

Gardnerville Town Board
AGENDA ACTION SHEET



1. **For Possible Action:** Discussion on a request for a modification to the Ranch at Gardnerville Planned Development and a Variance to Improvement Standards as they relate to design criteria for the construction of the Zerolene Road crossing of Martin Slough. The property is located south of Buckeye Road and east of Highway 395 along Heybourne Road, within the SFR-8000 (Single Family Residential- 8,000 square foot minimum net parcel size) and the MFR (Multi-Family Residential) zoning districts with a Planned Development (PD) Overlay, in the Minden/Gardnerville Community Plan Area. The applicant is Ezra Nilson. PD 0-008-8 and LDA 16-035; presentation but RO Anderson, with public comment prior to Board action.

2. **Recommended Motion:**

Funds Available: Yes N/A (requires staff time)

3. **Department:** Administration

4. **Prepared by:** Tom Dallaire

5. **Meeting Date:** December 6, 2016 **Time Requested:** 60 minutes

6. **Agenda:** Consent Administrative

Background Information: The towns of Minden and Gardnerville staff have been meeting on this project proposal. We have prepared a united report and advisory recommendation to county staff after our combined effort review of the county codes and the proposed improvements. See the attached staff report, and proposed project information.

7. **Other Agency Review of Action:** Douglas County N/A

8. **Board Action:**

Approved Approved with Modifications
 Denied Continued



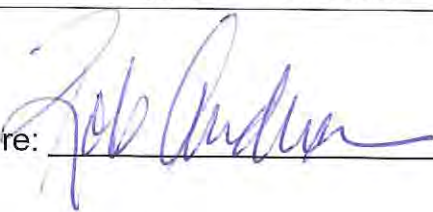
**REQUEST FOR PLACEMENT ON THE AGENDA
FOR THE GARDNERVILLE TOWN BOARD**

Name: Robert O. Anderson, P.E., CFM, WRS Telephone: 775.782.2322

Mailing Address: R.O. Anderson Engineering, Inc.
P.O. Box 2229, Minden, NV 89423

Nature of Request and Approximate Amount of Time Needed: 30 minutes

Douglas County Community Development staff is requiring that the Request for
Variance to Design Criteria and Improvement Standards submitted on behalf of
Heybourne Meadows (fka Anker-Park Development and Ranch at Gardnerville),
regarding Zerolene Road improvements, be heard before the Town Board. In order to
comply with this requirement, we respectfully request that this item be included on the
December 7, 2016 agenda. The materials submitted on behalf of the Owner/Applicant
are attached for your consideration.

Signature:  Date: October 21, 2016

The Gardnerville Town Board meets on the first Tuesday of each month. Please submit any pertinent information regarding your request at least 15 days prior to the Board meeting date.

Agendas are posted three days prior to the meeting. You will receive a copy of the Agenda in the mail informing you of the approximate time you will appear before the Board.

13-2



Mary Wenner, Chairman
Ken Miller, Vice Chairman
Linda Slater, Board Member
Cassandra Jones, Board Member
Lloyd Higuera, Board Member

MEMORANDUM

Date: November 30, 2016
To: Gardnerville Town Board
From: Tom Dallaire, P.E., Town of Gardnerville
Jenifer Davidson, Minden Town Manager
JD Frisby, Superintendent of Public Works
Subject: DA 16-038 (Master Plan Amendment) 16-039 (Zoning Map Amendment); Park Ranch Holdings, over Multiple APN's

For Possible Action: Discussion on a request for a modification to the Ranch at Gardnerville Planned Development and a Variance to Improvement Standards as they relate to design criteria for the construction of the Zerolene Road crossing of Martin Slough. The property is located south of Buckeye Road and east of Highway 395 along Heybourne Road, within the SFR-8000 (Single Family Residential- 8,000 square foot minimum net parcel size) and the MFR (Multi-Family Residential) zoning districts with a Planned Development (PD) Overlay, in the Minden/Gardnerville Community Plan Area. The applicant is Ezra Nilson. PD 0-008-8 and LDA 16-035; presentation but RO Anderson, with public comment prior to Board action.

PREVIOUS ACTION:

- December 2004, Board of County Commissioners: The Douglas County Board of Commissioners approved The Ranch at Gardnerville Development.
- June 2007, Board of County Commissioners: Douglas County Design Criteria and Improvement Standards (DCDCIS) was updated requiring a minimum of one access to communities during 100-year flood events. Developments must comply to the updated standards within 180 days of the most recent adoption.
- April 2008, Board of County Commissioners: The Douglas County Board of Commissioners approved plans for Zerolene Road crossing of the Martin Slough to install eight, 4 foot by 12 foot box culverts.
- September 2012, Board of Planning Commissioners: The Planning Commission conditionally approved modifications and associated variances and Zoning Map Amendment for PD 04-008-4, a Modification to the Ranch at Gardnerville Planned Development subject to the recommendations by Douglas County Staff.
At this meeting the Zerolene Road crossing of the Martin Slough was discussed.

BACKGROUND: The applicant is requesting a modification to the planned development and variance to standards for improvements to Zerolene Road to reduce the previously approved (April 2008) plans for the Zerolene crossing of the Martin Slough from eight- 4 foot by 12 foot box culverts to six- 4 foot by 12 foot box culverts with a 325 foot dip section.

Code Provisions and Douglas County Staff Recommendation

Douglas County Code (DCC) Section 20.676.040, and NRS 278A.410 contain findings that must be made in the affirmative to approve a request for Modification to a Planned Development; DCC Section 20.704.070



contains findings which must also be made in the affirmative in order to approve a Variance to Improvement Standards. In addition, Part II, Division 1, Section 1.3 of the Douglas County Design Criteria and Improvement Standards contains findings which must also be made in the affirmative to approve a variance.

Douglas County Staff were unable to make all of the required findings in the affirmative for each of the applicable code provisions and therefore recommended denial based on the discussion and findings included in the attached Staff Report to the Planning Commission dated November 8, 2016.

It is important to note there is disagreement between County Staff and the Applicant regarding the interpretation of FEMA requirements. The Applicant believes that the construction of the roadway must also ensure the 100-year base flood elevation not be increased. The Applicant is concerned this requirement may not be met with the approved eight box culvert design. It is the opinion of the Applicant that the FEMA requirement can only be met with the proposed revised design, through the installation of a 140 foot clear span bridge or 10 box culverts.

Town Staff Discussion and Evaluation

After reviewing the attached Statement of Justification dated October 21, 2016 prepared by the applicant, the Douglas County Staff Report to the Planning Commission, and the relevant Code Provisions and Design Criteria Town Staff prepared the following comments for Town Board consideration:

The primary concern cited by Douglas County Staff as the basis for the recommendation for denial is public health and safety. Specifically, County Staff advises "the proposed variance would allow for Zerolene Road to be constructed in a manner that would not provide for adequate emergency ingress and egress for the current and future residents or emergency responders." Town Staff agree that emergency access via Zerolene Road is critical for public health and safety.

As noted in the Statement of Justification, access to this subdivision is provided by three collector roads including Gilman Avenue, Buckeye Road and Zerolene Road. Each of these three accesses crosses the floodplain of the Martin Slough. During a 100-year flood event the depth of water over Gilman Avenue is projected to be 1.6 feet and 2.3 feet over Buckeye Road. With the proposed revised design, a portion of the Zerolene Road would also be inundated during a 100-year flood event.

Douglas County Engineering Design Criteria and Improvement Standards Section 6 Storm Drainage, Note 1, Table 6.2 states:

"Arterial and collector roads shall be signed and constructed to allow for a minimum of one access to communities during the 100-year flood."

Note 1 on Table 6.2 does not define the required level of adequate access. It also does not say in County Code or the Design Criteria that one "dry lane of access into or out of a neighborhood" is absolutely required.

Note 6 of the same table refers to Tables 6.3 and 6.4 for street capacity limitations for the design storm and 100-year storm events. Table 6.4, Street Capacity Limitations for 100-Year Storm, (1) Collector/Arterial, C, states "On County designated emergency routes a minimum 12 foot wide dry lane shall be maintained, centered on the roadway, or the County may establish an allowable depth of water."

It is the opinion of Town Staff that the revised design proposed for the Zerolene Road crossing of the Martin Slough may not require a variance from the design standards if the County works with the applicant to establish an allowable depth of water. Based on the attached minutes from the September 11, 2012 meeting of the Planning Commission, it appears the applicant brought forward a previous request for a variance to the

design standards with a similar design. It also appears, however, that the applicant withdrew that request after learning East Fork Fire would object to water over Zerolene. It remains unclear to Town Staff what the intent of creating a standard that permits the County to establish "an allowable depth of water" if the standard will always be "minimum 12 foot wide dry lane shall be maintained, centered on the roadway." Perhaps the County should identify which emergency access collector and arterial roads might qualify for an exception.

Furthermore although it will be the responsibility of Douglas County to maintain Zerolene, it is the opinion of Town Staff that a dip section in place of 2 of the original 8 box culverts may reduce the potential of debris obstruction and may convey the water through the floodway more safely and efficiently.

The proposed design may be a convenient way to provide waterway crossing through Zerolene as it is subject to flash floods, seasonal high storm runoff peaks, or frequent heavy passage of debris. If designed properly, debris may simply wash over the road structure during a 100 year flood event.

The prevailing low flow conditions would be handled by a series of culverts and the occasional flash flood and debris would simply pass through. During the 100 year flood event the amount of debris and size are unforeseeable and the road dip section may be more capable of handling such objects without changing the design flow patterns. There are many different design aspects that would need to be considered to help reduce the kinetic energy associated with floods in this section along with fortifying the road section. It will be crucial that the road is designed to withstand washing out to maintain access to emergency response vehicles. All these could be discussed in further detail during the design phase.

After the incident, some clearing may be necessary to allow for vehicle passage but is much easier than maintaining culverts during and after the event.

Options for Board Consideration

In the November 8, 2016 presentation to the Planning Commission, County Staff outlined the following options to the Planning Commission for consideration:

- 1) Recommend approval of the variance to the Board of County Commissioners, allowing for the construction of six box culverts and a dip section.
- 2) Recommend denial of the request to the Board of County Commissioners, further recommending construction of eight box culvert configuration, subject to FEMA approval.
- 3) Recommend denial of the request to the Board of County Commissioners, further recommending construction of the ten box culvert configuration if FEMA determines the eight box culvert configuration does not meet their standard.

It is the opinion of Town Staff that the Town Board should consider one additional option:

- 4) Recommend approval to Douglas County of the variance to the Board of County Commissioners, allowing for the construction of six box culverts and a dip section conditioned on the following:
 - a) The applicant should work with the County, Emergency Service providers and the Towns to establish an allowable depth of water and design for the crossing that would meet the requirements while ensuring public health and safety is safeguarded. Douglas County could use this process to establish level of service standards for critical emergency access to communities.
 - b) The applicant should work with Douglas County to create acceptable design standards for the dip sections for ease of maintenance and to ensure emergency access.



COMMUNITY DEVELOPMENT
1594 Esmeralda Avenue, Minden, Nevada 89423

Mimi Moss
DIRECTOR

775-782-6201
FAX: 775-782-6297
website: www.douglascountynv.gov

Building Division
Engineering Division
Planning Division
Code Enforcement

MEMORANDUM

DATE: November 8, 2016

TO: Douglas County Planning Commission

FROM: Heather Ferris, Senior Planner
Erik Nilssen, County Engineer

SUBJECT: The Ranch at Gardnerville Planned Development modification (PD 04-008-8) and request for a Variance to Improvement Standards (LDA 16-035) for the construction of Zerolene Road.

I. REQUEST

For Possible Action. Discussion on a request for a modification to the Ranch at Gardnerville Planned Development and a Variance to Improvement Standards as they relate to design criteria for the construction of the Zerolene Road crossing of Martin Slough. The property is located south of Buckeye Road and east of Highway 395 along Heybourne Road, within the SFR-8000 (Single Family Residential- 8,000 square foot minimum net parcel size) and the MFR (Multi-Family Residential) zoning districts with a Planned Development (PD) Overlay, in the Minden/Gardnerville Community Plan Area. The applicant is Ezra Nilson. PD 0-008-8 and LDA 16-035.

II. RECOMMENDATION

Staff recommends that the Planning Commission recommend, to the Board of County Commissioners, denial of the modification to the Planned Development (PD 04-008-8) and the Variance to Improvement Standards (LDA 16-035) seeking to waive Note 1 of Table 6.2 of Douglas County Design Criteria and Improvement Standards (DCDCIS) and require adherence to the adopted standards based on the discussion and findings included in the staff report.

III. PROJECT INFORMATION

Owner/Applicant	Ezra Nilson, Private Equity Investments 500 N. Marketplace Dr. Suite #250 Centerville, UT 84014
Representative	Rob Anderson, PE 1603 Esmeralda Ave. Minden, NV 89423
Location	South of Buckeye Road and east of Highway 395 along Heybourne Road,

Master Plan Designation	Receiving Area
Zoning Designation	SFR-8,000 and MFR

IV. BACKGROUND

The Ranch at Gardnerville Planned Development was originally approved on December 2, 2004 under the 2001 Douglas County Design Criteria and Improvement Standards (DCDCIS). There have been significant changes to the DCDCIS, FEMA Floodplain/Floodway limits, the project, and economic conditions since the project's approval. The DCDCIS was last updated on June 7, 2007 requiring development to comply with the updated standards within 180 days of the most recent adoption (see DCDCIS 1.7). Discussion on past requirements is irrelevant to what is required today. Current standards require collector roads and arterial roads to provide at least one access to communities during the 100-year flood.

The April 2008 plans for Zerolene Road crossing of the Martin Slough were submitted to and approved by Douglas County to install eight- 4 foot x 12 foot box culverts. Due to the economy, the roadway was never constructed. In the interim, the Martin Slough Floodplain was re-studied and new floodplain maps were published by the Federal Emergency Management Agency (FEMA). The revised mapping changed the floodplain to a floodway; however the overall amount of flow reaching Zerolene Road was reduced from 3,689 cubic feet per second to 2,336 cubic feet per second.

V. DISCUSSION, EVALUATION, & FINDINGS

Douglas County Code Section 20.676.110 requires a public hearing by the Planning Commission and Board for revisions to a PD that involve changes in land use, expansion, or intensification of development, or changes in the standards of development. In the event the requested Variance to Improvement Standards were to be approved, it would also require the modification of one or more of the conditions of approval associated with the Planned Development, therefore, a Planned Development modification was also requested (DCC Section 20.676.110).

Since 2007, the Douglas County Design Criteria and Improvement Standards (DCDCIS) have required arterial and collector roads to allow a minimum of one access to communities during the 100-year flood. All emergency facilities (fire and police) are on the west side of the Martin Slough. All of the 613 homes planned to be constructed in the Ranch at Gardnerville Planned Development will be on the east side of the Martin Slough. The required improvements must allow emergency ingress and egress to Douglas County residents during a 100-year flood.

The request is for a variance to improvement standards, specifically for relief from Note 1 on Table 6.2 of the Engineering Design Criteria and Improvement Standards which states:

“Arterial and collector roads shall be signed and constructed to allow for a minimum of one access to communities during the 100-year flood.”

FEMA allows for construction in a floodplain to raise the water surface by up to 1-foot; however, construction in a floodway may not increase the water surface elevation. The variance, if approved, would allow Zerolene Road to be constructed in accordance with FEMA's requirements of no rise in the BFE, but would allow a portion of the road segment to be inundated during the 100-year event. The proposed improvements would include construction of six 4-foot by 12-foot box culverts and a

325 foot long dip section. The box culverts would pass the more frequent flows (<50 year) without overtopping; however, the proposed dip section would overtop during the less frequent flows (100 year). The re-mapping of the floodplain which established the floodway also reduced the 100-year flood event flows in the area of Zerolene Road.

Douglas County and the applicant have a difference of opinion as to what must be designed to comply with County Code and FEMA standards. It is Douglas County's opinion the road must be constructed to:

- 1) Allow one lane of access during the 100 year flood.
- 2) Ensure the floodway water surface is not increased.

It is the applicant's interpretation that the construction of the roadway must also ensure the 100-year base flood elevation is not increased.

County staff has been in contact with FEMA to seek clarification on this requirement. As of October 31, 2016, no clarification has been received. However, it is anticipated FEMA will provide a response prior to the Planning Commission meeting.

There are four proposals which have been considered for the Zerolene Road crossing of Martin Slough. The four proposals include 6-culverts with a 325 foot dip section; 8-culverts with no dip section; 10 culverts with no dip section; and a 140 foot clear span bridge. Staff's analysis of these four proposals is detailed in the County Engineer's memo to the Planning Commission (Attachment 3). As noted in the memo the 8-culvert option is Staff's preferred alternative as it complies with requirements 1 and 2 listed above.

Findings for PD Modification (DCC 20.676.040)

Douglas County Code Section 20.676.040 establishes findings that must be considered by the Planning Commission and Board of County Commissioners in their decisions on a Planned Development or Planned Development modification. All findings must be made in the affirmative in order to approve the requested modification.

1. *The plan is consistent with the statement of objectives of a planned development contained in the master plan and in this chapter.*

Staff Response: Pursuant to County Code Section 20.676.010 a Planned Development must meet at least one of the six criteria outlined. With this modification, the Planned Development will continue to meet, at a minimum, Criterion 6 which states the "project is located within a receiving area as shown on the master plan land use maps, and is proposing to utilize transfer of development rights.

2. *The extent that the plan departs from zoning and subdivision regulations otherwise applicable to the property, including but not limited to density, bulk and use, are deemed to be in the public interest.*

Staff Response: The request does not meet this finding. The original approval was conditioned to ensure compliance with zoning and subdivision regulations. The requested PD modification and Variance to Improvement Standards would result in the construction of a road that does not meet standards. The applicant is proposing to construct 613 dwelling units at the Ranch at Gardnerville, without the standard improvement to Zerolene Road, thereby not providing a dry lane of access into or out of the neighborhood during an event between the 50 year and the 100 year flood event.

3. *The ratio of residential to non-residential use in the planned development is consistent with the master plan.*

Staff Response: This finding is not applicable to this PD modification. There are no proposed changes to the ratio of residential to non-residential use. The PD will continue to be comprised entirely of residential uses.

4. *The purpose, location and amount of the common open space in the planned development, the reliability of the proposals for maintenance and the conservation of the common open spaces are adequate as related to the proposed density and type of residential development.*

Staff Response: It was previously determined that the open space proposed with the original PD approval as well as subsequent modifications is sufficient. The proposed PD modification does not propose any changes to the location or amount of common open space previously approved with the Planned Development.

