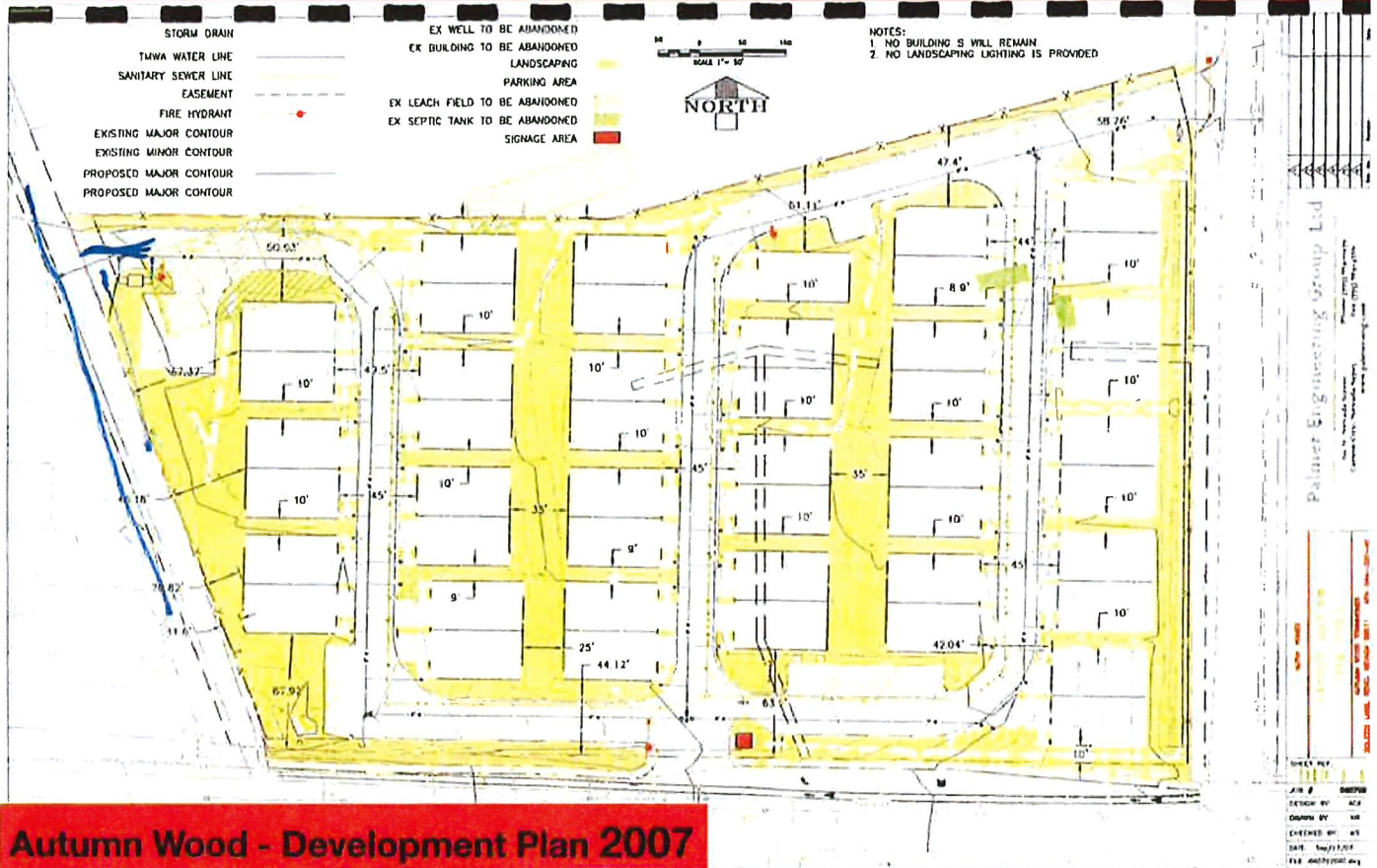


# Attachment I

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

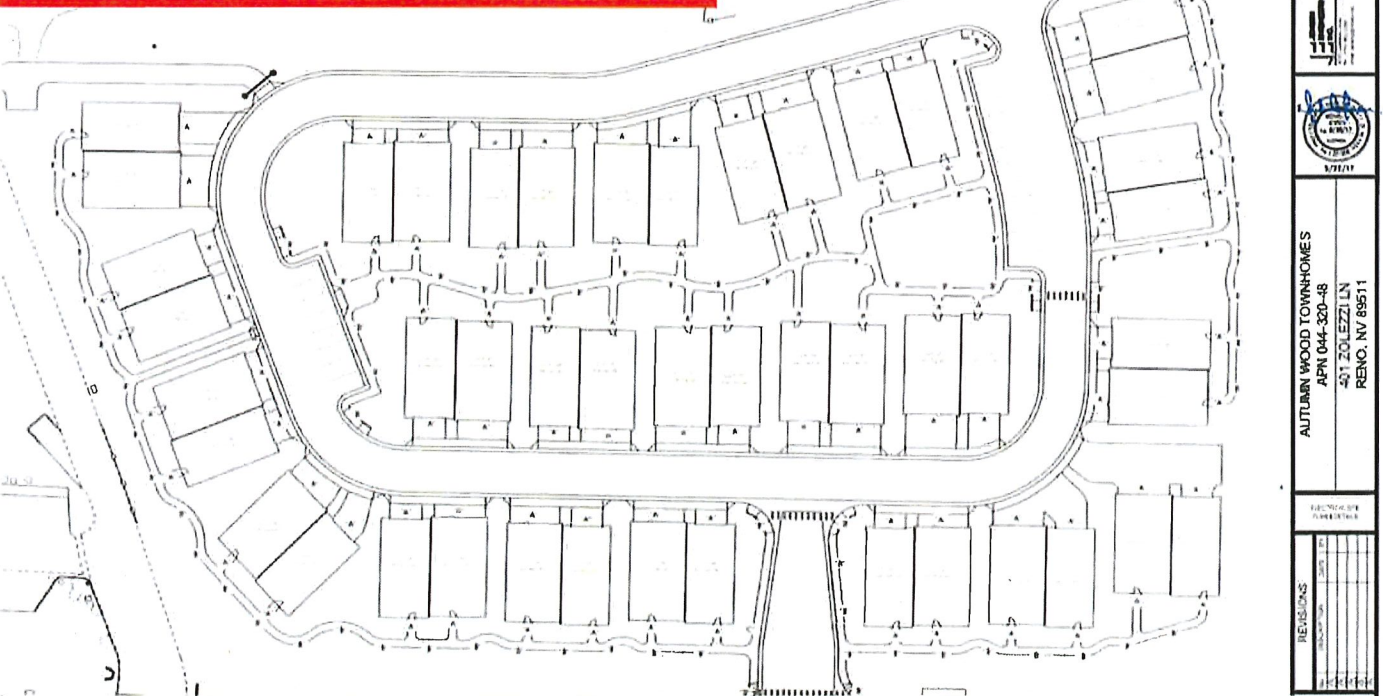
and

Special Use Permit Case Number WSUP18-0005

**EXHIBIT A**

## Autumn Wood - Development Plan 2007

## Autumn Wood - Development Plan 2017





Whitney Freeman  
Public Comment - Item 8E

## RESIDENTS IN OPPOSITION

### INAPPROPRIATE DEVELOPMENT PROPOSED FOR PARCELS

APN: 162-010-31 and APN: 044-320-48

**BOTH DEVELOPMENTS ARE IN DIRECT CONFLICT WITH AND DIMINISH THE CHARACTERISTICS OF THE NEIGHBORHOOD. THE INCREASED DENSITY WOULD NEGATIVELY IMPACT THE SAFETY AND SECURITY OF THE ADJACENT NEIGHBORHOODS AS WELL AS VEHICLE AND PEDESTRIAN TRAFFIC.**

#### Southwest Character Management Plan - Master Plan States:

Page 2 - "Careful stewardship of this rich natural environment is fundamental to maintaining and preserving the valuable character of the Southwest Truckee Meadows."

Page 3 - Desired residential uses range from low density rural, at one dwelling unit per 10 acres, to medium density suburban, at one dwelling unit per third acre.

Page 4 - ...residents of Southwest Truckee Meadows are proud of their communities and the rural lifestyle they are afforded. This plan aims to support the ongoing investment made by the residents of the Southwest Truckee Meadows in the preservation of this area's rural residential character. For the most part, the area is, or is planned to be, built out. The potential for any change in land use is limited. Therefore, the focus of this plan is not on growth, but on maintenance and support of already mature communities... The overriding objective of this plan is the maintenance and preservation of the rural residential character of the Southwest Truckee Meadows.

RE: APN: 162-010-31

#### **REJECT** Subdivision Map Case Number WTM18-005 (Autumn Wood Phase 2)

Request to "reduce the required sideyard setbacks from 8 feet to 0 feet on one side of each lot to allow for shared common wall as this project is proposed to be a townhome development"

#### **BECAUSE:**

- This allows the developer to build single family ATTACHED housing when **all MDS codes and regulations, as well as the Master Plan, limit MDS to 3 du/acre single family DETACHED**
- Application states that lot sizes will range from **3,800 sf to 5,373 sf which does not conform** to the density/intensity standards in the Master Plan/Housing Table 110.406.05.1:

"MDS - 3h for Dwelling Unit Per Acre (du/ac) / 3 dwelling units per acre single family detached / **12,000 sq. ft. minimum lot area / 80 ft. minimum lot width**"

\*no notes allowing for single-family attached variations

— **Definition of MDS per the Washoe County Development Code, page 106:**

"The Medium Density Suburban (MDS) Regulatory Zone is intended to create and preserve areas where the predominant dwelling type is **single-family, detached units at three (3) units per acre**. Small neighborhood commercial and civic uses may be permitted when they serve the needs of the residents and are compatible with the residential character of the area. The maximum number of dwelling units that may be located in this regulatory zone is **three (3) units per one (1) acre**. The minimum lot area in this regulatory zone is **twelve thousand (12,000) square feet.**"

#### • **Washoe County Development Code - Area Plan General Regulations**

Section 110.202.00 Purpose. The purpose of this article, Article 202, Area Plan General Regulations, is to set forth general regulations to **implement the area plans contained in Volume Two of the Master Plan and the other applicable plan elements contained in Volume One of the Master Plan**

Section 110.202.05 Compliance with Area Plans. All development shall substantially comply with the text, policies and various maps of the Washoe County Master Plan, including Volume Two: Area Plans.



**REJECT Special Use Permit Case Number WSUP18-005 (Jeppson Lane Storm Water Detention Basin)**

**BECAUSE:**

• SOUTHWEST TRUCKEE MEADOWS AREA PLAN

