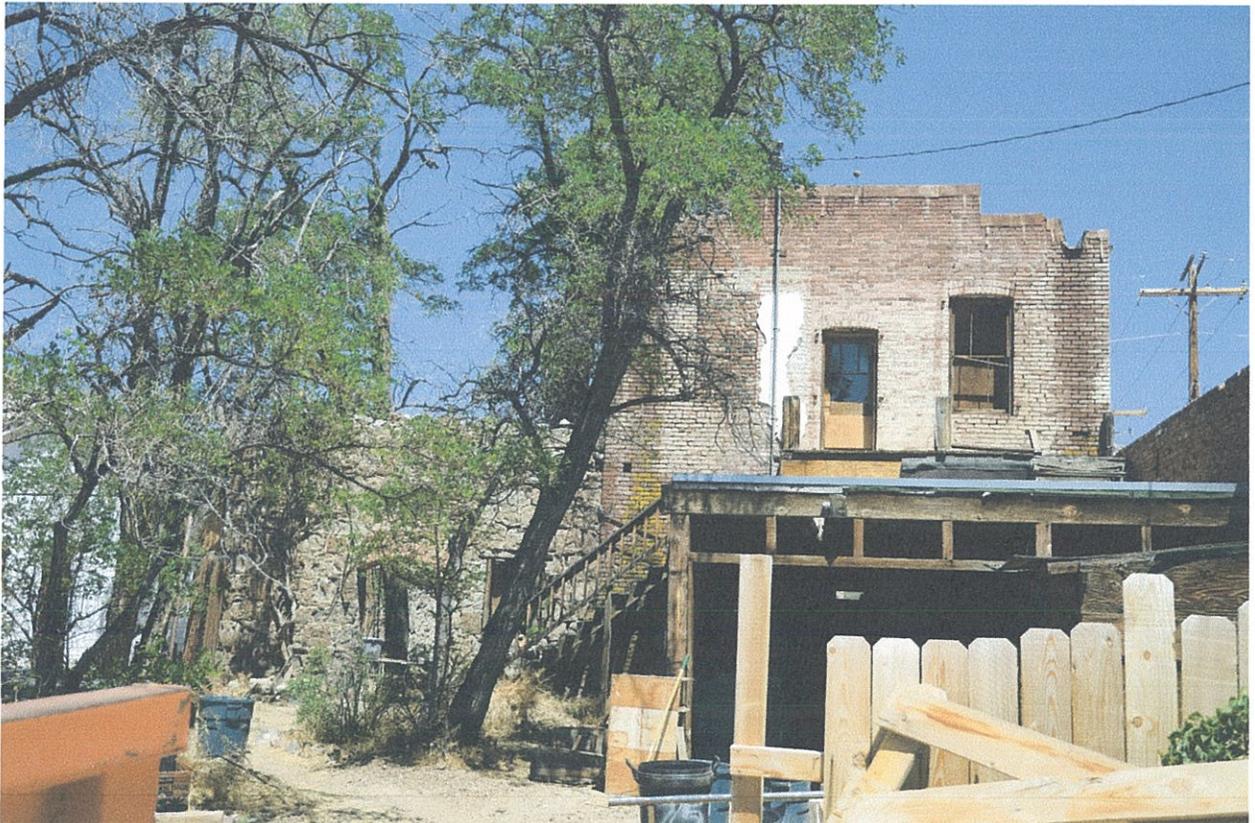


Union Hotel 2nd Floor

Front Elevation



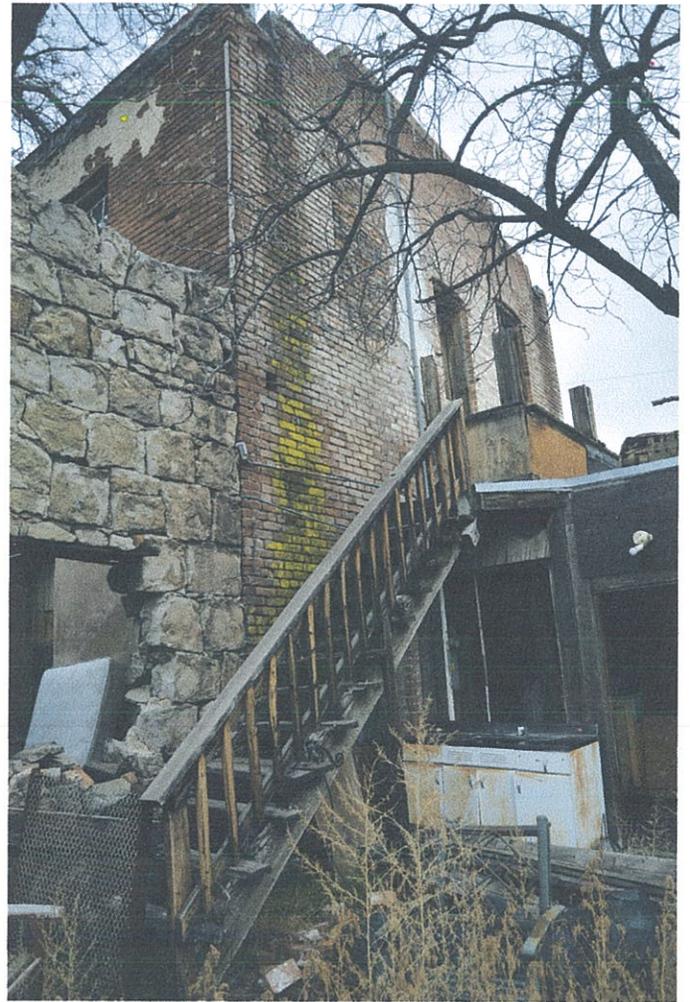
Rear Elevation



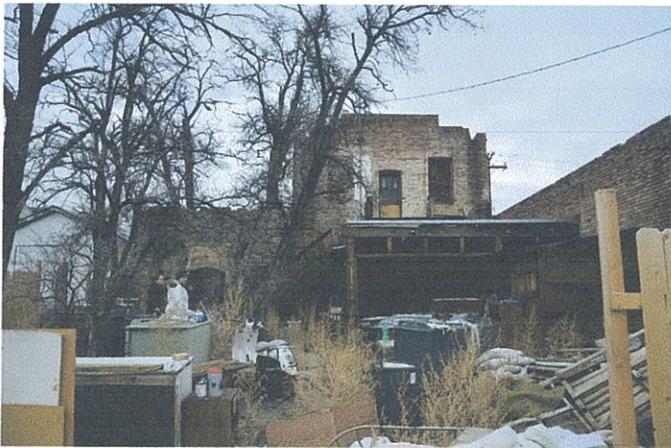
Hotel front



Hotel rear brick work



Hotel rear



Pony express yard interior



Pony express yard rear



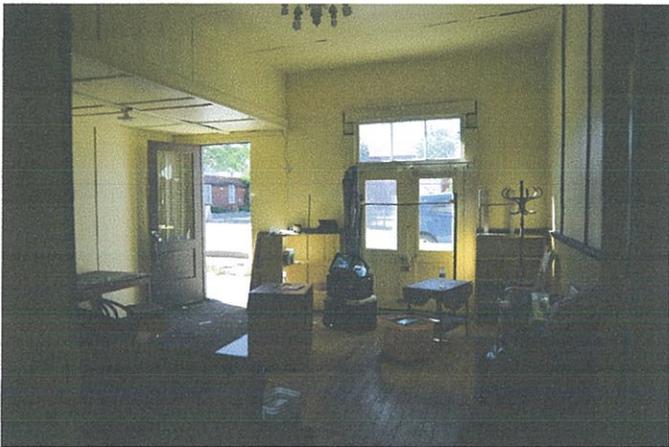
Saloon interior



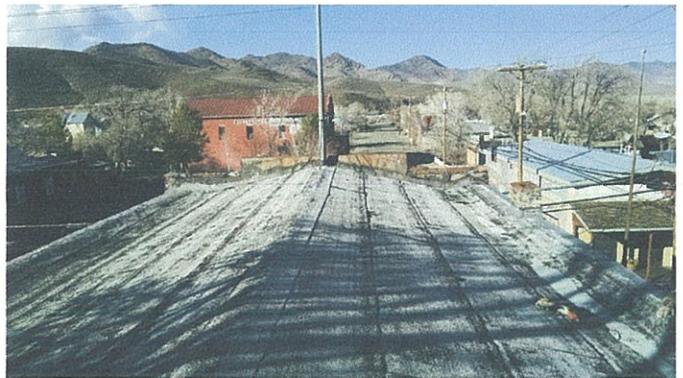
Bath room



Post office interior



Roof facing north



Master bedroom



Roof facing south



April 25, 2016
Project No. R481-01-16

Ms. Christie Fernquest
Broker Sales Associate
COLDWELL BANKER SELECT REAL ESTATE
175 Highway 50 East
Dayton, NV 89403

**RE: UNION HOTEL
SEISMIC EVALUATION REPORT**

Dear Ms. Fernquest:

We are pleased to submit the results of our evaluation of the Union Hotel building. The building is an historic two-story building with a partial basement located at 75 West Main Street in Dayton, Nevada. It was built in the late 1800's and is an unreinforced masonry structure. Tobey-Wade Consulting has performed an evaluation to identify potential deficiencies relative to the building's ability to resist seismic events.

The evaluation was conducted in accordance with the Tier 1 Screening Procedure as contained in *ASCE/SEI 41-13 Seismic Evaluation and Retrofit of Existing Buildings*. On the basis of our evaluation, it can be concluded the building exhibits certain characteristics that pose risks to the public during seismic events. While these deficiencies are significant, we have also concluded that the building can be strengthened to mitigate these risks. Implementation of seismic upgrades can be incremental.

The deficiencies and possible methods for mitigation include:

1. *The north and south ends of the building have unbraced parapets that could fail in a seismic event.*
 - The parapets can be stabilized by anchorage and bracing to the adjacent roof framing. The framing requires installation of drag connectors and blocking to transfer the loads into the roof diaphragm.
2. *The exterior masonry wall to the roof and second floor diaphragm anchorage is inadequate and the walls could collapse when subjected to lateral seismic forces.*
 - The exterior masonry walls require anchorage to the roof and floor framing with tension anchors. Collector elements, drag connectors and blocking are also required within the roof and floor system to complete the load path.

NEVADA OFFICE

- Installation of adequate shear transfer connections is required.
3. *The north and south brick walls are overstressed in shear and will be significantly damaged or, possibly, fail during seismic events.*
 - These walls can be strengthened by infilling of openings, installation of steel frames, by the addition of shotcrete to the inside of the walls or, possibly, by application of carbon fiber reinforced polymer composites. Infilling of windows is not recommended as that will detract from the building's historical character.
 4. *The foundation walls require re-pointing, replacement of missing stones and possible strengthening.*
 - The foundation walls should be re-pointed and all missing stones replaced. The foundations will likely need to be strengthened to resist loads from the shear walls above.
 5. *The roof and second floor diaphragms lack sufficient stiffness and will produce excessive horizontal deflections under seismic loads.*
 - Stiffening of the diaphragms can be accomplished by the installation of plywood sheathing over the existing floor sheathing or to the ceilings. It may be possible to convert some interior walls to shear walls which would stiffen the diaphragms without the need for a plywood overlay.
 6. *The second story walls and the stairwell north and west walls exceed allowable height-to-wall thickness ratios and could fail during a seismic event.*
 - The second story walls have height-to-thickness ratios which exceed the allowable ratios. Additional analysis should be conducted to determine if the walls can be considered as compliant.
 - The north and south stairwell walls have height-to-thickness ratios which also exceed the allowable ratios. Installation of supports is required within the stairwells to reduce the unbraced height-to-thickness ratios.
 7. *Wall Mortar Re-pointing*
 - The areas of wall with deteriorated mortar can be re-pointed to restore the mortar.
 8. *Other Deficiencies*
 - A first floor girder supporting the floor joists over the basement does not continue to the wall leaving some joists unsupported. This girder should be replaced or otherwise modified to restore support to the floor joists.
 - The first floor joists are supported by framing placed on a ledge in the foundation wall. The framing should be modified to provide adequate support and the missing stones replaced.