5. *The physical design of the plan and the manner in which the design of the planned development makes provisions for adequate public facilities, as required by this code.*

Staff Response: The request does not meet this finding. Per Douglas County Code Section 20.100.020 no development application shall be approved unless the development is served by adequate public facilities. These include water facilities, wastewater facilities, drainage facilities and transportation facilities. The applicant is proposing to construct 613 dwelling units at the Ranch at Gardnerville, without the standard improvement to Zerolene Road, thereby not providing a dry lane of access into or out of the neighborhood during an event between the 50 year and the 100 year flood event.

6. *The proposed development is compatible with and preserves the character and integrity of adjacent development and neighborhoods.*

Staff Response: The proposed modification does not impact the development's compatibility with adjacent development and neighborhoods. It was determined to meet this finding in 2004 and in subsequent PD modifications. The residential development is consistent with other residential development in the area.

7. *Any development-related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods, are mitigated by improvements or modifications either on-site or within the public right-of-way.*

Staff Response: The request does not meet this finding. The original PD and subsequent modifications included conditions of approval to mitigate for these impacts. These include conditions of approval related to traffic impacts and provisions for adequate ingress and egress. As noted in staff's response to finding 5 above, the requested modification would result in inadequate transportation facilities during flood events.

8. *Where a development plan proposes development over a period of years, the sufficiency of the terms and conditions intended to protect the interests of the public, residents and owners of the planned development and the integrity of the plan and, where the plan provides for phases, the period in which the application for each phase must be filed.*

Staff Response: Not applicable. The request will not modify the approved Phasing Plan for the project.

9. *That each individual unit or phase of the development, if built in stages, as well as the total development, can exist independently and be capable of creating a good environment in the locality and be as desirable and stable in any phase as in the total development.*

Staff Response: Not applicable. The request will not modify the approved Phasing Plan for the project. The existing conditions of approve provide for adequate assurance that the individual phases can exist independently.

10. *The uses proposed will not be a detriment to the present and proposed surrounding land uses, but will enhance the desirability of the area and have a beneficial effect.*

Staff Response: The PD modification is not proposing any additional uses not contemplated in the original approval in December 2004.

11. *Any deviation from the standard ordinance requirements is warranted by the design and additional amenities incorporated in the development plan which offers certain unusual redeeming features to compensate for any deviations that may be permitted.*

Staff Response: The request does not meet this finding. The PD modification is triggered by the request for a Variance to Improvement Standards to allow Zerolene Road to be constructed in accordance with FEMA's requirements of no rise in the BFE but allowing a portion of the road segment to be inundated during the 100- year event. The proposed improvements would include construction of six 4-foot by 12-foot box culverts and a 325 foot long dip section. The box culverts would pass the more frequent flows (<50 year) without overtopping; however, the proposed dip section would overtop during the less frequent flows (100 year). Such a deviation from the standard is not warranted. As noted in finding 5 above, the proposed design will not provide one dry lane of access during the 100 year flood as required by the DCDCIS and places future residents in danger if, and when, a flood event occurs.

12. *The planned development will not result in material prejudice or diminution in value of surrounding properties, and will not endanger the health, safety and welfare of the community.*

Staff Response: The request does not meet this finding. If approved, the variance will result in a road that does not provide for adequate emergency ingress and egress for residents or emergency responders. Intensifying the land use (adding additional homes) with no means of emergency access during flood events is detrimental to public health and safety.

13. *The subdivision of land proposed in the planned development meets the requirements of the Nevada Revised Statutes and this code.*

Staff Response: The Planned Development has been conditioned to meet the requirements of NRS and Title 20 of Douglas County Code.

14. *The subdivision of land proposed in the planned development conforms to the density requirements, lot dimension standards and other regulations applicable to planned developments.*

Staff Response: The proposed development meets this finding, in that the proposed density complies with the density permitted by the Master Plan designated Receiving Area and the SFR-PD and MFR-PD zoning districts. The proposed density and lot sizes comply with the PD overlay standard.

15. *The subdivision of land proposed in the planned development conforms to the improvement and design standards contained in the development code and adopted design criteria and improvement standards.*

Staff Response: The request does not meet this finding. With the exception of the requested Variance to Improvement Standards, the Planned Development is conditioned to comply with adopted regulations within the County's development code and design manual. As noted in the above findings, if approved, the variance will result in a road that does not provide for emergency access, as required, during a flood event. The design, as proposed, would not provide for adequate emergency ingress and egress for residents or emergency responders.

16. *Where applicable, adequate transfer development rights have been established consistent with the number of proposed units within the planned development.*

Staff Response: The Planned Development is conditioned to transfer development rights in support of the proposed density. Under previous approvals, the project is conditioned to require recordation of the TDR's prior to recordation of final map submittal.

17. *The planned development has a beneficial relationship to the neighborhood in which it is proposed to be established.*

Staff Response: The request does not meet this finding. The proposed modification to the PD will not have a beneficial relationship to the neighborhood in which the PD is established. The modification is triggered by the request for a Variance to Improvement Standards to allow Zerolene Road to be constructed in accordance with FEMA's requirements of no rise in the BFE but allowing a portion of the road segment to be inundated during the 100- year event. The proposed improvements would include construction of six 4-foot by 12-foot box culverts and a 325 foot long dip section. The box culverts would pass the more frequent flows (<50 year) without overtopping; however, the proposed dip section would overtop during the less frequent flows (100 year). Such a deviation from the standard is not warranted. If approved, the modification and variance will result in a road that does not provide for adequate emergency ingress and egress for residents or emergency responders during a flood event.

Findings for a PD Modification (NRS 278A.410)

In addition to the findings outlined above, NRS 278A.410, *Modification of plan by city or county*, requires the following findings be made prior to approval of the PD modification.

1. *No such modification, removal or release of the provisions of the plan by the city or county may affect the rights of the residents of the planned unit residential development to maintain and enforce those provisions.*

Staff Response: The PD modification will not alter the ability of the residents of the development to maintain and enforce the provisions of the PD.

2. *No modification, removal or release of the provisions of the plan by the city or county is permitted except upon a finding by the city or county, following a public hearing that it:*
 - (a) *Is consistent with the efficient development and preservation of the entire planned unit development;*
 - (b) *Does not adversely affect either the enjoyment of land abutting upon or across a street from the planned unit development or the public interest; and*
 - (c) *Is not granted solely to confer a private benefit upon any person.*

Staff Response: The request does not meet this finding. Subsection (c) requires the approving body to find that the modification is not granted solely to confer a private benefit upon any person. As previously noted, the modification is requested as a result of a request for a variance to improvement standards. The requested variance is solely for the financial benefit of the developer. In April 2008 Douglas County approved construction of Zerolene Road with the installation of eight culverts. FEMA subsequently revised the floodplain to a floodway which restricts development to a higher standard. The application states in their justification “to achieve these new administrative standards requires the construction of a minimum of a 140-foot wider clear span bridge.” A preliminary cost estimate of \$4 million was provided for the bridge. Analysis has shown the 140-foot clear span bridge is not necessary to satisfy FEMA requirements, and that the previously approved 8 culvert configuration is sufficient. Yet the applicant is only willing to install six box culverts and a dip section, while the standard can be achieved with 8 box culverts. A quote was received by Jensen Precast in Reno showing cost (including delivery) of the additional box culverts would be approximately \$60,000 each (not including tax or installation costs).

Findings for Variance to Improvement Standards (DCC 20.704.070)

Douglas County Code Section 20.704.070 establishes findings that must be considered by the Planning Commission and Board of County Commissioners in their decisions on a Planned Development or Planned Development modification. All findings must be made in the affirmative in order to approve the requested modification.

1. *The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property.*

Staff Response: The request does not meet this finding. As indicated in the Statement of Justification, The Martin Slough is crossed at four other locations; Gilman Ave, Buckeye Road, Lucerne Street, and Monte Vista Ave. During a 100-year flood event, these roadways are over topped by depths ranging from 1.0 feet (Gilman Avenue) to 3.5 feet (Monte Vista Avenue). All of these roadways were constructed prior to the adoption of the 2007 DCDCIS, and many were constructed prior to the original 1980 FEMA Flood Insurance Rate Maps which established floodplains in Douglas County. Zerolene Road has not been constructed to date, is recognized as a Minor Collector on the Master Transportation Plan, and is therefore subject to the County’s current standards of construction.

Since the other Collector's in the area do not provide a minimum of one access to the Community Zerolene Road must be built to today's standards to ensure citizens have a means of access during a flood event. The existing collector and arterial road crossings have no bearing on the requirements for Zerolene Road. The applicant has not provided sufficient justification to vary from the standard. Intensifying land use (adding additional homes) with no means of emergency access during flood events is detrimental to the public safety and health.

2. *The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property;*

Staff Response: The request does not meet this finding. The variance request is not unique to the property for which the variance is sought. The applicant cites the new designation of the Martin Slough as floodway as having imposed extraordinary circumstances not present at the time the project was approved. The plans approved by the County in April 2008 for the construction of the Zerolene Road crossing of Martin Slough included the installation of 8 box culverts. The roadway was never constructed. In the interim, as noted by the applicant, the floodplain was changed to a floodway; however, the amount of flow reaching Zerolene Road was reduced from 3,689 cubic feet per second to 2,336 cubic feet per second. Even with the change in floodplain/floodway designation, due to this reduction in flow, the originally approved April 2008 plans continue to be acceptable to meet FEMA and Douglas County standards. The same cannot be achieved with the applicant's proposal for six box culverts and a dip section.

3. *Because of the physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out;*

Staff Response: The request does not meet this finding. The applicant cites the establishment of a regulatory floodway for the Martin Slough along with the topographic relief and available right-of-way as a significant hardship to strict compliance with the regulations. As noted in finding 2 above, the plans approved by the County in April 2008 for the construction of the Zerolene Road crossing of Martin Slough included the installation of 8 box culverts. The roadway was never constructed. In the interim, as noted by the applicant, the floodplain was changed to a floodway; however, the amount of flow reaching Zerolene Road was reduced from 3,689 cubic feet per second to 2,336 cubic feet per second. Even with the change in floodplain/floodway designation, due to this reduction in flow, the originally approved April 2008 plans continue to be acceptable to meet FEMA and Douglas County standards.

4. *The variance will not in any manner vary the provisions of the zoning ordinance, or master plan;*

Staff Response: The variance will not vary the provisions of the zoning ordinance or master plan for the Ranch at Gardnerville Planned Development.

5. *The granting of the variance substantially conforms to adequate public facilities requirements of this code; and*

Staff Response: The request does not meet this finding. Per Douglas County Code Section 20.100.020 no development application shall be approved unless the development is served by

adequate public facilities. These include water facilities, wastewater facilities, drainage facilities and transportation facilities. The applicant is proposing to construct 613 dwelling units at the Ranch at Gardnerville, without the standard improvement to Zerolene Road, thereby not providing a dry lane of access into or out of the neighborhood during an event between the 50 year and the 100 year flood event.

6. *The variance will not have the effect of preventing the orderly division of other land in the area in accordance with the provisions of this code.*

Staff Response: The variance would not have an effect on the orderly division of other land in the area in accordance with the provisions of this code. Future divisions of land will be reviewed and appropriate conditions placed on the tentative maps to ensure compliance with the regulations and standards in place at the time.

Findings for a Variance to Improvement Standards (DCDCIS Part II, Division 1, Section 1.3)

Douglas County Design Criteria and Improvement Standards Part II, Division 1, Section 1.3 establishes standards and requirements for approval of a Variance to Improvement Standards. The County Engineer has reviewed the request and has determined the variance does not meet any of the requirements of the DCDCIS manual for approval of the variance.

1. *Situations where strict compliance with the manual may not act to protect public health and safety.*

Staff Response: The applicant's request does not meet the finding; rather the request places future residents in danger if, and when, a flood event occurs. The Ranch at Gardnerville is proposing to construct an additional 613 dwelling units, without the standard improvement to Zerolene Road. Therefore, no dry lane of access will exist into or out of the neighborhood during an event between the 50-year and 100-year flood event. Approving the variance does not protect public health and safety. There are no fire or police facilities located on the east side of Martin Slough that would have access to the neighborhood in the event of a 50 to 100-year flood without requiring Zerolene Road to meet current design standards. The applicant estimates the amount of water overtopping of Zerolene would be 1.1 feet with the proposed design.

2. *Situations which require additional analysis outside the scope of this manual for which the additional analysis shows that strict compliance with the manual may not act to protect public health and safety.*

Staff Response: The applicant's request does not meet this finding, in that this finding is not applicable. No additional analysis is needed outside the scope of the manual. The variance only considers the construction of six culverts versus eight culverts which will endanger public health and safety in the event of a flood.

3. *Hydrologic and/or hydraulics conditions which cannot be adequately addressed by strict compliance with this manual.*

Staff Response: The applicant has not presented evident to support this finding. The hydrologic and hydraulic conditions in the Martin Slough have been well studied and approved by FEMA. There are no unique conditions at this site. The applicant identifies this one scenario as support for the variance and speaks to the change in the floodplain which provides the Planning Commission with a historic

perspective, but the applicant fails to show that there are hydrologic and/or hydraulic conditions that can't be addressed with the construction of eight culverts (versus six culverts).

Financial Considerations

The DCDCIS further states that "...financial hardship shall not be considered grounds for a variance request."

After work stopped on the approved April 2008 permit proposing to install eight culverts, FEMA revised the floodplain to floodway which restricts development to a higher standard. After the designation, the applicant states in their justification "to achieve these new administrative standards requires construction of a minimum of a 140-foot wider clear span bridge." A preliminary cost estimate in excess of \$4 million was provided for the bridge. Analysis has shown the 140-foot wide clear span bridge is not necessary to satisfy FEMA requirements, and that the previously approved eight culvert configuration is sufficient. There is a section in the Code of Federal Regulations (44 CFR 60.3.d.4) which allows for FEMA to be flexible with their floodway requirements if there is overall benefit to the public. Although it appears this provision is not needed, based on initial email conversations, FEMA would be open to using this provision to allow the County to achieve 100-year flood access to the Ranch at Gardnerville while causing the floodway water surface elevation to rise.

The applicant is willing to install six box culverts. The standard can be reached by installing eight box culverts. A quote was received by Jensen Precast in Reno showing cost to deliver the additional box culverts would be around \$60,000 each (not including tax or installation costs).

VI. TOWN REVIEW AND PUBLIC COMMENT

County staff has requested appropriate applications be made to both the Town of Gardnerville and the Town of Minden. It has been confirmed by the Town of Gardnerville that application has not been made and at this point, the Town will not be able to hear the project until their December 6, 2016 meeting, assuming that all appropriate documentation is filed with the Town. The Town of Minden has confirmed the matter is scheduled to be heard by their Board at the December 7, 2016 meeting. Both meetings would occur after the Board of County Commissioners would be scheduled to hear the matter on December 1, 2016.

Douglas County Code requires development applications within the established boundaries of the Towns to be reviewed by the Towns prior to final action (DCC Section 20.08.010). Since, the Towns will not be able hear the request and provide recommendation prior to the Planning Commission or Board of County Commissioner meetings, the Planning Commission may wish to continue the matter for one month, providing the Towns with adequate time to review the application and make recommendation.

As of October 31, 2016 no public comment has been received. Any written correspondence received prior to the meeting will be forwarded to the Planning Commission for consideration.

VII. CONCLUSION

The Planning Commission has several options for review and recommendation to the Board of County Commissioners.

- 1) Continue the matter for one month providing the Towns with adequate time to review the application and make recommendation.
- 2) Recommend approval of the variance to the Board of County Commissioners, allowing for the construction of six box culverts and a dip section.
- 3) Recommend denial of the request to the Board of County Commissioners, further recommending construction of the eight box culvert configuration, subject to FEMA approval.
- 4) Recommend denial of the request to the Board of County Commissioners, further recommending construction of the ten box culvert configuration if FEMA determines the eight box culvert configuration does not meet their standard.

Staff does not find grounds to support this variance request. As outlined in the findings above, there are several findings that are not met. Douglas County Code requires all findings be made in the affirmative in order to approve a PD modification and Variance to Improvement Standards. The County Engineer has reviewed the request and finds that the request does not meet any of the conditions to be considered for a variance request as specified in the DCDCIS. Previously, the applicant felt the only way to comply with the current standard was a \$4 million bridge; however the current standard can be reached with the construction of two additional culverts, the same number and size of culverts proposed and approved by the County in 2008.

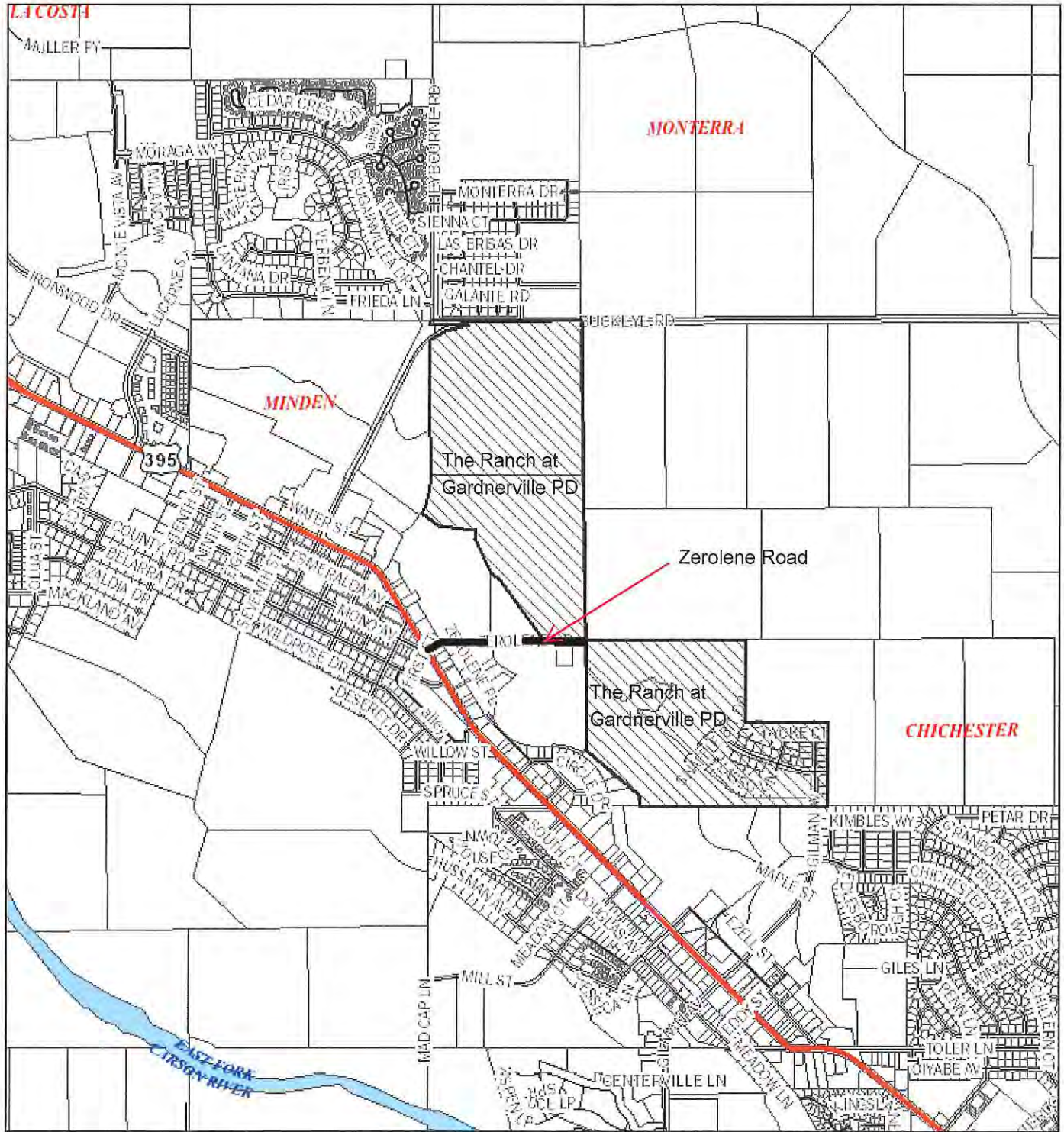
The DCDCIS lists the minimum standards for development that are required by Douglas County. These minimums, especially when public health and safety is involved, should not be waived, varied, or negotiated. Therefore, staff recommends the Planning Commission recommend, to the Board of County Commissioners, denial of the PD modification (PD 04-008-8) and requested Variance to Improvement Standards (LDA 16-035).