- SW.2.14 The **approval of all special use permits** and administrative permits **must include a finding that the community character as described in the character statement can be adequately conserved through mitigation and any identified potential negative impacts.** Mitigation measures shall be reviewed by the Washoe County Planning Commission as well as by the relevant Citizen Advisory Board.
- The greater than 90 degree bend required at the redirection point (located on separate parcel - see next bullet) has the potential to cause flooding to properties located West of the junction. This ditch is intended to handle overflow from Whites Creek which is a tributary to the Truckee River. As such, the fact that the detention ponds encroach on the sensitive stream buffer zone and exist within the FEMA 100 year flood zone should cause additional required mitigation on behalf of all adjacent properties as well as the entities seeking to maintain the quality of the Truckee River. By replacing a dirt field with roads and grading the potential for flooding on all adjacent properties must be evaluated.
- Planning Commission Staff Report, dated July 3, 2018  
Project Evaluation: **Grading proposed for storm water detention improvements is significant** and will comprise some 2/3 of the subject site. This is necessary not only for the current subdivision, but also to serve the previously-approved subdivision, to the south, Autumn Wood.  
\*\*\*SEE BELOW - if these detention ponds are necessary for the "previously-approved subdivision" how was that development approved without anywhere to send the water that is being redirected?

**RE: APN: 044-320-48**

**REJECT The extensions on the Autumn Wood Development plan approved 12 years ago on APN: 044-320-48**

- LDU is not an allowed regulatory zone in the Thomas Creek SCMA - the reason this parcel received LDU status is because a mobile home park existed there prior, therefore the following Washoe County Code shall apply:
- Section 110.604.60** Conversion of Manufactured Home Park Spaces to Individually Owned Lots: Should a tentative subdivision map be approved pursuant to Article 606, Parcel Maps or Article 608, Tentative Subdivision Maps
- \*Article 606** - Submittal of Tentative Parcel Maps: (f) Easements. The dimensions and approximate location of all existing and proposed...drainage easements, irrigation ditch easements or public utility easements...
- \*Article 608** - Tentative Subdivision Maps: for the conversion of existing manufactured home park spaced to individually owned lots the approval may not alter the existing density, uses, space sizes, setbacks or other similar restrictions as existed when the property was used a manufactured home park. An approval may impose reasonable conditions to address health and safety concerns.
- **The the current subdivision maps are substantially different than tentative subdivision maps approved in 2006 and did not include the ditch redirect.** The approval of the tentative subdivision map (TM06-002) listed over 50 conditions:
- "4. Final maps shall be in substantial compliance with all plans and documents submitted with and made part of this tentative map request, as may be amended by action by action of the final approving authority. Substantial compliance sell be determined by the applicable agency and the Department of Community Development."** — SEE ARTICLE 606 ABOVE - the ditch redirect was not part of the subdivision map until they purchased APN:162-010-31

WTM18-005  
WSUP18-0005  
Item 8E

July 2, 2018

To Whom It May Concern:

My name is Whitney Freeman and I am a concerned neighbor who previously lead a group of over 200 residents in opposition to the application to amend to the master plan submitted by D.R. Horton for APN: 162-010-31. I now find myself, again, in a position of insisting that the county uphold the master plan put in place to ensure that the vision and characteristics of our neighborhood remain in tact.

