

**LYON COUNTY PLANNING COMMISSION
MEETING AGENDA**

OCTOBER 11, 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 SEPTEMBER 13, 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. RIVERPARK DUNES, UNIT 2C / RIVERPARK DUNES, LLC – TENTATIVE SUBDIVISION MAP (for possible action) – Request for a Tentative Subdivision Map and street name request for Riverpark Dunes, Unit 2C, a proposed 58 lot, single family residential development, on an approximately 23.34 total acre parcel; located off of Cheatgrass Drive, Dayton (APN 19-924-13) PLZ-16-0027**

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

2. Public participation
3. Board member comments
4. Future agenda items for discussion and possible action (for possible action)
5. Public participation

ADJOURN TO RECONVENE AS THE LYON COUNTY PLANNING COMMISSION

6. 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 30th, 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
SEPTEMBER 13, 2016**

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

PLEDGE OF ALLEGIANCE

Harold Ritter 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 by a unanimous vote of those members present: 4 ayes; 0 nay; 2 absent (Rick Jones & Doug Bennett).

APPROVAL OF THE MINUTES

Mike Hardcastle made the motion to approve the minutes of the August 13, 2016, Planning Commission meeting, as presented. Harold Ritter seconded and the motion passed by a unanimous vote of those members present: 4 ayes; 0 nay; 2 absent (Rick Jones & Doug Bennett).

MISCELLANEOUS CORRESPONDENCE

None

PUBLIC PARTICIPATION

Scott Keller, representing the Central Lyon County Parks & Recreation board, informed the commission about a tour of the central Lyon County parks and cemeteries on Saturday, October 15th, 2016. He invited them to attend the tour to learn more about the burdens being placed on those parks based on the current and future development along the highway 50 corridor. Mr. Keller said he will soon send more detailed information to each of the members.

REGULAR AGENDA 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

Rob Pyzel, Planner, discussed the staff report and the details of the application. He explained that the extension of the existing, 50' access will have to be created by separate document and not a part of this parcel map because it is located on property not under separate ownership. Extension of this access easement is currently represented on sheet 3 of the tentative parcel map. Mr. Pyzel said that the recommendation of the Road Director, Dustin Homan, is to improve the access road to a Type II aggregate base rather than AC paving, from the highway to the easterly edge of the subject property. He said that the standard, water rights relinquishment for the additional parcels being created, is required with this parcel map. Mr. Pyzel said that staff is recommending approval based on the findings and conditions listed in the staff report.

Harold Ritter said that the Smith Valley Advisory Board brought up a question about when paving is required. Mr. Pyzel said that there is a standard in the county code which says that if the access will provide access to 40 lots or more, then AC paving is required. He said that the Road Director recommended the lesser standard as it is compatible with the roads in the surrounding areas.

Wyatt Owens, Owens Engineering, represented the applicant. Mr. Owens said he had not received a copy of the staff report and he was offered that opportunity. Betty Retzer recommended that the item be continued until 10:30 AM.

Audrey Allan made a motion to continue this item until 10:30AM to allow Mr. Owens sufficient time to review the staff report. Mike Hardcastle seconded and the motion passed by a unanimous vote of those members present: 4 ayes; 0 nay; 2 absent (Rick Jones & Doug Bennett)

Mr. Owens returned at approximately 11:20 AM. He stated that the requirement for a separate document to be recorded to create the additional easement for Old Ranch Rd will actually have to be two separate easements as there are two intervening property owners. Mr. Pyzel agreed and a brief discussion followed.

Mr. Owens said he objected to condition #12 which requires the developer to improve the entire length of the right of way for Old Ranch Rd to county specifications for a gravel standard. He feels this is an unreasonable requirement because the roadway was accepted by the county in 1993 and improvement requirements should have been imposed on the roadway at that time and not the sole responsibility of this developer. Mr. Pyzel said that the requirement to provide a graveled roadway was the recommendation made by the Road Director and was reduced from the typical standard this zoning district which would have been AC Paving. Road Director, Dustin Homan, stated that this

standard is required because the fire district will require an all-weather surface on the roadway for ease of access in the case of an emergency. He said we cannot go back and change the sins of the past so all we can do is move forward from here. Mr. Homan believes that requiring a gravel standard is in the best interest of the fire district and the developer.

Mr. Homan did state that this roadway, known as Old Ranch Rd., will not be maintained by Lyon County due to the minimal improvement requirement.

Mr. Owens said that this improvement requirement is not justified because of the minimal amount of traffic that will be created by addition of only two lots. Harold Ritter said he has experience in driving a fire vehicle down an undeveloped roadway and feels that if someone wants to develop their land they should have to bear the burden of the cost of that development. He added that just because it was not required in the past doesn't mean that this developer should not be held to current standards. Dave Snelgrove said he attended the Smith Valley Advisory Board meeting and heard questions by attendees about why past developers were held to an AC Paving standard and this developer only has to provide a minimal gravel standard. Mr. Pyzel said that the Road Director suggested condition #18 which will require additional improvements should the parcel(s) be further developed in the future. It was the consensus of the Planning Commission that condition #12 not be waived.

Mike Hardcastle made a motion to approve the parcel map consisting of four (4) parcels, for SV Development, LLC, APN 010-731-24, based on the findings listed in the staff report and subject to the following 20 conditions:

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 Community Development 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 Community Development 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 Director, 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.

Harold Ritter seconded and the motion passed by a unanimous vote of those members present: 4 ayes; 0 nay; 2 absent (Rick Jones & Doug Bennett)

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

Rob Pyzel, Planner, stated that if approved, this zone change will bring the property into conformance with the 2010 Comprehensive Master Plan designation of Employment. He added that this applicant is not seeking to perform mining on this property. The applicant has not provided a plan for future development.

Scott Keller, Silver Springs Advisory Board, said that this application was recommended for approval by the advisory board. He said the new zoning will interface well with the airport to the north.

Scott Jolcover, Comstock Industrial, LLC, said there only plan at this time is to bring the property into master plan conformance. He said that the light industrial zoning has the potential to bring jobs to the county and improve the economy in the area. Mr. Jolcover said it makes sense to develop with light industrial due to the interest that the development of USA Parkway is bringing to the area. He added that no potential developers will even look at the property if it is not properly zoned. Mr. Jolcover, as Design and Construction Committee member for Northern Nevada Development has started a "certified site program" that makes this a certified site which means it is shovel ready, making the development process much quicker.

Mike Hardcastle made a motion recommending approval of the requested zone change, from RR-2T (Rural Residential - 2 acre minimum w/trailer overlay) to M-E (Industrial Estates), on 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, and based on the following 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.

Harold Ritter seconded and the motion passed by a unanimous vote of those members present: 4 ayes; 0 nay; 2 absent (Rick Jones & Doug Bennett)

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

Rob Pyzel, Planner, explained the request, saying that the original purpose of the building was as a hotel and a post office. He said that the applicants wish to convert this building to a residence and leave the post office building as an accessory structure. He added that the applicants wish to perform some millwork in the building for personal use only and may wish to operate some retail use in the future, which is allowed under the C-2 zoning district. This Special Use Permit allows the applicants to use the commercially zoned property for residential purposes. He said the applicants wish to retain a lot of the original features in the building and they do plan to construct a detached garage on the rear portion of the property, which will be accessed off of Silver Street. Mr. Pyzel recommended a change to condition #7 which is noted in the approval conditions below.

A lengthy discussion followed regarding the requirements in the county code relating to the historic overlay district.

Betty Retzer applauded the applicants for their efforts in preserving this historic building. Glen Hasbrouck, applicant, said that they want to retain the exterior of the building as it was back in its day however, the inside does need extensive renovations to make it livable. He said he is an artist in woodworking and wishes to use the post office portion of the structure as a personal workshop to create features for this building. Mr. Hasbrouck said that they have received great support from the community because they are rescuing a great structure. A copy of the staff report was provided to the applicant for review.

Harold Ritter asked for assurance that the post office portion of the building to be used as a workshop was to remain for personal use only, thereby eliminating the need for fire department approval. Mr. Hasbrouck confirmed that information and added that the workshop is for him to provide most of the interior millwork for the interior of the restoration project.

Jennifer Cleppe, Fire Prevention Specialist with Central Lyon County Fire Protection District, commended the applicant on this project. She said the building was practically destroyed by the squatter that resided in the building subsequent to the death of the previous owner. Ms. Cleppe wanted it on the record that if the building is ever converted to a use other than residential, such as a bed and breakfast or another use where the public can enter, that the building must be installed with fire sprinklers. Discussion followed regarding fire separation of the walls, etc. Betty Retzer asked if the applicants were to provide tours of the building to the public, would that trigger the need for sprinklers. Ms. Cleppe said that type of use would not require sprinklers.

Bob Hastings, Dayton resident and County Commissioner, said that he has toured the structure and wanted to offer his full support for this project.

Corrado DeGasperis, Comstock Historic Foundation and owner of the Gold Hill Hotel, spoke in favor of this project and commended staff and others for promoting this venture.

Glen Hasbrouck, applicant, stated he agreed with the conditions listed in the staff report. He added that they hope to move in by next summer.

Harold Ritter made a motion to 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, located at 75 W. Main Street, Dayton, NV (APN 006-073-006), based on the recommended findings and subject to the following 11 conditions, with condition #7 being modified:

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, improvement to the exterior architectural feature(s) of the structures are proposed, then the Comstock Historic District Commission shall review and approve the features based on their 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.

Before the vote Rob Pyzel stated that this item was heard by the Dayton Regional Advisory Council and was approved. He added that if there was a change in use, such as for a bed and breakfast, that change would be caught through the business license and/or building permit process and subsequently, any requirements made by the fire department would be imposed at that point.

Audrey Allan seconded and the motion passed by a unanimous vote of those members present: 4 ayes; 0 nay; 2 absent (Rick Jones & Doug Bennett)

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 Re-Subdivision 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

Rob Pyzel, Planner, explained that this request is the result of a new zoning district approved earlier in the year. He said that the 2010 Comprehensive Master Plan designated this area as being Commercial Mixed Use for which there was no corresponding zoning district. The CMU-S (Commercial Mixed Use – Suburban) was adopted on August 6, 2015 and subsequently applied to this parcel through the zone change process. Mr. Pyzel said staff requests the addition of two conditions relating to an email discussion with the applicant regarding constructing a decorative privacy wall, similar to other wall on adjacent developments, along the north property line and the extension of creation of metal barriers at the extension of Sunset Way to prevent area residents from using the access as a shortcut to enter the adjacent school property and to inhibit vehicle access to the BLM property to the south. The applicant has agreed to those condition amendments.