Attachments:

- 1) Location Map
- 2) Application Information
 - a. Statement of Justification
 - b. Hydraulic Modeling
 - c. Road Profiles
- 3) County Engineer's Memo

Location Map

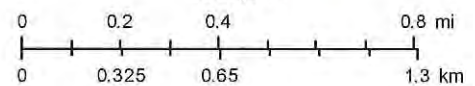
Attachment 1



October 27, 2016

1:23,811

- Residential Neighborhoods
- Rivers
- Federal
- State
- Primary Road
- Other Roads
- ⋮ Parcels



DCGIS 2015

13-11



COMMUNITY DEVELOPMENT

1594 Esmeralda Avenue, Minden, Nevada 89423

Erik Nilssen, P.E.
COUNTY ENGINEER

775-782-9063
CELL: 775-790-7975 • FAX: 775-782-6297
website: www.douglascountynv.gov

Planning Division
Engineering Division
Building Division
Code Enforcement

M E M O R A N D U M

TO: Douglas County Planning Commission
FROM: Erik Nilssen, County Engineer
DATE: November 8, 2016
SUBJECT: Zerolene Road Variance to Improvement Standards

I. Request

For possible action. Discussion on a PD modification (PD04-008-8 & LDA16-035) and variance request to improvement standards regarding the construction of Zerolene Road by Ezra Nilson, Private Equity Investments. The variance request is specifically for relief from Note 1 on Table 6.2 of the Engineering Design Criteria and Improvement Standards which states:

"Arterial and collector roads shall be designed and constructed to allow for a minimum of one access to communities during the 100-year flood."

The Planning Commission may recommend approval, approval with modifications, or denial of the request.

II. Staff Recommendation

Staff recommends denial of the PD modification and variance to construction standards (PD04-008-8 & LDA15-035) for Private Equity Investments, seeking to waive Note 1 of Table 6.2 of the Douglas County Design Criteria and Improvement Standards and require adherence to adopted standards based on the discussion and findings in the staff report and subject to the recommended conditions.

III. Discussion

Design Requirements and Variance Request:

Since 2007, the Douglas County Design Criteria and Improvement Standards (DCDCIS) has required arterial and collector roads to allow a minimum of one access to communities during the 100-year flood. All emergency facilities (fire and police) are on the west side of the Martin Slough. All of the homes constructed by the Ranch at Gardnerville are on the east side of the Martin Slough. The required improvements allow emergency exit of, or access to, Douglas County residents during a flood event of greater than the 50-year flood.

Interpretation of FEMA Standards:

Douglas County and the applicant have a difference of opinion as to what must be designed to comply with County Code and FEMA Standards. It is Douglas County's opinion the road must be constructed to:

- 1) Allow one lane of access during the 100-year flood.**
- 2) Ensure the floodway water surface is not increased.**

It is the applicant's interpretation that a third requirement is necessary to construct the roadway. The additional requirement would be:

- 3) Ensure the 100-year base flood elevation is not increased.**

The County has reached out to FEMA for clarification on this requirement. At the time of this memo, no clarification has been received. It is anticipated that FEMA will have provided a response prior to the Planning Commission meeting. In any event, FEMA does state:

"In some situation, it may be in the public interest to allow increase in flood heights greater than those allowed under the NFIP regulations."

The County believes 100-year access to 613 residences would qualify for consideration.

Design Options:

There are four proposals which have been considered to cross the Martin Slough:

1) 6-Culverts with a 325-foot dip section

This configuration is the applicant's proposed design. This design allows one dry lane up to the 50-year flood event. During the 100-year flood event the roadway would be covered by 1.1-feet of water. This proposal does not raise the base flood water surface elevation or the flood way elevation. This proposal does not comply with Requirement No. 1 from the previous section.

2) 8-Culverts with no dip section

This configuration was previously submitted by the applicant and approved by Douglas County. County Staff recommends this design as the preferred alternate. The design allows for one dry lane of access over Zerolene during the 100-year flood event. Exhibit A shows floodwater overtopping the roadway by 0.04' during the 100-year flood event, however the overtopping is minor and County Staff believes the roadway can be slightly elevated and overtopping will not occur. This proposal complies with Requirements 1 and 2 above which the County believes satisfies County Code and FEMA requirements.

3) 10-Culverts with no dip section

The developer's representative believes ten culverts are needed to satisfy all of the requirements presented in the previous section. This configuration provides access over Zerolene Road during the 100-year flood event and it does not increase the floodway or base flood elevation. County Staff believes this proposal would exceed FEMA Standards. Clarification with FEMA has been requested.

4) 140-foot clear span bridge

In the October 21, 2016 Statement of Justification from the applicant to County Staff, a 140-foot clear span bridge is mentioned as the only way to meet design requirements one-three above. During subsequent conversations with the applicant it has been stated the 10 4-foot x 12-foot

culverts (120-feet of clearance) would accomplish the same goals as the clear span bridge.

Douglas County Staff does not believe the clear span bridge is necessary to satisfy the DCDCIS or FEMA.

Background:

The original approval for the Ranch at Gardnerville was December 2, 2004, under the 2001 DCDCIS. There have been significant changes to the DCDCIS, FEMA Floodplain/Floodway limits, the project, and economic conditions since the project's approval. The DCDCIS was last updated on June 7, 2007, where development is required to comply with the updated standards within 180 days of the most recent adoption (See DCDCIS 1.7). Discussion on past requirements is irrelevant to what is required today. Current standards require collector roads and arterial roads to provide one access to communities during the 100-year flood.

The April 2008 plans for the Zerolene Road crossing of the Martin Slough were submitted to and approved by Douglas County to install eight - 4-foot x 12-foot box culverts. Due to the economy, the roadway was never constructed. In the interim, the Martin Slough Floodplain was restudied and new floodplain maps were published by the Federal Emergency Management Agency (FEMA). The revised mapping changed the floodplain to floodway, however the overall amount of flow reaching Zerolene Road was reduced from 3,689 cubic feet per second to 2,366 cubic feet per second.

Construction in a floodplain is allowed to raise the water surface by up to 1-foot per FEMA standards. Construction in a floodway may not increase the water surface elevation. Even with the change in floodplain/floodway designation, due to the reduction in flow, the originally approved April 2008 plans are still acceptable in the opinion of County Staff to meet FEMA and Douglas County standards.

Justification for Variance:

The DCDCIS manual lists three scenarios in which a variance may be granted (DCDCIS 1.3). In the County Engineer's opinion, the variance request does not meet any of these conditions. The following are the conditions for variance approval as listed in the DCDCIS:

1) Situations where strict compliance with the manual may not act to protect public health and safety.

Staff Response: The applicant's request does not meet this finding; rather the request places future residents in danger if, and when, a flood event occurs. The Ranch at Gardnerville is proposing to construct 613 dwelling units, without the standard improvement to Zerolene Road. Therefore, no dry lane of access will exist into or out of the neighborhood during a flood event between the 50-year and 100-year flood. Approving the variance does not protect public health and safety. There are no fire or police facilities located on the east side of the Martin Slough that would have access to the neighborhood in the event of a 50 to 100-year flood without requiring Zerolene Road to meet current design standards. The applicant estimates that the amount of water overtopping Zerolene would be 1.1 feet.

2) Situations which require additional analysis outside the scope of this manual for which the additional analysis shows that strict compliance with the manual may not act to protect public health and safety.

Staff Response: The applicant's request does not meet this finding, in that this finding is not applicable. No additional analysis is needed outside the scope of the manual. The variance only considers the construction of six culverts which will endanger public health and safety in the event of a flood.

3) Hydrologic and/or hydraulics conditions which cannot be adequately addressed by strict compliance with this manual.

Staff Response: The hydrologic and hydraulic conditions in the Martin Slough have been well studied and approved by FEMA. There are no unique conditions at this site. The applicant identifies this one scenario as support for the variance. The applicant has not presented any evidence to support this finding. The applicant speaks to the change in the floodplain which provides the Planning Commission with a historic perspective, but the applicant fails to show that there are hydrologic and/or hydraulic conditions that can't be addressed with the construction of the eight (or ten) culverts (versus six culverts).

Financial Considerations:

The DCDCIS further states that "...financial hardship shall not be considered grounds for a variance request."

After work stopped on the approved April 2008 permit proposing to install eight culverts, FEMA revised the floodplain to floodway which restricts development to a higher standard. After the designation, the applicant states in their justification "to achieve these new administrative standards requires the construction of a minimum of a 140-foot wide clear span bridge." A preliminary cost estimate in excess of \$4 million was provided for the bridge. Analysis has shown the 140-foot clear span bridge is not necessary to satisfy FEMA requirements, and that the previously approved eight culvert configuration is sufficient. There is a section in the Code of Federal Regulations (44 CFR 60.3.d.4) which allows for FEMA to be flexible with their floodway requirements if there is overall benefit to the public. Although it appears this provision is not needed, based on initial email conversations, FEMA would be open to using this provision to allow the County to achieve 100-year flood access to the Ranch at Gardnerville while causing the floodway water surface elevation to rise.

The applicant is willing to install six box culverts. In the County's opinion, the standard can be reached by installing eight box culverts (the applicant believes ten culverts would be required). A quote was received by Jensen Precast in Reno showing cost to deliver the additional box culverts would be around \$60,000 each (not including tax or installation costs).

Additional Martin Slough Crossings:

The Martin Slough is crossed at four other locations; Gilman Ave, Buckeye Road, Lucerne Street, and Monte Vista Ave. During a 100-year flood event, these roadways are over topped by depths ranging from 1.0-feet (Gilman Avenue) to 3.5-feet (Monte Vista Avenue). All of the roadways were constructed prior to the adoption of the 2007 DCDCIS, and many were constructed prior to the original 1980 FEMA Flood Insurance Rate Maps which established floodplains in Douglas County. The existing collector and arterial road crossings have no bearing on the requirements for Zerolene Road.

IV. Conclusion

Staff does not find grounds to support this variance request. On the engineering side it does not meet any of the conditions to be considered for a variance. Previously, the applicant felt the only way to comply with the current standard was a \$4 million dollar bridge, however the current standard can be reached with the construction of two additional culverts, or the same number and size of culverts proposed and approved by the County in 2008. The County Engineer had a conversation with the applicant's representative as to why proceed with a PD modification and a variance request when the disagreement was over two additional culverts. The applicant's representative responded "My client is not willing to install eight culverts, my client is willing to install six culverts."

The DCDCIS lists the minimum standards for development that are required in Douglas County. These minimums, especially when public health and safety is involved, should not be waived, varied, or negotiated.

V. Options

The Planning Commission's options for reviewing this proposal are as follows:

- 1) Approve the Variance Request. Allow for the Construction of Six Culverts
- 2) Deny the Variance Request. Recommend the County Staff's Suggested Eight Culvert Configuration Subject to FEMA Approval.
- 3) Deny the Variance Request. Recommend the Ten Culvert Configuration if FEMA Determines the Eight Culvert Configuration Does Not Meet Their Standard.

Martin Slough LOMR Plan 12 10/24/2016
DST Road Deck data from 0326-063

045

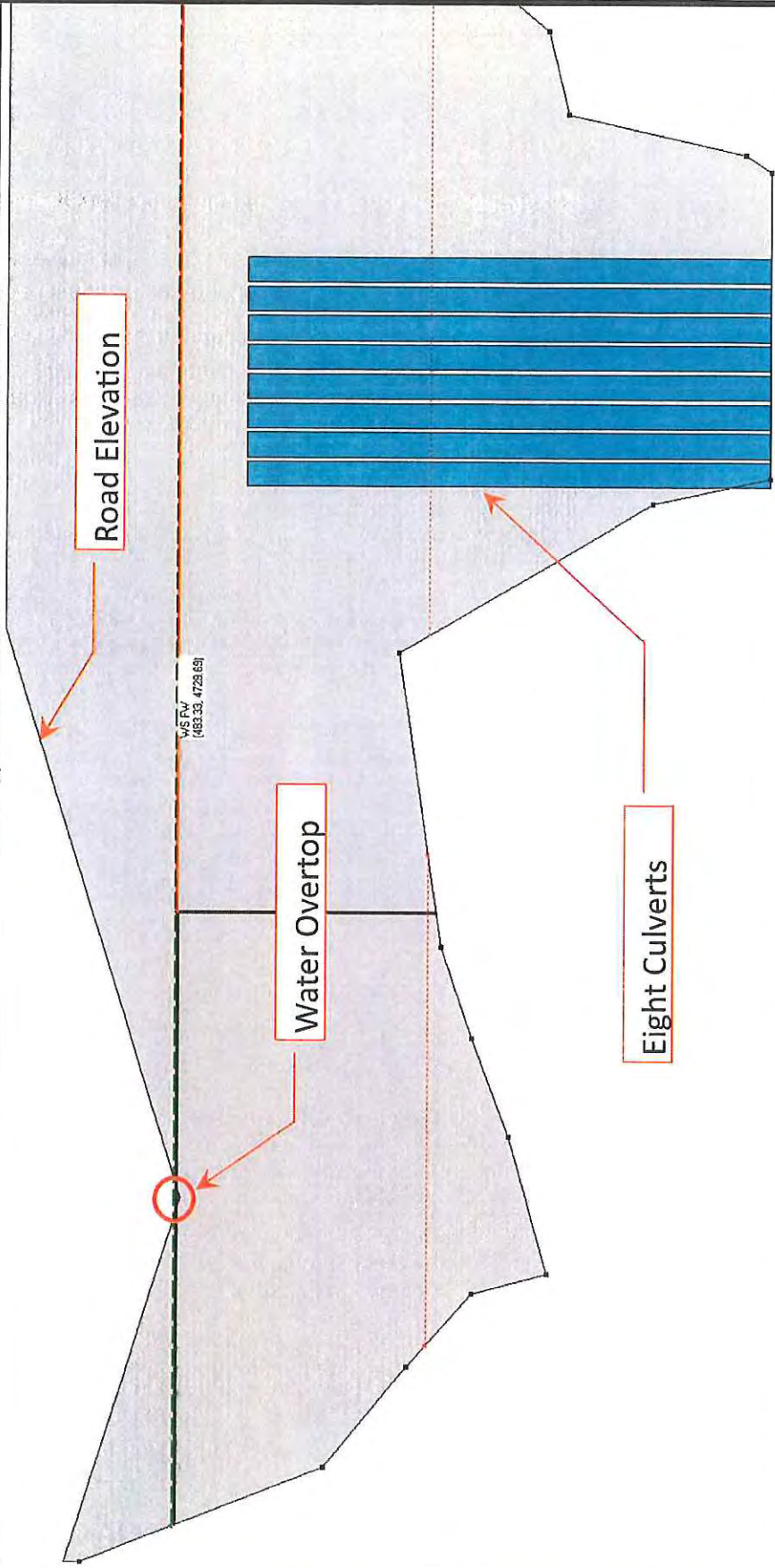


Exhibit A— Proposed Eight Culvert Configuration with Floodway



DOUGLAS COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT
1594 ESERALDA AVENUE
MINDEN, NEVADA 89423

WCAC: _____
AHP: _____
PC: _____
BOCC: _____
Other: _____

ROUTING SHEET

To: Engineering: Building: _____ Town of Gardnerville/Minden
GID: _____ Other: _____

From: Douglas County Community Development Department

Date: 10/21/16 Application Number: PD 04-008-8 & LDA 16-035 (VIS)

The Douglas County Community Development Department has received an application for:

- DEVELOPMENT APPLICATION: _____
- LAND DIVISION APPLICATION: PD 04-008-8 & LDA 16-035 (VIS)

Planner: Heather Ferris

Applicant: Ezra Nilson

Project Address: Zerolene Road

APN _____

The Applicant is requesting: PD Modification & Variance to improvement standards for improvements to Zerolene Rd.

Zoning District: _____ Community Plan: Minden/Gardnerville

Your comments and /or recommended conditions of approval must be submitted no later than 10/27/16.

Please reply to Coleen Thran-Zepeda, Development Coordinator, by phone (775) 782-9012, email ctzepeda@douglasnv.us, or in room 221 at the Minden Inn.

Comments (attach additional sheets as necessary): _____

October 21, 2016

Updated October 21, 2016 to Respond to Community Development Staff Requirements

DOUGLAS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division
Post Office Box 218
Minden, Nevada 89423

**Heybourne Meadows (fka Anker-Park Development and Ranch at Gardnerville)
Zerolene Road Improvements – Request for Variance to Design Criteria and Improvement
Standards - Statement of Justification, and Responses to Planned Development
Modifications as required by Community Development Staff**

To Whom It May Concern:

On behalf of our clients, Private Equity Investments and Alton and Susan Anker, please consider this letter our statement of justification for a variance to Douglas County Design Criteria and Improvement Standards (DCDCIS) as they relate to the design criteria for the Zerolene Road crossing of the Martin Slough.