The purpose of this letter is to make known the many reasons residents have to adamantly oppose the development plans on the two lots purchased by D.R. Horton: APN: 162-010-31 and APN: 044-320-48.

**1. Tentative Subdivision Map Case Number WTM18-005 (Autumn Wood Phase 2) in which the developer is requesting to reduce the "required side yard setbacks from 8 feet to 0 feet on one side of each lot to allow for a shared common wall as this project is proposed to be a townhome development."**

The reason that we opposed the application to amend the master plan provides the same exact reasons that we are opposing this request. I am appalled that, as residents, we are again forced to defend our master plan and our neighborhood, against the onslaught of over development.

- The Thomas Creek SCMA MDS zone maximum density is clearly stated and in place for the purpose of maintaining the vision and character of the area.
- Not only is the MDS density being subverted, the developer also wants to build without the minimum side yard setbacks - which equates to attached housing
- Further, the evidence and resources that were developed by Washoe County and are currently in effect reveal the requested reduction in the required setback is in direct conflict with the overriding objective of the master plan and would greatly diminish the characteristics of the neighborhood, along with the fact that the detention ponds have a direct impact on the adjacent White's Creek and surrounding riparian buffer area that protects the creek from the impact of adjacent land uses.
- D.R. Horton has not thoroughly assessed the impact of the increased density in this area to include, but not limited to, water usage, impact on the Whites-Creek natural water way and current FEMA flood zone and the potential for density increase to diminish, deplete and decrease the conservation characteristics of our area.



- In the application, Page 2 of Exhibit G under section "e." they are supposed to list the proposed side yard setbacks if different from the standard - they are listed as followed:
  - Front = 20'
  - Side = 8'
  - Rear - 20' -- This leads me to assume all of the proposed setbacks are different from standard. It also does not reflect their request to reduce one side yard setback from 8' to 0' to allow for attached common wall.

**Evidence Substantiating opposition:**

- ❑ **SOUTHWEST TRUCKEE MEADOWS AREA PLAN** (page 3)  
Character Statement:  
Desired residential uses range from low density rural, at one dwelling unit per 10 acres, to medium density suburban, at one dwelling unit per third acre.  
Clustering residential uses, without increasing density, is encouraged for the few remaining developable parcels in this area. This would serve to reduce the visual impact of development, preserve as much open space as possible, and decrease the cost of building and maintaining required infrastructure.
- ❑ **SOUTHWEST TRUCKEE MEADOWS AREA PLAN** (page 8 & 9)  
SW1.2 Policy Growth Level:  
In this section every SCMA is listed with the permitted regulatory zones for each area,, and each one, including Thomas Creek specifically lists: "MDS - Three units per 1 acre"
- ❑ Washoe County Master Plan - Volume 1 - Housing, Appendix A - Housing Needs Assessment, Table A-38:  
Medium Density Suburban (MDS 3 du/acre)
- ❑ Density Intensity Standards / Table 110.406.05.1  
MDS - 3h for Dwelling Unit Per Acre (du/ac)
  - "h": 3 dwelling units per acre single family detached
  - 12,000 sq. ft. minimum lot area / 80 ft. minimum lot width
  - \*no notes allowing for single-family attached variationsPer Exhibit G provided with application:  
Page 1, section 3 - Density and lot design: "Minimum width of proposed lots = 40 feet"  
Page 2; section "c" provided with application: "Lot sizes range from 3,800 sf to 5,373 sf." Clearly nowhere near the minimum for the MDS regulatory zone
- ❑ Within the Washoe County Development Code the definition for MDS on page 106 is:  
(h) Medium Density Suburban Regulatory Zone. The Medium Density

Suburban (MDS) Regulatory Zone is intended to create and preserve areas where the predominant dwelling type is single-family, detached units at three (3) units per acre. Small neighborhood commercial and civic uses may be permitted when they serve the needs of the residents and are compatible with the residential character of the area. The maximum number of dwelling units that may be located in this regulatory zone is three (3) units per one (1) acre. The minimum lot area in this regulatory zone is twelve thousand (12,000) square feet.

- ❑ According to the Project Evaluation written by the the Washoe County Planner Phase 2 is to be developed on 5.8 acres with 1.6 acres of surface area (detention ponds), and 1 acre for roads, etc. That leaves 3.2 acres remaining for actual development - at 3du per acre that would mean 9 dwelling units is allowed. With the stated 17 units the developable area of the lot is exceeding the allowed amount at 4.55 du per acre.

- ❑ Finally, on page 202-1 of the Washoe County Development Code - Area Plan General Regulations:

**Section 110.202.00 Purpose.** The purpose of this article, Article 202, Area Plan General Regulations, is to set forth general regulations to implement the area plans contained in Volume Two of the Master Plan and the other applicable plan elements contained in Volume One of the Master Plan

**Section 110.202.05 Compliance with Area Plans.** All development shall substantially comply with the text, policies and various maps of the Washoe County Master Plan, including Volume Two: Area Plans.

**Section 110.202.10 Area Plans.** The area plans subject to the provisions of this article include:

...

(f) Southwest Truckee Meadows Area Plan;

...

**IN ADDITION:** The proposed single family attached townhome development plan is not only in direct conflict with the MDS regulatory zone imposed on the parcel (for all the evidence already supplied) the grading and detention ponds also have the potential to **greatly impact the natural environment:**

- ❑ One of the reasons the Washoe County Planner states that the proposed use is compatible with the surrounding area is quoted below:

*"Because the proposed subdivision is a continuation of Autumn Wood, which was approved in 2006 (but has not yet been constructed) it is the opinion of staff that the proposed use is compatible with the surrounding area."*

**Rebuttal:** The proposed use is not compatible with the surrounding area because all of the other residential development surrounding the parcel is built at 1 du per acre or to the max of 3 du/acre. To reference a development that is not constructed, and would not be in compliance with the Master Plan IF it were constructed is invalid.