COLDWELL BANKER

Ms. Christie Fernquest

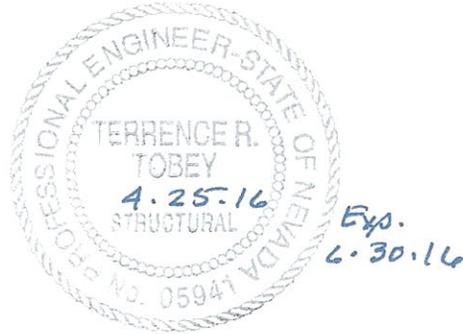
Page 3 of 3

- The flagpole to roof connection may be inadequate to resist seismic forces. This connection should be analyzed to verify its adequacy.

Tobey-Wade Consulting appreciates the opportunity to provide our services. Please feel free to contact me should you have any questions regarding our findings.

Sincerely,
TOBEY-WADE CONSULTING

Terrence R. Tobey
TERRENCE TOBEY, P.E., S.E.
Principal Structural Engineer



UNION HOTEL - DAYTON, NEVADA

SEISMIC EVALUATION

April, 2016

1.0 INTRODUCTION

The Union Hotel building is located at 75 West Main Street in Dayton, Nevada and is a two story brick structure with a partial basement. The building was reportedly built between 1870 and 1900 and is considered historically significant. Although currently unoccupied, the building was originally used as a hotel and bar.

The building is up for sale and, as a condition of the sale, the Lyon County Building Department has requested that a structural evaluation of the building be conducted to identify potential deficiencies relative to its ability to resist seismic loads.

2.0 SCOPE OF SERVICES

Tobey-Wade Consulting (TWC) has been retained to perform the evaluation. Our scope of work includes the following tasks:

1. Since original construction drawings are unavailable, our first task involved conducting a site visit to verify the readily visible details of existing construction.
2. Once the details of construction were verified, an evaluation of the building's seismic force resisting system was conducted. The evaluation was performed in accordance with the Tier 1 Screening Procedure as contained in *ASCE/SEI 41-13 Seismic Evaluation and Retrofit of Existing Buildings*.

As part of the Tier 1 procedure, preliminary structural analysis was performed to ascertain whether certain building elements are within acceptable limits with regard to their ability to resist seismic forces.
3. Alternatives for mitigation of seismic deficiencies in the structural systems have been formulated.
4. Our findings have been summarized in this report.

It should be noted that evaluation of the building's gravity load resisting systems as well as of non-structural building systems is beyond the scope of our services. Evaluation of the building to verify ADA access, exiting and the presence of asbestos, mold, and other environmental contamination was not performed.

3.0 BUILDING DESCRIPTION

The building is rectangular with an approximate area of 2,900 square feet, not including the partial unfinished basement area. Interior walls are present in each story and a set of stairs is situated at the northwest corner. The *Appraisal Report* prepared by Samuel Ward contains more in-depth descriptions of the building layout and property.

The building is located between two smaller retail/office buildings which abut its east and west walls. The adjacent building to the west is part of the Union Hotel property and access to the Union Hotel is provided via a doorway in the common wall. A small timber-framed open shed has been added onto the building's south side.

Although the building's structural systems are mostly concealed by interior finishes, structural system information was obtained by inspection of the structure through openings and gaps in the finishes. A portion of the first floor framing is visible from the basement.

The perimeter walls, with the possible exception of the lower story front (north) wall, are 13-inch thick unreinforced brick masonry walls with an interior plaster finish. The lower story north wall may be 17-inches thick but that could not be confirmed. The brick walls extend above the roof level to form parapets. The north and south parapets are stepped to follow the roof gable. See Photograph 1.

The north and south walls contain a door and two windows in each story, although the west window in the south wall upper story has been infilled with brick. The north wall lower story openings are relatively wide creating a storefront. See Photographs 2 and 3. The east and west walls each have four window openings in the second story. See Photograph 4.

The first and second story floors have one layer of 1x straight sheathing supported by 3x12 timber joists spaced at 16 inches on center and spanning in the transverse or east-west direction. The first floor joists bear on horizontal timber members placed on a ledge built into the foundation wall. See Photograph 5. Intermediate support for the first floor joists is provided by timber girders and posts. Some first floor framing members have minor charring indicating that they were previously exposed to fire. See Photograph 6.

The ends of the second floor joists are embedded into the east and west brick walls. Intermediate support for the joists is provided by interior walls. An exterior timber deck extends north over the public walkway in front of the building. A smaller second story timber deck is present on the south side.

The roof has a mild gable configuration with the ridge running in the north-south direction. A flagpole is located behind the north parapet wall. The roof framing spans in the east-west direction and consists of straight sheathing placed over sloping 2x10 rafters spaced at 16 inches on center. The second story ceiling is supported by 2x ceiling joists spaced at 16 inches on center and spanning in the east-west direction. The rafters have vertical kickers nailed to the ceiling joists. The ends of the ceiling joists are embedded into the east and west brick walls. Steel wall anchors are visible at the northwest corner of the second floor ceiling. See Photograph 7. Intermediate support for the ceiling joists is provided by interior bearing walls.

As seen in Photograph 5, the foundation system consists of stones mortared together to form the basement walls.

4.0 BUILDING EVALUATION

4.1 Basis of Evaluation

ASCE/SEI 41-13 Seismic Evaluation and Retrofit of Existing Buildings, in conjunction with the results of our site visit, form the basis of our evaluation. ASCE/SEI 41-13 is a national standard and, as the name implies, it was developed to establish guidelines for the seismic evaluation of existing buildings.

4.2 Seismic Force-resisting System

The building structural systems include the gravity system and the lateral force-resisting system. The gravity system provides support for gravity loads such as the building's self-weight, environmental loads such as snow and live loads imposed by the building's use. Lateral wind and seismic forces are resisted by the building's lateral force-resisting system consisting of the building's roof and floors (termed diaphragms), the perimeter brick walls (termed shear walls) and the foundations.

Western Nevada, including the Dayton area, is considered as having a moderate to high potential for strong ground shaking during seismic events. Numerous faults are present within fifty miles of Dayton and the generally accepted maximum credible earthquake magnitude along the frontal fault system of the eastern Sierra Nevada range is 7.0 to 7.5. Due to the potential for strong ground shaking, the building must be capable of resisting lateral seismic forces.

The walls of the Union Hotel building are constructed with unreinforced masonry (URM). The term unreinforced masonry indicates that the construction utilizes fired clay bricks mortared together to form a structural wall element. Reinforcing steel is not used to provide bending strength and continuity within the brick walls.

From past experience, unreinforced masonry bearing wall buildings have proven to represent a significant hazard to life-safety during seismic events. Because of this poor performance record, modern building codes prohibit unreinforced masonry construction in zones of higher seismicity such as Western Nevada.

Our evaluation indicates that the Union Hotel building has several deficiencies that present the potential for life-safety hazards or pose a risk for significant damage in the event of an earthquake. A discussion of the deficiencies identified by this study follows.

A. Parapets

The north and south parapets extend up to 24 inches above the roof sheathing. This height exceeds the allowable height for unbraced parapets.

Parapets can fall away from the building during a seismic event. Due to their location over exits and the public walkway, the presence of unbraced parapets is a serious life-safety deficiency.

B. Masonry Wall to Roof and Floor Diaphragm Anchorage

During earthquakes, buildings are subjected to lateral forces applied in the horizontal or lateral direction. Without adequate connection between the building's masonry walls and the roof and floor diaphragms, the walls tend to separate from the building leading to instability and possible collapse of the walls. Several buildings in Wells,

UNION HOTEL BUILDING
SEISMIC EVALUATION REPORT

Nevada experienced this type of wall failure during the February 2008 magnitude 6.0 earthquake.

In this case, we observed that the brick walls are attached to the second story ceiling joists with steel anchors embedded into the masonry. It is likely that the brick walls are also attached to the second floor framing with similar anchors.

Since the forces within the anchors are not fully transferred into the diaphragms, this type of connection is considered ineffective in preventing out-of-plane separation of the walls.

The lack of adequate anchorage is a serious life-safety deficiency, especially at the north and south walls.

C. In-plane Shear Stress

The unreinforced masonry walls function as shear walls. Shear walls transfer the seismic forces from the diaphragms to the foundations. The resultant stress within these walls is termed the in-plane shear stress. Excessive in-plane shear forces can lead to damage or possibly failure of the wall.

The stress within a shear wall is directly related to the area of solid wall that is present after taking into consideration the wall openings. In the case of the Union Hotel, the north wall and to a lesser extent, the south wall have large door and window penetrations which reduce the amount of solid wall available to resist seismic forces.

Our evaluation indicates there is the potential for excessive cracking and possible failure of the north wall. This is a serious life-safety deficiency. It is likely that the south wall has a similar deficiency.

D. Roof and Floor Diaphragms

- a. In buildings constructed to current code requirements, the roof and floor diaphragms have connections which transfer lateral loads to the shear walls located along the ends of the diaphragms. Typically, the diaphragms are nailed to the framing which, in turn, is connected to the walls with anchor bolts. These shear transfer connections are not present in this building.
- b. In addition to the lack of shear transfer connections, the floor and roof diaphragms are built with a single layer of board sheathing. A single layer of board sheathing does not provide adequate stiffness for these diaphragms and they are considered flexible.

Flexible diaphragms can produce excessive lateral deflections under seismic loads. Since the diaphragms provide support for the masonry walls, lateral displacement of the flexible diaphragm will cause a corresponding out-of-plane deflection in the walls. Unreinforced masonry walls may fail if subjected to excessive out-of-plane deflection.

E. Stone Foundation Walls

The mortar between the stones is deteriorated and some of the stones are missing. Since the foundation provides the basic support for the building, this is a serious deficiency.

F. Masonry Wall Height-to-Thickness Ratio:

Even if the masonry walls are adequately anchored to the roof and floor, the walls must still be capable of resisting the inertia caused by their own weight during an earthquake. If a wall is relatively thin compared to its height, it may buckle during and earthquake. Acceptability of a wall against buckling is based on its height-to-wall thickness ratio. If the height-to-thickness ratio exceeds prescribed limits, the wall could potentially fail during seismic events.

The second story walls and the west wall at the stairwell have height-to-thickness ratios which exceed the allowable ratios.

G. Brick Wall Mortar

The brick walls contain areas where the mortar has deteriorated. The mortar is essential in bonding the bricks together and in weather protection. This is not yet a serious deficiency but may become one if the mortar continues to deteriorate.

H. Other Deficiencies

During our site visit other deficiencies were also found. In the basement, it was observed that a first floor girder supporting the floor joists does not extend to the foundation wall leaving some joists unsupported. This has weakened the floor's ability to support gravity loads.

Additionally, the first floor joists are supported by framing placed on a ledge in the foundation wall. The framing is insufficient to provide adequate support and some of the stones below the framing are missing.

Although we were not able to examine the attachment of the rooftop flagpole to the roof rafters, it is possible that the attachment is insufficient to resist seismic forces.

5.0 SEISMIC UPGRADE RECOMMENDATIONS

On the basis of our evaluation, we have concluded that the lateral-force-resisting system for the Union Hotel building has several potentially hazardous deficiencies. In the event of an earthquake, these hazards pose a threat to the occupants of the building and to the public.