Background:

This project was approved on December 2, 2004. The Project approval required that Zerolene Road, a planned Collector Road, be improved to certain standards. At that time, the September 2001 Design Criteria and Improvement Standards were applicable. For Arterial and Collector Roads these improvement standards established the Design Storm Event as the 50-year return period, 6-hour duration.

In November 2007, Douglas County adopted certain changes to its Design Criteria and Improvement Standards, including numerous changes to Division 6 – Storm Drainage. Some of the changed criteria included relaxing the requirement for drainage crossings under Arterials and Collector Roads to the 25-year return period. The 2007 Standards also included a new requirement related to Arterial and Collector Roads not previously found in the 2001 Standards. Specifically, the 2007 Standards require that Arterial and Collector Roads be designed and constructed to allow for a minimum of one access to communities during the 100-year flood.

By April 2008, the Owner of the project had prepared the design of Zerolene Road from U.S. Highway 395 to the Project's west boundary. The design, as submitted, achieved the adopted design criteria and Douglas County approved the improvement plans and issued Site Improvement Permit (0553). Relative to the crossing of the Martin Slough flood plain, the approved plans contemplated the construction of 8 – 12'x4' reinforced concrete box culverts with headwalls and a dip section that allowed a portion of the 100-year discharge to overtop the road. Unfortunately, due to economic conditions, the Zerolene Road Project was not completed and the permit expired without the Martin Slough crossing being completed. As of April 2008,

Y:\Client Files\2406\2406-002\Documents\Major Variance Zerolene Rd 10.4.16\2406-002 Expanded Justification for Variance Request.docx

13-21

DOUGLAS COUNTY COMMUNITY DEVELOPMENT

October 21, 2016

Page 2 of 16

the effective Flood Insurance Study (FIS) for Douglas County (November 1999) established the base flood discharge to be about 3,689 cubic feet per second (CFS).

On September 7, 2010, the Federal Emergency Management Agency (FEMA) approved and issued Letter of Map Revision (LOMR) 09-09-2750P. The LOMR: i) established a floodway for the Martin Slough from Toler Lane northerly to U.S. Highway 395 north of Minden, ii) increased the extents of the floodplain due to updated hydrology (peak flows), and iii) increased the Base Flood Elevations (BFEs) throughout this length of the slough. On October 22, 2012, FEMA approved and issued another LOMR for the Martin Slough to reflect additional changes to the flood flows reaching the slough, particularly changed hydrology for contributing watersheds.

Pursuant to the National Flood Insurance Program (NFIP), Part 60, the designation of a floodway results in an administrative requirement that the community prohibit encroachments within the adopted regulatory floodway unless it is demonstrated that the proposed encroachment would not result in any increase to the BFE. That is, if a road crossing is proposed, such as Zerolene Road, it must be demonstrated that the design not result in the raising of the established BFEs in the slough for the based flood (1% chance of recurrence). Practically, to meet this stringent criteria, the Martin Slough Crossing must now be designed to convey the 100-year (1% recurrence interval) flood flow without increasing the BFEs in proximity to the crossing.

Currently, the effective FIS establishes the discharge for the Martin Slough at or near the Zerolene Road crossing at 2,366 cfs.

Discussion and Justification for Variance to Improvement Standards:

This request is being made pursuant to Section 1.3 Variance Procedures of the Douglas County Design Criteria and Improvement Standards, specifically sub-section 3:

Hydrologic and/or hydraulics conditions which cannot be adequately addressed by strict compliance with the manual.

The DCDCIS requires Collector Roads to be designed such that there is a minimum of one access to the community during the 100-year flood. This community, Heybourne Meadows (fka Anker-Park and the Ranch at Gardnerville), is afforded access from three collector roads: Buckeye Road, Zerolene Road, and Gilman Avenue, each of which crosses the floodplain of the Martin Slough. Based on hydraulic evaluation of the flow conditions in the Martin Slough (R.O. Anderson, June 2012), for the effective discharge of the 100-year event the depth of flooding over these roads was estimated to be: 2.3 feet, 1.8 feet, and 1.6 feet, respectively.

DOUGLAS COUNTY COMMUNITY DEVELOPMENT

October 21, 2016

Page 3 of 16

FEMA's establishment of a floodway along the Martin Slough (2010), together with the County's adoption of new standards for the design of arterial and collector roads (2007), represent significant changes to the requirements of the project, which were not anticipated when originally approved. Specifically, when the development project was approved, and even when SIP for Zerolene Road was issued, the contemplated improvements increased the base flood elevations in this area, something that is now prohibited by the regulatory floodway. Additionally, the contemplated improvements would not have maintained one lane of access during the 100-year event. To achieve these new administrative standards (no rise of the BFE and one lane of access) requires the construction of a minimum of a 140-foot wide clear span bridge, a level of improvement that was clearly not required when the project was approved. Were the Applicant to construct the improvements required at the time of the project approval, the recently designated floodway for the Martin Slough would be violated and adversely affect adjacent properties. Therefore, as provided in Section 1.3(3) of the Design Criteria and Improvement Standards, due to changes of both the hydrologic and hydraulic conditions in the Martin Slough, strict compliance with today's adopted design criteria and improvement standards cannot be achieved and a variance is necessary.

This request seeks a variance to the improvement standards to allow Zerolene Road to be constructed in accordance with FEMA's requirements of no rise in the BFE but allowing a portion of the road segment to be inundated during the 100-year event. The proposed improvements include construction of 6-12'x4' reinforced concrete box culverts (RCBCs) to pass more frequent flood flows (<50-year) without overtopping the roadway and use a 325-foot long dip section to pass less frequent flows including the effective 100-year discharge (2,366 cfs).¹

This proposed level of improvements (6, 12-foot x 4-foot box culverts) is similar to other Collector Roads that cross the Martin Slough, such as Buckeye Road, Lucerne Street, and Monte Vista Avenue, which do not have more than two box culverts. Therefore, the design of the Zerolene Road crossing of Martin Slough was reexamined to present a similar approach, yet meet FEMA's "no-rise" requirements in the floodway.

Our hydraulic analysis of the effective flow rates demonstrate that the revised Zerolene Road crossing of Martin Slough will have approximately 1.1 feet depth of water in the dip section during the occurrence of base flood. Our analysis further demonstrates that other crossings of Martin Slough, will be similarly inundated with depths of flow ranging from 1.8 feet (Buckeye Road) to 3.5 feet (Monte Vista Avenue). The one notable exception is Gilman Avenue, which is estimated to have a depth of flow of 1.0 feet during the base flood.

¹ An alternate configuration to be considered at final design is use of 5-14'x3'6" RCBCs, which has similar hydraulic capacity.

Y:\Client Files\2406\2406-002\Documents\Major Variance Zerolene Rd 10.4.16\2406-002 Expanded Justification for Variance Request.docx

Table 1 –Martin Slough Crossings Depth of Flow

Street Crossing	Approximate Flood Depth (ft)
Gilman Avenue	1.0
Zerolene Road	1.1
Buckeye Road	2.0
Lucerne Street	2.8
Monte Vista Ave	3.5

As can be seen from the above table, none of the other road crossings of the Martin Slough achieve the implied standard of access to communities without inundation during the 100-year flood.

Based on this analysis, we respectfully request approval of a variance to the design criteria and improvement standards to allow construction of the Zerolene Road crossing of the Martin Slough floodplain with 6, 12-foot x 4-foot RCBCs designed to pass more frequent flows without overtopping the roadway and use of a 325-foot long dip section to pass less frequent flows, such as the base flood.

Analysis:

The following is our analysis of the required findings for a variance per Douglas County Code Section 20.606.050.

20.606.050 Findings for variances:

A. *The director must not approve a minor variance unless undue hardship is self-evident and the following findings are met:*

1. *The granting of the variance will not substantially impair the intent and purpose of this title or the goals, policies and objectives embodied in the master plan;*
2. *The variance is not requested exclusively on the basis of economic hardship to the applicant; and*
3. *The variance does not result in the establishment of a use (including lot size) which is not permitted within the specific zoning district.*

RESPONSE: This request meets each of the findings for a minor variance as set forward above.

B. *The planning commission must not approve a major variance unless it finds that:*

1. *By reason of exceptional narrowness, shallowness, or shape of the property in question, or by reason of exceptional topographic conditions or other*

DOUGLAS COUNTY COMMUNITY DEVELOPMENT

October 21, 2016

Page 5 of 16

extraordinary and exceptional situation or condition of the property in question, the strict application of the provisions of that title would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the applicant;

RESPONSE: As set forward above, administrative changes (e.g. FEMA designation of floodway) have imposed extraordinary conditions not present when the project was originally approved. As Zerolene Road is the last crossing of the Martin Slough by a planned Collector Road, this change is peculiar to this project. The proposed design of Zerolene Road crossing at Martin Slough (6,12 foot x 4 foot RCBCs with a 325 foot-long dip section) satisfies a majority of the design criteria including FEMA's "no-rise" condition. The proposed dip section will pass 100-year storm flows without resulting in any rise in water surface elevations in the immediate vicinity of the crossing and do so with depths of flooding less than what is present at the other existing collector road-crossing of the Martin Slough.

1. *The circumstances or conditions do not apply generally to other properties in the same land use district; and*

RESPONSE: The described circumstances, as set forward above, do not apply to any approved projects in the Minden-Gardnerville community.

2. *The granting of the variance will not result in material damage or prejudice to other properties in the vicinity, substantial impairment of natural resources or be detrimental to the public health, safety and general welfare.*

RESPONSE: The proposed road improvements will not result in material damage or prejudice to other properties in the project vicinity. The design will not raise the base flood elevation along this stretch of the Martin Slough floodplain, and does not adversely increase the risks of impairment of flood flows or other natural resources in the surrounding area. The variance request, if approved, will not exacerbate risks to the public health, safety, and general welfare as exists today. During the occurrence of more frequent floods, the proposed culverts will safely pass flood flows without overtopping the road, thereby reducing the flooding risks to the general public. However, during the occurrence of less frequent floods, such as the base flood, the flood inundation will be limited to the dip section as opposed to the current scenario, where a considerable length of the existing Zerolene Road would reasonably be expected to be flooded. As such, the proposed improvements will not prove to be detrimental to the public health, safety and general welfare.

Although this application for a variance to improvement standards does not seek changes in land use, expansion, or intensification of development or changes in the standards of development applicable to the Planned Development as approved, as required by Community

DOUGLAS COUNTY COMMUNITY DEVELOPMENT

October 21, 2016

Page 6 of 16

Development staff, the following paragraph provide specific responses to the findings for modifications to the Planned Development.

20.704.070 Variances Findings:

1. The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property;

RESPONSE: As currently configured, Zerolene Road is overtopped in the 100-year event by approximately 1.7 feet. As requested, if approved, the depth of flooding over the improved Zerolene Road will be about 1.1 feet. Granting of the variance will, therefore, function to improve both safety and response time for emergency vehicles needing to travel along Zerolene Road in this area. Improvement to Zerolene Road will also function to improve traffic circulation in this area of the community and all other means of access to the east side of the Martin Slough (Buckeye Road and Gilman Avenue) in this area will remain unchanged. The requested variance to improvement standards will not, therefore, be detrimental to the public safety, health, or welfare or injurious to other properties in the area.

2. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property;

RESPONSE: As set forward above, administrative changes (e.g. FEMA designation of floodway) have imposed extraordinary and unique conditions not present when the project was originally approved. In fact, within the Minden-Gardnerville Community, the Martin Slough is the only floodplain where a regulatory floodway has been established. As Zerolene Road is the last crossing of the Martin Slough by a planned Collector Road, this change is peculiar to this project. The proposed design of Zerolene Road crossing at Martin Slough (6, 12-foot x 4-foot RCBCs with a 325-foot long dip section) satisfies a majority of the design criteria including FEMA's "no-rise" condition. The proposed dip section will pass 100-year storm flows without resulting in any rise in water surface elevations in the immediate vicinity of the crossing and do so with depths of flooding less than what is present at the other existing collector road-crossing of the Martin Slough.

3. Because of the physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out;

RESPONSE: The establishment of a regulatory floodway for the Martin Slough together with the very slight topographical relief at this location, and the constraints of the

DOUGLAS COUNTY COMMUNITY DEVELOPMENT

October 21, 2016

Page 7 of 16

available right-of-way for this off-site road collectively impose a significant hardship to strict compliance with the regulations.

4. The variance will not in any manner vary the provisions of the zoning ordinance, or master plan;

RESPONSE: Granting of the requested variance to improvement standards does not function to vary either the zoning ordinance or the master plan.

5. The granting of the variance substantially conforms to adequate public facilities requirements of this code; and

RESPONSE: Approval of the requested variance to improvement standards will allow the proposed collector road to be completed and afford another point of access to the project while meeting the intent and administrative practice of providing adequate public facilities for this portion of the Minden-Gardnerville community.

6. The variance will not have the effect of preventing the orderly division of other land in the area in accordance with the provisions of this code.

RESPONSE: Granting of the requested variance will actually enhance (rather than prevent) the orderly division of land in the area, an objective of Minden-Gardnerville community as well as Douglas County code.

Planned Development Findings:

1. *The plan is consistent with the statement of objectives of a planned development contained in the master plan and in this chapter.*

RESPONSE: The stated purpose of a planned development process in Chapter 20.676.010 is to provide a method of comprehensive planning for smaller, less complex development projects than are typically processed with a specific plan, and which meet certain criteria. These criteria are as follows:

- i. The project site contains topographic constraints, environmental resources, or other features which require special planning consideration;

RESPONSE: The project site is not constrained by physical or environmental features that would otherwise render it subject to the stated criteria. Douglas County code required a planned development application to be filed for this project since the site is located within a designated Receiving Area.

DOUGLAS COUNTY COMMUNITY DEVELOPMENT

October 21, 2016

Page 8 of 16

- ii. A more efficient and desirable design can be achieved through flexible design standards or mixed land use patterns than can be attained through the strict adherence to zoning standards;

RESPONSE: As previously approved, the project meets the objectives of the receiving areas as contained in Douglas County code. The project proposes residential development compatible with the density allowed under the MFR/PD zoning district.

- iii. Adequate public facilities and infrastructure exist or can be provided to the project site to serve the proposed type and intensity of development;

RESPONSE: Adequate public facilities exist to serve the proposed development, including all typical urban services (community sewer, community water, storm drainage) and related key infrastructure.

- iv. Detailed development plans are known at the time the comprehensive development plan is prepared, allowing combined review and approval.

RESPONSE: Detailed development plans have been previously submitted and approved for this project. This request does not seek to change previously approved development plans or the project's approved Phasing Plan.

- v. Build-out of the planned development project area is contemplated within the scope and duration of the plan.

RESPONSE: This request does not seek to change previously approved development plans or the project's approved Phasing Plan.

- vi. The project is located within a receiving area as shown on the master plan land use maps, and is proposing to utilize transfer development rights.

RESPONSE: This finding is not applicable to this particular application. The project is located within a receiving area and as future phases develop development rights will be dedicated prior to final maps being recorded.

2. *The extent that the plan departs from zoning and subdivision regulations otherwise applicable to the property, including but not limited to density, bulk and use are deemed to be in the public interest.*

DOUGLAS COUNTY COMMUNITY DEVELOPMENT
October 21, 2016
Page 9 of 16

RESPONSE: The requested variance to improvement standards does not depart from zoning and subdivision regulations.

- 3. The ratio of residential to non-residential use in the planned development is consistent with the master plan.*

RESPONSE: This finding is not applicable to this particular application.

- 4. The purpose, location and amount of the common open space in the planned development, the reliability of the proposals for maintenance and conservation of the common open spaces are adequate as related to the proposed density and type of residential development.*

RESPONSE: This finding is not applicable to this particular application.

- 5. The physical design of the plan and the manner in which the design of the planned development makes provisions for adequate public facilities, as required by this code.*

RESPONSE: This finding is not applicable to this particular application.

- 6. The beneficial relationship of the proposed planned development to the neighborhood in which it is proposed to be established, as expressed in the compatibility standards of this code.*

RESPONSE: No compatibility standards are specifically expressed in the development code; however, this proposal is compatible with adjacent land uses as it is equivalent to or exceeds the standards that other collector roads in Minden/Gardnerville have been constructed to.

- 7. Where a development plan proposes development over a period of years, the sufficiency of the terms and conditions intended to protect the interests of the public, residents and owners of the planned development and the integrity of the plan and, where the plan provides for phases, the period in which the application for each phase must be filed.*

RESPONSE: This finding is not applicable to this particular application. The approved Phasing Plan and project schedule are not modified by this request.

- 8. That each individual unit or phase of the development, if built in stages, as well as the total development, can exist independently and be capable of creating a good environment in the locality and be as desirable and stable in any phase as in the total development.*

DOUGLAS COUNTY COMMUNITY DEVELOPMENT

October 21, 2016

Page 10 of 16

RESPONSE: The approved Phasing Plan for the project demonstrates that each phase can exist independently with adequate access and utility services being provided to each phase.

9. *The uses proposed will not be a detriment to the present and proposed surrounding land uses, but will enhance the desirability of the area and have a beneficial effect.*

RESPONSE: This finding is not applicable to this particular application.

10. *Any deviation from the standard ordinance requirements is warranted by the design and additional amenities incorporated in the development plan which offers certain unusual redeeming features to compensate for any deviations that may be permitted.*

RESPONSE: This finding is not applicable to this particular application.

11. *The principles incorporated in the proposed development plan indicate certain unique or unusual features which could not otherwise be achieved under the other zoning districts.*

RESPONSE: This finding is not applicable to this particular application.

12. *The planned development will not result in material prejudice or diminution in value of surrounding properties, and will not endanger the health, safety and welfare of the community.*

RESPONSE: This finding is not applicable to this particular application.

13. *The subdivision of land proposed in the planned development meets the requirements of the Nevada Revised Statutes and this code.*

RESPONSE: The proposed subdivision meets the requirements of NRS Chapter 278 and Douglas County Development Code Planned Development standards.

14. *The subdivision of land proposed in the planned development conforms to the density requirements, lot dimension standards and other regulations applicable to planned developments.*

RESPONSE: This finding is not applicable to this particular application.

15. *The subdivision of land proposed in the planned development conforms to the improvement and design standards contained in the development code and adopted design criteria and improvement standards.*

DOUGLAS COUNTY COMMUNITY DEVELOPMENT
October 21, 2016
Page 11 of 16

RESPONSE: Except for the requested variance to improvement standards, all of the proposed improvements conform to Douglas County's design standards.

16. Where applicable, adequate transfer development rights have been established consistent with the number of proposed units within the planned development.

RESPONSE: This finding is not applicable to this particular application.

