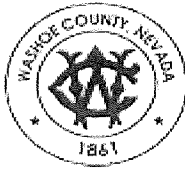


Attachment B

Appeal of Denial of Tentative Subdivision Map Case
Number WTM18-005

and

Special Use Permit Case Number WSUP18-0005



Washoe County
Community Services Department
P.O. Box 11130
Reno, Nevada 89520-0027

Planning & Development Division
Phone: (775)328-6100

RECEIPT OF PAYMENT

Date: 07/13/2018

Receipt # 602130

Cashier ID: JOLANDER

Application Type: Tentative Subdivision Map

Payee: DR Horton

License/Permit #	Invoice #	Description/Address	Amount
WTM18-005	436051, 436052, 436055, 436057	Autumn Woods - Phase II ZOLEZZI LN, RENO, NV 89511	
		Appeal of Decision - Planning Fee	\$803.00
		Appeal of Decision - Planning Noticing Fee	\$200.00
		Engineering fee for Planning Appeal of Decision	\$390.00
		WC Engineering Regional Tech Fee	\$15.60
		WC Planning Regional Tech Fee	\$241.88
		WASHOE Total	\$1,650.48
		Total Amount	\$1,650.48

Date	Method	Reference #	Confirm No. / Invoice #	Amount Paid
7/13/18	Check	630146	436051, 436052, 436055, 436057	\$1,448.72
	DR Horton			
Payment Total				\$1,448.72

BALANCE DUE
\$0.00

THANK YOU FOR YOUR BUSINESS

1001 East Ninth Street, Reno, Nevada 89512
www.washoecounty.us

Washoe County Appeal of Decision to Board of County Commissioners

Your entire application is a public record. If you have a concern about releasing personal information please contact Planning and Building staff at 775.328.6100.

Appeal of Decision by (Check one)	
Note: Appeals to the Washoe County Board of County Commissioners are governed by WCC Section 110.912.20.	
<input checked="" type="checkbox"/> Planning Commission	<input type="checkbox"/> Board of Adjustment
<input type="checkbox"/> Hearing Examiner	<input type="checkbox"/> Other Deciding Body (specify) <div style="border-bottom: 1px solid black; width: 100%;"></div>
Appeal Date Information	
Note: This appeal must be delivered in writing to the offices of the Planning and Building Division (address is on the cover sheet) within 10 calendar days from the date that the decision being appealed is filed with the Commission or Board Secretary (or Director) and mailed to the original applicant.	
Note: The appeal must be accompanied by the appropriate appeal fee (see attached Master Fee Schedule).	
Date of this appeal: <u>July 13, 2018</u>	
Date of action by County: <u>July 3, 2018</u>	
Date Decision filed with Secretary: <u>July 5, 2018</u>	
Appellant Information	
Name: D.R. Horton, Attn: Tom Warley	Phone: 775-856-8423
Address: 5588 Longley Lane	Fax: 844-566-3365
	Email: thwarley@drhorton.com
City: Reno State: Nv Zip: 89511	Cell: 775-225-9283
Describe your basis as a person aggrieved by the decision: D.R. Horton owns the subject property and is the applicant for WTM18-005.	
Appealed Decision Information	
Application Number: WTM18-005	
Project Name: Autumn Wood - Phase 2	
State the specific action(s) and related finding(s) you are appealing: This appeal contests the Washoe County Planning Commission's July 3, 2018, denial of WTM18-005 (Autumn Wood - Phase 2 Tentative Subdivision Map). Despite the Project's unequivocal support from planning staff, and without evidence or explanation, the Planning Commission concluded that it could not find that the Project conforms to Master Plan (WCC 110.608.20).	

Appealed Decision Information (continued)

Describe why the decision should or should not have been made:

See attached.

Cite the specific outcome you are requesting with this appeal:

Reversal of the Planning Commission's July 3, 2018, decision and approval of WTM18-005.

Did you speak at the public hearing when this item was considered?

☒ Yes
☐ No

Did you submit written comments prior to the action on the item being appealed?

☒ Yes
☐ No

Appellant Signature

Printed Name:

THOMAS H. WARLEY

Signature:



Date: July 13, 2018



The parcel at issue in this appeal is planned Suburban Residential (SR) and zoned Medium Density Suburban (MDS) which explicitly allows single-family residential development at a density of 3 du/ac under the Washoe County Code (the tentative map proposes 2.91 du/ac). Moreover, in Southwest Truckee Meadows Area, clustering residential uses is both authorized and encouraged by the Area Plan as an effective method “to reduce the visual impact of development, preserve as much open space as possible, and decrease the cost of building and maintaining required infrastructure.” The Project, as proposed, is specifically the kind of development contemplated by the Master Plan, Area Plan, and the MDS zoning district, a fact recognized by Planning Staff in its categorical support for the application.

The Planning Commission’s arbitrary, ad hoc determination that the long-standing zoning designation on this site is incompatible with the Master Plan is not supported by substantial evidence in the record and curtails the reasonable, investment-backed expectations of the property owner. This capriciousness is underscored by the Planning Commission’s rejection of use clustering, even though the principle is expressly adopted as a method to facilitate the efficient use of infrastructure and maintenance of habitat and open space – in fact, clustering is the site design strategy favored by the Southwest Truckee Meadows Area Plan.

The tentative map application under review satisfies every standard imposed by the Washoe County Development Code and has been slated for this type of development for many years. There is no evidence to the contrary and the decision of the Planning Commission must be reversed.