Strengthening procedures such as those described below can be implemented to mitigate the identified hazards. The seismic upgrade recommendations are categorized as Priority Level 1 and Priority Level 2 recommendations to allow phasing of the work. Priority 1 recommendations are intended to be implemented first as they have life-safety implications. Priority Level 2 recommendations can be implemented in a later phase.

PRIORITY LEVEL 1

1. *Parapets*

The north and south parapets can be stabilized by bracing to the adjacent roof framing. The roof framing requires installation of blocking and strapping to transfer the loads into the roof diaphragm.

2. *Masonry Wall to Roof and Floor Diaphragm Anchorage*

The exterior masonry walls can be anchored to the roof and floor framing with steel tension anchors. Collector elements, blocking and strapping will be required within the roof and floor systems to complete the load path. Installation of adequate shear transfer connections can also be installed at this time.

Similarly, the second story decks should be anchored to the walls to prevent them from pulling away from the walls.

3. *Shear Walls*

Walls with excessive in-plane shear stress can be strengthened by infilling of openings, by the installation of steel frames, by the addition of shotcrete to the inside of the walls or, possibly, by application of carbon fiber reinforced polymer composites to the interior wall surface.

In this case, infilling of windows is not recommended as that will detract from the building's historical character.

4. *Foundations*

The foundation walls should be re-pointed and all missing stones replaced. The foundations will also likely need to be strengthened to resist loads from the shear walls above.

PRIORITY LEVEL 2

1. *Diaphragm Strengthening*

Stiffening of the roof and floor diaphragms can be accomplished by the installation of plywood sheathing over the existing floor sheathing or to the ceilings. Alternatively, it may be possible to make use of the existing interior walls to reduce the diaphragm flexibility.

2. *Wall Height-to-Thickness Ratio Mitigation*

The second story masonry wall height-to-thickness ratio exceeds the allowable height-to-thickness ratio by a small amount. Additional analysis of the walls may demonstrate that the walls are adequate without the need for bracing.

At the stairwell north and west walls, new braces are required to reduce the unbraced height-to-thickness ratio.

3. *Wall Mortar Re-pointing*

The areas of wall with deteriorated mortar can be re-pointed to restore the mortar.

4. *Other Deficiencies*

The first floor framing should be repaired or strengthened to alleviate the deficiencies.

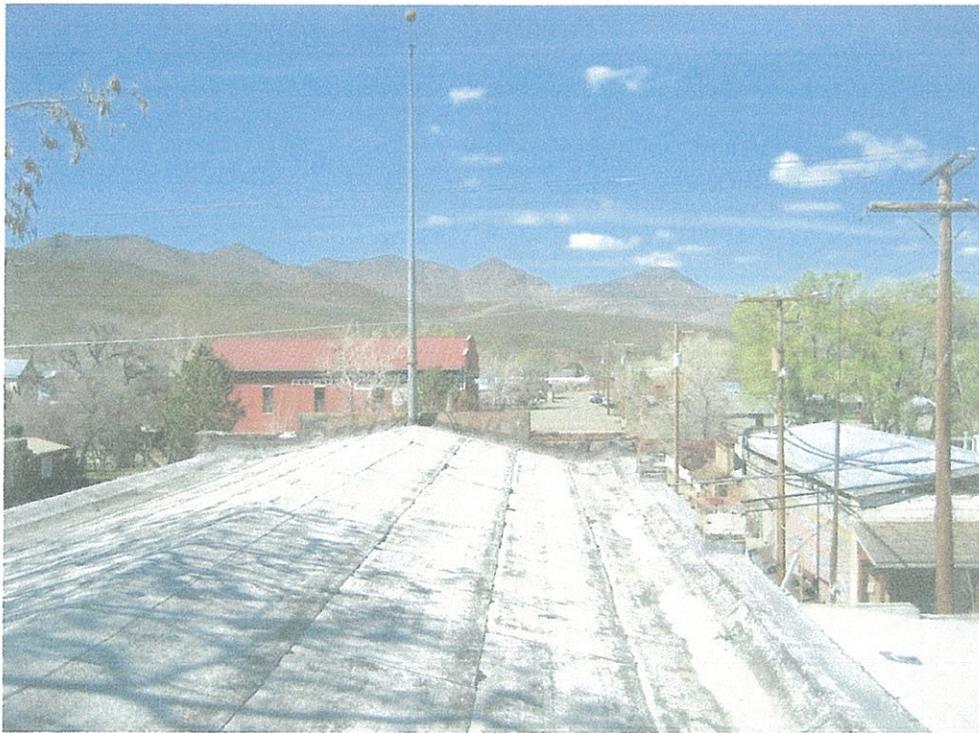
These mitigation recommendations are representative of possible mitigation methods. Final selection of the strengthening methods as well determination of the timeframe for implementation of the Priority Level 2 mitigation will be dependent on an in-depth structural analysis of the building. The analysis should be performed by a structural engineer experienced in seismic retrofitting of historic buildings.

6.0 LIMITATIONS

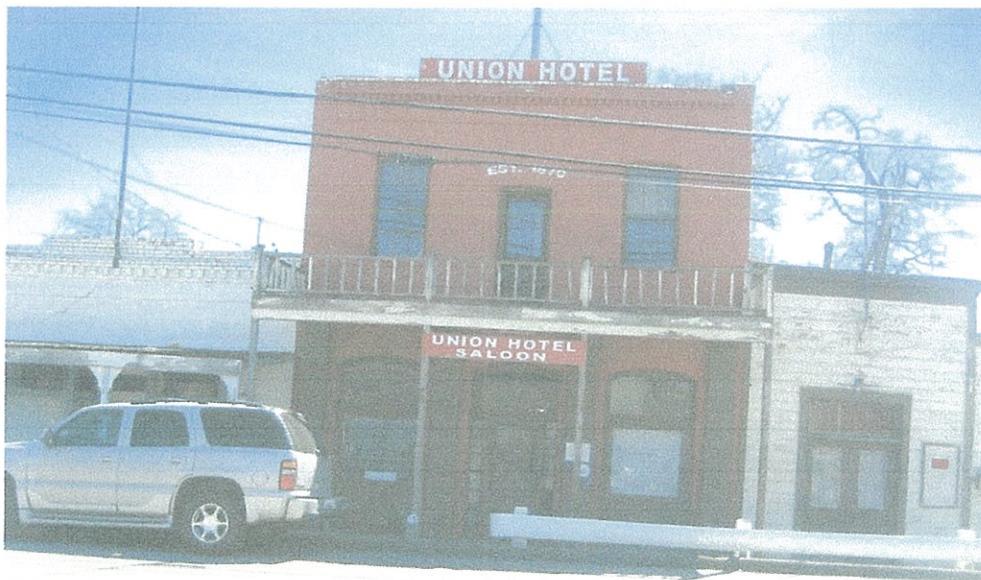
Please note that our findings are based on a limited field inspection as well as on our experience and knowledge of similar structures. Concealed elements were not uncovered nor was testing of building materials performed. An independent analysis of the building to verify compliance with non-seismic building code requirements was not conducted. While we have endeavored to provide a comprehensive assessment, it is possible that there are hidden conditions which, if encountered, might affect our conclusions.

REPORT PHOTOGRAPHS

UNION HOTEL
Report Photographs

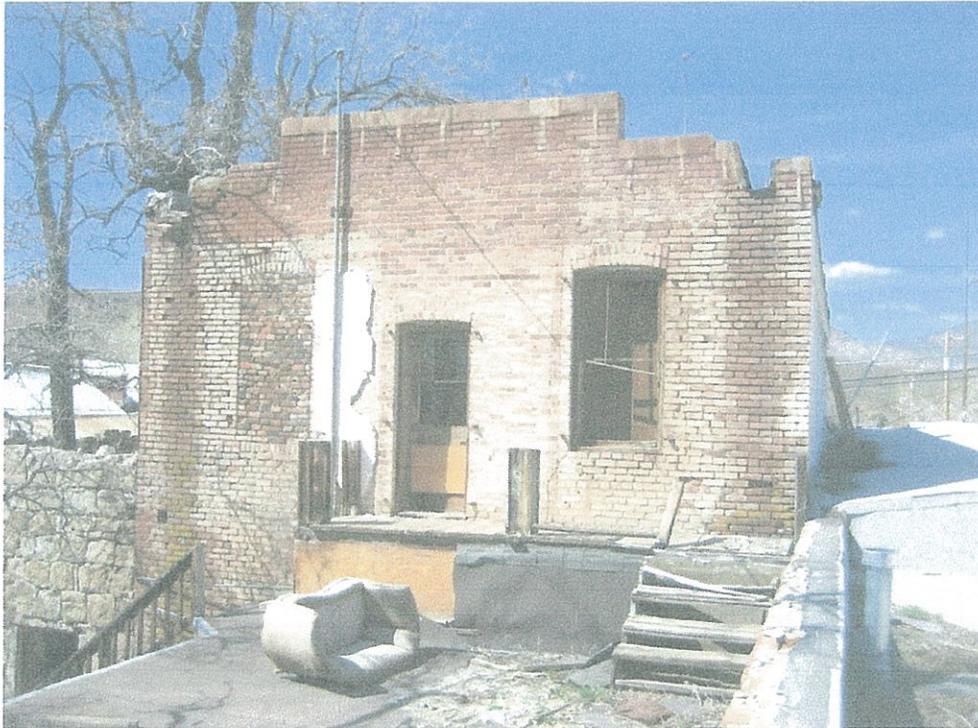


Photograph 1. North wall parapet and flagpole.



Photograph 2. Front view of the north wall.

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Report Photographs



Photograph 3. View of the second story south wall and parapet.



Photograph 4. View of the second story east wall.

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Report Photographs



Photograph 5. First floor joist to foundation wall connection.



Photograph 6. Charred floor framing.

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Report Photographs



Photograph 7. Second story ceiling joist with a wall anchor.



LYON COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

BUILDING • DEVELOPMENT ENGINEERING • PLANNING

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Lyon County Planning Commission

PLZ-16-0024 Merger & Resubdivision/Tentative Map of the Granite Pointe Subdivision

Meeting Date: September 13, 2016

Owner: Saginaw Manufacturing, LLC

Applicant: Same

Area Location: Dayton

Parcel Numbers: 016-271-022 and 016-271-023

Zoning: SCMU (Commercial Mixed Use – Suburban)

Master Plan: Commercial Mixed Use

Flood Zone: X Unshaded (Areas determined to be outside of the 500-year floodplain)

Case Planner: Rob Pyzel

Planning Director Approval:

Request:

The applicant requests Parcels 2 and 3 of the Bedford Properties parcel map, recorded as Document No. 189531 on January 24, 1996, be reverted to one approximately 10.1 acre parcel via a Merger and Resubdivision to allow for a Tentative Subdivision Map for 45 single family residential lots on approximately 7.27 acres and one 2.83 acre commercial parcel.

Staff Recommendation:

Staff recommends **approval** of the proposed Tentative Map subject to the Conditions of Approval as listed below in the staff report.

Suggested Motion:

The Lyon County Planning Commission finds that the requested Merger & Resubdivision to a Tentative Subdivision Map for the Granite pointe Subdivision:

- A. Is consistent with the applicable provisions of Lyon County Code and the Nevada Revised Statutes;
- B. Will not be detrimental to the public health, safety, convenience and welfare; and
- C. Will not result in material damage or prejudice to other property in the vicinity.