Matt Bernard, R O Anderson Engineering, represented the applicant and offered to answer any questions of the commission.

Betty Retzer asked if this project will be phased especially in regards to the commercial portion of the project. Mr. Bernard said that will depend on the economic market. He added that the mixed use zoning will allow them to develop the commercial when the demand comes.

Betty Retzer asked about the requirement for a Homeowners Association and CC&Rs, as well as if the applicant is willing to provide those. Mr. Bernard said that the applicant is happy to provide those but did ask if the county had an appetite for them to provide special taxing districts such as for landscaping, to assist with the maintenance of those facilities. He said that after talking with staff the applicant said they will provide whatever is necessary. Mr. Bernard asked if the county wants to consider the elimination of the extension of Sunset Way, onto BLM property. Mr. Pyzel asked the Road Director if he had any input regarding this request. Dustin Homan said there is no benefit to the road going through to the BLM property. He feels that traffic to the school would use this as a shortcut and disrupt the residents of that subdivision. Mr. Homan said that the barriers should remain in the development plan.

Harold Ritter asked if there is a county standard for how many residential units are normally allowed within a subdivision with only one access point in or out of the subdivision. Mr. Homan was not sure. A lengthy discussion followed regarding foot traffic to the school and the possibility of eliminating the southerly extension of Sunset Way providing an emergency access along the westerly boundary of the residential lots as suggested by Dave Snelgrove, Community Development Director. Jennifer Cleppe, CLCFPD, said a Knox Box could be provided that would allow fire access in the case of an emergency. Jeff Page, County Manager, made comments similar to and in agreement with, those above. Discussion continued.

Harold Ritter asked if this request should be continued so that all of the talk about additional access can be addressed, then brought back for review. Mr. Bernard requested that the application be

determined today so there are no additional delays. Mr. Snelgrove suggested language to condition #26 which allows review by the Road Director and the Community Development Director, in the case that the roads and affected lots are realigned. This option was preferred by the applicant and agreed to by Mr. Ritter as long as the county is agreeable. Mr. Ritter said his only concern is for an additional access point in the case of emergencies. Mr. Snelgrove suggested that the applicant work closely with Central Lyon County Fire regarding the sprinkler issue. The applicant agreed.

Betty Retzer had concerns regarding dust control, outdoor lighting and water rights for the development. Rob Pyzel satisfied those concerns. Ms. Retzer asked if, as CLCFPD requested, that the southerly extension of Sunset Way be renamed, how should it be named. Mr. Bernard said that the fire chief was addressing Sunset Way throughout the subdivision entirely because it does extend into the development to the north. He said they will work with staff to develop an appropriate street name.

A discussion regarding the potential for increased traffic around the area of the schools that may be generated by this development, followed. Rob Pyzel stated that this type and size of development will not increase traffic to an extent that would require mitigation. Matt Bernard added that had this property remained solely commercial the traffic impact would have been much greater so downgrading the zoning to mostly residential helped alleviate that potential problem.

Mike Hardcastle made a motion to recommend 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), based on the findings stated in the staff report and subject to the following 42 conditions as amended my mutual agreement between staff and the applicant:

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. The developer will install a pillar post and wood fencing treatment, similar to that installed by the subdivisions located to the north of subject property, along that portion of Dayton Valley Road abutting this development. The individual homeowners will be responsible for maintenance of the portion of the fence situate on their property(s), that front onto Dayton Valley Road.
 26. The developer shall remove the southern access connection of Sunset Way that accesses the BLM property to the south, and establish a Right-In/Right-Out access to Dayton Valley Road, to the satisfaction of the Lyon County Road Director and Community Development Director. Up to 45 lots would still be allowed with this conditioned access adjustment.
 27. 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.
 28. Distinct and legible "temporary" addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.
 29. 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.
 30. 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.
 31. No lot shall be offered for sale or sold until the final subdivision map has been approved and recorded.
 32. 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.
 33. 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.
 34. 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.
 35. 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.
 36. 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.
 37. The applicant shall comply with the final subdivision map requirements as prescribed by NRS 278 and Title 11 of the Lyon County Code.

38. Required recording fees to be paid at time of recording map.
39. A phasing plan must be submitted prior to the recordation of the first final map if the development is to be phased.
40. 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.
41. 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.
42. 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.

Harold Ritter seconded and the motion passed by a unanimous vote of those members present: 4 ayes; 0 nay; 2 absent (Rick Jones & Doug Bennett)

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

5. Public participation

None

5. Board member comments

Harold Ritter said he appreciated the correspondence forwarded by the County Manager relating to public lands issues.

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

Rob Pyzel thanked Dustin Homan for his input during this meeting. Mr. Pyzel advised the commission that the Board of Commissioners approved the Hawhee Division into Large Parcels map at their previous meeting and reminded them about the upcoming workshop regarding Title 15 at the next Board of Commissioner's meeting.

Jeff Page, County Manager, reported that the Board of Commissioners will be reviewing Title 15 and taking action to recommend any proposed revisions to staff. Mr. Page said he has asked staff to review the document to clean up language that might require the county to administer or regulate areas in which we don't have either the personnel or the expertise. He said his goal is to present the final revision to the Board of Commissioners for proposal, in November with final action being taken in December. The process of implementation will be next and will be more challenging.

Mr. Page said that Ed James, Carson Water Subconservancy District, will be attending the next Board meeting to brief them on issues relating to the state's investigation on domestic wells, etc.

Mr. Page added that as we move forward with the reorganizing of the Community Development Department, changes will be made in adding other "not traditionally community development work" duties to that department. He said they are looking to move code enforcement and possibly business licensing to the duties of the department after the new year.

Harold Ritter said he attended the meeting conducted by the state, regarding domestic wells. He said the State Engineer's office discussed options for existing well-owners to assist them if there is a problem with water levels in the future and it was decided that they would not to be involved in installing water meters on domestic wells which would not have been well received. Mr. Ritter said the State Engineer is trying to figure a way out of the over-allocation situation that has developed over the years without cutting off water to the senior users. Betty Retzer, who also attended the meeting, said that their curtailment plan would be to disallow the use of all domestic wells which would eliminate the ability to water animals, crops and domestic use. She added that the state is trying to avoid that situation. The State Engineer said that their cut-off point is at 300% over-allocation. Pahrump, NV is the only location currently that point is at a critical point and the engineer is trying to find ways to mitigate the problem. Rob Pyzel said the secondary problem with the over-allocation is

for the possibility of nitrates leaching into the groundwater and that becoming a health hazard. He said the currently, Diamond Valley in Esmeralda County, is the only area designated as a critical management area and they have to develop a water plan to the satisfaction of the state engineer to address the fact that the areas wells are going dry. There are concerns in other areas such as areas of Douglas County and Silver Springs in Lyon County, but the state engineer does not have the power to curtail well use unless an area is designated as a critical management area. Mr. Pyzel said the state engineer is looking to do a tiered program rather than imposing immediate curtailment measures and only in those areas designated as critical management areas.

Dave Snelgrove asked the members if they currently receive emails or notifications from the American Planning Association. He said he would forward pertinent information to them as he receives it.

PUBLIC PARTICIPATION

Maralyn Abrott, Smith Valley resident, said she also attended the "water" meeting conducted by the state and asked if a solution for her area might be to limit parcel sizes to 5 acres or more to minimize the amount of domestic wells necessary. Betty Retzer said that discussion should be brought forward at the time of the development of the community master plans. Discussion followed.

ADJOURNMENT

At approximately 11.57 A.M. it was unanimously motioned that the meeting be adjourned.

Betty Retzer, Chairperson

ATTEST:

Kerry Page, Planning Assistant



LYON COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

BUILDING • DEVELOPMENT ENGINEERING • PLANNING

DAVE SNELGROVE
COMMUNITY DEVELOPMENT DIRECTOR

27 S. MAIN STREET
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(775) 463-6591
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Lyon County Planning Commission

PLZ-16-0027 Tentative Map of the Riverpark Dunes, Unit 2C, Subdivision

Meeting Date: October 11, 2016

Owner: Riverpark Dunes, LLC/Randy Butler, Esq.

Applicant: Same

Area Location: Dayton

Parcel Numbers: 019-924-013

Zoning: E-1 (First Estate Residential – 12,000 square feet)

Master Plan: Suburban Residential

Flood Zone: X Shaded

Case Planner: Rob Pyzel

Community Development Director Approval:

Request:

The applicant requests to re-establish an expired tentative subdivision map for Riverpark Phase 2B (also known as Riverpark Dunes Unit 2). The remainder Parcel 2 shown on the recorded final map of Riverpark Dunes Unit 2B (Document #451840) is 23.34 acres in size. The applicant requests approval of a tentative subdivision map to create 58 lots with the same lot configuration, same street layout and the same lot widths, lengths and acreage as the previously approved original tentative map that has expired.

Staff Recommendation:

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

Suggested Motion:

The Lyon County Planning Commission finds that the Tentative Subdivision Map for Riverpark Dunes Unit 2C 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 Tentative Subdivision Map for Riverpark Dunes Unit 2C Subdivision in Dayton, as identified on Assessor's Parcel Map 019-924-013 (PLZ 16-0027), 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 E-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 E-1 zoning district and in accordance with the following:
 - a. The street alignments (both horizontal and vertical) 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 paved streets, gutter and curbs may need some repair work due to possible shrinkage and lack of use. The Road Superintendent will make the determination as to whether the existing pavement, curbs and gutters will need to be repaired/replaced. If replacement/repair is necessary, then the new street infrastructure would need to comply with the current County Standards.