To completely disregard the master plan because it was "already disregarded" when Autumn Wood Phase I development was approved is a violation of above mentioned Development Code which Washoe County Planners are paid to uphold on behalf of the residents of Washoe County.

☐ SOUTHWEST TRUCKEE MEADOWS AREA PLAN (page 2)

Character Statement:

{Whites Creek is specifically listed as one of many creeks in our area} "that support riparian vegetation and provide habitat for various types of waterfowl and small mammals. Wildlife habitat and migratory routes are a key component of the area's character." AND that "Careful stewardship of this rich natural environment is fundamental to maintaining and preserving the valuable character of the Southwest Truckee Meadows."

☐ Planning Commission Staff Report, dated July 3, 2018

Project Evaluation

*"Grading proposed for storm water detention improvements is significant and will comprise some 2/3 of the subject site. This is necessary not only for the current subdivision, but also to serve the previously-approved subdivision, to the south, Autumn Wood. Detention facilities are proposed to be graded at slopes of 3 Horizontal to 1 Vertical (3:1) or flatter, and are proposed to include stabilization by means of rip-rap (angular rock 6" to 12" in sized, placed to line the drainage features). This is in conformance with the applicable provisions of Article 438, Grading, of the Washoe County Development Code.*

*A small part of the grading is proposed to be done within the Sensitive Stream Zone Buffer Area (SSZBA) of Whites Creek. For this reason special review considerations are required by Article 418, Sensitive Hydrologic Resources, of the Washoe County Development Code. Those considerations are addressed in the special use permit application on pages 6 and 7. Generally speaking, disturbance within the SSZA is minimal, and staff is satisfied that the proposed measures are prudent and responsible."*

- ☐ Within Exhibit G, on page 2 of the special use permit application in section "b" they state: *"Whites Creek is a water feature running thru on the site. There is a setback required for the Sensitive Steam Zone environment on two detention areas included on the site to serve as a broader neighborhood wide benefit in the case of major flooding. It does create more challenges in developing the site."*



Simply stating that the creek does create more challenges and that the detention ponds will provide a benefit to the neighborhood in case of major flooding should not suffice as reasonable explanation for listing the "Development constraints within common open space:"

## **2. The extensions of the Autumn Wood development plan approved over 12 years ago on parcel APN: 044-320-48**

The following related documents, obtained through the Washoe County Public Records Request Form process, provide all the necessary information in regards to the initial approval and subsequent illigitment extensions obtained by two separate land owners:

DA 08-001 / Bill #1538

AC10-003 / Bill #1616

AC14-002 / Bill #1709

BCC Packet / WC Clerk's Office

**We believe the extensions of the approval of the development plan should not have been approved as the plan is in direct conflict with our area's Master Plan and has changed substantially since its approval (See attached Exhibit A). In addition, LDU is not an allowed regulatory zone in the Thomas Creek area.**

On April 23, 2014 (AC14-002) The Staff Report regarding the request to extend approval of the development plan submitted by Zolezzi Ventures, LLC states: *"When the subdivision Tentative Map was approved, the Planning Commission determined that the development was consistent with the Master Plan. The Development Agreement did not change any uses, standards or policies that would be inconsistent with the Master Plan. Likewise, the amendment makes no changes to uses, standards or policies that would be inconsistent with the Master Plan. Only the time schedule for development is being changed."*

The original approval of the Tentative Map occurred in 2006, with the Development Agreement originally approved in 2010. The Master Plan was adopted in 2010. Any request for the extension of the approval should have been denied based on the plan being in conflict with the Master Plan. In addition, the LDU regulatory zone should have been changed to one that is allowed in the Thomas Creek area and reflective of the surrounding regulatory zones which are all suburban or rural.

**Goal Two: Common Development Standards in the Southwest Truckee Meadows Planning Area. Establish development guidelines that will implement and preserve the community character commonly found within the Southwest Truckee Meadows planning area.**

SW.2.4 During review of tentative maps and other development proposals, the Planning Commission will review the adequacy of the minimum standards established under Goal 2; and upon a finding that a standard is inadequate to implement these goals, may impose other similar standards as necessary to implement the relevant goal. Said similar standards may include but are not limited to, perimeter parcel matching and alternative construction materials.

- ☐ **EXHIBIT A:** In comparing the maps that have been “approved” via extensions over the course of 12 years it becomes evident that the plans have changed significantly.
- The position and location of the townhomes has been altered
  - The redirection of the ditch was not included in previous plans
  - Roads have been altered, along with open space

We have been told that the reason this parcel was given the LDU regulatory zone was because the mobile home park that existed on the parcel previously indicated that level of density is appropriate. However, the Washoe County code clearly states the following:

- ☐ Section 110.604.60  
Conversion of Manufactured Home Park Spaced to Individually Owned Lots:  
Should a tentative subdivision map be approved pursuant to Article 606, Parcel Maps or Article 608, Tentative Subdivision Maps
- ☐ Article 608 - Tentative Subdivision Maps: for the conversion of existing manufactured home park spaced to individually owned lots the approval may not alter the existing density, uses, space sizes, setbacks or other similar restrictions as existed when the property was used a manufactured home park. An approval may impose reasonable conditions to address health and safety concerns.
- ☐ In reviewing the supplied aerial photos in the previous applications for the tentative subdivision maps there were only 42 mobile home units - at most
- ☐ Any previous approval should not have been granted in the first place

\*\*\* Following the neighborhood meeting conducted at Lenz Elementary School on Thursday, November 2, 2017 (as required per the application to amend the Master Plan) Washoe County Planner Julie Olander asked me if I would rather have a mobile home park in the area. While this is clearly a reflection of an assumed stereotype regarding residents of mobile parks and a quite appalling position for a planner to inadvertently admit to I answered her as such; I would absolutely prefer the mobile home park because it was rural and limited to one story and it is my

understanding that the residents were quite friendly. **Our neighborhood does not have an issue or make assumptions about the future residents of these proposed developments. We simply want the master plan to be followed because if we continue to allow for overdevelopment the characteristics and vision for our area will be further depleted.**

**3. Per the Master Plan, the availability of water rights for the development should have been considered prior to plan approval.**

❑ **SOUTHWEST TRUCKEE MEADOWS AREA PLAN** (page 20)

**Water Resources – Service/Wastewater**

**Goal Nineteen: Water resources and wastewater treatment and disposal will be provided to residential and non-residential uses in a manner that implements and preserves the community character as described in the SWTM Vision and Character Statement.**

**Policies**

SW.19.1 Tentative subdivision maps will not be approved for any development until the infrastructure and resource needs of that development have been evaluated by the Department of Water Resources and found consistent with all applicable water and wastewater resources and facilities plans.