Based on the aforementioned findings, the Lyon County Planning Commission recommends approval of the request for the Merger and Resubdivision to a Tentative Subdivision Map for the Granite Pointe Subdivision in Dayton, as identified on Assessor's Parcel Map 016-271-022 and 016-271-023 (PLZ 16-0024), subject to the following conditions:

1. Approval of the tentative map shall be conditional, subject to the following terms and conditions:
 - a. The improvements required by the terms of Title 11 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.
 - b. Prior to any construction of improvements, a preconstruction conference shall be held between the contractor/developer and the appropriate County inspection personnel.
2. The applicant shall comply with all Federal, State, County and special purpose district regulations.
3. 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.
4. 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.
5. The applicant shall comply with Lyon County improvement requirements as set forth in Chapter 11.07 of the Lyon County Code including, but not limited to:
 - a. The applicant shall comply with the road improvement standards set forth in Chapter 11.07.01 and 11.07.14 as they relate to on and off-site access, street grading, street alignment, surfacing and width in an NR-1 zoning district for access to the proposed parcels.
6. The applicant shall construct all internal roads and off-site roads necessary to provide legal and physical access according to the County road standards established for the NR-1 zoning district and in accordance with the following:
 - a. Horizontal and vertical street alignments must be designed in accordance with "A Policy on Geometric Design of Highways and Streets", latest addition, published by the American Association of State Highway Transportation Officials. Local streets serving less than 75 lots must be posted with the appropriate speed limit signs. The minimum slope on asphalt paving shall be 2-percent.
 - b. Street lighting shall be installed to County standards.
 - c. Road and traffic signage shall be installed to County standards.
 - d. The existing traffic median located on the east side of the intersection of Dayton Valley Road/Sunset Way will be modified to allow west-bound traffic on Dayton Valley Road to make a left turn movement into the residential portion of the project.
7. The applicant 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.
8. Another traffic study is required to be submitted when the 2.83-acre commercial parcel of the Granite Pointe Subdivision is proposed to be developed.

9. The applicant shall provide the proposed Covenants, Conditions and Restrictions (“CC&Rs”), agreements, easements and other legal instruments containing sufficient detail to constitute enforceable provisions necessary for easements and maintenance for all drainage easements and facilities, landscaping, building location restrictions and/or envelopes, pedestrian/bicycle access to the commercial parcel and public land to the south and other provisions necessary for the subdivision as approved, for review by the Community Development Director and District Attorney’s Office.
10. The developer shall obtain all necessary approvals and encroachment permits, and coordinate and comply with any requirements placed on this subdivision by the Lyon County Road Department.
11. A detailed final geotechnical report must be submitted with the final subdivision map application that includes roadway structural sections. The minimum thickness of asphalt concrete pavement shall be 4-inches in accordance with the Lyon County Standard Roadway Sections, Drawing L-1 (dated 6/12). Roadway sections must be based on R-values taken at subgrade level. Prior to aggregate base being placed for roadways, R-value testing must be done at subgrade to verify that the subgrade soils have the structural section design minimum R-value. The minimum number of R-value tests shall be one test per 1000 feet of street and must be evenly distributed throughout the site or as approved by the Lyon County Road Superintendent. A note to this effect must be placed prominently on the plans. Structural section calculations must be submitted with the final subdivision map application that show the proposed structural section is adequate.
12. The applicant shall comply with Lyon County’s 1996 drainage guidelines (as revised 2006). The applicant shall demonstrate that the proposed drainage facilities will comply with the Lyon County Drainage Requirements 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.
13. 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.
14. The applicant shall demonstrate to the satisfaction of the County Engineer, 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 for this project.
15. The applicant shall demonstrate to the satisfaction of the County Engineer, the County Utilities Department Director, and the Community Development Director that facilities necessary for the treatment of stormwater prior to discharge to the Carson River have been designed and installed prior to approval of a final subdivision map for this project.
16. The applicant 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 for this project.

17. Another drainage study will be required for the commercial parcel of the subdivision when development is proposed for that portion of the Granite Pointe Subdivision.
18. The developer, homeowners' association or suitable maintenance entity shall be responsible for maintenance of the two public pedestrian access areas. The two public pedestrian access areas shall be improved with base materials and Portland Concrete to mitigate the growth and accumulation of flammable vegetation which would present a continued fire nuisance. A storm drainage utility easement is required if either or both of the public pedestrian accesses contain storm drainage conveyance facilities.
19. The applicant shall complete any and all required development improvements and facilities to the satisfaction of the Community Development Director, County Engineer, Road Director, 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 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 and inspected to the Building Official's satisfaction prior to the issuance of a Certificate of Occupancy will be allowed in any single family residence for this project.
20. The applicant shall comply with all applicable building and fire code requirements.
 - a. No building permits shall be accepted for processing until a final subdivision map has been approved and recorded.
 - b. Building permits shall be issued in compliance with Title 10 and 11 of the Lyon County Code.
21. The applicant shall comply with County requirements, in accordance with Chapter 11.07.14(F) of the Lyon County Code, mandating that a grading permit(s) be obtained for any site development work prior to any disturbance occurring on the subject site.
22. Structures placed on the residential lots shall adhere to the County's site and setback standards for the NR-1 zoning district (Front: 20 feet; Side: 5 feet; Rear: 10 feet; and a minimum of 10 feet between structures on the same lot). Structures on the commercial parcel shall comply with the SCMU zoning district setbacks.
23. The applicant shall provide written evidence demonstrating that the proposed parcels are able to be served by municipal water and sewer systems prior to recordation of a final subdivision map for this project.
24. The water system must meet the requirements of the Lyon County Utilities Department 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.
25. Prior to any combustible materials being brought on site the following shall occur:
 - a. All required fire hydrants are to be installed and fully operating.
 - b. Street name signage shall be installed.
26. Distinct and legible "temporary" addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.

27. 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.
28. The 10-inch water line that crosses through the western portion of the commercial parcel shall be identified and an access/maintenance easement granted for the water line to the approval of the Utilities Department prior to approval of a final subdivision map for the project.
29. No lot shall be offered for sale or sold until the final subdivision map has been approved and recorded.
30. 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.
31. The applicant shall obtain any required air quality permit(s) from the Nevada Division of Environmental Protection (NDEP) and apply appropriate dust abatement processes as part of the development construction.
32. 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: 1) no loud music 2) no alcohol or drugs 3) dispose of personal trash and site debris 4) clean up any mud and or dirt that is deposited from the construction parcels onto the streets 5) no burning of construction or other debris on the property.
33. 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.
34. 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.
35. The applicant shall comply with the final subdivision map requirements as prescribed by NRS 278 and Title 11 of the Lyon County Code.
36. Required recording fees to be paid at time of recording map.
37. A phasing plan must be submitted prior to the recordation of the first final map if the development is to be phased.
38. All appropriate fees and actual costs for map reviews and field inspections must be paid prior to map recordation in accordance with the adopted County fee resolution in effect at the time.
39. 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.
40. 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 11.05.09 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.

GENERAL INFORMATION

Location:

The subdivision is located along the south side of Dayton Valley Road between Como Road and Breakwater Drive, Dayton, NV.

Size:

The Merger & Resubdivision would result in one approximately 10.1 acre parcel. Currently Parcel 2 is 0.70 acre in size and Parcel 3 is 9.4 acres in size.

The Tentative Map proposes to create 45 single family residential lots varying in size from 5,006 square feet ("sq. ft.") to 6,268 sq. ft. on 7.27 acres of the 10.1 acres parcel created by the merger of Bedford Properties Parcel 2 and Parcel 3. The remaining 2.83 acres will be developed as a commercial center.

Background:

As noted above, Parcels 2 and 3 were created through the parcel map process and are part of the Bedford Properties parcel map, recorded as Document No. 189531 on January 24, 1996. No improvements or utilities have been constructed within the site associated with the approval of the parcel map.

On December 23, 2010, Lyon County adopted the Comprehensive Master Plan County-wide Component, and the area of Dayton in which these parcels are located was designated as Commercial-Mixed Use, which allows a mix of light commercial and residential uses. These parcels also fall into the Suburban Character District. The Character District guides the development intensity and standards which are to be applied.

A new zoning district known as the Suburban Commercial Mixed Use ("SCMU") was adopted by the Board of Commissioners on November 5, 2015. The SCMU district is intended as an interim implementation measure for the Comprehensive Master Plan in those areas within a Suburban Character District and designated as Commercial Mixed-Use. The Comprehensive Master Plan County-wide Component states that:

The Commercial – Mixed Use land use designation is designed to encourage a more cohesive mix of commercial uses than exist today, including residential, designed in centers. Mix and scale varies depending on the Character District.

In December 2015, the applicant received approval of a zone change from C-1, Limited Commercial, to SCMU, Suburban Commercial Mixed Use for the subject site.

Staff Review and Comments:

NRS 278.4925 establish the criteria for Merger and Resubdivision of Land without going through a Reversion to Acreage process:

"NRS 278.4925 - Merger and resubdivision of land without reversion to acreage: Authority; procedure; delineation of remaining streets and easements; crediting of security.

- 1. An owner or governing body that owns two or more contiguous parcels may merge and resubdivide the land into new parcels or lots without reverting the preexisting parcels to acreage pursuant to [NRS 278.490](#).*
- 2. Parcels merged without reversion to acreage pursuant to this section must be resubdivided and recorded on a final map, parcel map or map of division into large parcels, as appropriate, in accordance with [NRS 278.320](#) to [278.4725](#), inclusive, and any applicable local ordinances. The recording of the resubdivided parcels or lots on a final map, parcel map or map of division into large parcels, as appropriate, constitutes the merging of the preexisting parcels into a single parcel and the simultaneous resubdivision of that single parcel into parcels or lots of a size and description set forth in the final map, parcel map or map of division into large parcels, as appropriate.*
- 3. With respect to a merger and resubdivision of parcels pursuant to this section, the owner or governing body conducting the merger and resubdivision shall ensure that streets, easements and utility easements, whether public or private, that will remain in effect after the merger and resubdivision, are delineated clearly on the final map, parcel map or map of division into large parcels, as appropriate, on which the merger and resubdivision is recorded.*

4. *If a governing body required an owner or governing body to post security to secure the completion of improvements to two or more contiguous parcels and those improvements will not be completed because of a merger and resubdivision conducted pursuant to this section, the governing body shall credit on a pro rata basis the security posted by the owner or governing body toward the same purposes with respect to the parcels as merged and resubdivided.”*

The applicant has acquired Parcel 2 and Parcel 3 of the Bedford Properties Parcel Map. As noted in the Background section of the staff report, the property owner secured approval of a rezoning of the properties from C-1 to SCMU. As such, the property owner wishes to merge the two parcels into a single parcel in order to subdivide the development site into 45 single family residential lots on 7.27 acres and one commercial property on the remaining 2.83 acres. This action requires approval of a tentative and final subdivision map. The approval of a final map would, as noted in subsection 2, constitute the merging of the preexisting parcels into a single parcel and the simultaneous resubdivision of that single parcel into the 45 residential lots and single commercial parcel.

Per subsection 3 and 4 of NRS 278.4925, utilities or infrastructure have been installed or constructed within the site that would require being shown on the final map, abandoned or relocated. The tentative map does show a 10-foot wide right-of-way for telephone lines. However, there is a 10-inch water line that lies within the western portion of the proposed 2.83 acre commercial portion of the map that needs to be addressed as a feature of the final map. There are no, known sewer or storm drain improvements located within the subject site.

Additionally, the application includes two public way access points located at the western and southeastern edges of the subject site. The western public way access would include a proposed storm drain outlet pipe that would lead to an off-site detention pond proposed by the conceptual drainage study. The southeastern public way access would provide pedestrian/bicycle access to the County library branch as well as the elementary, middle and high schools. The Central Lyon County Fire Protection District is requiring both public way accesses be improved with concrete to mitigate the growth and accumulation of flammable vegetation, which present a continued fire nuisance.

NRS 278.349(3) lists the items that the County must consider when reviewing a tentative subdivision map application:

- “3. *The governing body, or planning commission if it is authorized to take final action on a tentative map, shall consider:*

- (a) *Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;*

The development will comply with the County’s regulations regarding storm drainage improvements. Solid waste management will be addressed through the County’s franchise agreement with Capital Sanitation, Dayton Utilities has supplied an intent-to-serve letter for domestic water service. NV Energy and Southwest Gas have provided the applicant with will-serve letters for the development. Dayton Utilities has indicated there is sufficient sewage transmission capacity and treatment capacity to address the development.