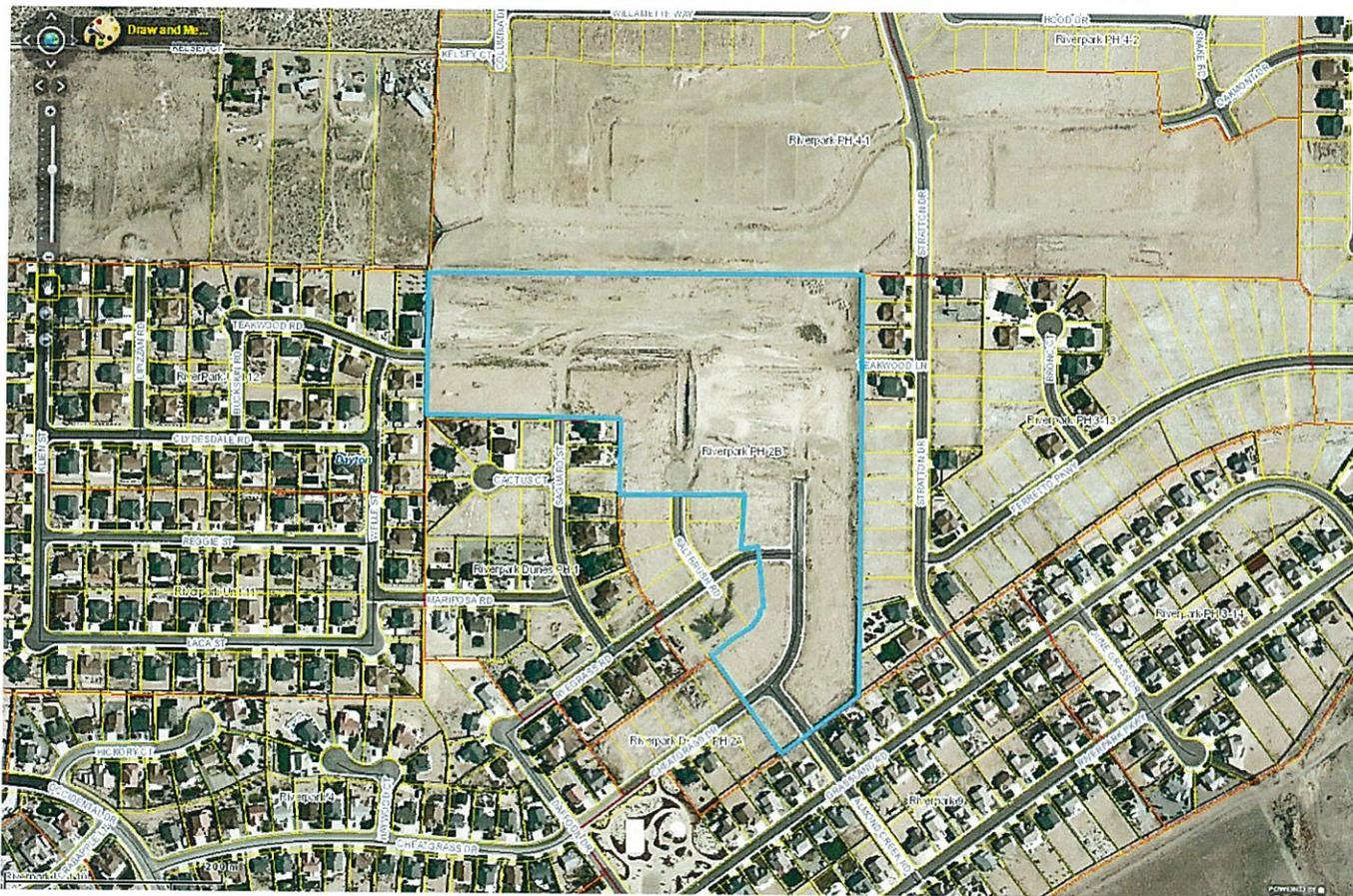
7. The applicant shall make a perpetual offer of dedication for the right-of-way for all streets and roadways within the proposed subdivision. The County **rejects the offer of dedication at this time and** will not accept the offer of dedication until at least 90% of the lots within the respective unit have been developed, the improvements are inspected and approved by the County, and the County accepts the improvements for maintenance.
8. The final map will include the dedication on all of the lots a 10-foot public utility easement across the front property lines of the lots and 5-foot public utility easements along the remaining property lines with the final subdivision map.
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 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.
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 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.

15. 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.
16. The applicant shall conduct further investigation and testing is needed to ensure that the existing sewer and storm drain lines to verify they are in good working condition. If the existing water lines have been in use, then they should be fine. However if the water lines have not been in use, then the water lines would need to be inspected and tested as well. If the existing water, sewer and storm drain infrastructure does need to be replaced/repaired, then the repair/replacement would need to comply with the current County Standards.
17. 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.
18. 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.
19. 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.
20. 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.
21. 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.
22. 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.

23. Distinct and legible "temporary" addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.
24. No lot shall be offered for sale or sold until the final subdivision map has been approved and recorded.
25. 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.
26. 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.
27. The applicant shall post and maintain a rules and regulations sign at the entryways to the property until it is fully developed. The signs shall be intended for the subcontractors performing work and shall include: 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.
28. All debris on construction sites must be contained and removed periodically as required for safety and cleanliness to the satisfaction of the Lyon County Community Development Department.
29. 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.
30. The applicant shall comply with the final subdivision map requirements as prescribed by NRS 278 and Title 11 of the Lyon County Code.
31. Required recording fees to be paid at time of recording map.
32. A phasing plan must be submitted prior to the recordation of the first final map if the development is to be phased.
33. 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.
34. 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.
35. 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.

Location:

The subdivision is generally located south of Fort Churchill Road and west of Stratton Drive and specifically at the current terminus of Almond Creek Road, Cheatgrass Road, Ryegrass Road and Teakwood Road, Dayton, NV.



Size:

The subject site is 23.34 acres in size.

The Tentative Map proposes to create 58 single family residential lots varying in size from 12,000 square feet (“sq. ft.”) to 21,445 sq. ft. on 23.34 acres, a density of approximately 2.5 dwelling units per acre. The proposed lots would be in compliance with the minimum lot size requirements of the E-1 zoning district. The proposed lots are also in conformance with the E-1 zoning district’s minimum average lot width (70 feet). The proposed lot layout appears to match the previously approved tentative subdivision map in terms of lot configuration and layout (in regard to lot size, lot widths and depths, and street design).

Background:

The original Tentative Subdivision Map for Riverpark Dunes (originally designated as Riverpark Phase 2) was originally approved by the Board of Commissioners on April 4, 2002. Phases 5 and 6 of that Tentative Subdivision Map were later changed to Riverpark Dunes Units 1, 2 & 3. Riverpark Dunes Unit 2 was subsequently to be developed as Units 2A, 2B and 2C.

Nevada Revised Statutes (“NRS”) Section 278.360 regulates the time line requirements for the filing of final subdivision maps after a tentative subdivision map has been approved by the Commission:

“NRS.278.360 Requirements for presentation of final map or series of final maps; extensions of time.

1. *Unless a longer time is provided in an agreement entered into pursuant to NRS 278.0201 or 278.350:*
 - (a) *Unless the time is extended, the subdivider shall present to the governing body, or the planning commission or the director of planning or other authorized person or agency if authorized to take final action by the governing body, within 4 years after the approval of a tentative map:*
 - (1) *A final map, prepared in accordance with the tentative map, for the entire area for which a tentative map has been approved; or*
 - (2) *The first of a series of final maps covering a portion of the approved tentative map. If the subdivider elects to present a successive map in a series of final maps, each covering a portion of the approved tentative map, the subdivider shall present to the governing body, or the planning commission or the director of planning or other authorized person or agency if authorized to take final action by the governing body, on or before the second anniversary of the date on which the subdivider recorded the first in the series of final maps:*
 - (I) *A final map, prepared in accordance with the tentative map, for the entire area for which the tentative map has been approved; or*
 - (II) *The next final map in the series of final maps covering a portion of the approved tentative map.*
 - (b) *If the subdivider fails to comply with the provisions of paragraph (a), all proceedings concerning the subdivision are terminated.*
 - (c) *The governing body or planning commission may grant an extension of not more than 2 years for the presentation of any final map after the 2-year period for presenting a successive final map has expired.” (Underlining for emphasis by staff)*

In essence the developer (or subdivider per NRS) has up to four (4) years from the date of the approval of a tentative subdivision map to submit either:

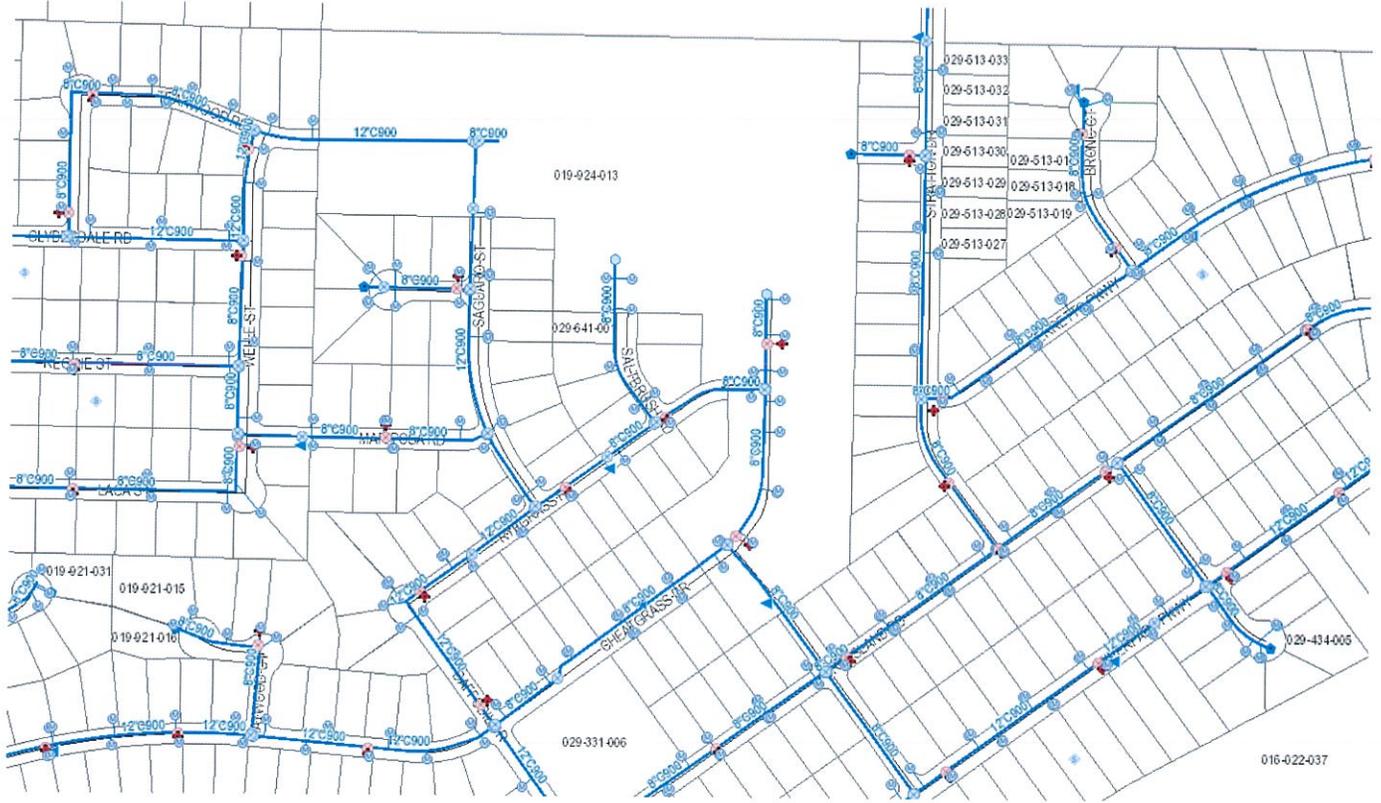
- a) a final map of the subject site approved for development through the tentative subdivision map; or
- b) the first in a series of final maps covering subject site if the subdivision is to be developed in phases.