**4. Special Use Permit Case Number WSUP18-0005 (Jeppson Lane Storm Water Detention Basin) is required for the redirection of White's Creek overflow/relief ditch currently along the front of APN: 044-320-48 and requires a greater than 90 degree bend at the corner of the property.**

How was the development plan approved and granted multiple extensions when a ditch had to be redirected to detention ponds located on a separate parcel, owned by a different entity? In Exhibit A we have already established the plan has changed substantially, therefore it should have to go through the entire review process from the beginning.

❑ **Planning Commission Staff Report, dated July 3, 2018**

**Project Evaluation**

"Grading proposed for storm water detention improvements is significant and will comprise some 2/3 of the subject site. This is necessary not only for the current subdivision, but also to serve the previously-approved subdivision, to the south; Autumn Wood."



The impact on adjacent properties must be mitigated. Reference master plan language already cited as well language below regarding special use permits. Not only would detention ponds pose a threat to the safety of the school population adjacent, the flood potential is greatly increased for all surrounding properties due to the grading necessary to install such substantial infrastructure.

The greater than 90 degree bend required at the redirection point has the potential to cause flooding to properties located West of the junction. This ditch is intended to handle overflow from Whites Creek which is a tributary to the Truckee River. As such, the fact that the detention ponds encroach on the sensitive stream buffer zone and exist within the FEMA 100 year flood zone should cause additional required mitigation on behalf of all adjacent properties; MVM, Cadena Estate, and all properties on Jeppson. By replacing a dirt field with roads and grading the potential for flooding on all adjacent properties must be evaluated.

❑ SOUTHWEST TRUCKEE MEADOWS AREA PLAN

SW.2.14 The approval of all special use permits and administrative permits must include a that the community character as described in the character statement can be adequately conserved through mitigation and any identified potential negative impacts. Mitigation measures shall be reviewed by the Washoe County Planning Commission as well as by the relevant Citizen Advisory Board.

The notification for the Citizen Advisory Board meeting was only sent to parcels within the 500 feet radius of the property. The development affects a far greater number of residents because of its impact on Whites Creek and the increase in traffic issues for the area. I believe that by only meeting the minimum notification requirements the intent was to avoid notifying the residents that already presented opposition. I believe that hosting the public hearing the evening before a national holiday is also beneficial to the applicant and that their goal is to, again, avoid the potential for a large number of residents to show up at the meeting.

We ask you to consider our position that the master plan and its limitations are in place specifically to maintain the characteristics of the neighborhood and that the current development plans for both parcels should be rejected.

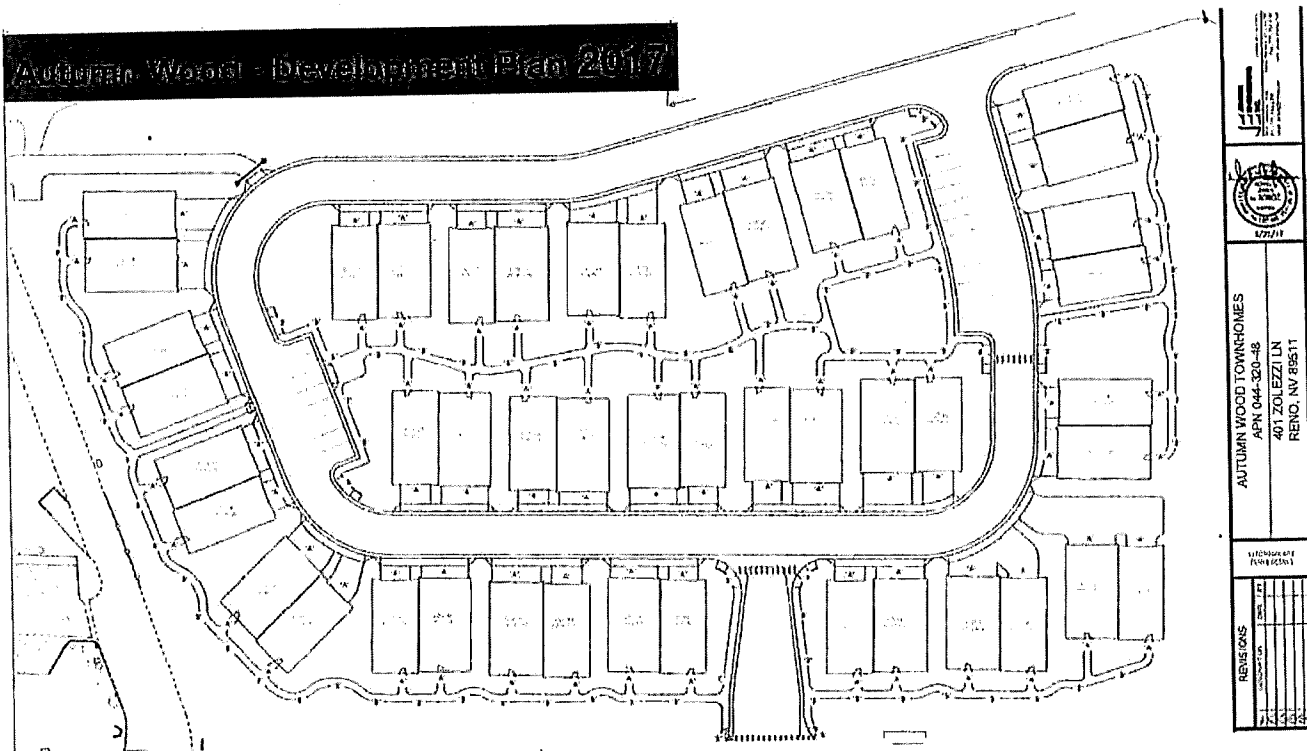
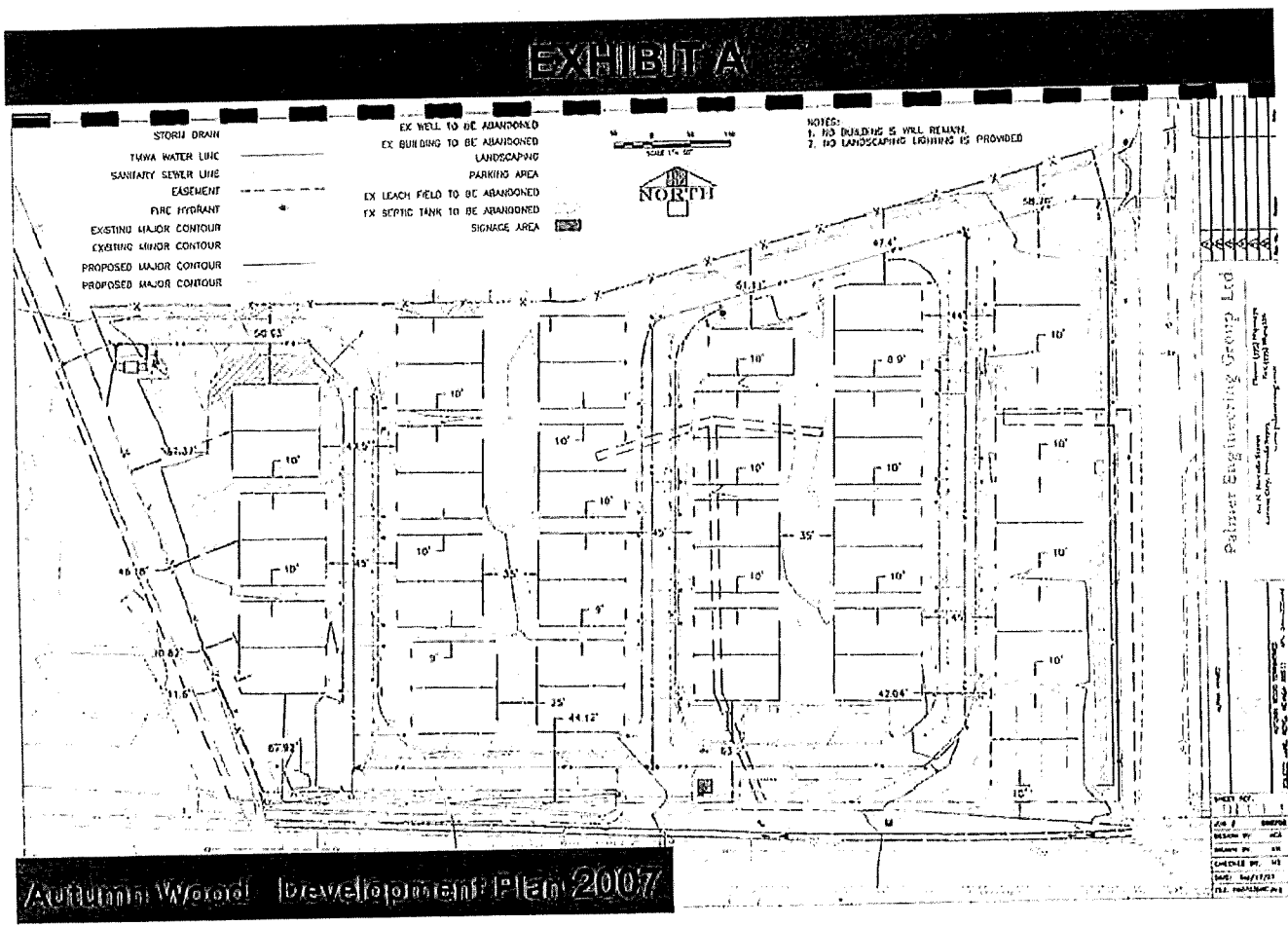
I will be attending the upcoming Planning Commission Meeting on July 3, 2018 at 6:30pm, along with several other residents in opposition. I have also been notified by several neighbors that because they could not attend the meeting they have sent their opposition via email.