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

The development will be provided domestic water service from Lyon County Utilities that complies with the applicable health standards. The developer is required to dedicate water rights of sufficient quantity to adequately serve the development. The developer has secured 22 acre feet of water rights for the development of the 45 single family residential lots.

- (c) *The availability and accessibility of utilities;*

The subject site is located adjacent to existing telephone, water, sewer, natural gas and electrical facilities. The developer has submitted will-serve letters from AT&T Nevada, NV Energy and Southwest Gas as well as intent-to-serve letters from Lyon County Utilities.

(d) The availability and accessibility of public services such as schools, police protection, transportation, recreation and parks;

The subject site is located within walking distance of the Dayton Elementary School, Middle School and High School, the Dayton Branch of the Lyon County Library as well as the County parks located at the northeast corner of Old Dayton Valley Road and Como Road. The site is also within a short drive to the Sheriff's Dayton satellite office and Central Lyon County Fire Protection District Fire Station #35.

(e) Conformity with the zoning ordinances and master plan, except that if any existing zoning ordinance is inconsistent with the master plan, the zoning ordinance takes precedence;

The 2010 Comprehensive Master Plan includes the land use designation of Commercial Mixed Use for the development site and the development site was recently rezoned from C-1 to SCMU (Suburban Commercial Mixed Use). The merger and resubdivision tentative map is in compliance with the SMCU zoning district as:

- The project lot area is greater than 5,000 square feet net minimum;
- The project area width is greater than 50 feet average width minimum;
- The building frontage is greater than 50 feet or 70% of the frontage width minimum;
- The application states that the setbacks for the single family residential development will conform to the NR-1 zoning district standards (front yard setbacks: 20 feet; rear yard setbacks: 10 feet; and side yard setbacks: 5 feet) and the commercial development will be required to comply with the minimum SCMU setbacks;
- The project does not exceed 16 dwelling units per gross acre and one dwelling unit per 2,500 square feet of net lot area;
- The project proposes a floor area ratio (69% residential:31% commercial) that complies with the SCMU minimum standards of between 30% and 70% of the total project floor area must be devoted to commercial uses and 30% to 70% of the project floor area devoted to residential uses;
- The map indicates a maximum commercial floor area of 30,400 sq. ft. with a maximum residential floor area of 67,500 sq. ft. (45 X 1,500 sq. ft.) which with considering the 10.1 acres of total site (439,956 sq. ft.) area means a total floor area ratio ("FAR") of 0.22 for the project;
- The commercial portion of the project will have to provide off-street parking per the Lyon County Code requirements as it will exceed 3,000 sq. ft. of gross floor area; and
- Any outdoor lighting shall comply with the requirements of the Lyon County Code.

(f) General conformity with the governing body's master plan of streets and highways;

The project has frontage on Dayton Valley Road. As such the commercial portion of the project will be accessed directly off of Dayton Valley Road. The residential portion of the project will extend Sunset Way directly across the current intersection of Dayton Valley Road and Sunset Way to provide access to the proposed single family residences as well as the BLM property directly south of the project site.

(g) The effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision;

As noted above, the project will extend Sunset Way across Dayton Valley Road and provide access to the BLM property south of the subject site. In addition, the project will add Granite Court and Orovada Court to provide access to the proposed 45 single family lots. The application materials notes that based on the Institute of Transportation Engineers ("ITE") Manual, the approximate traffic count for detached single family residential of the proposed type is 9.57 Average Daily Trips ("ADT") which would generate approximately 430 average daily trips for the residential portion of the project. Other than the two new accesses within the residential portion of the project, no new roads or highways are warranted due to the small size of the development proposed. However, the development of the commercial portion of the project site may require the generation of a traffic study depending upon the traffic counts at the time and warrants the proposed uses may generate at the time.

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

The subject site is located in an area designated as X Unshaded by the current FEMA flood maps. The site is relatively flat with what appears to be a former irrigation ditch that has subsequently been abandoned. The applicant's representatives are reviewing the off-site drainage of the BLM parcel located south of the subject site and how to address the storm water flows that originate from the adjoining property and currently flow across the subject site. A conceptual drainage study was submitted with the tentative subdivision map application materials. Once the final drainage report is completed and submitted, Lyon County Utilities and the applicant's representatives will address how the off-site storm water flows are to be addressed. The remaining physical characteristics of the subject site (slopes and soils) do not preclude the development of the project.

(i) The recommendations and comments of those entities and persons reviewing the tentative map pursuant to [NRS 278.330](#) to [278.3485](#), inclusive;

To date, staff has received comments from Central Lyon County Fire Protection District, Southwest Gas, NV Energy, AT&T and Lyon County Utilities. All of the utility providers have indicated the project is in their service areas and that they can provide service to the subject site.

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

Central Lyon County Fire Protection District requested that:

- Fire hydrants be located no further than 500 feet from any structure. The Fire District will meet with the developer to locate fire hydrants on the final subdivision map;
- The south side of Sunset Way will need to be renamed;
- The public way between proposed Lots 18 and 19 and Lots 39 and 40 will be surfaced with either asphalt concrete or concrete in lieu of gravel to mitigate the growth and accumulation of flammable vegetation which presents a continued fire nuisance; and
- For the commercial portion of the project, a central location for the fire department connections ("FDCs") serving Buildings A through E and a fire hydrant no further than 50 feet from that location. Additional hydrants may need to be added depending upon the occupancy type of the building and if access is restricted.

(k) The submission by the subdivider of an affidavit stating that the subdivider will make provision for payment of the tax imposed by chapter 375 of NRS and for compliance with the disclosure and recording requirements of subsection 5 of NRS 598.0923, if applicable, by the subdivider or any successor in interest."

The application materials include a completed affidavit form stating that the Michael C. Gilbert, Manager of Saginaw Manufacturing, Inc. will make provisions for the payment of taxes imposed by Chapter 375 of NRS and that the disclosure requirements of subsection 5 of NRS 598.0923, if applicable.

Street Name Request:

Title 11.07.14 advises that street names and suffixes shall be designated by the developer, subject to the approval of the Planning Commission and in accordance with the general policy. The applicant is requesting approval of the following street names in conjunction with the subdivision tentative map approval:

- Orovada Court
- Granite Court

Central Lyon County Fire Protection District is recommending that the south side of Sunset Way through the project be renamed. Staff has not received comments on the acceptability of the street names from the Lyon County Sheriff's Office Dispatch or Road Department. Staff recommends that the Planning Commission include a condition authorizing the Community Development Director to administratively process replacement street names, if necessary, based on the comments of the reviewing agencies.

Traffic and Road Improvements:

As a part of the Tentative Subdivision Map application materials, Lyon County Code Section 11.02.01 requires the inclusion of a Feasibility Report. As a part of the Feasibility Report, subsection 11.02.01(A)(16) requires the submittal of the following information regarding traffic impacts:

“16. Traffic Impacts: Identify all roads, streets and highways that will be affected by the development. Identify the effect of the proposed subdivision on existing public roads and streets and the need for new roads, streets or highways to serve the subdivision. Provide a traffic study prepared by a Nevada licensed traffic engineer if the subdivision will meet or exceed eighty (80) peak hour vehicle trips or five hundred (500) average daily vehicle trips.”

The applicant's representative has provided a letter stating that the traffic impacts associated with the proposed residential use is 9.57 ADTs (Average Daily Trips), and that the traffic impact would be approximately 430 average daily trips for the residential portion of the project. As noted above, the applicant would be required to submit a full traffic study from a professional traffic engineer licensed in the State of Nevada if the subdivision will meet or exceed eighty (80) peak hour trips or five hundred (500) average daily trips.

The applicant's representative letter does go on to state that when the commercial portion of the project is being developed, a traffic study may be required dependent on the impact of the commercial use on the existing traffic on Dayton Valley Road.

The Lyon County Road Superintendent had the following comments in regard to the proposed subdivision:

- Traffic generated by the proposed project will have limited impact on the adjacent streets and intersections;
- That all required signage, striping and traffic control improvements comply with Nevada Department of Transportation and Lyon County requirements; and
- That the existing traffic median located on the east side of the intersection of Dayton Valley Road/Sunset Way will need modification to allow west-bound traffic on Dayton Valley Road to make a left turn movement into the residential portion of the project.

Water and Sewer Service:

The application narrative states that water and sewer service will be provided by Lyon County Utilities. Accordingly the applicant will be required to connect to these public facilities.

Intent-to-serve letters from Lyon County Utilities have been received for the provision of domestic water and sewer services for this project.

Utilities:

Title 11 of the Lyon County Code (see 11.07.14 D (6)) requires the applicant to install underground utilities. The tentative map places all utilities within public utility easements (“PUE”) located within a 7.5-foot wide PUE along all road frontages and a 5-foot PUE along all other property lines for each lot and common areas where utilities will be located.

Drainage Improvements:

The applicant has submitted a Conceptual Drainage Study dated July 18, 2016 with the tentative subdivision map application materials. The conceptual drainage study was conducted to evaluate drainage impacts for the 7.27 acres comprising the residential portion of the Granite Pointe Subdivision. Another drainage study will be required for the commercial portion of the Granite Pointe Subdivision when development is proposed for that portion of the development. The applicant's representatives are reviewing the off-site drainage of the BLM parcel located south of the subject site as the BLM property currently drains across the subject site. The applicant's representatives will submit a final drainage study of the subject site that will address the storm water flows that originate from the adjoining property and currently flow across the subject site. The conceptual drainage study states that the proposed on-site drainage improvements will include curb and gutter, storm drain inlets, storm drain pipes and swales designed to handle 5-year design storm peak flows.

The runoff peak flows from less frequent storms (such as a 100-year event peak flows will be conveyed within the standard street right-of-way. The conceptual drainage study proposes a detention basin be constructed on the BLM property immediately south of the subject site to help reduce post-developed runoff peak flows to that of pre-development runoff peak flows. Once the final drainage report is completed and submitted, Lyon County Utilities and the applicant's representatives will address how the off-site storm water flows are to be addressed. The applicant must comply with Lyon County's adopted 1996 storm drainage guidelines to include the preparation of a final drainage report in accordance with the County's storm water standards for onsite retention/detention of storm water for the entire development that may occur from the addition of impervious surfaces. The report must address offsite flows, and how they will be routed through the site and discharged without additional impact to downstream properties. Drainage facilities, including off-site facilities and easements necessary to carry and process stormwater generated by the project, must be identified on the tentative map and included in subdivision improvement plans that are required to be submitted to and approved by the County Engineer prior to recording the final map.

Flood Hazard:

The project is located within an "X Unshaded" flood zone. The X Unshaded flood zone are areas determined to be located outside of the 500-year floodplain. This designation means the subject site is not subject the County floodplain management ordinance and will not require a flood hazard development permit.

Geotechnical Analysis:

A geotechnical investigation dated June 29, 2016 was included with the tentative subdivision map application. The investigation is required to address the suitability of the proposed development from a geotechnical perspective and any potential geologic hazards. The investigation states that in a geotechnical sense the site is well-suited to host the proposed residential subdivision and commercial developments.

Requirements for Granting Approval:

If a plan is granted tentative approval, with or without conditions, the County shall set forth, in the minute action, the time within which an application for the final approval of the plan must be filed or, in the case of a plan that provides for development over a period of years, the periods within which an application for final approval of each part thereof must be filed.

Staff Recommendation:

Staff recommends **approval** of this Merger & Resubdivision to a Division into Large Parcels Map with the recommended findings and the suggested conditions listed above in the staff report.

Alternative Findings and Motions:

The alternative motions suggested below are offered for Planning Commission consideration.