If the developer elects to do a phased approach to the subdivision, then the developer has two years from the date the last in the series of final maps recorded to submit the next in the series of final maps. If the developer fails to submit the next in a series of final maps to the governing body, then the tentative subdivision map approval is terminated. In order to re-institute the subdividing of the subject site, a new tentative subdivision map must be approved in order to file final subdivision maps for the remaining portion of the subject site.

The last recorded final subdivision map involving the Riverpark Dunes Subdivision was for Riverpark Dunes Unit 2B (Document #451840) was recorded on December 3, 2009. The length of time between the current date and the last recorded final map date exceeds the two-year time line in which to submit the next-in-a-series final subdivision maps for the Riverpark Dunes tentative subdivision map. As such, a new tentative subdivision map is required in order to proceed with the further development of the subject site as envisioned between 2002 through 2009 by the developer and the County.

All of the off-site improvements required with the April 2002 approval of the original Tentative Subdivision Map for Riverpark Dunes have been completed as a part of the development of Unit 2A and Unit 2B. These improvements include the domestic water, domestic sewer, storm drain and roadway infrastructure have been installed up to the subject site.

Water:



Sewer:



Storm Drain:



Mass grading on the subject site has been completed. However the final grading of the previously approved pad sites was not completed. Major infrastructure has been installed within a portion of the subject site prior to when the county went into a deep economic recession and stopped all on-site construction.

(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.

(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;

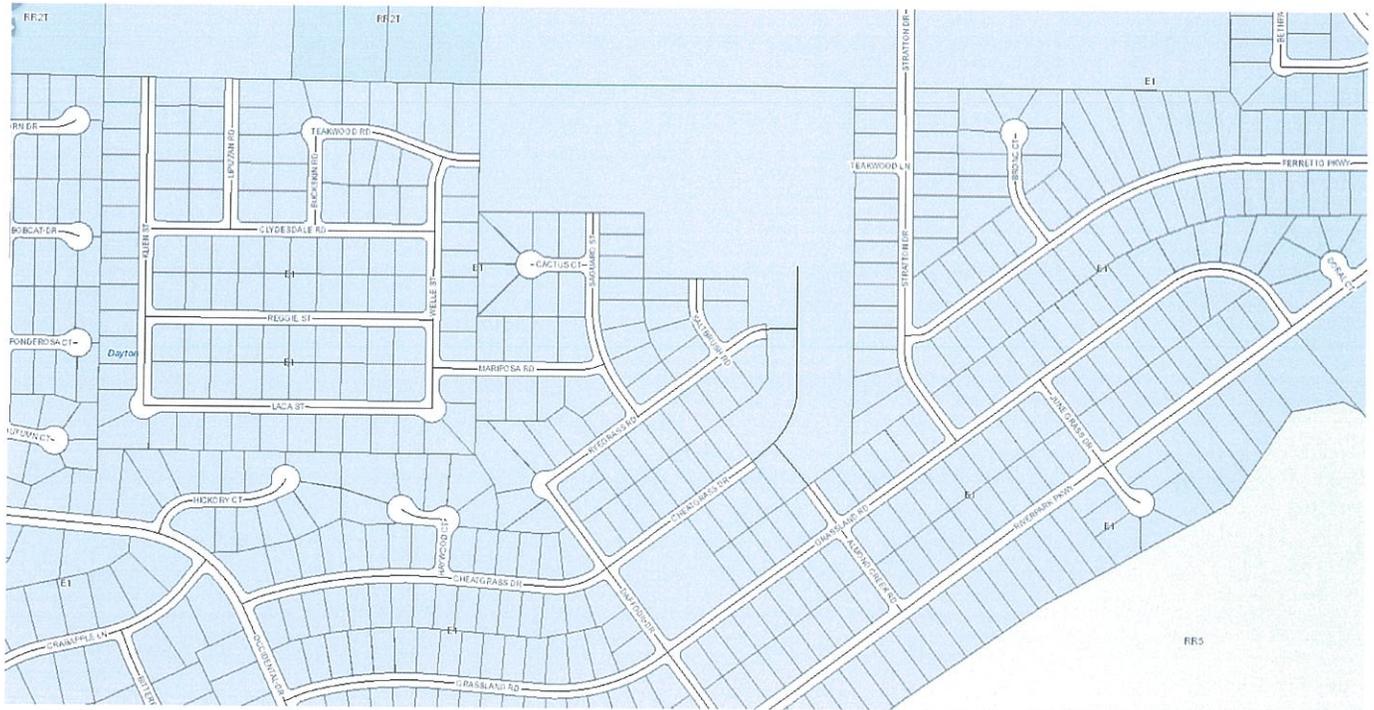
The subject site is located within walking distance of Riverview Elementary School as well as a County park located on the east side of Daffodil Drive between Grassland Road and Cheatgrass Drive. The site is also within a short drive to both the Sheriff's Dayton satellite office and Central Lyon County Fire Protection District Fire Station #38.

(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 has Dayton designated as a Suburban Character District and has the land use designation of Suburban Residential for the subject site. The Suburban Residential land use designation includes a range of residential density from one dwelling unit per acre (1 DU/AC) to 18 DU/AC. As noted above, the density of the proposed tentative subdivision map is 2.5 DU/AC which is in conformance with the 2010 Comprehensive Master Plan land use designation for the area that the subject site is located.



The subject site is currently zoned E-1 (First Estates).



The tentative subdivision map is in compliance with the E-1 zoning district as:

- The tentative subdivision map will create single family residential lots;
- The minimum lot areas will be equal to or greater than the net 12,000 square feet minimum requirement;
- The minimum lot widths will be greater than the minimum 70 feet;
- The building setbacks from adjoining property lines for the single family residential development will conform to the E-1 zoning district standards (front yard setbacks: 25 feet; rear yard setbacks: 20 feet; and side yard setbacks: 10 feet) in compliance with the minimum E-1 zoning setbacks;

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

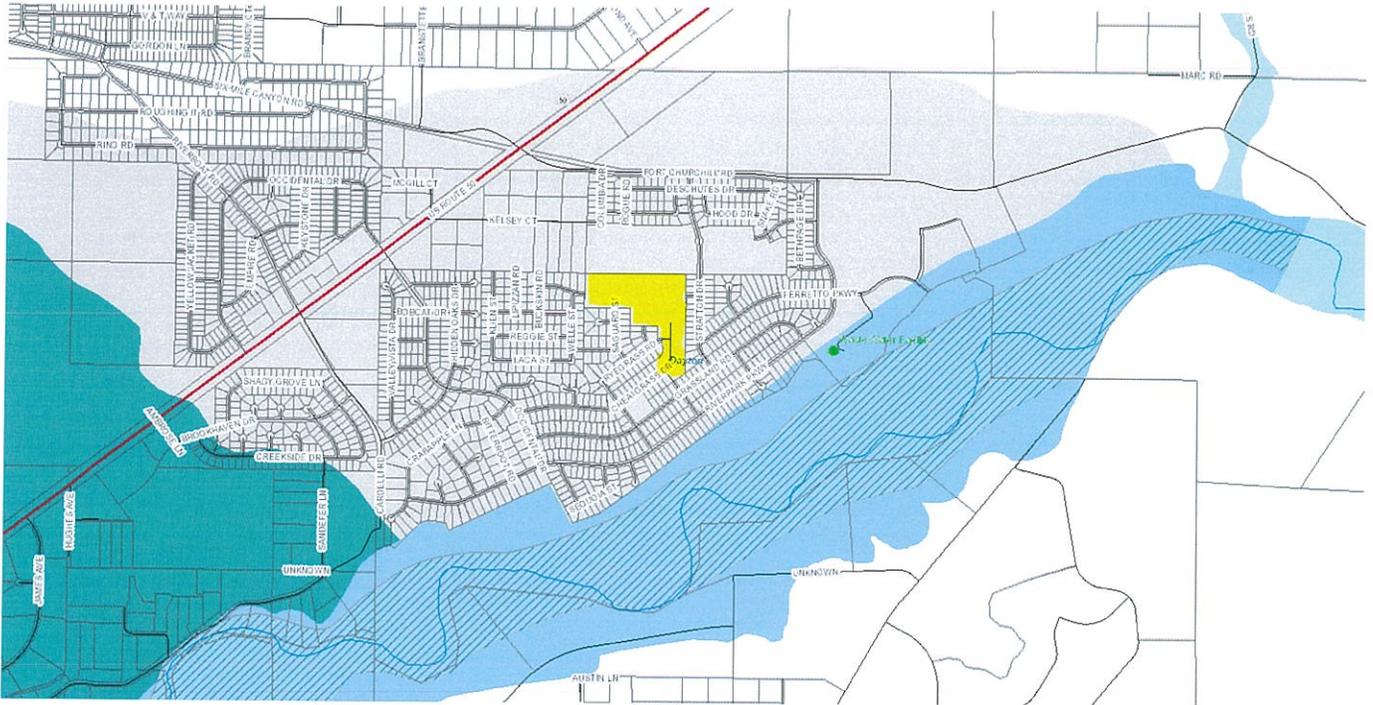
The project is in conformance with the 2010 Comprehensive Master Plan's Integrated Roadway Network for Dayton. The project will have access to Highway 50 by way of Fort Churchill Road via Teakwood Lane, Cheatgrass Drive, Almond Creek Road, Grassland Road and Stratton Drive.