17. The planned development has a beneficial relationship to the neighborhood in which it is proposed to be established.

RESPONSE: This finding is not applicable to this particular application.

Tentative Subdivision Map Findings:

1. *The property to be subdivided is zoned for the intended uses and the density and design of the subdivision conforms to the requirements of the zoning regulations contained in Part II of this development code;*

RESPONSE: This finding is not applicable to this particular application.

2. *If planned development is proposed, the tentative subdivision map conforms to the density requirements, lot dimension standards and other regulations applicable to planned developments;*

RESPONSE: This finding is not applicable to this particular application.

3. *The tentative subdivision map conforms to public facilities and improvement standards contained in the development code;*

RESPONSE: All adequate public facilities are provided with this development application.

4. *The tentative subdivision map conforms to the improvement and design standards contained in the development code and adopted design criteria and improvement standards;*

RESPONSE: Except for the requested variance to improvement standards, all of the proposed improvements conform to Douglas County's design standards.

5. *If applicable, that a phasing plan has been submitted and is deemed acceptable;*

DOUGLAS COUNTY COMMUNITY DEVELOPMENT

October 21, 2016

Page 12 of 16

RESPONSE: The project's approved Phasing Plan is unaffected by this request. This finding is not applicable to this particular application.

6. *The approval contains terms that plan for the possibility of abandonment or termination of the project;*

RESPONSE: The project Phasing Plan has been developed and approved so that any phase of the project can stand alone and independent of subsequent phases in case of abandonment or termination of the project.

7. *There are no delinquent taxes or assessments on the land to be subdivided, as certified by the County Treasurer.*

RESPONSE: All taxes are paid current as demonstrated by the receipt from the County Treasurer's office that is attached to this application.

8. *The project is not located within an identified archeological/cultural study area, as recognized by the county. If the project is located in a study area, an archeological resource reconnaissance has been performed on the site by a qualified archeologist and any identified resources have been avoided or mitigated to the extent possible per the findings in the report.*

RESPONSE: The project site is not located in an identified cultural resources study area.

NRS 27A380 and 410. The following is a discussion on the criteria prescribed by Nevada Revised Statute (NRS) 278A.380 and 278A.410. Comments to these two sections are below:

In addition to the findings required by Title 20 for planned development approval, NRS 278A.380, (Purposes of provision for enforcement and modification) and NRS 278A.410 Section 2, provides:

"The enforcement and modification of the provision of the plan must be to the further mutual interest of the residents and owners of the planned development and of the public in the preservation and integrity of the plan as finally approved. The enforcement and modification of the provisions must be drawn also to ensure that modifications, if any, in the plan will not impair the reasonable reliance of the residents and owners upon the provision of the plan or result in changes that would adversely affect the public interest."

RESPONSE: This finding is not applicable to this particular application. The subject application doesn't seek to modify the development plan as approved.

NRS 278A.410 (2) Modification of the plan by City and County provides as follows:

Y:\Client Files\2406\2406-002\Documents\Major Variance Zerolens Rd 10 4.16\2406-002 Expanded Justification for Variance Request.docx

DOUGLAS COUNTY COMMUNITY DEVELOPMENT
October 21, 2016
Page 13 of 16

"All provisions of the plan authorized to be enforced by the city or county may be modified, removed or released by the city or county, except grants or easements relating to the service or equipment of a public utility unless expressly consented to by the public utility, subject to the following conditions:

1. No such modification, removal or release of the provisions of the plan by the city or county may affect the rights of the residents of the planned unit residential development to maintain and enforce those provisions.

RESPONSE: This request does not change or impact the enforcement or maintenance of the plan under the existing CC&R's.

2. No modification, removal or release of the provisions of the plan by the city or county is permitted except upon a finding by the city or county, following a public hearing that it:

(a) Is consistent with the efficient development and preservation of the entire planned unit development;

RESPONSE: As conditioned, the plan will not impact the residents within and adjacent to the proposed development.

(b) Does not adversely affect either the enjoyment of land abutting upon or across a street from the planned unit development or the public interest; and

RESPONSE: This request will not result in a change of conditions which would adversely affect neighboring properties as described or the public interest.

(c) Is not granted solely to confer private benefit upon any person.

RESPONSE: The modification does not seek to confer a private benefit.

Response to List of "Deficiencies" listed in County letter received October 20, 2016:

The county's memorandum identified 9 different "deficiencies" with the application. The following paragraphs provide a specific response to each item.

1. An application for a major PD modification must be made along with the application for a Variance to Improvement Standards.

RESPONSE: The required application is submitted herewith. Regarding the needed changes to conditions 4(b) and 4(f) we offer the following suggested changes:

a. 4(b) The applicant shall dedicate an additional 5-feet of right-of-way on the north side of Zerolene Road along the property boundary within the proposed PD

DOUGLAS COUNTY COMMUNITY DEVELOPMENT

October 21, 2016

Page 14 of 16

boundary². Zerolene Road shall be constructed as a minor arterial with 55-feet of right-of-way, and include curb, gutter and sidewalk. As a minor arterial it shall be designed to meet all the requirements for design storm street capacity in Division 6. Pursuant to the approved Variance to Improvement Standards, the road may be inundated from flows having a 1% chance of exceedance.

- b. 4(f) After completion of the Phase III improvements including construction of Zerolene Road to county standards, and prior to or concurrent with submittal of improvement plans for phase IV-A, the applicant shall submit a Traffic Study for phases four through eight. The Traffic Study shall meet all the requirements of Division 2, Streets and Traffic, of the Douglas County Design Criteria and Improvement Standards, including recommendations for mitigation of project impacts, timing of improvements and schematic drawings for recommended mitigation. This may result in requirements for the applicant to construct or to participate financially in the construction of off-site improvements not identified on the Phasing Plan. Approval of the requested variance to improvement standards does not change these requirements.

2. "Submit a revised Statement of Justification to address the findings of DCC Section 20.704.070..."

RESPONSE: This letter in its entirety addressed the subject findings under the listed sections of Douglas County code. The required fee for a major modification to the PD is being paid concurrently with the submittal of this letter.

3. Submit the project to the Town of Gardnerville and the Town of Minden for review and recommendation to the Planning Commission and Board of County Commissioners.

RESPONSE: The applicant will submit this application to both town boards on October 21, 2016 and request that the matter be placed on their agenda for their next regular meeting.

4. Staff will recommend a new condition be added to the PD that ensures the improvement plans consider adequate tie into planned improvements on Zerolene Road, including but not limited to driveway tie-in and parking lot paving adjustment to the back of new curb or sidewalk for the existing business on the north side of Zerolene Road. Impacts to any existing landscape irrigation may also be need to be considered in the improvement plans.

RESPONSE: Staff's comment is acknowledged.

² This additional right-of-way was granted by the applicant and is of record as of February 19, 2013 (see Document No. 0818489, Book 0213, Pg. 4793 of the official records of Douglas County.

Y:\Client Files\2406\2406-002\Documents\Major Variance Zerolene Rd 10.4.16\2406-002 Expanded Justification for Variance Request.docx

DOUGLAS COUNTY COMMUNITY DEVELOPMENT

October 21, 2016

Page 15 of 16

5. The exhibits provided indicate lots proposed over the top of the existing pond on APN 1320-29-000-014...".

RESPONSE: We are attaching copies of exhibits that remove this discrepancy.

6. Provide HEC-RAS analysis with cross-sections in the Technical Memorandum for the proposed pair of 12-foot by 4-foot RCBC.

RESPONSE: Copies of the output from the HEC-RAS analysis are attached. The HEC-RAS model is being sent separately via e-mail.

7. Provide HEC-RAS analysis with cross-sections in the Technical Memorandum for the clear span bridge along with the proposed cost estimate.

RESPONSE: The requested files are submitted with this letter of justification. We have prepared a very preliminary estimate of probable cost for constructing a 140-foot long, clear span bridge, 40-feet in width based on the bid results from a recent bridge project in Caliente, NV that we designed for the State of Nevada Division of Public Works. The probable construction cost (exclusive of design, permitting or services during construction) of such a bridge is estimated to exceed \$4M. A copy of our estimate is attached. Please note, however, that the applicant is not "proposing" to construct a bridge with this project.

8. Douglas County is requesting that the applicant demonstrate the impact to the existing floodway and floodplain limits considering the previously approved 8 RCBC's by providing HEC-RAS analysis with cross section.

RESPONSE: The results of the requested HEC-RAS analysis is presented with this letter of justification.

9. Provide written explanation of the existing ditch along the south side of Zerolene Road: is it a drainage or irrigation ditch?

RESPONSE: The referenced "ditch" is the remnants of the borrow ditch that was made when Zerolene Road was originally constructed. The ditch historically served as an irrigation tail water ditch and functioned to drain excess irrigation and nuisance drain water away from the road bed.

During your review of this information, please do not hesitate to contact me with any questions or further clarifications that may be required.

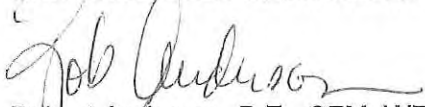
Yours faithfully,

DOUGLAS COUNTY COMMUNITY DEVELOPMENT

October 21, 2016

Page 16 of 16

R.O. ANDERSON ENGINEERING, INC.

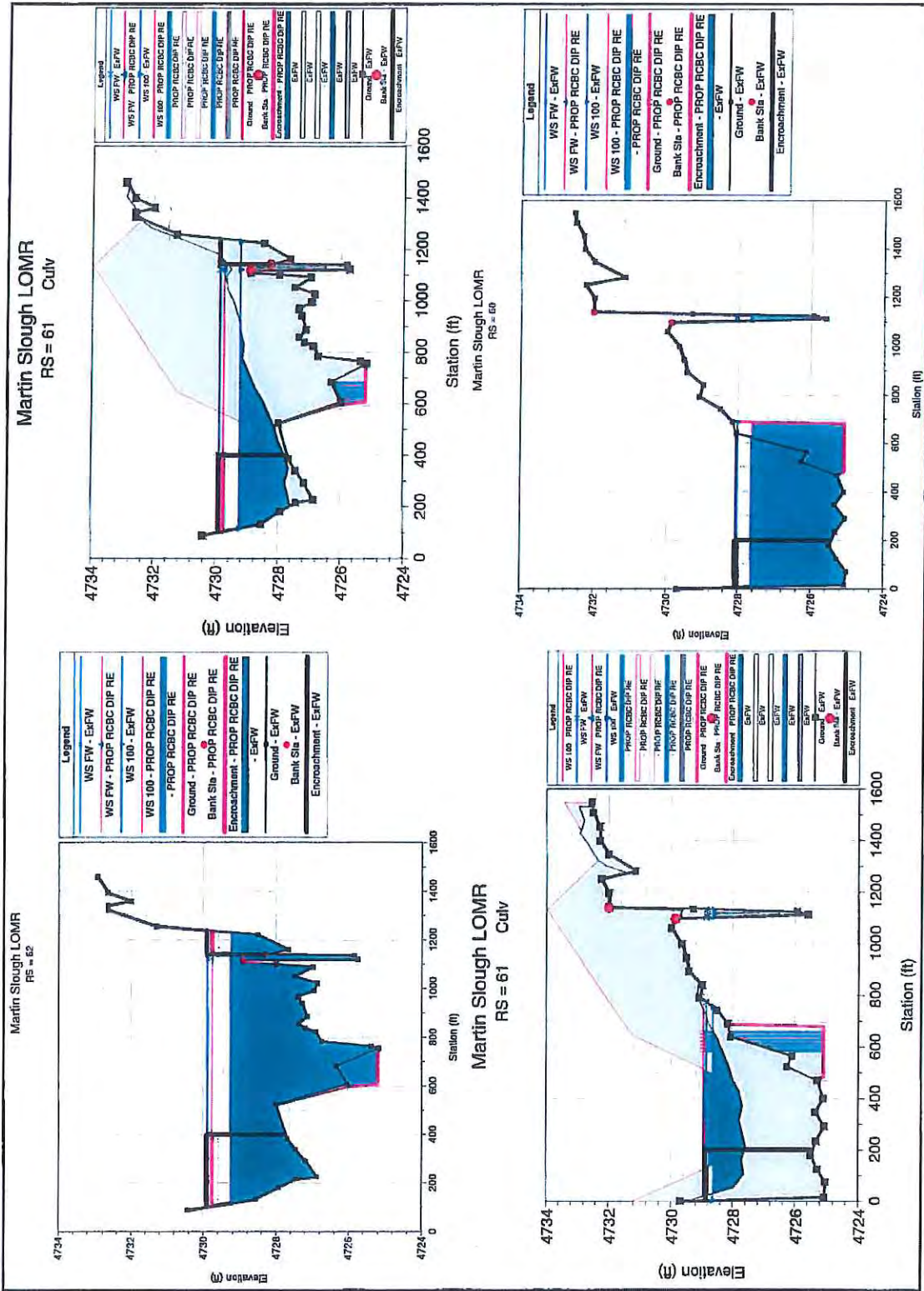


Robert Anderson, P.E., CFM, WRS
Principal Engineer

Attachments

cc. Alton & Sue Anker
Private Equity Investments

PPM WITH 6-12'x4' RCBCS AND DIP SECTION (~325' WIDE)
 Vs
 ECM



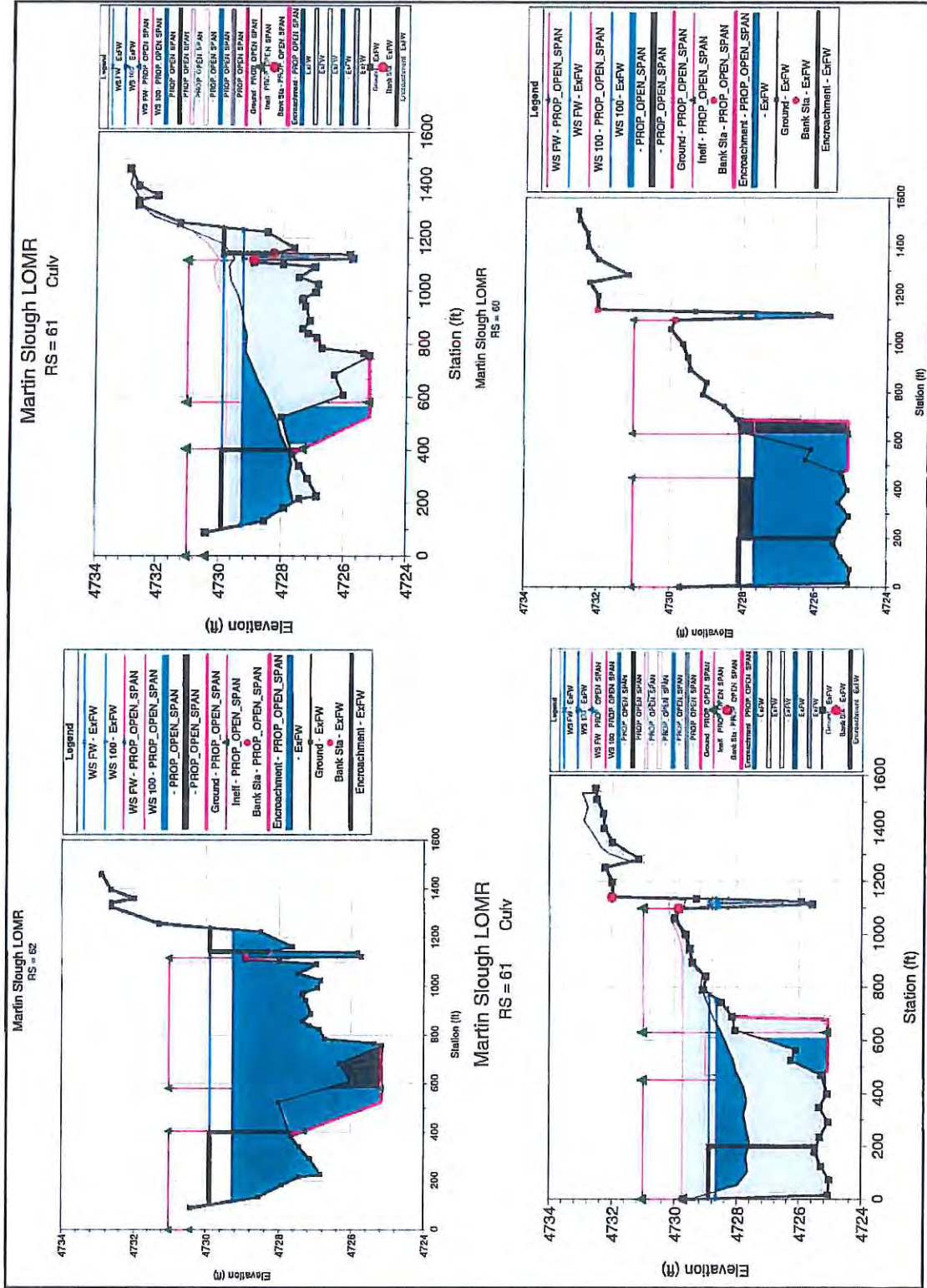
13-37

PPM W/ 6-12' X 41' RCBCS AND N325' WIDE DIP SECTION
 VS
 E.M

HEC-RAS Locations: User Defined

River	Reach	River Sta	Profile	Plan	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Chl W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Cntl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # CHI
Martin Slough	Douglas County	B2	100	EXFW	2366.00	4725.74	4729.26	4727.56	4729.26	0.000376	1.63	2253.30	1113.92	0.17
Martin Slough	Douglas County	B2	100	PROP RCBC DIP RE	2366.00	4725.74	4729.23	4727.20	4729.23	0.000325	1.50	2337.53	1112.86	0.15
Martin Slough	Douglas County	B2	FW	EXFW	2366.00	4725.74	4729.89	4727.56	4729.51	0.000262	1.46	2156.52	740.37	0.14
Martin Slough	Douglas County	B2	FW	PROP RCBC DIP RE	2366.00	4725.74	4729.76	4727.07	4729.76	0.000250	1.41	2189.13	740.37	0.13
Martin Slough	Douglas County	B1			Convert									
Martin Slough	Douglas County	B0	100	EXFW	2366.00	4725.60	4727.66	4727.71	4727.71	0.001025	1.62	1349.45	636.29	0.25
Martin Slough	Douglas County	B0	100	PROP RCBC DIP RE	2366.00	4725.60	4727.65	4727.69	4727.69	0.000550	1.19	1681.57	702.58	0.18
Martin Slough	Douglas County	B0	FW	EXFW	2366.00	4725.60	4728.07	4728.15	4728.15	0.001442	2.14	1077.99	469.65	0.30
Martin Slough	Douglas County	B0	FW	PROP RCBC DIP RE	2366.00	4725.60	4728.04	4728.08	4728.08	0.000634	1.41	1429.16	513.62	0.20