Please contact me directly at 775-772-4044 or [freeman.whit@gmail.com](mailto:freeman.whit@gmail.com) if you are interested in discussing these concerns further.

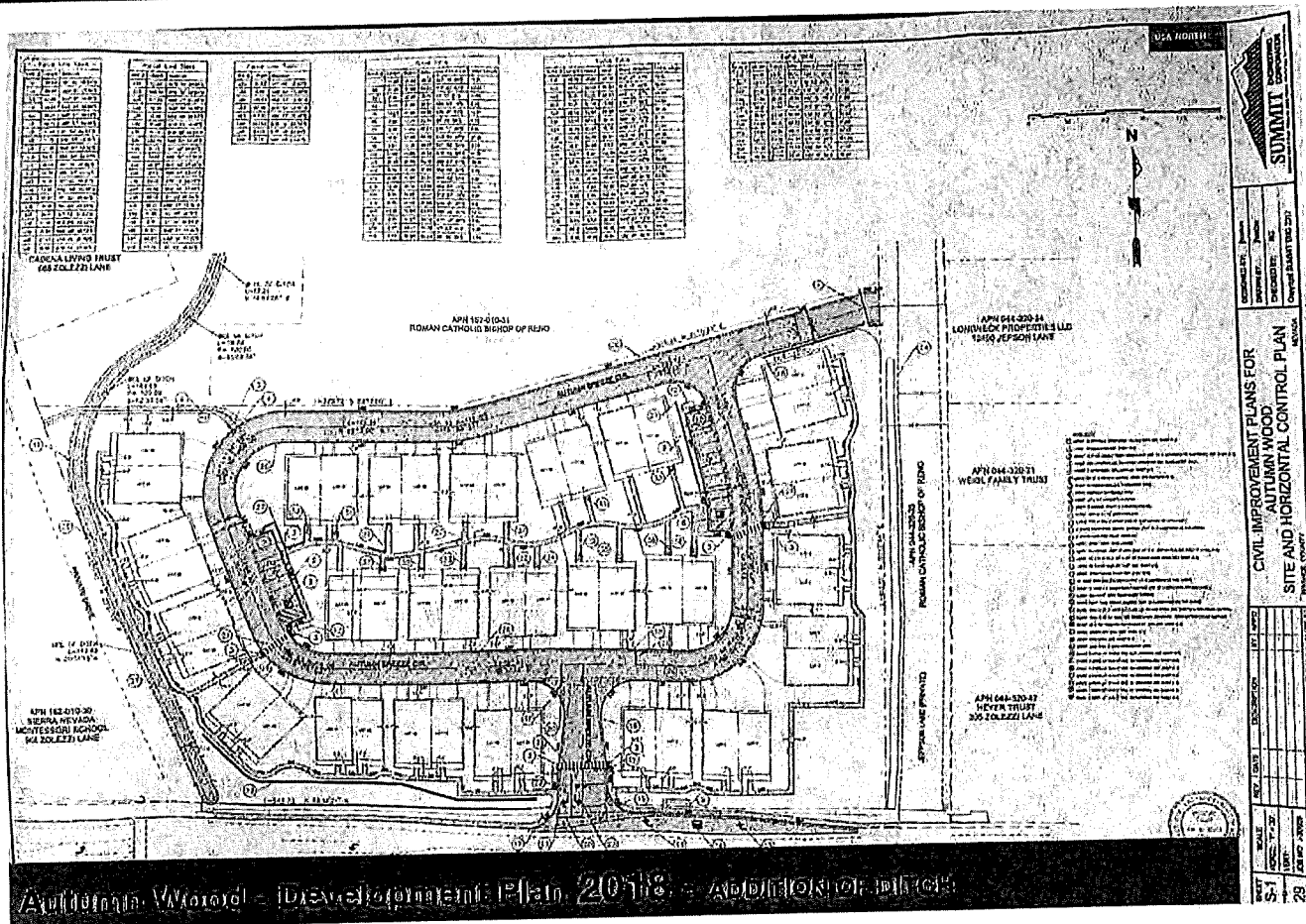
I appreciate your time and consideration.