(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 original tentative subdivision map included the subject site as consisting of 58 single family residential lots. The traffic report submitted with that application indicated that the effect of the proposed subdivision on existing public streets would be minimal as the streets were design to accommodate the anticipated traffic from full build-out of the Riverpark area which included the Riverpark Dunes site. As a part of the current Riverpark Dunes Unit 2C tentative subdivision map, a traffic letter from a professional engineer licensed in the State of Nevada who specializes in traffic engineering was submitted indicating that in his professional opinion, there would be no adverse traffic impacts caused by this project.

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

The subject site is located in an area designated as X Shaded by the current FEMA flood maps.



Per Title 12 of the Lyon County Code, X Shaded Zone areas are either:

- Areas of one percent (1%) annual chance of sheet flow flooding where average depths are less than one foot (1');
- Areas of 1% annual chance of annual flooding where the contributing drainage is less than one square mile; or
- Areas protected from the annual 1% annual chance by levees.

New construction in the X Shaded Zone requires that where the base flood elevation has been established, the lowest floor has to be elevated a minimum of 1' above the base flood elevation.

The site is relatively flat and portions of the site have already been graded since 2009 in anticipation of development. The remaining physical characteristics of the subject site (slopes and soils) do not preclude development of the site.

(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 ("CLCFPD") had not commented on the application at the time of the writing of the staff report. Staff anticipates given that this tentative subdivision map application is an infill project per se, that water lines are readily available and the location of Fire Station #38 to the

subject site, the CLCFPD is of the opinion that the availability and access of fire protection including water and services for the prevention and containment of fire is satisfactory and there is no need to provide a comment.

(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 owner (Riverpark Dunes LLC) 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:

No new street names are necessary for the proposed tentative subdivision map – all of the streets proposed to pass through the site are already named.

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 traffic review letter from the same traffic engineer licensed in the State of Nevada stating that compiled the original traffic study in 2002. The traffic review letter states that the conditions that existed in 2009 for the subject site are still applicable today. The traffic impacts associated with the proposed 58-lot detached single family residential use would be anticipated to generate 552 average daily trips ("ADTs") and that this amount of ADTs were anticipated and the resulting street system and roadway connections were designed to accommodate this traffic.

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;
- The existing paved streets, gutter and curbs may need some repair work due to possible shrinkage of the asphalt concrete and concrete used in 2008-2009. The Road Superintendent will make the determination as to whether the existing pavement, curbs and gutters will need to be repaired/replaced. If replacement/repair is necessary, then the new street infrastructure would need to comply with the current County Standards.

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.

The Lyon County Utilities Department Director commented that:

- Similar to the existing street improvements, further investigation and testing is needed to ensure that the existing sewer and storm drain lines to verify they are in good working condition.

- If the existing water lines have been in use, then they should be fine.
- However if the water lines have not been in use, then the water lines would need to be inspected and tested as well.
- If the existing water, sewer and storm drain infrastructure does need to be replaced/repared, then the repair/replacement would need to comply with the current County Standards.

Utilities:

Title 11 of the Lyon County Code (see 11.07.14 D (6)) requires the applicant to install underground utilities. All utilities shall be located 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 where utilities will be located. The tentative map places 5-foot PUEs along the sides of the lots, but will need to dedicate the 7.5-foot front and 5-foot rear PUEs with the final subdivision map.

Drainage Improvements:

The applicant has submitted a Conceptual Drainage plan with the tentative subdivision map application materials. Essentially all of the drainage is being placed onto the street system and conducted into the storm drain system where it will eventually flow to the Carson River. As a part of the final subdivision map application, the applicant's representatives will submit a final drainage study of the subject site that will address the storm water 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 (as revised 2006) 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 final subdivision 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 Shaded" flood zone. As noted above in the staff report, the X Shaded flood zone are areas, per Title 12 of the Lyon County Code, X Shaded Zone areas are either:

- Areas of one percent (1%) annual chance of sheet flow flooding where average depths are less than one foot (1');
- Areas of 1% annual chance of annual flooding where the contributing drainage is less than one square mile; or
- Areas protected from the annual 1% annual chance by levees.

The X Shaded flood zone designation means all new construction in the X Shaded Zone will be required where the base flood elevation has been established to elevate the lowest floor a minimum of 1' above the base flood elevation.

Geotechnical Analysis:

A geotechnical investigation for the Riverpark Dunes Subdivision was submitted in February 20, 2002 by SRK Consulting as a part of the original tentative subdivision map application. The investigation addressed the suitability of the proposed development from a geotechnical perspective and any potential geologic hazards. The investigation stated that in a geotechnical sense the site is well-suited to host the proposed residential subdivision and commercial developments. No changes have occurred since the submittal of that geotechnical report, the majority of Riverpark Dunes has been developed and as such, staff is of the opinion that no new geotechnical analysis was necessary for the re-establishment of the Riverpark Dunes Unit 2C Tentative Subdivision Map.

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 the Riverpark Dunes 2C Tentative Subdivision Map with the recommended findings and the suggested conditions listed in the top of 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 Riverpark Dunes 2C Tentative Subdivision Map, 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 Riverpark Dunes 2C Tentative Subdivision Map.

Based on the above finding and with the applicant's concurrence, the Lyon County Planning Commission continues the request for the Riverpark Dunes 2C Tentative Subdivision Map in Dayton, as identified on Assessor's Parcel Map 019-924-013 (PLZ 16-0027), for __ days.

Alternative for Denial:

If the Commission determines that the request for the Riverpark Dunes 2C Tentative Subdivision Map 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 Riverpark Dunes 2C 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 Riverpark Dunes 2C Tentative Subdivision Map in Dayton, as identified on Assessor's Parcel Map 019-924-013 (PLZ 16-0027).

TEC Job # RDunes006

Riverpark Dunes Tentative Subdivision Map

Prepared for:
Riverpark Dunes, LLC
PO Box 10989
Zephyr Cove, NV 89448
Attn: Randy Butler, Esq
(775) 815-7385

Prepared by:
TEC Civil Engineering Consultants
9480 Double Diamond Parkway, Suite 200
Reno, Nevada 89521
Attn: J.R. Hildebrand, PE
(775) 352-7800 X-241



August 15, 2015

Contents

Introduction:	1
Project Location:	2
Existing Conditions:	2
Project Description:	3
Justification:	4

Introduction:

This is a residential tentative subdivision map application for a 58 lot project located within the Mark Twain area of Dayton, Nevada. The property carries a Lyon County Master Plan Land Use Designation of 'Suburbanizing' which is described to be *'areas that are predominately medium to high density residential developments 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).'*

The subject property carries a Zoning designation of E-1 First Estates Residential District which has the following site and structure requirements:

1. Lot Area: Required area is twelve thousand (12,000) square feet minimum, excluding road rights of way.
2. Lot Width: Each lot shall be a minimum of seventy feet (70') average width.
3. Density: There may only be one single-family dwelling on each lot or parcel.
4. Setbacks: Except as otherwise provided, setbacks shall be as follows:
 - a. Front yard: Not less than twenty five feet (25').
 - b. Side yards: Not less than ten feet (10').
 - c. Rear yard: Not less than twenty feet (20').

The property had previously been Tentative Mapped; it was a portion of the approved Riverpark Phase 2 Tentative Subdivision which expired several years ago. This application seeks to reinstate the previously approved tentative map with the same number of residential lots, same roadway patterns, same lot configuration, lot widths, depths and acreage.

Under the previously approved Tentative Map, the developer of the subject site completed several civil land improvements. These include but may not be limited to: the design, review and permitting for the mass grading of the entire site, the design review and permitting for various domestic water, sanitary sewer and storm drainage infrastructure and the design, review and permitting for surface roadway improvements including asphalt streets, concrete curb gutter and sidewalks, street lamps, stop signage, etc.

The northerly portion, previously known as Unit 3, has been planned for, and grading plans were designed, reviewed and permitted by Lyon County and the site was mass graded to accommodate the street configuration and residential lots of this proposed tentative subdivision map. In addition to the mass grading, an adjoining section of the Riverpark residential community, coordinated with Riverpark Dunes to record a public utility, maintenance and access easement through what would be a future public street. Within this easement corridor, the adjacent property constructed domestic water, sanitary sewer and storm drainage infrastructure that was designed, reviewed and permitted by Lyon County, and is in such a condition to serve the future lots of this project.

Project Description:

This is a residential tentative subdivision map application for a 58 lot project located within the Mark Twain area of Dayton, Nevada. The project is being proposed as such:

Residential Lots: The overall lot density is proposed to be 2.5 Lots per Acre. The largest lot proposed is 21,445 sq ft (0.49 Ac) whereas the smallest is 12,000 sf conforming to the minimum lot size allowed under the E1 zoning. The typical lot would be 76' wide and an approximate 157' deep; incorporating the 10' sideyard setbacks, these residential lots would accommodate a housing model as wide as 56' wide.

Roadways: Every right of way street within the tentative map are proposed to be standard Lyon County 50' wide residential street. This consist of 37' of asphalt (two 14' travel lanes plus 4.5' of asphalt shoulder on each side of centerline), a standard Lyon County rolled concrete curb, and 4' wide concrete sidewalks on both sides of the street.

All future roadways are proposed to conform to existing (2016) Lyon County design standards and specifications. The southerly portion of the project, previously known as Unit 2C, was designed, permitted and constructed in 2006 and conformed to the Lyon County design standards and specifications at that time. Lyon County has changed very little within the design code between 2006 and 2016, however there are some slight modifications to some of the specifications. This application proposes to allow all the previously constructed infrastructure and surface improvements, and would seek to dedicate them to Lyon County at the appropriate time of final mapping as acceptable facilities.

Project Location:

The subject site is a 23.34 acre area at the terminus of Cheatgrass Road, Dayton Nevada in the Mark Twain area. The project is an infill site, centrally located within the Riverpark residential community. Currently there are comparable residential homes located upon identical lot configurations on three of the four adjacent property boundaries, and the property to the north, the fourth boundary was approved for a comparable tentative map less than a year ago.

The subject site can be located upon the vicinity map attached to this report, and is further known as Lyon County APN 19-924-13.