PPM w/ 140' CLEAR SPAN BRIDGE
 VS
 ECM

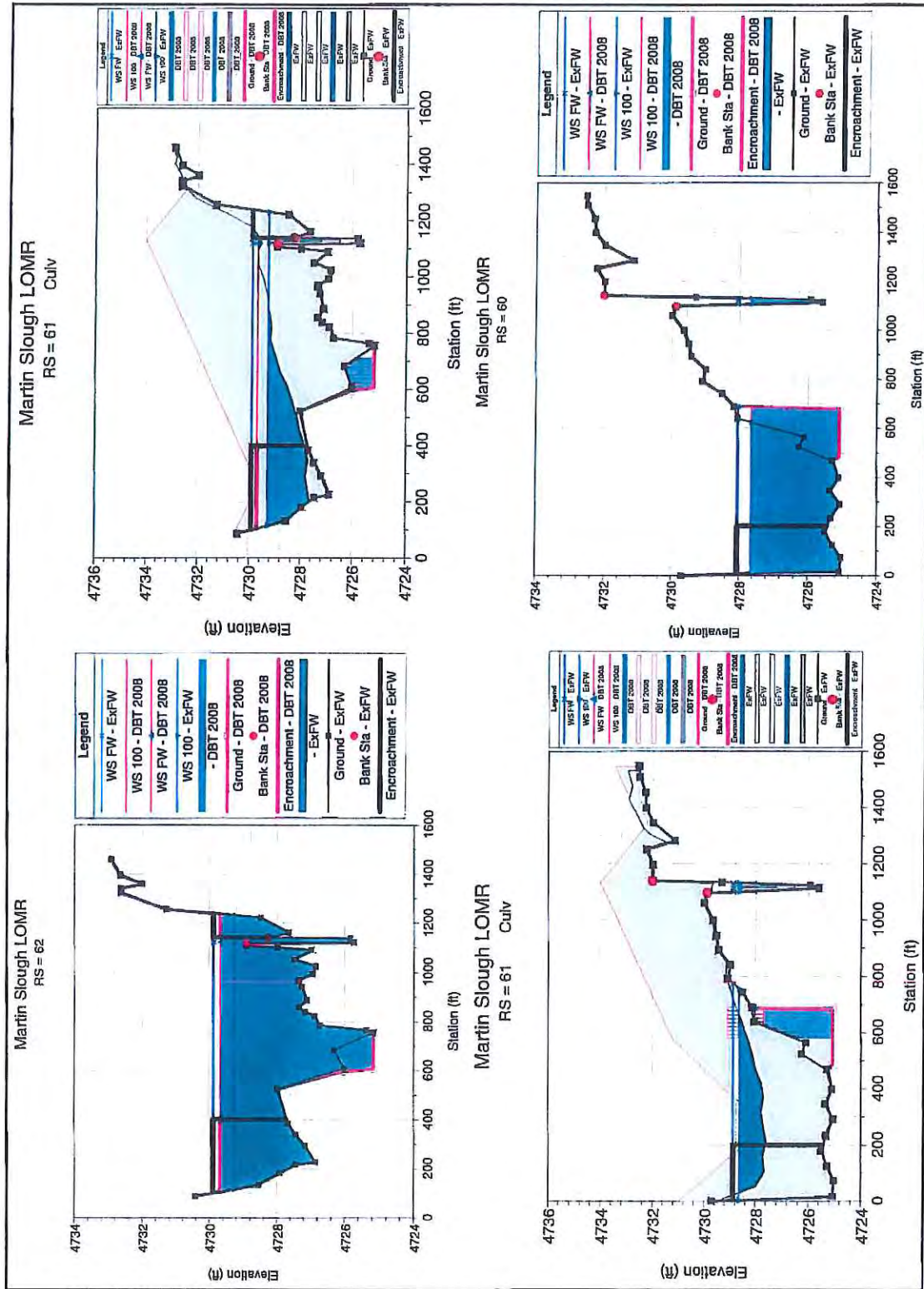


PPM W/140' CLEAR SPAN BRIDGE
 VS
 ECM

HEC-RAS Localities: User: Delliaard

River	Branch	River Sta.	Profile	Plan	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Chl W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Frouda # Chl
Martin Slough	Douglas County	62	100	EXFW	2366.00	4725.74	4729.26	4727.55	4729.26	0.000276	1.63	2256.30	1113.92	0.17
Martin Slough	Douglas County	62	100	PROP_OPEN_SPAN	2366.00	4725.74	4728.50	4727.59	4729.12	0.000060	4.27	654.20	1089.13	0.46
Martin Slough	Douglas County	62	FW	EXFW	2366.00	4725.74	4729.08	4727.56	4729.91	0.000262	1.48	2156.52	740.37	0.14
Martin Slough	Douglas County	62	FW	PROP_OPEN_SPAN	2366.00	4725.74	4728.92	4727.59	4729.17	0.000322	4.39	599.15	740.37	0.47
Martin Slough	Douglas County	61			Culvert									
Martin Slough	Douglas County	60	100	EXFW	2366.00	4725.60	4727.66	4727.66	4727.71	0.001025	1.62	1349.45	638.26	0.25
Martin Slough	Douglas County	60	100	PROP_OPEN_SPAN	2366.00	4725.60	4727.67	4727.67	4728.03	0.006227	4.01	480.63	702.95	0.61
Martin Slough	Douglas County	60	FW	EXFW	2366.00	4725.60	4728.07	4727.67	4728.15	0.001442	2.14	1077.39	489.65	0.30
Martin Slough	Douglas County	60	FW	PROP_OPEN_SPAN	2366.00	4725.60	4728.08	4727.67	4728.35	0.003724	3.45	574.83	514.03	0.48

2008 PPM W/ 8 RCBCs AND APPROVED ROADWAY PROFILE
 VS
 ECM



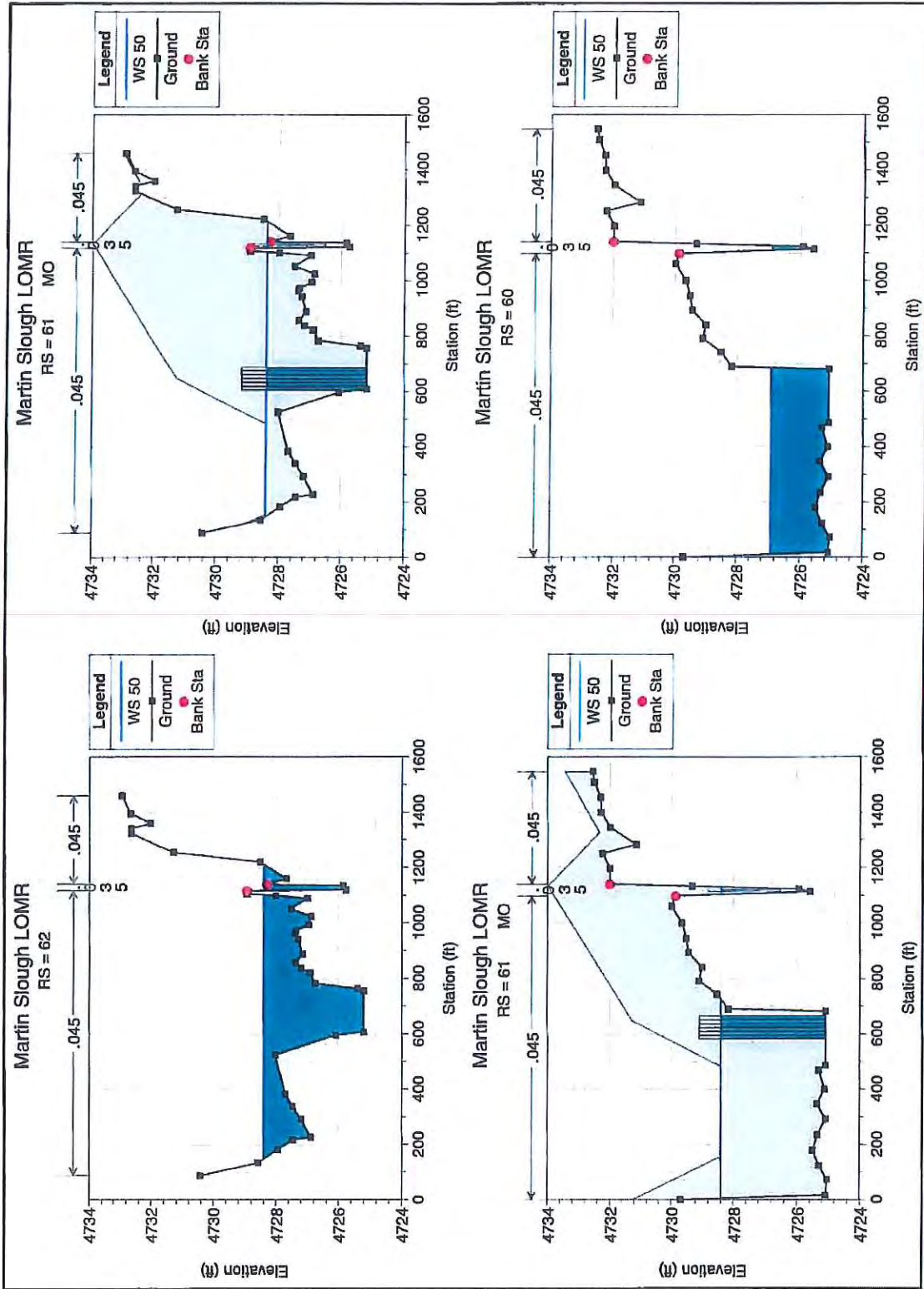
13-41

2008 PPM w/8 RBCs AND APPROVED ROADWAY PROFILE
 VS
 ECM

HEC-RAS Locations, User Defined

River	Reach	River Sta	Profile	Plan	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Chl W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Friction f C/N
Marin Slough	Douglas County	52	100	EXPW	2366.00	4725.74	4729.26	4727.55	4729.28	0.000376	1.68	2268.50	1113.92	0.17
Marin Slough	Douglas County	52	100	DBT 2008	2366.00	4725.74	4729.70	4727.76	4729.71	0.000172	1.20	2876.68	1130.20	0.11
Marin Slough	Douglas County	52	FW	EXPW	2366.00	4725.74	4729.69	4727.56	4729.91	0.000252	1.46	2156.52	740.37	0.14
Marin Slough	Douglas County	52	FW	DBT 2008	2366.00	4725.74	4729.69	4727.07	4729.71	0.000271	1.45	2194.54	740.37	0.14
Marin Slough	Douglas County	51		Channel										
Marin Slough	Douglas County	50	100	EXPW	2366.00	4725.60	4727.66	4727.66	4727.71	0.001025	1.62	1349.45	638.28	0.25
Marin Slough	Douglas County	50	100	DBT 2008	2366.00	4725.60	4727.66	4727.66	4727.68	0.000561	1.19	1681.22	702.58	0.18
Marin Slough	Douglas County	50	FW	EXPW	2366.00	4725.60	4728.07	4728.07	4728.15	0.001442	2.14	1077.39	469.65	0.30
Marin Slough	Douglas County	50	FW	DBT 2008	2366.00	4725.60	4728.04	4728.04	4728.06	0.000934	1.41	1428.93	513.62	0.20

PPM w/ 6-12'x4' RCBS w/DIP SECTION
 ESTIMATED 50-YR PEAK FLOW: 1,069 CFS



13-43

ppm w/6-12'x41 RCBS w/ DIP SECTION
 ESTIMATED 50-YR PEAKFLOW: 1,065 CFS

HEC-RAS Plan: PROP RCBC DIP RE Locations: User Defined Profile: 50

River	Reach	Profile	Q Total (cfs)	Min. Ch El (ft)	W.S. Elev (ft)	Chl W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # Chl
Martin Slough	Douglas County	50	1065.00	4725.74	4728.40	4728.29	4728.41	0.0007996	1.15	1456.04	1052.24	0.74
Martin Slough	Douglas County	50	1065.00	4725.60	4726.93		4726.94	0.0003855	0.74	1176.69	692.94	0.14

NOTES:

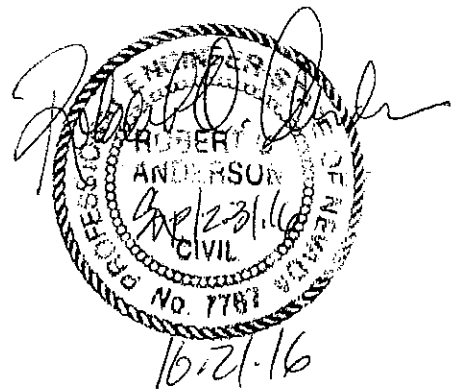
1. EFFECTIVE FIS DOES NOT LIST PEAK DISCHARGE ESTIMATE FOR 50-YR EVENT. FOR MARTIN SLOUGH
2. EFFECTIVE FIS LISTS 50-YR PEAK DISCHARGE FOR OTHER FLOODING SOURCES
3. BASED ON ROUGH COMPARISON OF LISTED 50-YR AND 100-YR PEAK DISCHARGES FOR OTHER FLOODING SOURCES, IT WAS DETERMINED THAT 50-YR PEAK DISCHARGE FOR MARTIN SLOUGH FLOODING SOURCE CAN BE ESTIMATED TO BE APPROXIMATELY 45% OF 100-YR PEAK DISCHARGE.

∴ 50-YR PEAK DISCHARGE FOR MARTIN SLOUGH (ESTIMATED) = $0.45 * 2,366 \text{ CFS}$
 $\approx 1,065 \text{ CFS}$



ENGINEER'S PRELIMINARY ESTIMATE OF PROBABLE CONSTRUCTION COSTS				
Client:		Estimated:		JEL
Project: Zerolene Road Major Variance		Checked:		
Description: Clear Span Bridge Cost Estimate		Date:		21-Oct-15
File: Y:\Client Files\2406\2406-002\Documents\Major Variance Zerolene Rd 10.4.16\Clear Span Bridge Estimate.xlsx\Clear Span Bridge				
DIVISION 1 - GENERAL REQUIREMENTS				
ITEM	DESCRIPTION	QUANTITY	UNIT COST	TOTAL
1	Mobilization, Demobilization, BMPs, Bonds & Insurance (13% of construction costs)	1	Lump Sum	\$405,723.50
			SUB TOTAL	\$405,724
DIVISION 2 - EXISTING CONDITIONS				
ITEM	DESCRIPTION	QUANTITY	UNIT COST	TOTAL
1	Demolition & Abandonment, Removals	1	Lump Sum	\$134,750.00/LS
			SUB TOTAL	\$134,750
DIVISION 3 - CONCRETE				
ITEM	DESCRIPTION	QUANTITY	UNIT COST	TOTAL
1	Concrete Structures, Abutments, Wingwalls	1	Lump Sum	\$1,033,725.00/LS
			SUB TOTAL	\$1,033,725
DIVISION 13 - SPECIAL CONSTRUCTION				
ITEM	DESCRIPTION	QUANTITY	UNIT COST	TOTAL
1	Fabricated Bridge Structure	1	Lump Sum	\$865,725.00/LS
			SUB TOTAL	\$865,725
DIVISION 31 - EARTHWORK				
ITEM	DESCRIPTION	QUANTITY	UNIT COST	TOTAL
1	Channel Excavation and Export, Structural Fills and Footing Preparation	1	Lump Sum	\$247,975.00/LS
			SUB TOTAL	\$247,975
DIVISION 32 - EXTERIOR IMPROVEMENTS				
ITEM	DESCRIPTION	QUANTITY	UNIT COST	TOTAL
1	Rip Rap, Road Grading, Road Base, Asphalt Paving	1	Lump Sum	\$548,100.00/LS
			SUB TOTAL	\$548,100
DIVISION 33 - UTILITIES				
ITEM	DESCRIPTION	QUANTITY	UNIT COST	TOTAL
1	Utilities	1	Lump Sum	\$290,675.00/LS
			SUB TOTAL	\$290,675
CONSTRUCTION SUB TOTAL				\$3,528,700
CONTINGENCY AT 15% ¹				\$529,000
ENGINEERS PRELIMINARY ESTIMATE OF PROBABLE COSTS				\$4,055,700

¹ Contingency is for uncertainties as a full design has not yet been completed.



