



# WASHOE COUNTY

Integrity Communication Service

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## STAFF REPORT

BOARD MEETING DATE: July 14, 2020

**DATE:** June 12, 2020

**TO:** Board of County Commissioners

**FROM:** Sophia Kirschenman, Park Planner,  
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**THROUGH:** Eric Crump, Division Director, Operations  
Community Services Department, 328-2182, [ecrump@washoecounty.us](mailto:ecrump@washoecounty.us)

**SUBJECT:** Recommendation to approve an Easement Agreement and Easement Deed between Washoe County and Mayberry Gardens, LLC, for a storm drain easement totaling ±320 square feet on Betsy Caughlin Donnelly Park to allow for the construction and maintenance of stormwater drainage facilities and to include revegetation of the impacted areas and negotiated mitigation measures. (Commission District 1.)

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### SUMMARY

Washoe County, through its Community Services Department, has received a parkland easement request from Mayberry Gardens, LLC (the “Applicant”) for a storm drain easement on Betsy Caughlin Donnelly Park (currently identified as APN 009-742-01). The Applicant owns the adjacent parcel (currently identified as APN 009-742-02) and is planning to re-develop that property into a business park. This storm drain easement would support the Applicant’s redevelopment project. In order to mitigate park impacts and ensure that this easement would be in the best interest of the general public, the applicant has agreed to bring electrical and water lines to the park property to serve future park development.

**Strategic Objective supported by this item:** Safe, secure and healthy communities.

### PREVIOUS ACTION

**June 2, 2020** – The Washoe County Open Space and Regional Parks Commission recommended that Community Services Department Staff negotiate the storm drain easement, including appropriate mitigation for review and possible approval by the Washoe County Board of County Commissioners.

**August 11, 1992** – The Washoe County Board of County Commissioners approved a deed of correction, amending the original gift deed to correct the legal descriptions of the park and the property adjacent to the park, then owned by Betsy Caughlin Donnelly.

**December 31, 1990** – The Washoe County Board of County Commissioners accepted a gift deed from Betsy Caughlin Donnelly, which granted ownership of the Betsy Caughlin Donnelly Park property to Washoe County.

AGENDA ITEM # \_\_\_\_\_

## **BACKGROUND**

The Applicant recently applied for permits through the City of Reno to develop the Applicant's property into a business park. The redevelopment project is subject to the "Low Impact Design" criteria established by the City of Reno's Historical Resources Commission, including criteria for the management of storm water. The Historical Resources Commission conditioned the project to prohibit any connections to the municipal storm sewage system, requiring the Applicant to retain stormwater flows onsite. However, during high water events, the proposed detention basin may overflow. Thus, the Applicant is requesting a storm drain easement to allow for the discharge of excess stormwater flows from the detention basin on the Applicant's property into Alum Creek, which flows through Betsy Caughlin Donnelly Park. If approved, the storm drain easement would be ±320 sf and located on the west side of the Applicant's property. Construction activities would include the installation of a small discharge pipe and the placement of ±40 sf of rip rap to stabilize the slopes leading to Alum Creek.

### Alternatives Analysis

The Applicant's original proposal requested that Washoe County grant an easement for three stormwater discharge points. At the request of Washoe County staff, the Applicant analyzed the feasibility of routing all stormwater flows to the detention basin, thus requiring only one stormwater discharge point on the park property. This will cost the Applicant an additional \$5,000, but will minimize impacts to the park property and better comply with the City of Reno's low impact design standards. This affected area within the park is inaccessible to the public and thus will not impact the park user experience or hinder future park development opportunities.

### Revegetation and Mitigation

If approved, there will be short-term impacts associated with construction, but long-term impacts associated with the project are expected to be minor in nature. Some riparian vegetation will be removed as part of the installation of the drainage facilities. However, the creek will be stabilized utilizing best management practices and maintained until riparian vegetation is reestablished. The Nevada Department of Environmental Protection has also confirmed that they will not require any additional permitting for this project. Staff recommends full restoration to "as is" condition. Revegetation efforts shall be considered complete when disturbed area is populated with riparian vegetation and plant coverage is equal to the coverage of adjacent, undisturbed areas, as demonstrated by photo point documentation. If revegetation efforts are not on track to meet criteria after one (1) year, additional plantings and/or reseeding shall be required.

### Mitigation

After discussing various mitigation options, the applicant and staff are supportive of the following mitigation measures: if approved, the Applicant would provide electrical and water lines to the park property to support Reno Food Systems' current operations and future park needs. The Applicant would install the necessary infrastructure, which would give Washoe County Parks the option to set up water service through the Truckee Meadows Water Authority. This would allow for year-round irrigation at the park and would also support the construction of additional park amenities identified in the Betsy Caughlin Donnelly Park Master Plan to benefit the public.

### Parkland Easement Policy Compliance

Overall, impacts associated with the construction of the stormwater drainage facilities would be minor as this easement would be small and located in an area of the park that is inaccessible to the public. The proposal is compliant with the Parkland Easement Policy as it is complementary with existing park uses. Additionally, with the proposed mitigation measures, granting this easement would benefit the general public.

### FISCAL IMPACT

Should the easement be approved, any mitigation measures associated with the project would be the responsibility of the applicant.

### RECOMMENDATION

It is recommended that the Board of County Commissioners approve an Easement Agreement and Easement Deed between Washoe County and Mayberry Gardens, LLC, for a storm drain easement totaling ±320 square feet on Betsy Caughlin Donnelly Park to allow for the construction and maintenance of stormwater drainage facilities and to include revegetation of the impacted areas and negotiated mitigation measures.

### POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be: "Move to approve an Easement Agreement and Easement Deed between Washoe County and Mayberry Gardens, LLC, for a storm drain easement totaling ±320 square feet on Betsy Caughlin Donnelly Park to allow for the construction and maintenance of stormwater drainage facilities and to include revegetation of the impacted areas and negotiated mitigation measures."