Existing Conditions:

The site currently consists primarily in two different conditions:

The southerly portion, previously known as Riverpark Dunes Unit 2C, would consist of the first final map phase of this tentative map. It would include a total of 15 residential lots that was previously designed, reviewed, permitted and full residential subdivision civil improvements that include, domestic water, sanitary sewer and storm drainage infrastructure and the design, review and permitting for surface roadway improvements including asphalt streets, concrete curb gutter and sidewalks, street lamps, stop signage, were constructed and inspected by Lyon County Staff.

At the conclusion of the construction work, a final review of the site with Lyon County Staff was conducted, and the roadway and utility infrastructure was deemed acceptable at the time for dedication to Lyon County, however no Final Subdivision Map for the subject area Unit 2C was ever recorded. Units 2A and 2B, each 10 lot residential tracts, located immediately adjacent to 2C were recorded and the right of ways for those two phases were dedicated to Lyon County, however never the areas of Unit 2C.

Without a map that would indicate the phase lines, as one walks the site it would be impossible to recognize where the Lyon County roadways from Units 2A and 2B end and where the non-dedicated roadway from Unit 2C would begin. Although legal easements were created for these improvements, and Lyon County has been performing some maintenance upon them, because the final map was never recorded, these were not officially dedicated. The development would seek to have those roadways dedicated in their current state with the final map.

Utilities: All proposed lots will have domestic water serviced by and sanitary sewer disposal serviced by Lyon County Utilities. Electricity for the community, including both residential lots and street lighting will be provided by Nevada Energy. Natural gas will be provided by Southwest Gas. Telephone service provided by AT&T and cable television by Charter Communications.

Grading, slopes and adjacent properties: The proposed tentative map is an infill site that had previously been planned for, designed around, mass graded and laid out in a configuration that will allow for a seamless intertie to the adjoining properties and roadways. One small length of Cheatgrass Road (approximately 100') would be as steep as 7% however most all areas of the community would be constructed at a mild grade of 1% to 2% and no sideyard or backyard slopes would be steeper than a 3:1 horizontal to vertical. No offsite grading of properties outside of the boundary limits of this tentative map are proposed, and due to the fact that it was previously mass graded, we do not anticipate much, if any, importation or exportation of soils off the site.

Justification:

The proposed tentative map is an infill property that was previously planned for, designed around, mass graded and/or has completed subdivision civil improvements in place. The site was previously tentatively mapped for this configuration and residential lot mix, however the tentative map approval did expire. The proposed tentative map conforms to the Lyon County Master Plans policies and goals and the proposed map conforms to the criteria of the E-1 First Estates residential zoning with no variances.

FUTURE RIVERPARK PHASE 4
EXISTING TENTATIVE MAP



CIVIL
ENGINEERING
CONSULTANTS

RIVERPARK DUNES
TENTATIVE MAP
SHT 2 OF 4

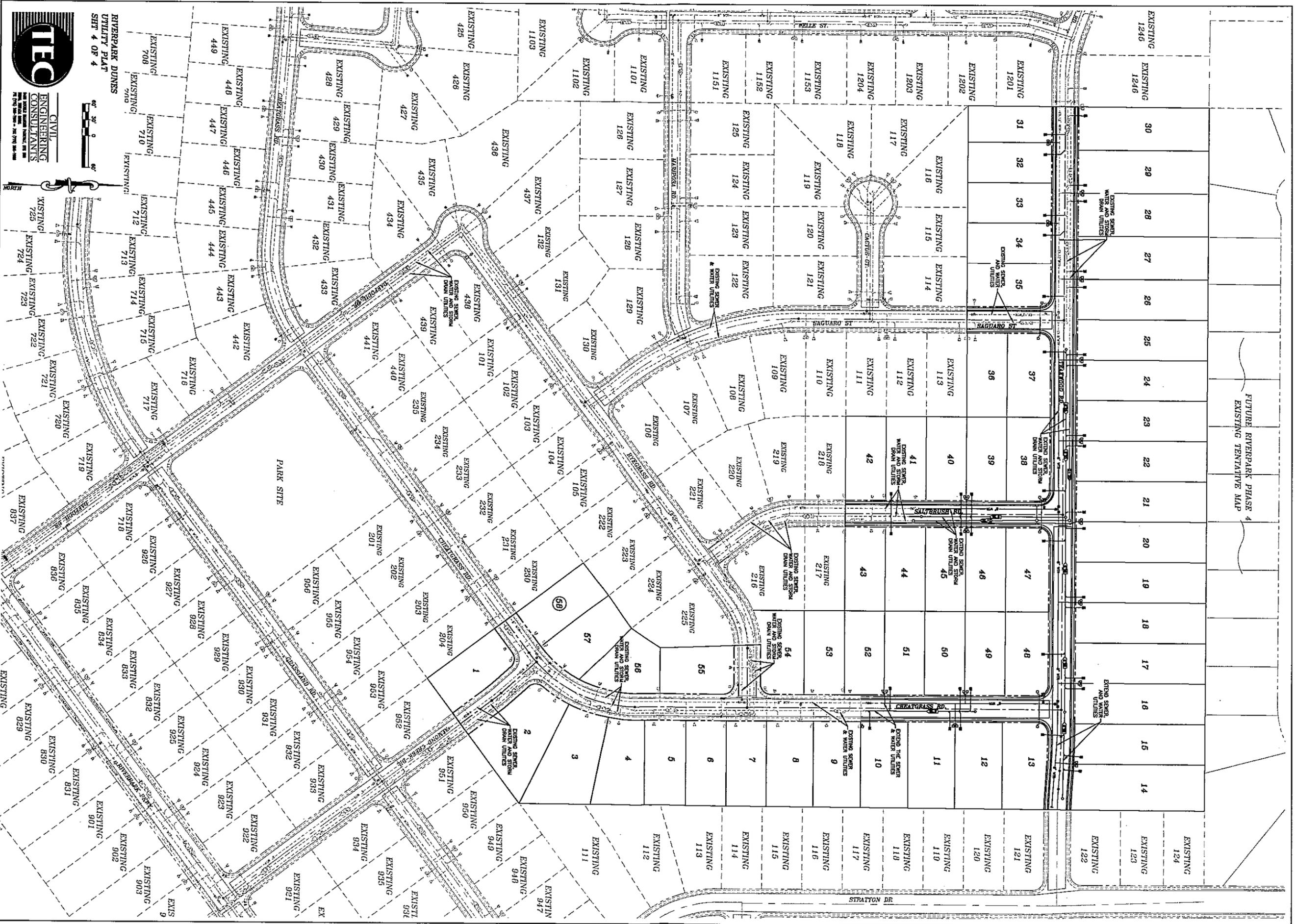


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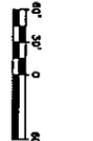
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FUTURE RIVERPARK PHASE 4
EXISTING TENTATIVE MAP 4



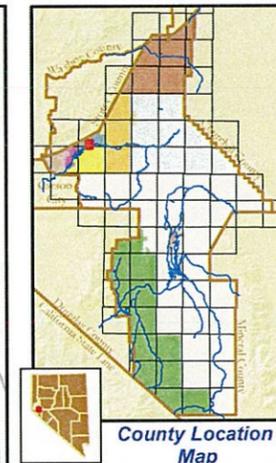
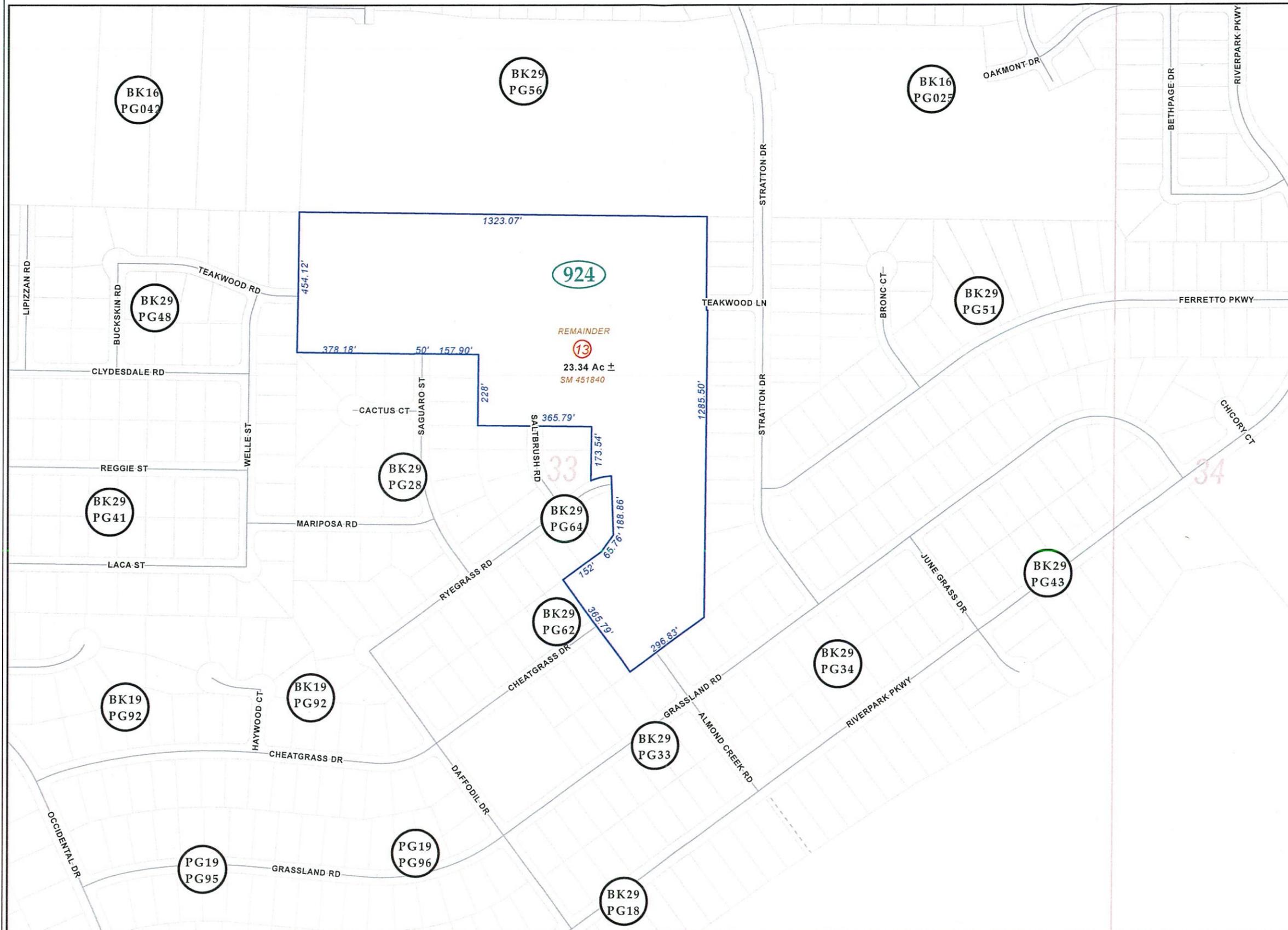
RIVERPARK DUNES
UTILITY PLAN
SHT 4 OF 4