Property Detail

BACK

HISTORY

PAY TAXES

Tax Summary for 2016 - 2017

Parcel Number
132029000008

Assessed Name
RANCH AT GARDNERVILLE LLC

ACCOUNT BALANCE
\$6,315.32

Property Address
0, GEN CO/CWS/MOSQ

Current Year Taxes	Amount	Disposition
Installment 1: Due Date 08/15/16	\$3,157.68	Paid
Installment 2: Due Date 10/03/16	\$3,157.66	Paid
Installment 3: Due Date 01/02/17	\$3,157.66	Outstanding
Installment 4: Due Date 03/06/17	\$3,157.66	Outstanding

Prior Year Amounts	Amount
Past Due Amount:	\$33,079.13

Property Detail

BACK

HISTORY

PAY TAXES

Tax Summary for 2016 - 2017

Parcel Number
132033210072

Assessed Name
RANCH AT GARDNERVILLE 1 LLC

ACCOUNT BALANCE
\$2,459.52

Property Address
0, TOWN OF GARDNERVILLE

Current Year Taxes	Amount	Disposition
Installment 1: Due Date 08/15/16	\$1,229.76	Paid
Installment 2: Due Date 10/03/16	\$1,229.76	Paid
Installment 3: Due Date 01/02/17	\$1,229.76	Outstanding
Installment 4: Due Date 03/06/17	\$1,229.76	Outstanding

Prior Year Amounts	Amount
Past Due Amount:	\$12,900.27

13-46

BACK

HISTORY

Tax Summary for 2016 - 2017

Parcel Number
132029000014

Assessed Name
RANCH AT GARDNERVILLE LLC

ACCOUNT BALANCE
\$0.00

Property Address
0, GEN CO/CWS/MOSQ

Current Year Taxes	Amount	Disposition
Installment 1: Due Date 08/15/16	\$2,963.72	Paid
Installment 2: Due Date 10/03/16	\$2,963.71	Paid
Installment 3: Due Date 01/02/17	\$2,963.71	Paid
Installment 4: Due Date 03/06/17	\$2,963.71	Paid

Prior Year Amounts	Amount
Past Due Amount:	\$30,914.56

Property Detail

BACK

HISTORY

Tax Summary for 2016 - 2017

Parcel Number
132033001008

Assessed Name
PARK RANCH HOLDINGS LLC

ACCOUNT BALANCE
\$0.00

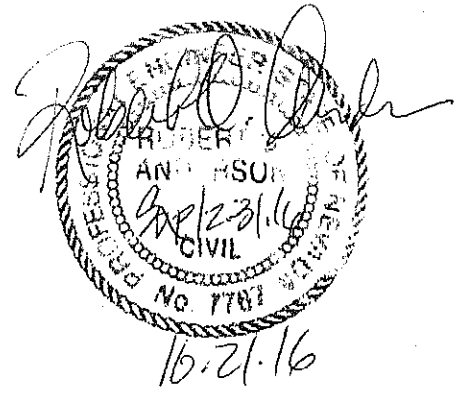
Property Address
0, GEN CO/CWS/MOSQ

Current Year Taxes	Amount	Disposition
Installment 1: Due Date 08/15/16	\$21.66	Paid
Installment 2: Due Date 10/03/16	\$21.65	Paid
Installment 3: Due Date 01/02/17	\$21.65	Paid
Installment 4: Due Date 03/06/17	\$21.65	Paid

13-47

ENGINEER'S PRELIMINARY ESTIMATE OF PROBABLE CONSTRUCTION COSTS					ROA	
Client:			Estimated:		JEL	
Project: Zerolene Road Major Variance			Checked:			
Description: Clear Span Bridge Cost Estimate			Date:		21-Oct-15	
File: Y:\Client Files\2406\2406-002\Documents\Major Variance Zerolene Rd 10.4.16\CLEAR Span Bridge Estimate.xlsx\CLEAR Span Bridge						
DIVISION 1 - GENERAL REQUIREMENTS						
ITEM	DESCRIPTION	QUANTITY	UNIT COST	TOTAL		
1	Mobilization, Demobilization, BMPs, Bonds & Insurance (13% of construction costs)	1 Lump Sum	13.0%/LS	\$405,723.50		
				SUB TOTAL		
				\$405,724		
DIVISION 2 - EXISTING CONDITIONS						
ITEM	DESCRIPTION	QUANTITY	UNIT COST	TOTAL		
1	Demolition & Abandonment, Removals	1 Lump Sum	\$134,750.00/LS	\$134,750		
				SUB TOTAL		
				\$134,750		
DIVISION 3 - CONCRETE						
ITEM	DESCRIPTION	QUANTITY	UNIT COST	TOTAL		
1	Concrete Structures, Abutments, Wingwalls	1 Lump Sum	\$1,033,725.00/LS	\$1,033,725		
				SUB TOTAL		
				\$1,033,725		
DIVISION 13 - SPECIAL CONSTRUCTION						
ITEM	DESCRIPTION	QUANTITY	UNIT COST	TOTAL		
1	Fabricated Bridge Structure	1 Lump Sum	\$865,725.00/LS	\$865,725		
				SUB TOTAL		
				\$865,725		
DIVISION 31 - EARTHWORK						
ITEM	DESCRIPTION	QUANTITY	UNIT COST	TOTAL		
1	Channel Excavation and Export, Structural Fills and Footing Preparation	1 Lump Sum	\$247,975.00/LS	\$247,975		
				SUB TOTAL		
				\$247,975		
DIVISION 32 - EXTERIOR IMPROVEMENTS						
ITEM	DESCRIPTION	QUANTITY	UNIT COST	TOTAL		
1	Rip Rap, Road Grading, Road Base, Asphalt Paving	1 Lump Sum	\$548,100.00/LS	\$548,100		
				SUB TOTAL		
				\$548,100		
DIVISION 33 - UTILITIES						
ITEM	DESCRIPTION	QUANTITY	UNIT COST	TOTAL		
1	Utilities	1 Lump Sum	\$290,675.00/LS	\$290,675		
				SUB TOTAL		
				\$290,675		
				CONSTRUCTION SUB TOTAL \$3,526,700		
				CONTINGENCY AT 15% ¹ \$529,000		
ENGINEERS PRELIMINARY ESTIMATE OF PROBABLE COSTS				\$4,055,700		

¹ Contingency is for uncertainties as a full design has not yet been completed.



ppm w/6-12'x4' RCBS w/ DIP SECTION

ESTIMATED 50-YR PEAKFLOW: 1,065 CFS

HEC-RAS Plan: PROP RCBC DIP RE Locations: User Defined Profile: 50

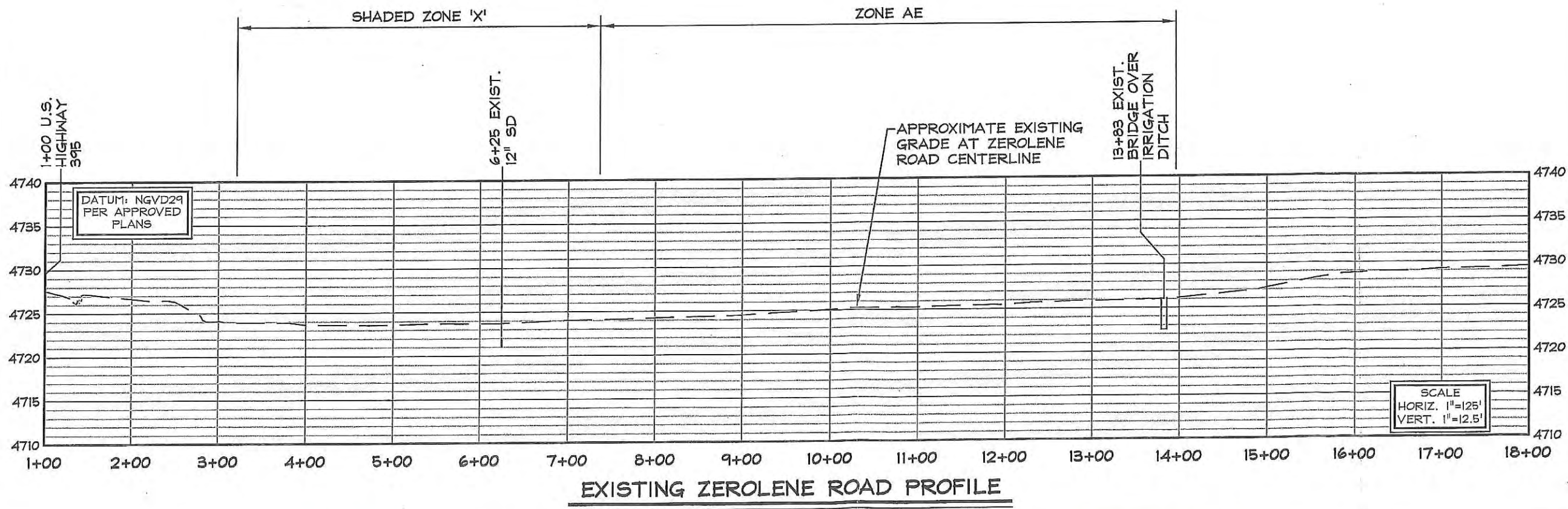
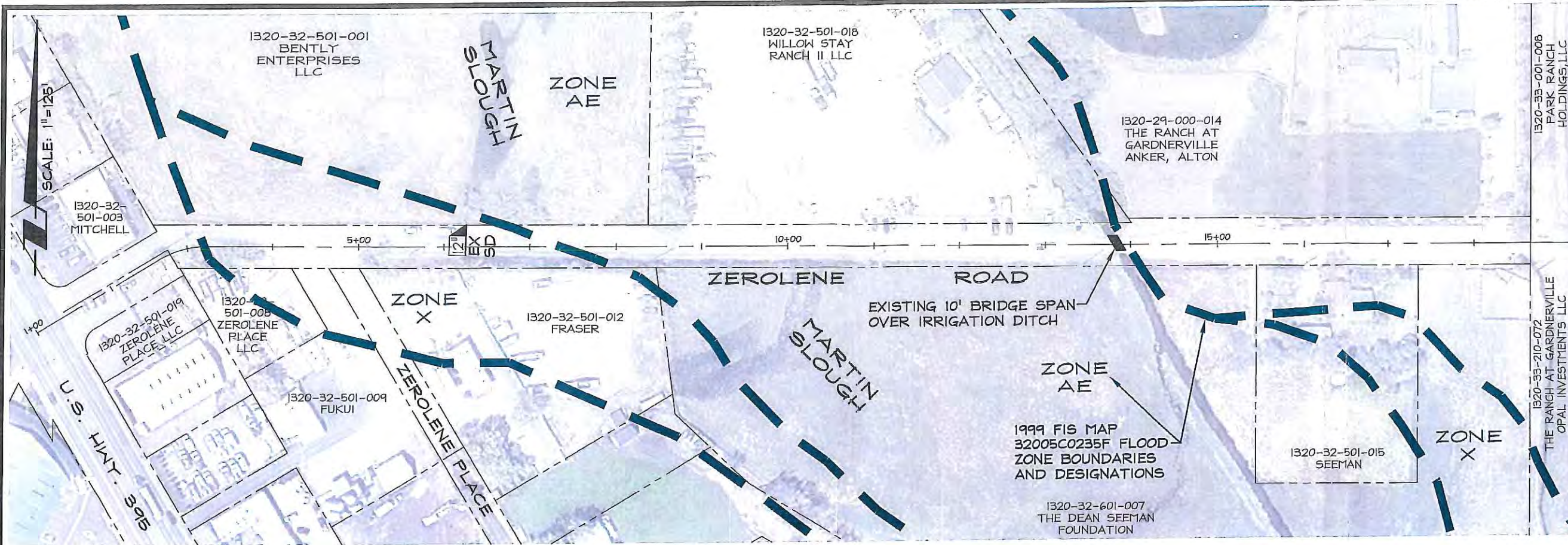
River	Reach	River Sta	Profile	O Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # Chl
Martin Slough	Douglas County	62	50	1065.00	4725.74	4728.40	4726.29	4728.41	0.000296	1.18	1456.04	1052.24	0.14
Martin Slough	Douglas County	61	ZEROLENE RD	Multi Open									
Martin Slough	Douglas County	60	50	1065.00	4725.60	4726.93		4726.94	0.000395	0.74	1178.69	692.94	0.14

NOTES:

1. EFFECTIVE FIS DOES NOT LIST PEAK DISCHARGE ESTIMATE FOR 50-YR EVENT FOR MARTIN SLOUGH
2. EFFECTIVE FIS LISTS 50-YR PEAK DISCHARGE FOR OTHER FLOODING SOURCES
3. BASED ON ROUGH COMPARISON OF LISTED 50-YR AND 100-YR PEAK DISCHARGES FOR OTHER FLOODING SOURCES, IT WAS DETERMINED THAT 50-YR PEAK DISCHARGE FOR MARTIN SLOUGH FLOODING SOURCE CAN BE ESTIMATED TO BE APPROXIMATELY 45% OF 100-YR PEAK DISCHARGE.

\therefore 50-YR PEAK DISCHARGE FOR MARTIN SLOUGH (ESTIMATED) = $0.45 * 2,366 \text{ CFS} \approx 1,065 \text{ CFS}$

Y:\Client Files\2406\2406-002\CAD\Engineering\Exhibits\Zerolene_Variance_Exhibits.dwg 10/20/2016 10:26:29 AM Eric T. Herron



EXISTING ZEROLENE ROAD PROFILE

ZEROLENE ROAD
2008 EXISTING CONDITIONS
EFFECTIVE 1999 FIS MAP 32005C0235F

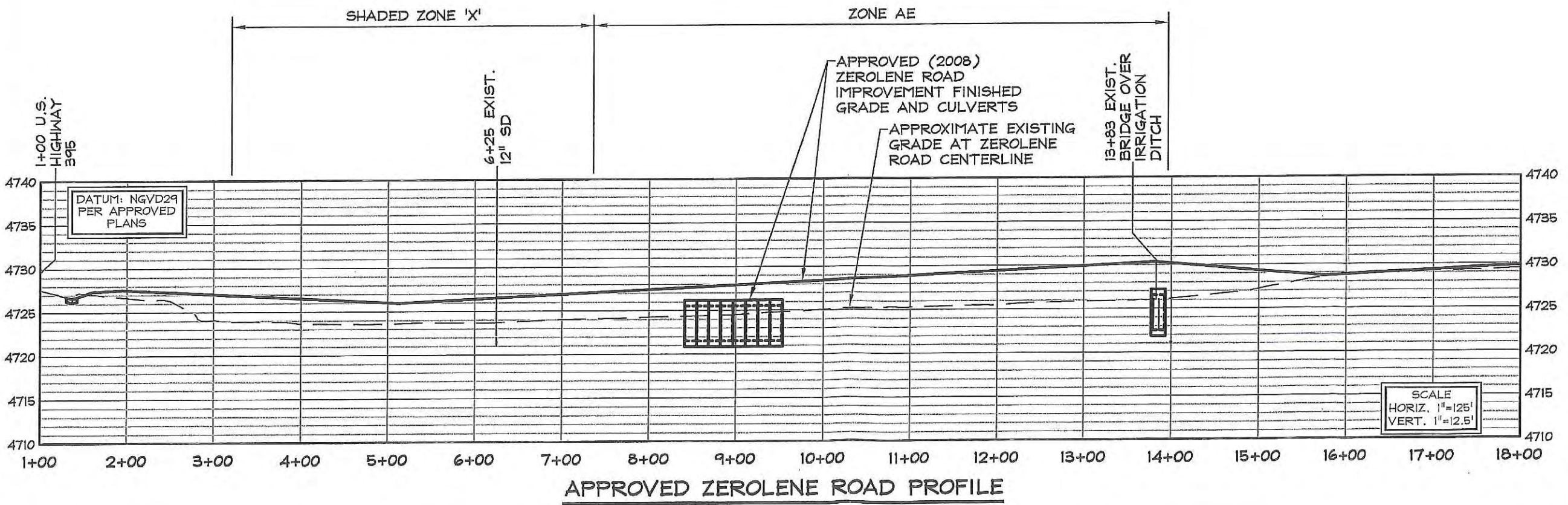
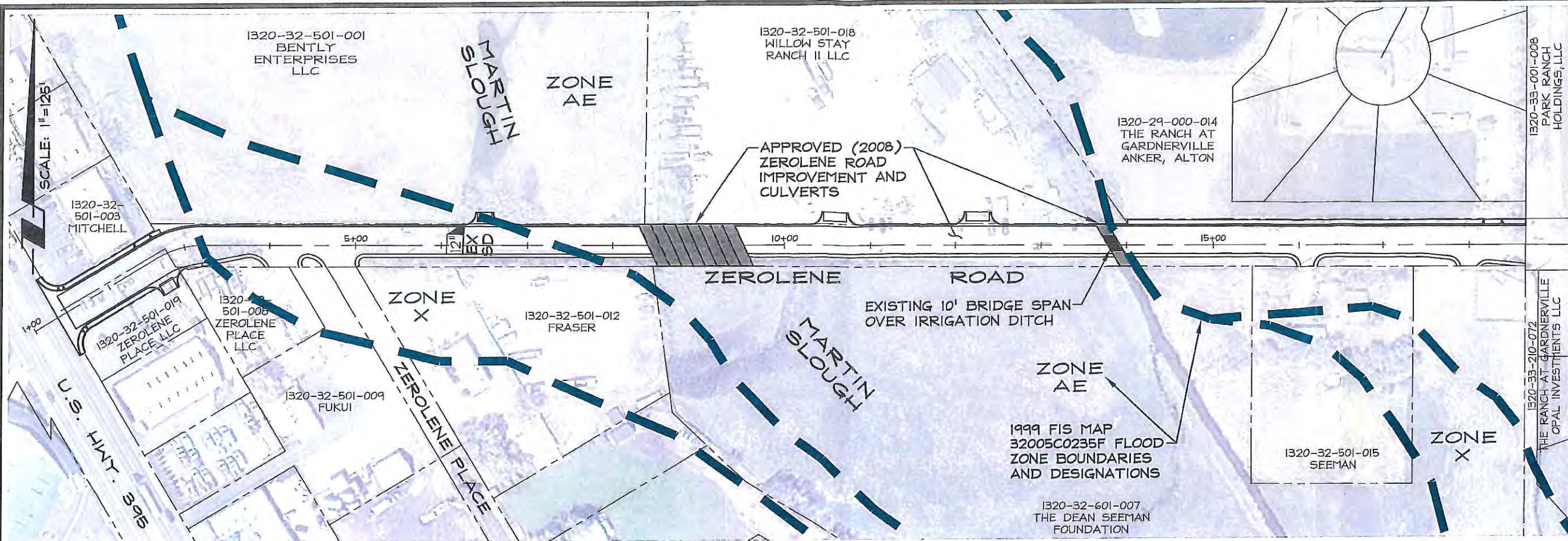
2406-002

10/20/2016

R/O Anderson
 WWW.ROANDERSON.COM
 CALIFORNIA
 3079 Harrison Avenue
 P.O. Box 2229
 Minden, NV 89423
 P 775.782.2322
 F 775.782.7084
 NEVADA
 1605 Emerald Ave
 P.O. Box 2229
 Minden, NV 89423
 P 775.782.2322
 F 775.782.7084

13-50

Y:\Client_Files\2406\2406-002\CAD\Engineering\Exhibits\Zerolene...Profiles\Variance...Exhibits.dwg 10/20/2016 10:15:32 AM Eric T. Herron