Alternative for Continuance:

If the Planning Commission determines that additional information, discussion and public review are necessary for a more thorough review of the proposed Merger & Resubdivision of Parcels 2 and 3 of the Bedford Properties parcel map, recorded as Document No. 189531 on January 24, 1996, the Planning Commission should make appropriate findings and move to **continue** the Public Hearing with a specific time period for the applicant to provide additional specific information necessary for the analysis of the request. The Planning Commission may wish to consider a motion similar to the following:

The Planning Commission finds that:

- A. Additional information, discussion and public review are necessary for a more thorough review of the proposed Merger & Resubdivision to revert Parcels 2 and 3 of the Bedford Properties parcel map, recorded as Document No. 189531 to the Granite Pointe Tentative Subdivision Map.

Based on the above finding and with the applicant's concurrence, the Lyon County Planning Commission continues the request for the Merger and Resubdivision to a Tentative Subdivision Map for the Granite Pointe Subdivision in Dayton, as identified on Assessor's Parcel Map 016-271-022 and 016-271-023 (PLZ 16-0024), for __ days.

Alternative for Denial:

If the Commission determines that the request for the Merger & Resubdivision to Parcels 2 and 3 of the Bedford Properties parcel map, recorded as Document No. 189531 on January 24, 1996 should be **denied**, the Commission must make findings supporting a denial. The Planning Commission may wish to consider a motion similar to the following:

The Lyon County Planning Commission finds that the requested Merger & Resubdivision to a Tentative Subdivision Map:

- A. is not consistent with the applicable provisions of Lyon County Code and the Nevada Revised Statutes;
- B. will be detrimental to the public health, safety, convenience and welfare;
- C. will result in material damage or prejudice to other property in the vicinity; and
- D. does not meet the function and intent of a final map of Division into Large Parcels

Based on the aforementioned findings, the Lyon County Planning Commission recommends denial of the request for the Merger and Resubdivision to a Tentative Subdivision Map for the Granite Pointe Subdivision in Dayton, as identified on Assessor's Parcel Map 016-271-022 and 016-271-023 (PLZ 16-0024).



July 18, 2016

Mr. Rob Pyzel, Planner
Lyon County Community Development
Planning Division

27 South Main Street
Yerington, Nevada
89447

34 Lakes Blvd
Dayton, Nevada
89403

**Detailed Description/Narrative and Justification
Granite Pointe Subdivision – A Tentative Subdivision Map
269 Dayton Valley Road. Dayton, NV 89403
APN's: 016-271-22 and 016-271-23**

Dear Rob:

Please consider this letter our Detailed Description/Narrative and Justification, on behalf of the owner, SAGINAW MANUFACTURING, LLC – Mr. Michael Gilbert for the submittal of a Tentative Subdivision Map. The project site is located at 269 Dayton Valley Road, in the Dayton community. The project consists of two parcels, APN's 016-271-22 and 016-271-23 that total 10.10 acres. Both parcels have a zoning designation of Commercial Mixed Use-Suburban and a Land Use category of Commercial – Mixed Use. The flood zone designation, per FEMA is X-Unshaded as indicated on the FIRM 32019C0452E dated January 16, 2009.

Detailed Description/Narrative

Background:

On January 7, 2016 the Lyon County Board of Commissioners approved the request of a zone change on the two parcels, changing the zoning designation from C-1, Limited Commercial, to CMU-S (Commercial Mixed Use-Suburban). Since the creation of the two parcels, (Bedford Properties Parcel Map of January 24th, 1996) the parcels have remained undeveloped commercial parcels. The owner requested the zone change in order to better utilize the parcels and to promote development of the parcels that would be more commensurate with the character and existing land uses within the immediate surrounding area.

On May 18, 2016 the applicant's representatives, Matt Bernard, P.L.S. and Tammy Kinsley, Associate Planner, of R.O. Anderson Engineering, Inc. attended a Round-Table meeting with Lyon County Division representatives to discuss the proposed subdivision map within the CMU-S zoning district. The discussion addressed the required ratios per the Lyon County Code, Title 10 for this type of use being 30% Commercial and 70% Residential or 70% Commercial and 30% Residential. The conceptual map with the percentages shown as 30% Commercial and 70% Residential, were acceptable per Rob Pyzel, Planner for Lyon County. Central Lyon County Fire representative, Jennifer Cleppe, stated that the roads were acceptable as proposed with the 50' width and the length of the cul-de-sacs were okay as long as they review and

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approve the locations of future fire hydrants within the subdivision, and that there was an existing fire hydrant at the parcel along Dayton Valley Road. Misty Mann, with Lyon County Utilities provided the amount of water rights that would be required to be dedicated for the residential development and the commercial development. Sean Sinclair, also from Lyon County Utilities stated that there may be an existing waterline on the parcel that may have been abandoned, but that the structure may still be there and that there is an existing storm drainage ditch along the rear (south) length of the parcel to a pond off-site. Also Sean stated that water and sewer stubs exist along Dayton Valley Road. Also in regards to the 50-foot width of road proposed, both Sean and Doug Homan, Road Director stated that the road should be built to the Lyon County standard of 50-foot minimum, 20-foot of road only not including curb, gutter, and sidewalk. Building Division representative, Gene Stewart, suggested that a sound wall should be constructed along Dayton Valley Road. Jeff Page, County Manager, stated that when the Zone Change for the parcel came forward to the Board of Commissioners, this was the type of use they envisioned seeing for this zoning designation and for this area of Dayton.

On July 5, 2016 the applicant's representatives, Matt Bernard, P.L.S. and Tammy Kinsley, Associate Planner, of R.O. Anderson Engineering, Inc. submitted a Pre-Application Conference Application with a fee of \$500 to Lyon County Planner, Rob Pyzel, for County review of the proposed Tentative Subdivision Map.

Narrative:

The owner is requesting a Tentative Subdivision map, known as Granite Pointe Subdivision that will consist of 45 residential parcels with a minimum parcel size of 5,000 square feet each, that will follow the NR-1 setback requirements of Front = 20 feet, Rear = 10 feet and Side = 5 feet for the single-family residential dwelling unit. The residential portion of the project totals 5.40 acres. In addition the tentative subdivision map will create a 2.53 acre commercial parcel for future commercial development. The roads in the subdivision will be public and will therefore be designed to Lyon County standards. The proposed residential parcels will be accessed from Dayton Valley Road at Sunset Way with further access as designed from two new courts, Granite Court and Orovada Court. The approximate acreage set aside for the public roadways is approximately 1.87 acres. Regarding any traffic impacts as per the ITE Manual the approximate traffic count for the residential use is 9.57 ADT's, therefore the traffic impact is approximately 430 average daily trips for the residential portion of the subdivision.

This project site is conveniently located to the Senior Center, Library, the Dayton Valley Elementary, Intermediate School and the Dayton Valley High school. There is a Park facility within walking distance and a small commercial center to the west of the project site. Therefore the project will have two pedestrian access easements, one at the southeast corner of the project site, for access to the adjacent Senior Center, Library and public schools and one on the west side of the project site to provide pedestrian access to the future commercial element of the proposed subdivision as well as the community park facility and commercial/shopping uses along Dayton Valley Road to the west.

The property owner has the required 20.87 acre feet of water rights to develop the proposed residential portion of the project. Water and sewer service are under the jurisdiction of Lyon County Utilities, Electrical service would be provided by NV Energy and Gas service would be provided by Southwest Gas Company. Will Serve letters from each entity have been provided with this Tentative Subdivision Map Application. The project site is within the Central Lyon

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County Fire Protection District. There currently exists a fire hydrant on Dayton Valley Road, but future hydrants will be placed per the Districts direction.

The overall topography of the 10.10 acre site is relatively flat and is well suited for this type of proposed development. There is an existing natural drainage cut along the southern boundary of the parcel along the length of the parcel, which historically has not had water in it. Per Mike Workman of Lyon County Utilities, this is possibly the remnants of the old Randall irrigation ditch that provided water from the Carson River, west of the project site to the Herrmann Ranch that was located east of the project site. At this time our intent is to fill the ditch and design a mechanism to capture and manage onsite flows from development of this parcel. A drainage report identifying the proposed stormwater management for the project site is included with this Tentative Subdivision Map application along with the proposed grading plan and soils report.

The community surrounding the project site is developed with mixed land uses. To the north, across Dayton Valley Road is the residential subdivision River Village, which is comprised of single-family homes. To the east, further down Dayton Valley Road, is a mixture of multi-family residential units, a church and a convenience store with gas station. To the southeast are the Senior Center, Library, public schools and Community Park, BLM land and to the west along Dayton Valley Road is a commercial center with offices, public storage facilities, a restaurant, a gym and a bank. The proposed tentative subdivision map with 45 residential units and a future 2.53 acre commercial site would work well and cohesively within this area of Dayton, as it will provide the opportunity to develop a project site that has been vacant and undeveloped for a period of time and provide an opportunity to develop a mixed use project, utilizing both residential and commercial uses that could provide an opportunity for a more walkable community that is located within and surrounded by existing residential and neighborhood uses along Dayton Valley Road, Old Como Road and Breakwater Drive.

Justification

Findings for a Tentative Subdivision Map are as per NRS 278.349.3 (a) – (k). Action on tentative map by governing body; considerations in determining action on tentative map; final disposition.

3. The governing body, or planning commission if it is authorized to take final action on a tentative map, shall consider:
 - (a) Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;

Comment: The project site will be served by Lyon County Utilities for sewer and water. Solid waste service will be provided by Capital Sanitation.

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

Comment: The property owner has 22-acre feet of water rights that are sufficient water rights in place for the development of the 45 residential lots which require 20.87-acre feet of water rights.

- (c) The availability and accessibility of utilities;

Comment: *The project site will be served by NV Energy for electrical service, Southwest Gas for gas service, and Telecommunication services are provided by AT&T. Will Serve letters from each entity are provided with this Tentative Subdivision Map application.*

- (d) The availability and accessibility of public services such as schools, police protection, transportation, recreation and parks;

Comment: *The site is conveniently located to the Senior Center, a Library, the Dayton Valley High School, Intermediate and Elementary schools. Within walking distance is a community park along the westerly side of Dayton Valley Road. Police, Fire and Emergency services are located within a mile of the site.*

- (e) Conformity with the zoning ordinances and master plan, except that if any existing zoning ordinance is inconsistent with the master plan, the zoning ordinance takes precedence;

Comment: *The project site has a zoning designation of Commercial Mixed Use – Suburban which allows for a mixed use development of commercial and residential, meeting the required ratio of 30%/70%. The propose Tentative Subdivision Map is providing a 69% ratio for the residential portion and a 31% ratio for the commercial portion of the site. Therefore the tentative map as proposed meets the zoning designation requirements. The Land Use designation for the project site is Mixed Use Commercial. The tentative map is providing a mixed use of residential and commercial.*

- (f) General conformity with the governing body's master plan of streets and highways;

Comment: *The project site fronts on Dayton Valley Road. The intent of the map is to utilize the existing public road Sunset Way, to provide access into the residential portion of the subdivision and then construct the public roads to Lyon County design Standards for the proposed Granite Court and Orovada Court. A left turn lane from the east flow of traffic along Dayton Valley Road will be required for turning into the subdivision from traffic heading west along Dayton Valley Road.*

- (g) The effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision;

Comment: *The project site fronts on Dayton Valley Road at the north property line. The intent of the map is to utilize the existing public road Sunset Way, to provide access into the residential portion of the subdivision and then construct the public roads to Lyon County design Standards for the proposed Granite Court and Orovada Court. If approved a turn lane from Dayton Valley Road (heading west), turning left on to Sunset Way would be required to be constructed.*

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- (h) Physical characteristics of the land such as floodplain, slope and soil;