TEC
CIVIL ENGINEERING
CONSULTANTS
10000 W. BROADWAY, SUITE 100
DENVER, CO 80231
TEL: 303.733.8888
FAX: 303.733.8889

Portion S 1/2 Sections 33 & 34, T17N-R22E, MD&M

19-924



Map Elements

- 1/4 Corner Section
- Section Ties
- Dimensions
- Parcel Lot
- Parcel Number
- 0.13 Ac. Acreage of Parcel
- PM 136149 Recorded Map Image
- Parcel Boundaries
- Block Number
- Parcel Book & Page Number
- Page Number

Cities & Townships

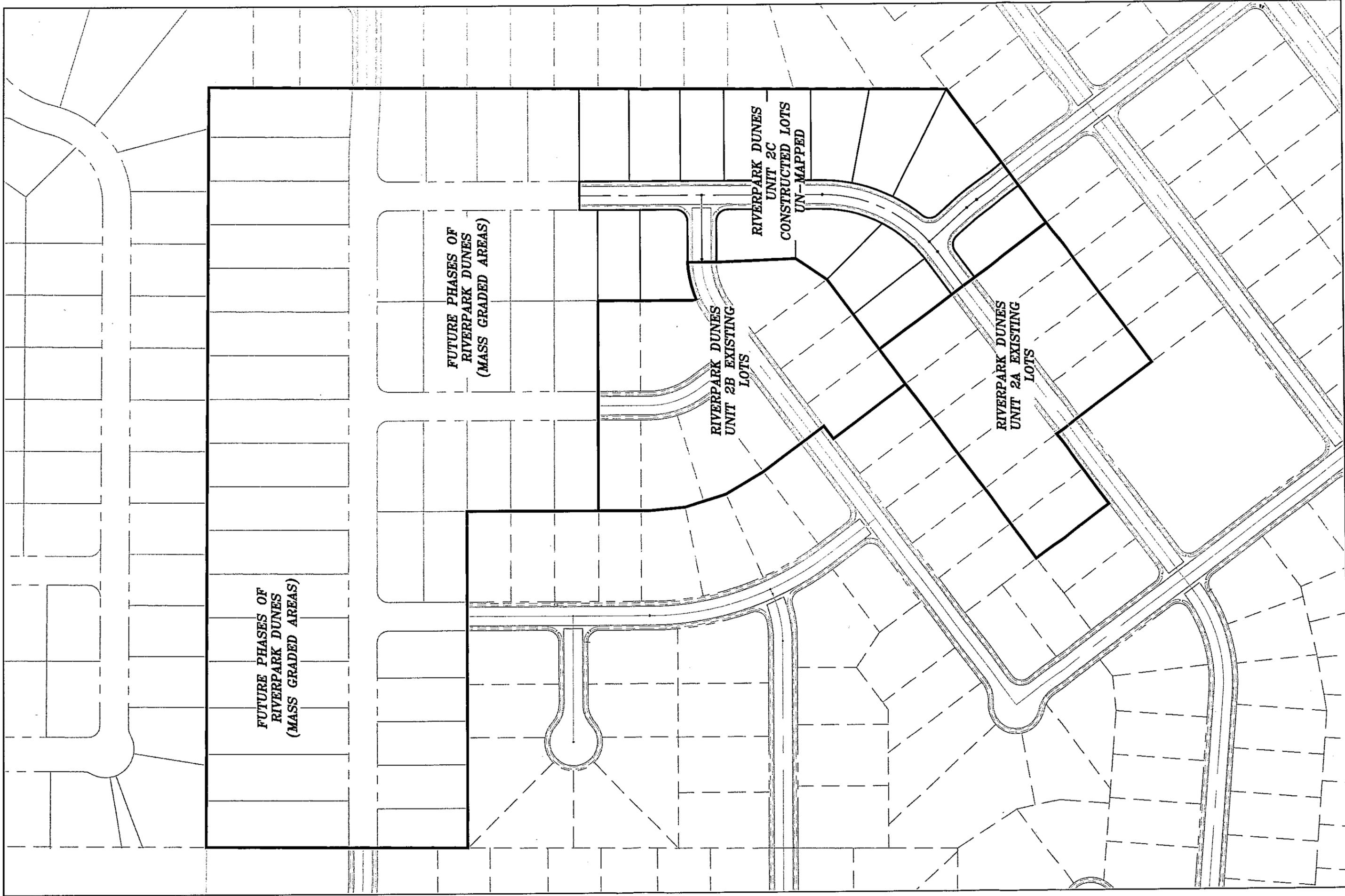
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- Fernley
- Mark Twain
- Mason Valley
- Mound House
- Silver City
- Silver Springs
- Smith Valley
- Stagecoach
- Yerington

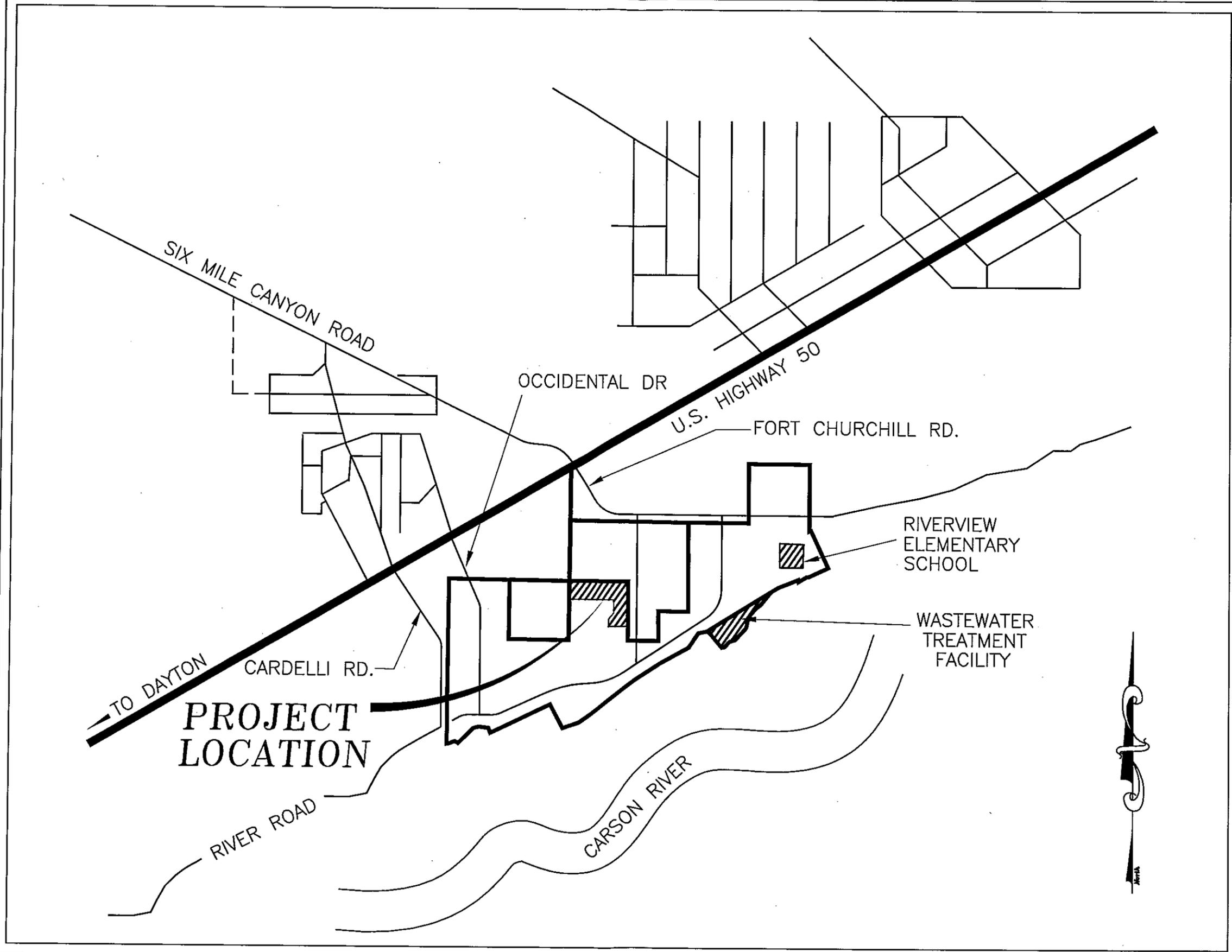
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Revised: December 7, 2009



NOTE: This is for assessment use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon. Use of this plat for other than assessment purposes is forbidden unless approved by the Lyon County Assessor's Office.

UNIT 2 EXHIBIT





**PROJECT
LOCATION**

VICINITY MAP



LYON COUNTY UTILITIES DEPARTMENT

34 Lakes Blvd. Suite 103
P.O. Box 1699
Dayton, Nevada 89403

Phone: (775) 246-6220 Fax: (775) 246-6223
www.lyon-county.org

This Institution is an Equal Opportunity Provider and Employer.

August 10, 2016

Department of Human Resources
Health Division
901 S. Stewart Street, Suite 4001
Carson City, NV 89701

RE: Intent to Serve - Sewer
Riverpark Dunes Tentative Map - APN #019-924-13
58 Single Family Residential Units

Ladies and Gentlemen:

This is to advise that it is our intent to serve sewer to the Riverpark Dunes Tentative Map with 58 single family residences located on APN # 019-924-13 in the Riverpark area.