Respectfully submitted,

Whitney Freeman









July 2, 2018

To Whom It May Concern:

My name is Mary Levy and I am the Head of School at Mountain View Montessori School in Reno. Mountain View Montessori (MVM) is an independent school licensed by the State of Nevada Department of Education, Washoe County Social Services, and Department of Health. We are accredited by Association Montessori Internationale (AMI). We operate as a 501c3 Nevada non-profit corporation. Our school has served the Reno-Sparks area since 1970 (48 years). We have an enrollment of 240 students representing 170 families. Our students range in age from 1 to 14 years old, toddler through 8th grade. We moved to our 565 Zolezzi Street address in 1999. We own 3 acres and our 34,000-square foot facility.

The purpose of this letter is to make known our school's concerns and opposition to the following:

1. Tentative Subdivision Map Case Number WTM18-005 (Autumn Wood Phase 2) in which the developer is requesting to reduce the "required side yard setbacks from 8 feet to 0 feet on one side of each lot to allow for a shared common wall as this project is proposed to be a townhome development."

- The Thomas Creek SCMA MDS zone maximum density is clearly stated and in place for the purpose of maintaining the vision and character of the area.
- Further, the evidence and resources that were developed by Washoe County and are currently in effect reveal the requested reduction in the required setback is in direct conflict with the overriding objective of the master plan and would greatly diminish the characteristics of the neighborhood, along with the detention ponds have a direct impact on the adjacent White's Creek and surrounding riparian buffer area that protects the creek from the impact of adjacent land uses.
- Applicant has not thoroughly assessed impact of density increase in this area to include, but not limited to, water usage, impact on the Whites-Creek natural water way and current FEMA flood zone and the potential for density increase to diminish, deplete and decrease the conservation characteristics of our area.

#### SOUTHWEST TRUCKEE MEADOWS AREA PLAN (page 3)

##### Character Statement:

Desired residential uses range from low density rural, at one dwelling unit per 10 acres, to medium density suburban, at one dwelling unit per third acre. Clustering residential uses, without increasing density, is encouraged for the few remaining developable parcels in this area. This would serve to reduce the visual impact of development, preserve as much open space as possible, and decrease the cost of building and maintaining required infrastructure.

#### SOUTHWEST TRUCKEE MEADOWS AREA PLAN (page 8 & 9)

##### SW1.2 Policy Growth Level:

In this section every SCMA is listed with the permitted regulatory zones for each area, and each one, including Thomas Creek specifically lists: "MDS - Three units per 1 acre"

- In addition, the Washoe County Master Plan - Volume 1 - Housing, Appendix A - Housing Needs Assessment, Table A-38:  
Medium Density Suburban (MDS 3 du/acre)



- Within the Washoe County Development code, the definition for MDS on page 106 is:  
(h) Medium Density Suburban Regulatory Zone. The Medium Density Suburban (MDS) Regulatory Zone is intended to create and preserve areas where the predominant dwelling type is single-family, detached units at three (3) units per acre. Small neighborhood commercial and civic uses may be permitted when they serve the needs of the residents and are compatible with the residential character of the area. The maximum number of dwelling units that may be located in this regulatory zone is three (3) units per one (1) acre. The minimum lot area in this regulatory zone is twelve thousand (12,000) square feet.
- According to the Project Evaluation written by the Washoe County Planner Phase 2 is to be developed on 5.8 acres with 1.6 acres of surface area (detention ponds), and 1 acre for roads, etc. That leaves 3.2 acres remaining for actual development - at 3du per acre that would mean 9 dwelling units is allowed. With the stated 17 units the developable area of the lot is exceeding the allowed amount at 4.55 du per acre.
  - Not only is the MDS density being subverted, the developer also wants to build without the minimum side yard setbacks.

- Finally, on page 202-1 of the Washoe County Development Code - Area Plan General Regulations:

Section 110.202.00 Purpose. The purpose of this article, Article 202, Area Plan General Regulations, is to set forth general regulations to implement the area plans contained in Volume Two of the Master Plan and the other applicable plan elements contained in Volume One of the Master Plan.

Section 110.202.05 Compliance with Area Plans. All development shall substantially comply with the text, policies and various maps of the Washoe County Master Plan, including Volume Two: Area Plans.

Section 110.202.10 Area Plans. The area plans subject to the provisions of this article include:

...

(f) Southwest Truckee Meadows Area Plan;

...

1. The extensions of the Autumn Wood development plan approved over 12 years ago on parcel APN: 044-320-48

The extensions of the approval of the development plan should not have been approved as the plan has changed substantially since its initial approval in 2006/2007 and is in direct conflict with our area's Master Plan (see attached Exhibit A). In addition, LDU is not an allowed regulatory zone in the Thomas Creek area.

On April 23, 2014 (AC14-002) The Staff Report regarding the request to extend approval of the development plan submitted by Zolezzi Ventures, LLC states: *"When the subdivision Tentative Map was approved, the Planning Commission determined that the development was consistent with the Master Plan. The Development Agreement did not change any uses, standards or policies that would be inconsistent with the Master Plan. Likewise, the amendment makes no changes to uses, standards or policies that would be inconsistent with the Master Plan. Only the time schedule for development is being changed."*

The original approval of the Tentative Map occurred in 2006, with the Development Agreement originally approved in 2010. The Master Plan was adopted in 2010. Any request for the extension of the approval should have been denied based on the plan being in conflict with the Master Plan. In addition, the LDU regulatory zone should have been changed to one that is allowed in the Thomas Creek area and reflective of the surrounding regulatory zones which are all suburban or rural.