Comment: *The overall topography of the 10.10 acre site is relatively flat and is well suited for this type of proposed development. The flood zone designation, per FEMA is X-Unshaded as indicated on the FIRM 32019C0452E dated January 16, 2009. A grading plan and soils report are included with this tentative subdivision map application.*

- (i) The recommendations and comments of those entities and persons reviewing the tentative map pursuant to NRS 278.330 to 278.3485, inclusive;

Comment: *The application understands that:*

1. *The Division or local agency shall review and either approve or disapprove the final map and related plans or the plan for improvements submitted in accordance with subsection 2 of NAC 278.290 within 30 days after receipt of the map and related plans or the plan for improvements.*

2. *The Division or local agency shall give written notice of its approval or disapproval to the developer. If the Division or local agency disapproves the map or related plans or the plan for improvements, its notice must include the reasons for its action.*

3. *If the developer fails to record an approved final map within the time allowed by NRS 278.360, the developer must resubmit a tentative map through the governing body to the Division or local agency for its review and approval.*

1. *In any county whose population is less than 100,000, when any subdivider proposes to subdivide land which is located outside the boundaries of any irrigation district organized pursuant to chapter 539 of NRS on which an irrigation ditch is located, the planning commission or its designated representative, or if there is no planning commission, the clerk or other designated representative of the governing body, shall forward a copy of the subdivider's tentative map, by certified or registered mail, to the last known address of the owner of record of any land to which the irrigation ditch is appurtenant that is on file in the office of the county assessor pursuant to this section. An owner of record who receives a copy of a subdivider's tentative map shall, within 30 days after receiving the map, review and comment in writing upon the map to the planning commission or governing body. The planning commission or governing body shall take those comments into consideration before approving the tentative map.*

2. *A subdivider whose tentative map is provided to an owner of record pursuant to this section is responsible for any costs incurred by the planning commission or its designated representative, or by the clerk or other designated representative of the governing body, in identifying the owner of record and providing a copy of the tentative map to the owner of record. (Added to NRS by 2003, 974)*

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

Comment: *The project site is within the Central Lyon County Fire Protection District. There currently exists a fire hydrant on Dayton Valley Road, with future hydrants to be placed per the Districts direction.*

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- (k) The submission by the subdivider of an affidavit stating that the subdivider will make provision for payment of the tax imposed by chapter 375 of NRS and for compliance with the disclosure and recording requirements of subsection 5 of NRS 598.0923, if applicable, by the subdivider or any successor in interest.

Comment: *An affidavit stating that the subdivider will make provision for payment of the tax imposed by chapter 375 of NRS and for compliance with the disclosure and recording requirements of subsection 5 of NRS 598.0923 is provided with this formal Tentative Subdivision Map application.*

Thank you for your consideration regarding this project.

Sincerely,

R.O. ANDERSON ENGINEERING, INC.



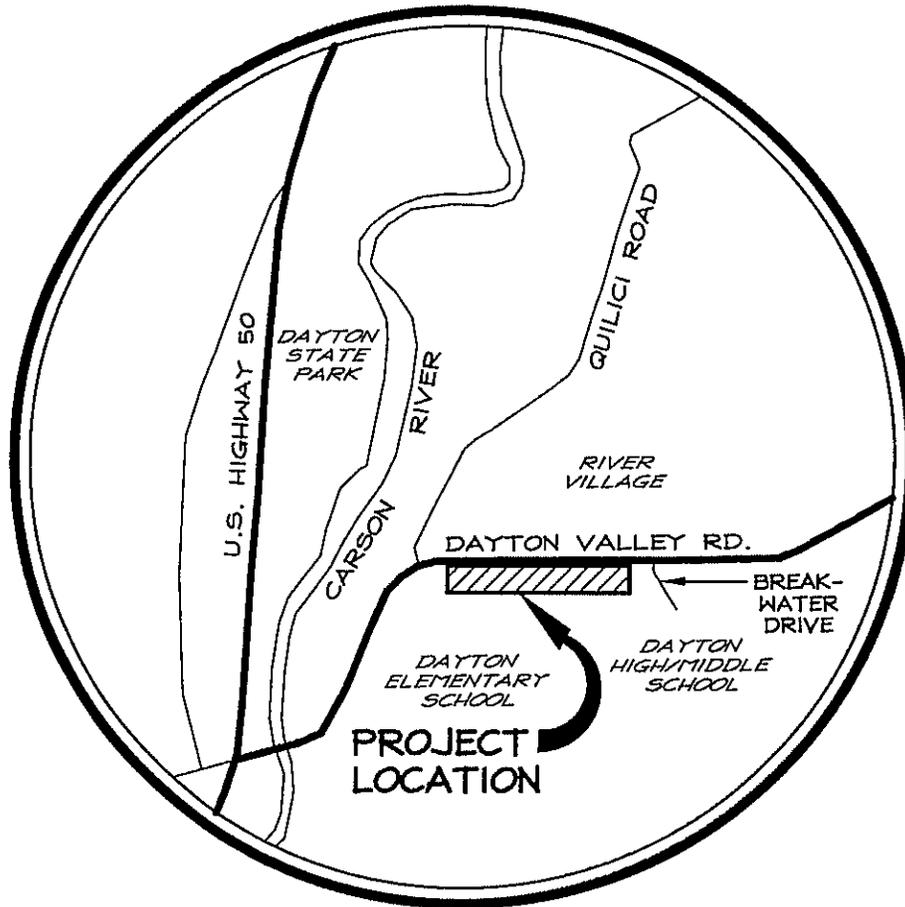
Tammy J. Kinsley
Associate Planner

Traffic information:

Traffic impacts as per the ITE Manual for the traffic counts of the residential use is 9.57 ADT's, therefore the traffic impact is approximately 430 average daily trips for the residential portion of the subdivision. This amount does not warrant a full Traffic Study, based on the threshold of 80 peak hour trips and 500 Average daily trips.

When the Commercial portion of the project is developed, a traffic study may be required pending the impact of the commercial use on the existing traffic along Dayton Valley Road.

GRANITE POINTE SUBDIVISION



SCALE 1" = 60'
CONTOUR INTERVAL 1-FOOT

VICINITY MAP
NO SCALE

**Granite Pointe Subdivision
Tentative Subdivision Map
Feasibility Report**

Chapter 2; Section 11.02.01 of the Lyon County Development Code requires that any tentative map application include a FEASIBILITY REPORT:

A. Tentative Subdivision Map; Feasibility Report Information: The first formal step in land development by subdivision is the preparation of a tentative subdivision map. At the time of the filing of the application for the tentative subdivision map, the developer shall file a feasibility report with the planning department. The tentative subdivision map shall not be accepted for filing by the planning department unless the feasibility report is included with the application.

The feasibility report shall include the following information with responses following each item:

1. Location: Location of the proposed development by reference to commonly known landmarks, topographic features, roads and/or intersections, including approximate distances from the development to such features.

Comment: *The project site is located at 269 Dayton Valley Road, at Sunset Way, in the Dayton community. It consists of two parcels, APN's 016-271-22 and 016-271-23 that total 10.10 acres. The site is conveniently located within walking distance of the Senior Center, Library, the Dayton Valley Elementary, Intermediate School and the Dayton Valley High school. To the west side of the project site along Dayton Valley Road is a commercial center with offices, public storage facilities, a restaurant, a gym and bank. To the southwest area of the project is a community park and facilities.*

2. Size: Approximate size of the proposed development, the total number of proposed parcels, and the number of building sites for dwelling units, commercial use, industrial use, and open space planned.

Comment: *The owner is requesting a Tentative Subdivision map, known as Granite Pointe Subdivision that will consist of 45 residential parcels with a minimum parcel size of 5,000 square feet each, totaling 5.40 acres. The proposed number of residential units is 45 single-family residential homes. In addition the tentative subdivision map will create a 2.53 acre commercial parcel for future commercial development.*

3. Water Availability: Information as to how domestic water service will be provided including status and source of required water rights, and availability of water that meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs required for the land development and proposed land use, and a written statement of ability and willingness of any applicable municipal agency to provide water service to the proposed development.

Comment: *The property owner has the required 20.87 acre feet of water rights to develop the proposed residential portion of the project. Water service will be provided by Lyon*

County Utilities. An "Intent to Serve" letter for water service from the Lyon County Utilities Department is included with the Tentative Subdivision Map application. The site is adjacent to existing development along Dayton Valley Road, in the Dayton area of Lyon County and therefore is close to existing water services.

4. Electricity Availability: Name of the utility company that will serve the area and a written statement of ability and willingness of such company to provide electrical power to the proposed development.

Comment: *Electrical service will be provided by NV Energy. A "Will Serve" letter for electrical service from NV Energy is included with the Tentative Subdivision Map application. The site is adjacent to existing development along Dayton Valley Road, in the Dayton area of Lyon County and therefore is close to existing electrical services.*

5. Telephone Availability: Name of the telephone company that will serve the area and a written statement of ability and willingness of such company to provide telephone service to the proposed development.

Comment: *Telephone service will be provided by AT&T. A "Will Serve" letter for telephone service from AT&T is included with the Tentative Subdivision Map application. The site is adjacent to existing development along Dayton Valley Road, in the Dayton area of Lyon County and therefore is close to existing telephone services provided by AT&T.*

6. Natural Gas Availability: Name of utility company that will serve the area and a written statement of ability and willingness of such company to provide natural gas service to the proposed development.

Comment: *Natural Gas service will be provided by Southwest Gas Company. A "Will Serve" letter for the availability of gas service from Southwest Gas Company is included with the Tentative Subdivision Map application. The site is adjacent to existing development along Dayton Valley Road, in the Dayton area of Lyon County and therefore is close to existing gas utility services provided by Southwest Gas Company.*

7. Sewage Disposal: Information as to how sewage disposal will be provided and a written statement of ability and willingness of any applicable municipal agency to provide sewage disposal service to the proposed development.

Comment: *Sewer service will be provided by Lyon County Utilities. An "Intent to Serve" letter for sewer service from the Lyon County Utilities Department is included with the Tentative Subdivision Map application. The site is adjacent to existing development along Dayton Valley Road, in the Dayton area of Lyon County and therefore is close to existing sewer services.*

8. Fire Protection: Fire district within which the proposed development is located and distance from the nearest firefighting equipment. Identify 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 wildlands.

Comment: *The project site is within the Central Lyon County Fire Protection District. There is a fire station approximately one-quarter mile to the east on Dayton Valley Road at Lakes Blvd.*

9. Legal Access: Existing legal access from the proposed development to county or state maintained roads.

Comment: *The project site fronts on Dayton Valley Road. The intent of the map is to utilize the existing public road Sunset Way, to provide access into the residential portion of the subdivision and then construct the public roads to Lyon County design Standards for the proposed Granite Court and Orovada Court. A left turn lane from the east flow of traffic along Dayton Valley Road will be required for turning into the subdivision from traffic heading west along Dayton Valley Road.*

10. Schools: Proximity to existing schools and school bus service, if such service is operating within the vicinity of the proposed development.

Comment: *Located to the southeast, within walking distance of the project site are the Senior Center, Library, Elementary, Intermediate and High schools.*

11. Parks and Recreational Areas: Parks and recreational facilities in the general area of the proposed development; distance and access to such facilities.

Comment: *Located to the southwest of the project site is the Community Park, Dog Park, facilities and BLM land directly south of the parcel.*

12. Commercial And Shopping Areas: Distance and access to the closest commercial and shopping facilities from the proposed development.

Comment: *Located within walking distance to the west of the project site along Dayton Valley Road is a commercial center with offices, public storage facilities, a restaurant, a gym and bank.*

13. Road Construction and Maintenance: Proposed maintenance plan for both access roads and roads within the subdivision; general timetable for construction of such roads; plan for maintenance until public maintenance is secured; type of anticipated public maintenance - state, county, city or general improvement district.