The following conditions apply to this intent to serve:

- 1) Any needed on or offsite sewer system improvements are to be built by the developer, approved by Lyon County and the State and upon Lyon County inspection and acceptance, must be turned over to Lyon County Utilities. Please note that the actual location of the water and sewer mains differ from the plans submitted with your application for this Intent to Serve Request. (See Attached Map)
- 2) Lyon County Utilities will be supplied with a legal description of the proposed subdivision.
- 3) Acceptance by and expansion of Lyon County Utilities sewer system appurtenant to this property will be done at the developer's expense including engineering, consulting and legal fees.
- 4) Expansion of the Lyon County Utilities service area (if required) will be done at the developer's expense including, but not limited to, engineering, consulting and legal fees.

Prior to connecting to the Lyon County Utility Department sewer system, the developer must contact our office for an Application for Acceptance to the Lyon County Utilities Sewer System and payment of all associated fees, or this intent to serve is void. The fees are due upon application for a building permit along with the completion of a utility encroachment permit.

This letter will be in effect for one year from date of issue. A development agreement may be required and is to be signed by the developer and Lyon County Utilities prior to a will serve being issued. If the development agreement requirements are not fulfilled, this intent to serve is null and void.

A utility permit must be completed by the developer and approved by Lyon County Utilities prior to the start of construction.

As-built plans in both hard copy and in an electronic form compatible with the County's GIS system must be submitted to Lyon County Utilities by the developer upon completion of the project.

Should there be any questions concerning this intent to serve, please contact me at your convenience.

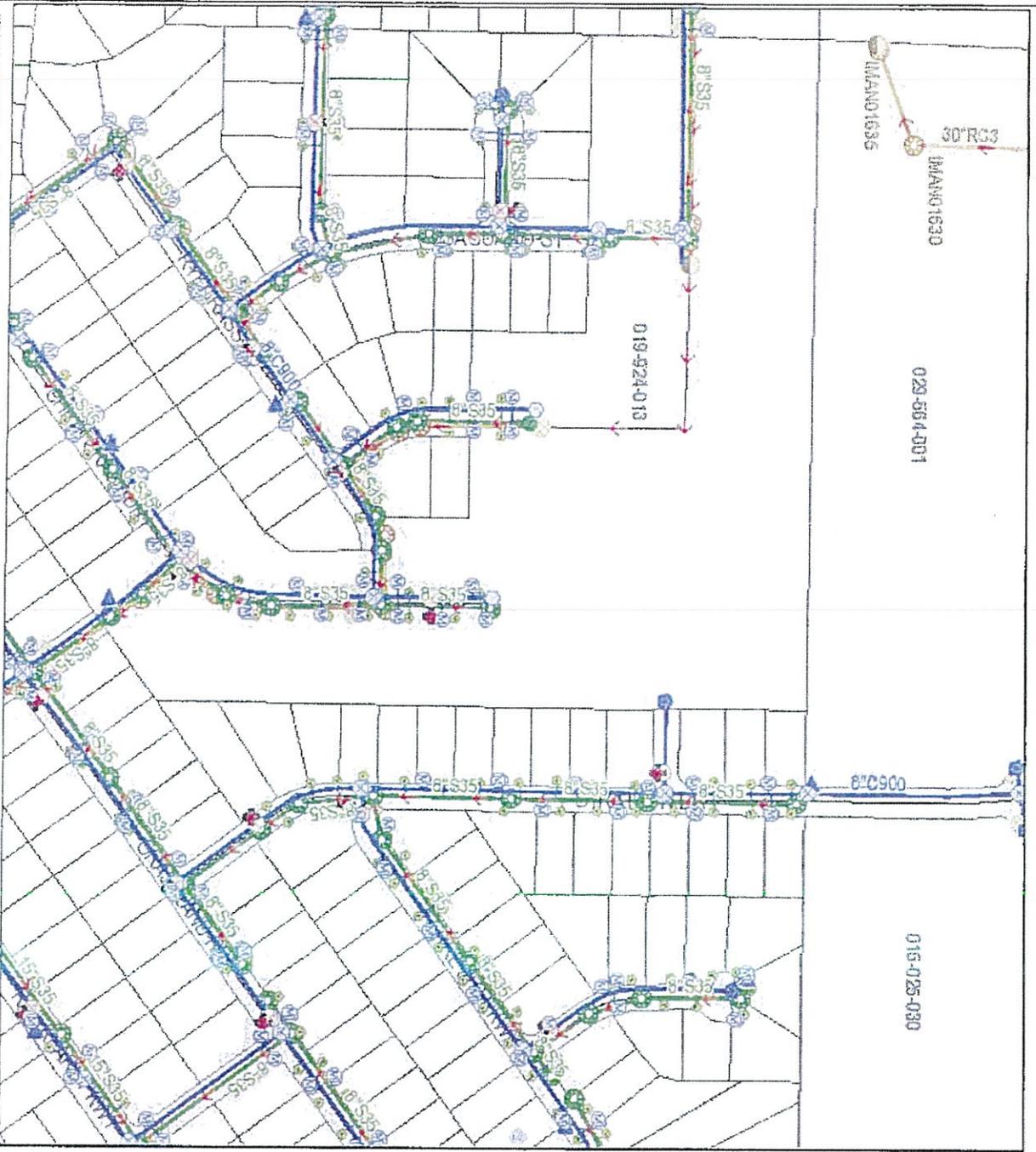
Sincerely,



Mike Workman
Utilities Department Director

MW/mmm

cc: Nevada Div. Of Environmental Protection
Dept. Of Conservation and Natural Resources
- Water Resources Division
Lyon County Community Development Department
Lyon County Building Department
Lyon County Commission
Gary Thornton, TEC Engineering
J. R. Hildebrand, TEC Engineering
Randy Butler, Riverpark Dunes LLC.
File (2)



029-564-001

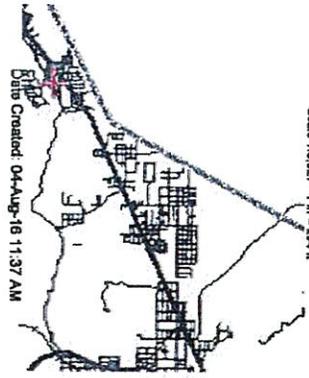
015-025-030

019-924-013

DISCLAIMER: The data contained herein does not represent any definition and should not be construed as a replacement for the authoritative source. No liability is assumed by Fair West Engineering as to the accuracy or security of the data.



Scale: 1/3200' - 1" = 200' R





LYON COUNTY UTILITIES DEPARTMENT

34 Lakes Blvd. Suite 103
P.O. Box 1699
Dayton, Nevada 89403

Phone: (775) 246-6220 Fax: (775) 246-6223
www.lyon-county.org

This Institution is an Equal Opportunity Provider and Employer.
August 10, 2016

Department of Conservation and Natural Resources
Water Resources Division
901 S. Stewart Street, Suite 4001
Carson City, NV 89701

RE: Intent to Serve - Water
Riverpark Dunes Tentative Map -- APN #019-924-13
58 Single Family Residential Units

Ladies and Gentlemen:

This is to advise that it is our intent to serve water to the Riverpark Dunes Tentative Map with 58 single family residences located on APN # 019-924-13 in the Riverpark area.

The following conditions apply to this Intent to Serve:

- 1) Water rights must to be obtained and deeded in good standing to Lyon County by Developer and turned over to Lyon County Utilities to serve said property development and open areas.
- 2) Any needed on or offsite water system improvements are to be built by the developer, approved by Lyon County and the State and upon Lyon County inspection and acceptance, must be turned over to Lyon County Utilities. Please note that the actual location of the water and sewer mains differ from the plans submitted with your application for this Intent to Serve Request. (See Attached Map)
- 3) Lyon County Utilities must be supplied with a legal description of the proposed subdivision.
- 4) Acceptance by and expansion of Lyon County Utilities water system appurtenant to this property will be done at the developer's expense.
- 5) Expansion of the Lyon County Utilities service area (if required) will be done at the developer's expense including, but not limited to, engineering, consulting and legal fees.

Prior to connecting to the Lyon County Utility Department water system, the developer must contact our office for an Application for Acceptance to the Lyon County Utilities Water System and payment of all associated fees, or this intent to serve is void. The fees are due upon application for a building permit along with the completion of a utility encroachment permit.

This letter will be in effect for one year from date of issue. A development agreement may be required and is to be signed by the developer and Lyon County Utilities prior to a will serve being issued. If the development agreement requirements are not fulfilled, this intent to serve is null and void.

A utility permit must be completed by the developer and approved by Lyon County Utilities prior to the start of construction. It is understood that the developer will pay for water meters, water meter sets and pay \$250 (or current costs) per meter pit to Lyon County Utilities to cover the costs of radio read technology before a Will Serve will be issued.

As-built plans in both hard copy and in an electronic form compatible with the County's GIS system must be submitted to Lyon County Utilities by the developer upon completion of the project.

Should there be any questions concerning this intent to serve, please contact me at your convenience.

Sincerely,



Mike Workman
Utilities Department Director

MW/mmm

cc: Nevada Div. Of Environmental Protection
Dept. Of Human Resources - Health Division
Lyon County Community Development Department
Lyon County Building Department
Lyon County Commission
Gary Thornton, TEC Engineering
J. R. Hildebrand, TEC Engineering
Randy Butler, Riverpark Dunes LLC.
File (2)

From northerly end of subject site, looking East at Teakwood Road with Stratton Drive in background at the Stop sign.



From northerly terminus of Cheatgrass Rd looking North into the mass graded portions of the subject site.



From the northerly terminus of Cheatgrass Rd looking Northwest at the mass graded areas of subject site





Cheatgrass Rd looking north. Existing utilities of what would be Lot 53 on left side of picture. Terminus of roadway and mass graded areas of subject site in background

Cheatgrass Rd looking Northeast from corner in front of what would be Lot 57



Cheatgrass Rd and Almond Creek Rd intersection
looking easterly at Lot 2



From north side of subject site looking south at what would be Lot 47. Future extension of Saltbrush Rd on right side of picture



Existing open channel in the alignment of future Saltbrush Road. Drainage to be piped with future roadway improvements.



Existing Sanitary Sewer infrastructure within future
Teakwood Rd at the intersection of Saguaro St looking
south and Unit 1 in background



Existing Storm Drain Infrastructure located within future Teakwood Rd at intersection of Saguaro St.



Terminus of Teakwood Rd looking west into Unit 11



From property north boundary in the center of the site looking south at mass graded areas of property



From Northeast corner of site looking west along boundary line. Mass graded subject site left side of picture and mass graded neighbor site on the right