3. Another major issue with this level of density being built adjacent to our school is the increased traffic. The potential danger to our school population must be fully considered.

SOUTHWEST TRUCKEE MEADOWS AREA PLAN (page 20)

Transportation

SW.3.1 Washoe County will work with the Regional Transportation Commission (RTC) and neighboring jurisdiction to ensure that the mitigation of potential development impacts in neighboring jurisdictions is consistent with the intent of Policies SW>3.1 through SW.3.7. Where new development is proposed near existing and planned school site, appropriate efforts will be taken by the approving entity to reduce or eliminate access conflicts that might increase danger to school age children.

4. Special Use Permit Case Number WSUP18-0005 (Jeppson Lane Storm Water Detention Basin) is required for the redirection of White's Creek overflow/relief ditch currently along the front of APN: 044-320-48 and requires a greater than 90 degree bend at the corner of the property.

**Conflict:** The impact on adjacent properties must be mitigated. Reference master plan language already cited. Not only would detention ponds pose a threat to the safety of the school population adjacent, the flood potential is greatly increased for all surrounding properties due to the grading necessary to install such substantial infrastructure.

The greater than 90-degree bend required at the redirection point has the potential to cause flooding to properties located West of the junction. This ditch is intended to handle overflow from Whites Creek which is a tributary to the Truckee River. As such, the fact that the detention ponds encroach on the sensitive stream buffer zone and exist within the FEMA 100 year flood zone should cause additional required mitigation on behalf of all adjacent properties; MVM, Cadena Estate, and all properties on Jeppson. By replacing a dirt field with roads and grading the potential for flooding on all adjacent properties must be evaluated.

SOUTHWEST TRUCKEE MEADOWS AREA PLAN (page 2)

Character Statement:

{Whites Creek is specifically listed as one of many creeks in our area} "that support riparian vegetation and provide habitat for various types of waterfowl and small mammals. Wildlife habitat and migratory routes are a key component of the area's character." AND that "Careful stewardship of this rich natural environment is fundamental to maintaining and preserving the valuable character of the Southwest Truckee Meadows."

Planning Commission Staff Report, dated July 3, 2018

Project Evaluation

*"Grading proposed for storm water detention improvements is significant and will comprise some 2/3 of the subject site. This is necessary not only for the current subdivision, but also to serve the previously-approved subdivision, to the south, Autumn Wood. Detention facilities are proposed to be graded at slopes of 3 Horizontal to 1 Vertical (3:1) or flatter and are proposed to include stabilization by means of rip-rap (angular rock 6" to 12" in sized, placed to line the drainage features). This is in conformance with the applicable provisions of Article 438, Grading, of the Washoe County Development Code. A small part of the grading is proposed to be done within the Sensitive Stream Zone Buffer Area (SSZBA) of Whites Creek. For this reason, special review considerations are required by Article 418, Sensitive Hydrologic Resources, of the Washoe County Development Code. Those considerations are addressed in the special use permit application on pages 6 and 7. Generally speaking, disturbance within the SSZA is minimal, and staff is satisfied that the proposed measures are prudent and responsible."*

SOUTHWEST TRUCKEE MEADOWS AREA PLAN (pages 10-11)

**Goal Two: Common Development Standards in the Southwest Truckee Meadows Planning Area.**  
Establish development guidelines that will implement and preserve the community character commonly found within the Southwest Truckee Meadows planning area.

SW.2.4 During review of tentative maps and other development proposals, the Planning Commission will review the adequacy of the minimum standards established under Goal 2; and upon a finding that a standard is inadequate to implement these goals, may impose other similar standards as necessary to implement the relevant goal. Said similar standards may include but are not limited to, perimeter parcel matching and alternative construction materials.

**EXHIBIT A:** In comparing the maps that have been “approved” via extensions over the course of 12 years it becomes evident that the plans have changed significantly.

- The position and location of the townhomes has been altered
- The redirection of the ditch was not included in previous plans
- Roads have been altered, along with open space

**Additional Conflicts:** We have been told that the reason this parcel was given the LDU regulatory zone was because the mobile home park that existed on the parcel previously indicated that level of density is appropriate. However, the Washoe County code clearly states the following:

- Section 110.604.60  
Conversion of Manufactured Home Park Spaced to Individually Owned Lots:  
Should a tentative subdivision map be approved pursuant to Article 606, Parcel Maps or Article 608, Tentative Subdivision Maps
- Article 608 - Tentative Subdivision Maps: for the conversion of existing manufactured home park spaced to individually owned lots the approval may not alter the existing density, uses, space sizes, setbacks or other similar restrictions as existed when the property was used a manufactured home park. An approval may impose reasonable conditions to address health and safety concerns.
  - In reviewing the supplied aerial photos in the previous applications for the tentative subdivision maps there were only 42 mobile home units - at most
  - Any previous approval should not have been granted in the first place

2. The developer, D.R. Horton, has not obtained the required water resources for this development. I received a request for a *Grant of Easement for Water Facilities* which was reviewed by the Board of Trustees on June 18, 2018. Please refer to Exhibit B for the Demand Letter supplied in response to this request. The concerns outlined in that letter further elaborate on the many issues our school has with the development plans.

Per the Master Plan the availability of water resources for the development should have been considered prior to plan approval.

SOUTHWEST TRUCKEE MEADOWS AREA PLAN (page 20)

**Water Resources – Service/Wastewater**

**Goal Nineteen:** Water resources and wastewater treatment and disposal will be provided to residential and non-residential uses in a manner that implements and preserves the community character as described in the SWTM Vision and Character Statement.

**Policies**

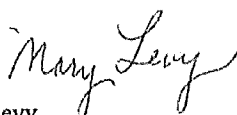
SW.19.1 Tentative subdivision maps will not be approved for any development until the infrastructure and resource needs of that development have been evaluated by the Department of Water Resources and found consistent with all applicable water and wastewater resources and facilities plans.

We ask you to consider our position that the policy and its limitations are in place specifically to maintain the characteristics of the neighborhood and that the current development plans for both parcels should be rejected. Representatives from Mountain View Montessori and area residents will be attending the upcoming Planning Commission Meeting on July 3, 2018 at 6:30pm.

I invite you to visit our property and tour our school to see first-hand the concerns we have about these developments. Please contact me directly at (775) 852-6162 or [mary@mvmreno.com](mailto:mary@mvmreno.com) if you are interested in discussing our concerns further.

I appreciate your time and consideration of our request.

Respectfully submitted,

  
Mary Levy  
Head of School  
Mountain View Montessori School