Comment: *Roads within the subdivision will be public and will therefore be designed to Lyon County design standards with the eventual goal of dedicating the roads to the County for maintenance. The goal is to record the Final map within six month, after approval of the tentative map. The roads and improvements will begin as soon as is possible after the approval and recordation of the final map.*

14. Restrictive Covenants: Proposed restrictive covenants applicable to the subdivision or development.

Comment: *There are no Restrictive Covenants proposed for this project.*

15. Adjacent Ownership and Use: Present legal owner of property adjacent to the proposed subdivision; and present use and zoning of all adjacent property.

Comment: Please see Table below.

Location to Project Site	Assessor Parcel Number	Address	Current owner	Present Use	Zoning	Master Plan
North	Multiple	River Village Subdivision	Multiple	Single-Family Residential Homes	NR1	Single Family Residential
East	016-271-24	None	Schue, Darrell E. ET AL TRS	Vacant	C1	Commercial
South	016-271-10	321 Old Dayton Valley Rd	USA-Bureau of Land Management	Senior Center/ Library	RR3	General Commercial
West	016-271-21	246 Dayton Valley Rd.	Schue, Darrell E. ET AL TRS	Vacant	C2	Commercial

16. Traffic Impacts: Identify all roads, streets and highways that will be affected by the development. Identify the effect of the proposed subdivision on existing public roads and streets and the need for new roads, streets or highways to serve the subdivision. Provide a traffic study prepared by a Nevada licensed traffic engineer if the subdivision will meet or exceed eighty (80) peak hour vehicle trips or five hundred (500) average daily vehicle trips.

Comment: The project site fronts on Dayton Valley Road. The proposed map will utilize the existing public road Sunset Way, to provide access into the residential portion of the subdivision and then construct the public roads to Lyon County design Standards for the proposed Granite Court and Orovada Court. If approved a turn lane from Dayton Valley Road (heading west), turning left on to Sunset Way would be required to be constructed.

17. Stormwater Impacts: Identify existing natural and constructed stormwater structures, proposed stormwater management concepts and general impacts from and on surrounding property.

Comment: There is an existing natural drainage cut along the southern boundary of the parcel along the length of the parcel, which historically has not had water in it. Per Mike Workman of Lyon County Utilities, this is possibly the remnants of the old Randall irrigation ditch that provided water from the Carson River, west of the project site to the Herrmann Ranch that was located east of the project site. At this time our intent is to fill the ditch and design a mechanism to capture and manage onsite flows from development of this parcel. A drainage report identifying the proposed stormwater management for the project site is included with this Tentative Subdivision Map application along with the proposed grading plan and the soils report.

18. Solid Waste Disposal: Identify the availability of solid waste disposal.

Comment: *The solid waste purveyor for this area is Capital Sanitation.*

19. Physical Characteristics: Identify the physical characteristics of the land such as floodplain, slope, vegetation and soil.

Comment: *The overall topography of the 10.10 acre site is relatively flat and is well suited for this type of proposed development. The flood zone designation, per FEMA is X-Unshaded (areas determined to be outside the 500-year floodplain) as indicated on the FIRM 32019C0452E dated January 16, 2009. A grading plan and soils report are included with this tentative subdivision map application.*

B. Discretionary Preapplication Conference: Prior to submitting a formal application, the applicant may prepare a preliminary development plan for review by the administrator and the applicable departments' staff at an informal preapplication conference. The developer shall file an application for a preapplication conference and the appropriate fee with the planning department. Governmental entities to attend the preapplication conference should include, but not be limited to, planning, utilities, roads, RTC, parks and recreation, building and agencies that do not report to the board of county commissioners, including the fire district, sheriff, school district, and the Carson River Subconservancy district. (Ord. 527, 10-2-2008)

Comment: *The applicant submitted a Preapplication Conference application with the required \$500 application Fee on July 5, 2016 to the Lyon County Planner, for distribution to the Governmental entities for their review and comments in considering the proposed Tentative Subdivision Map.*

Traffic information:

Traffic impacts as per the ITE Manual for the traffic counts of the residential use is 9.57 ADT's, therefore the traffic impact is approximately 430 average daily trips for the residential portion of the subdivision. This amount does not warrant a full Traffic Study, based on the threshold of 80 peak hour trips and 500 Average daily trips.

When the Commercial portion of the project is developed, a traffic study may be required pending the impact of the commercial use on the existing traffic along Dayton Valley Road.

GRANITE POINTE SUBDIVISION

PROJECT SUMMARY

OWNER/APPLICANT: SAGINAW MANUFACTURING, LLC
320 NORTH CARSON STREET
CARSON CITY, NV 89701

SURVEYOR/ENGINEER: R.O. ANDERSON ENGINEERING, INC.
1603 EMERALDA AVENUE
MINDEN, NEVADA 89423
PH: (775) 782-2322

A.P.N.: 016-271-22 & 016-271-23

TOTAL ACREAGE: 10.10 AC.
RESIDENTIAL LOTS(45): 5.40 AC.
COMMERCIAL LOT: 2.83 AC.
PUBLIC ROADWAYS: 1.87 AC.

TOTAL FLOOR AREA RATIO:
RESIDENTIAL: 67,500 (69%)
(1,500 SF UNITS X 45 LOTS)
COMMERCIAL: 30,400 (31%)

WATER RIGHTS (RESIDENTIAL):
REQUIRED: 20.87 AF
OWNED: 22.00 AF

FLOOD ZONE: UNSHADED 'X', FIRM MAP
32014C0452E REVISED JANUARY 16, 2009

LEGAL DESCRIPTION

PARCELS 2 & 3 AS SHOWN ON THE PARCEL MAP FOR BEDFORD PROPERTIES FIELD FOR RECORD JANUARY 24, 1996 IN LYON COUNTY, NEVADA AS DOCUMENT NO. 1849531

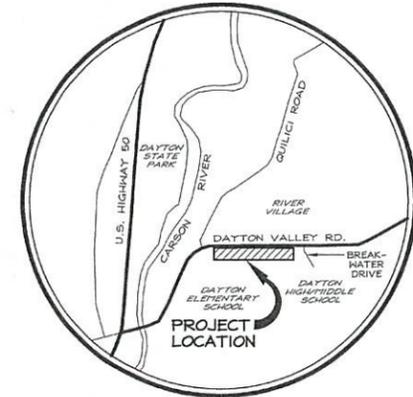
NOTES

A 7.5' P.U.E. WILL EXIST ALONG ALL ROAD FRONTS. A 5' P.U.E. WILL EXIST ALONG ALL OTHER PROPERTY LINES PER THIS MAP.

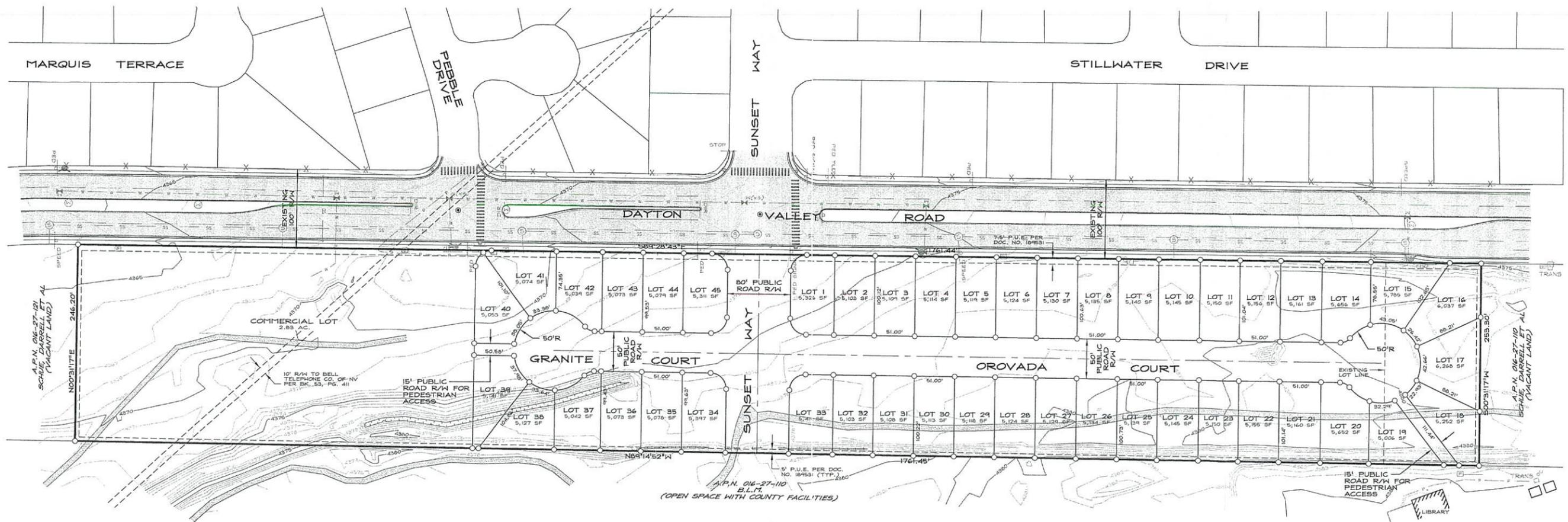
LEGEND

○ DIMENSION POINT, NOTHING FOUND OR SET

SCALE: 1" = 60'
CONTOUR INTERVAL: 1-FOOT

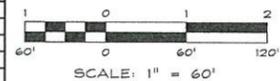


VICINITY MAP
NO SCALE



Y:\Clients\Files\0247-040\CA\Survey\Tentative\Map\0247-040\T1.dwg 7/18/2016 8:33:27 AM Cory Kleine

NO.	DATE	REVISION	BLOCK	BY



R.O. Anderson
NEVADA CALIFORNIA
1603 Emerald Ave 595 Tahoe Keys Blvd
Minden, NV 89423 Suite A-2
P 775.782.2322 F 775.782.2322 P 930.600.4640 F 775.782.7054

TENTATIVE SUBDIVISION MAP
A.P.N. 016-271-22 & 016-271-23
SAGINAW MANUFACTURING, LLC



DRAWN: CJK
SURVEYOR: CJK
SCALE: 1" = 60'
DATE: 07/18/16

JOB: 0247-040
DRAWING: TM
SHEET: 1
OF: 1 SHEETS



Fire Chief

John Gillenwater

To: Lyon County Community Development
Planning Division
27 South Main Street
Yerington, NV 89447

Date: August 15th, 2016

Re: Response to the Letter of Transmittal for the Granite Point Subdivision. APN: 16-271-22 and 23

The Central Lyon County Fire District has reviewed the Tentative Subdivision Maps and Letter provided by the Lyon County Planning Division for the Granite Point Subdivision. As a result of our review the District has the following conditions for approval.

For the Residential portion of the parcel map:

Fire hydrants no further than 500' from any structure. The Developer will meet with the Fire District to place hydrants on the final map.

The south side of Sunset Way street will need to be renamed.

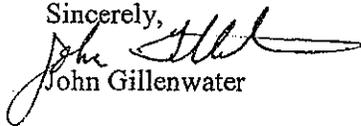
The public way between lot 18 and 19 as well as Lot 30 and 40 will be surfaced with either asphalt or concrete in lieu of gravel to mitigate the growth and accumulation of flammable vegetation, which present a continued fire nuisance.

For the Commercial portion of the parcel map:

We will require a central location for all FDC's serving buildings "A" thru "E" and a fire hydrant no further than 50' from that location. Additional hydrants will need to be added depending upon the occupancy type of the building and if access is restricted.

Thank you for your consideration.

Sincerely,


John Gillenwater

District Office

231 Corral Drive, Dayton, NV 89403 • Phone (775)246-6209 • Fax (775) 246-6204

Web: www.centrallyonfire.org