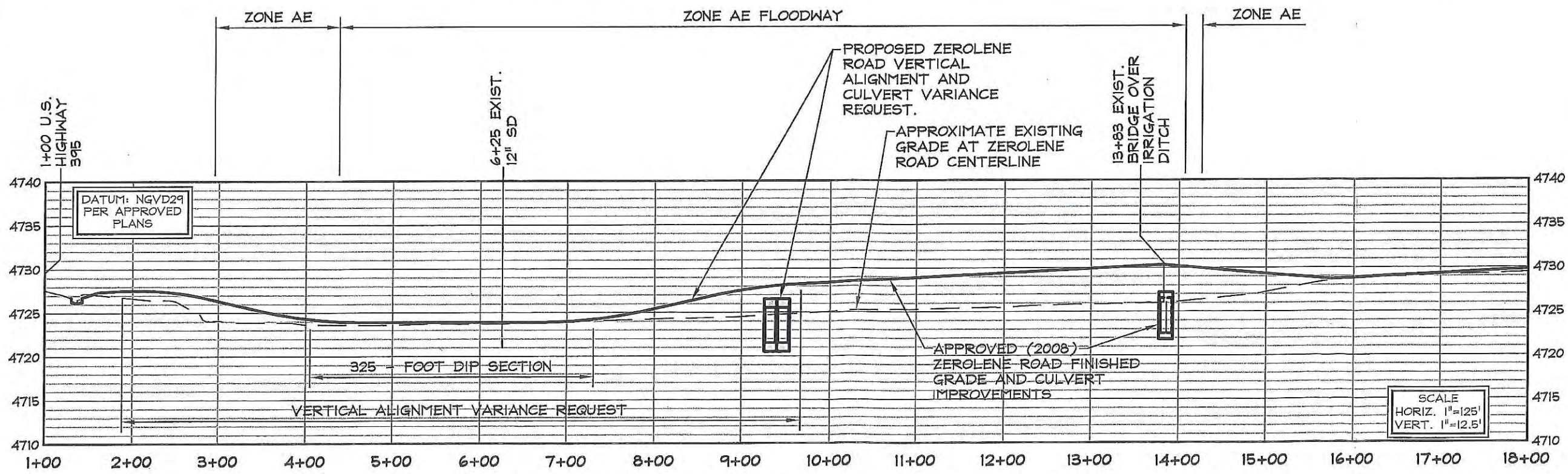
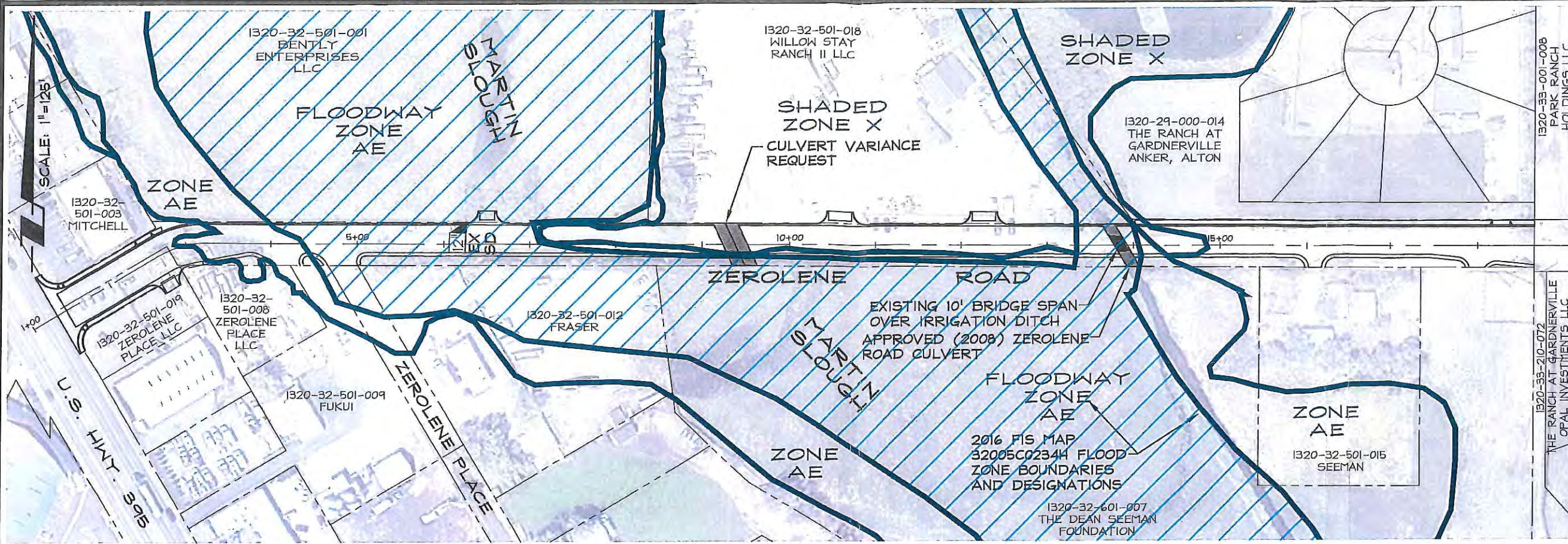
13451

ZEROLENE ROAD
2008 APPROVED PLANS
EFFECTIVE 1999 FIS MAP 32005C0235F

10/20/2016
 2406-002

R/O Anderson
 WWW.ROANDERSON.COM
 NEVADA 1603 Esmeralda Ave P.O. Box 2229 Minden, NV 89423 P 775.782.2522 F 775.782.7084
 CALIFORNIA 3079 Harrison Avenue Suite 2 South Lake Tahoe, CA 96150 P 530.600.1660 F 775.782.7084

Y:\Client Files\2406\2406-002\CAD\Engineering\Exhibits\Zerolene_Profiles\Variance_Exhibits.dwg 10/20/2016 10:16:56 AM Eric T. Herron



VARIANCE REQUEST ZEROLENE ROAD PROFILE

ZEROLENE ROAD
2016 VARIANCE REQUEST
EFFECTIVE 2016 FIS MAP 32005C0234H
 10/20/2016

R/O Anderson
 WWW.ROANDERSON.COM
 CALIFORNIA
 1608 Esmeralda Ave
 P.O. Box 2229
 Minden, NV 89423
 p 775.782.2322
 f 775.782.7084

NEVADA
 3079 Harrison Avenue
 Suite 2
 South Lake Tahoe, CA 96150
 P 530.600.1660
 F 775.782.7084

13-52



MEMORANDUM

TO: Board of County Commissioners

FROM: Carl Ruschmeyer, Engineering Manager/County Engineer
Ron Roman, Senior Civil Engineer

DATE: October 23, 2007

SUBJECT: Douglas County Design Criteria and Improvement Standards
Update to Part II – Engineering Design Criteria and Improvement Standards
Division 6 – Storm Drainage

At the June 7, 2007 meeting, the Board adopted an update to Part II – Engineering Design Criteria and Improvement Standards with the exception of Division 6 – Storm Drainage. The Board directed staff to continue work on the storm drainage issues and to return with new language. The requirement to evaluate downstream conveyance capacity to a point of discharge, the location of the point of discharge and overtopping of roadways were the main issues that were unresolved.

After the June 7, 2007 Board meeting, the County Manger's office facilitated two meetings with staff and members of the Technical Review Committee to work on these drainage issues. The consensus of the group was as follows:

1. that the definition of the point of discharge should include existing drainage channels which may include irrigation ditches,
2. that development should be required to limit post-developed peak flows to pre-developed conditions,
3. that development should not be required to mitigate or correct deficiencies in the existing drainage system,
4. that an increase in the volume of runoff from development should not be considered an adverse impact, and
5. that design storms for collector and arterial roads should be limited to the 25 year event with County designated emergency routes designed with one dry lane or depth of water to be determined by the County for the 100 year event. (6.17)

These are discussed below and in the attached October 11, 2007 letter from R.O. Anderson Engineering:

Point of Discharge: The Design Manual requires that the capacity of downstream drainage conveyance systems be analyzed to a point of discharge. Currently the point of discharge is



defined as the location at which the drainage as shown on a development's drainage and irrigation plan intercepts the nearest major slough or watercourse. The proposed update defines point of discharge as follows:

the location at which the drainage as shown on a development's drainage and irrigation plan intercepts the Carson River, Walker River, Topaz Lake, Lake Tahoe, or one of the following as approved by the County: major watercourse, major slough, or other established drainage channel which may include irrigation ditches that accepted all pre-developed flows.

The change in the definition of point of discharge is intended to clarify the point to which drainage analysis and improvements are required, and that development is not necessarily responsible to construct improvements to a major slough or watercourse. This does not always mean that the point of discharge will be the property line of the development where runoff is collected and routed away from the development. In some cases, where an existing drainage channel abuts the limits of development and the channel collects all pre-developed flows, this may be the case. In other cases, development may need to construct drainage improvements to the point where all the pre-developed flows were collected in an existing drainage channel; this may not be contiguous to the limits of development.

Peak Flows: The requirement to limit post-development runoff to pre-developed rates is consistent with County Code and reflected in the proposed changes to Division 6.

Deficiencies in the Existing Drainage System: The Design Manual currently requires a developer to upgrade the existing storm drain system to accommodate runoff to the point of discharge or provide on-site detention and controls for acceptable disbursement into the storm drain system. In many cases this requires development to correct deficiencies in the existing drainage system that are downstream of development even though post-developed flows may be limited to pre-developed flow rates. The consensus of the committee was that development was not responsible to correct deficiencies in the existing drainage system. In order for the proposed changes in the Design Manual to work, committee members agreed that there is a strong need for the county to develop a drainage master plan to identify the existing drainage system deficiencies, develop recommendations to correct them and identify a funding mechanism to implement and maintain the required drainage improvements.

Additional Runoff Volume: Under the current Design Manual, an increase in the volume of runoff after development may be viewed as an adverse impact. This is based on County Code 20.100.060 which states the following:

Any development shall be served by an adequate storm drainage system. Storm drainage shall be considered adequate when, pursuant to an approved drainage plan, on-site drainage facilities are capable of conveying through and from the property the design flow of stormwater originating within the development, as determined in accordance with design criteria and improvement standards manual, as well as flows originating from



upstream properties in a pre- and post-development stages, post development being based on ultimate master buildout; and the off-site downstream drainage system is capable of conveying to an approved outfall the design flow of stormwater runoff originating in the development and from other developed and undeveloped land upstream, without resulting in erosion, sedimentation or flooding of the receiving channel and downstream properties and without creating any adverse impact to downstream property.

For example, after development there is typically an increase in the volume of runoff due to an increase in impervious area. While the peak flow rates can be limited to the pre-developed conditions, there will be a greater volume of water that will be discharged to the system. If there is a bottleneck in the existing drainage system that results in flooding before development, flooding after development most likely will be worse due to the increased volume of water even though it will be discharged at the same pre-developed rate. The consensus of the committee was that additional runoff volume should not be considered an adverse impact since a deficiency in the existing drainage system was the root cause of the problem. County Code should be clarified to be consistent with the proposed change to the Design Manual.

Emergency Route to Subdivisions: The Design Manual currently requires that on collectors and arterials the depth of water shall not exceed six (6) inches at the street crown or 12 inches at the gutter flow line. **Master Plan Policy 5.08.02 states the following:**

Arterial and collector roadways shall be designed and constructed to allow for a minimum of one access to communities during 100-year flood events. Care should be exercised in design of these facilities to not impact other areas by damming or diverting flood waters.

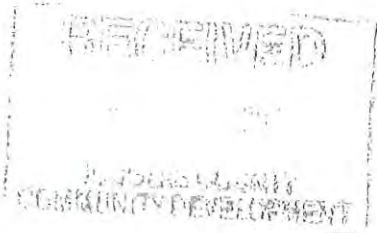
The proposed changes will require that only County designated emergency routes be designed with one dry lane or an allowable depth of water to be determined by the County. **All other streets will be allowed to have varying depths of flooding as long as the product of depth of flow and velocity does not exceed six (6).** Staff believes these are reasonable criteria to protect public safety and complies with Master Policy 5.08.02. The designated emergency routes are to be determined by the East Fork Fire and Paramedic Districts, Tahoe Douglas Fire Protection District and the Douglas County Sheriff and shown on a map.

Recommended Action:

Approve Resolution No. 2007R-100 adopting changes to the Douglas County Design Criteria and Improvement Standards (Design Manual).

Rec'd 10-17-07

Anderson



October 11, 2007

HAND DELIVERED

Michael Brown, Assistant County Manager
DOUGLAS COUNTY
P.O. Box 218
Minden, NV 89423

Re: Proposed Design Manual Changes to Division 6 – Storm Drainage

Dear Michael:

We wish to extend to you again our compliments on holding a very productive meeting of the Design Manual Review Committee on September 27, 2007. Thank you, again, for the opportunity to provide further input into the County's process of updating this important document. As a group we constructively discussed the issues which we believed needed further modification in *Division 6 – Storm Drainage* and, through the Committee's cooperative efforts, were able to reach a consensus on the major issues. The following is a summary of our understanding of the pending modifications resulting from that meeting:

- The 'point of discharge' definition will be revised to incorporate established drainage channels that includes existing irrigation ditches.
- A sub-point will be added to section 6.1.5 excepting projects proposing new impervious area less than a certain amount from the standard drainage report requirements, and possibly incorporating standard mitigation measures.
- Detention of on site flows will be required to mitigate post-developed flow rates to pre-developed peak flow rates. The 100-year return event will be added to the design requirements.
- Down stream conveyance will be analyzed to the point of discharge to identify down stream bottleneck areas but individual projects will not be required to correct existing down stream deficiencies.
- Drainage crossings under collector and/or arterial roadways will be designed to the 25-year return event. **The criteria for a 100-year return event shall be analyzed to ensure that the overtopping of these roadways at the time of peak flow is restricted to a to-be-determined maximum velocity-depth ratio so that emergency vehicles can safely negotiate the streets.**

The proposed changes to the Design Manual, including those summarized above, demonstrate that Douglas County endeavors to "raise the bar" in regards to protecting the health, safety and general welfare of the public while balancing the very real

13-57

11/6/4

R O Anderson

Mr. Michael Brown
October 11, 2007
Page 2 of 2

financial cost of improving our community infrastructure. Both capital and long term maintenance costs are important for the County to consider as they ultimately affect private property owners and Douglas County taxpayers as a whole. We are confident that these proposed modifications result in effective design guidelines that can be equitably and fairly applied to all new construction undertaken by both the private and public sectors and will ultimately provide good quality infrastructure without exhausting the community's financial capabilities.

Thank you again for the opportunity to contribute to this process of updating the Design Manual. We look forward to fully supporting the proposed Division 6 at the upcoming County Commissioners meeting. Please feel free to contact me in advance of that meeting if you have any questions or require further clarification.

Sincerely,

R.O. ANDERSON ENGINEERING, INC.



For: Robert O. Anderson, P.E.
Principal Engineer

cc: Dan Holler, Douglas County Manager
Carl Ruschmeyer, P.E., Douglas County Engineering Manager ✓
Mimi Moss, A.I.C.P., Douglas County Community Development Director
Doug Johnson, Chairman – Douglas County Commissioners

13-58

16/5

Resolution No. 2007 R-100

A RESOLUTION ADOPTING CHANGES TO THE DOUGLAS COUNTY DESIGN CRITERIA AND IMPROVEMENT STANDARDS (DESIGN MANUAL)

WHEREAS, the Board of County Commissioners adopted the Master Plan on April 16, 1996, and the development of design criteria is set forth as a Master Plan policy; and

WHEREAS, the Board of County Commissioners adopted the Development Code on November 21, 1996, and the Code requires that certain facilities be designed or as specified in accordance with the design criteria and improvement standards manual; and

WHEREAS, the Board of County Commissioners adopted Resolution No. 98R-084A and the Design Criteria and Improvement Standards (Design Manual) on September 17, 1998; and

WHEREAS, the Board of County Commissioners adopted Resolution No. 99R-024 on March 4, 1999; and

WHEREAS, the Board of County Commissioners adopted Resolution No. 2001 R-080 on September 6, 2001; and

WHEREAS, the Board of County Commissioners adopted Resolution No. 2007 R-014 on June 7, 2007; and

NOW THEREFORE, BE IT RESOLVED, that the Douglas County Board of Commissioners does hereby adopt the following pages to the Design Criteria and Improvement Standards (Design Manual):

1. Part II Table of Contents pages TOC-i through TOC-xiii
2. Part II Division 6 – Storm Drainage, pages 6-1 through 6-28
3. Appendix F pages F-13 and F-14

The revised pages are attached to this resolution.

Adopted this _____ day of _____, 2007, by the following vote:

Ayes: Commissioners: _____

Nays: Commissioners: _____

Absent Commissioners: _____

Doug N. Johnson, Chairman

Douglas County Board of
Commissioners

ATTEST:

Barbara Griffin, Clerk-Treasurer

By: _____, DEPUTY

2
13-60

116/7

Douglas County Planning Commission

November 8, 2016

Request to modify the Ranch at Gardnerville
Planned Development (PD 04-008-8) and a
Variance to Improvement Standards for the
Construction of Zerolene Road



Project Description

For Possible Action. Discussion on a request for a modification to the Ranch at Gardnerville Planned Development and a Variance to Improvement Standards as they relate to design criteria for the construction of the Zerolene Road crossing of Martin Slough. The property is located south of Buckeye Road and east of Highway 395 along Heybourne Road, within the SFR-8000 (Single Family Residential- 8,000 square foot minimum net parcel size) and the MFR (Multi-Family Residential) zoning districts with a Planned Development (PD) Overlay, in the Minden/Gardnerville Community Plan Area. The applicant is Ezra Nilson. PD 0-008-8 and LDA 16-035.

13-62

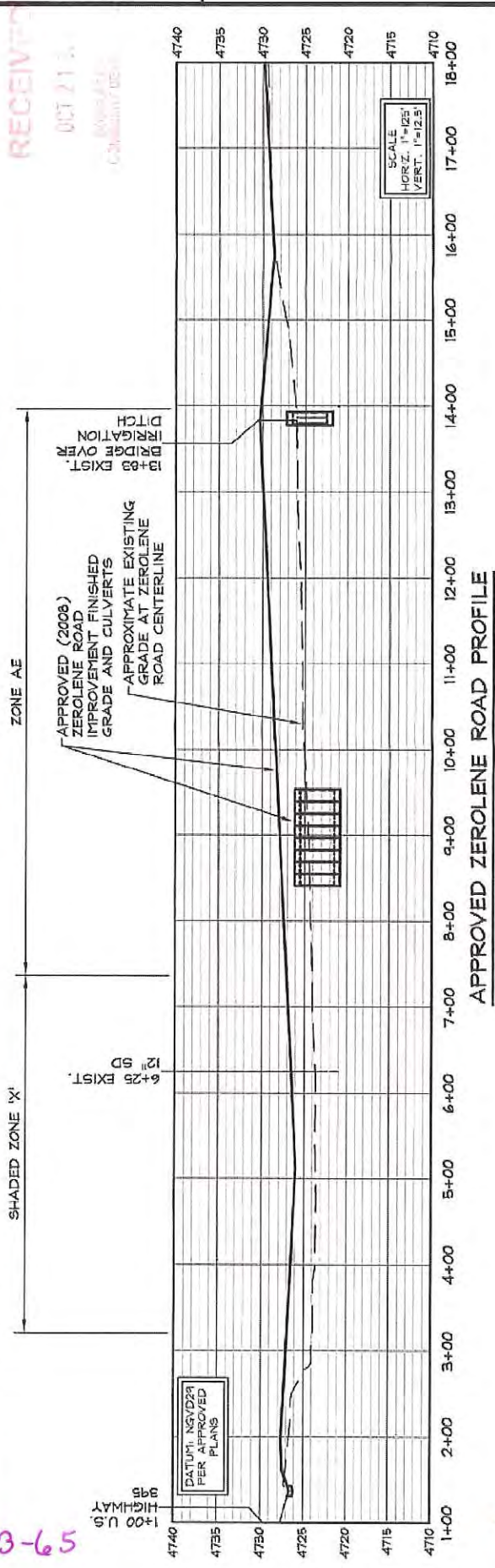
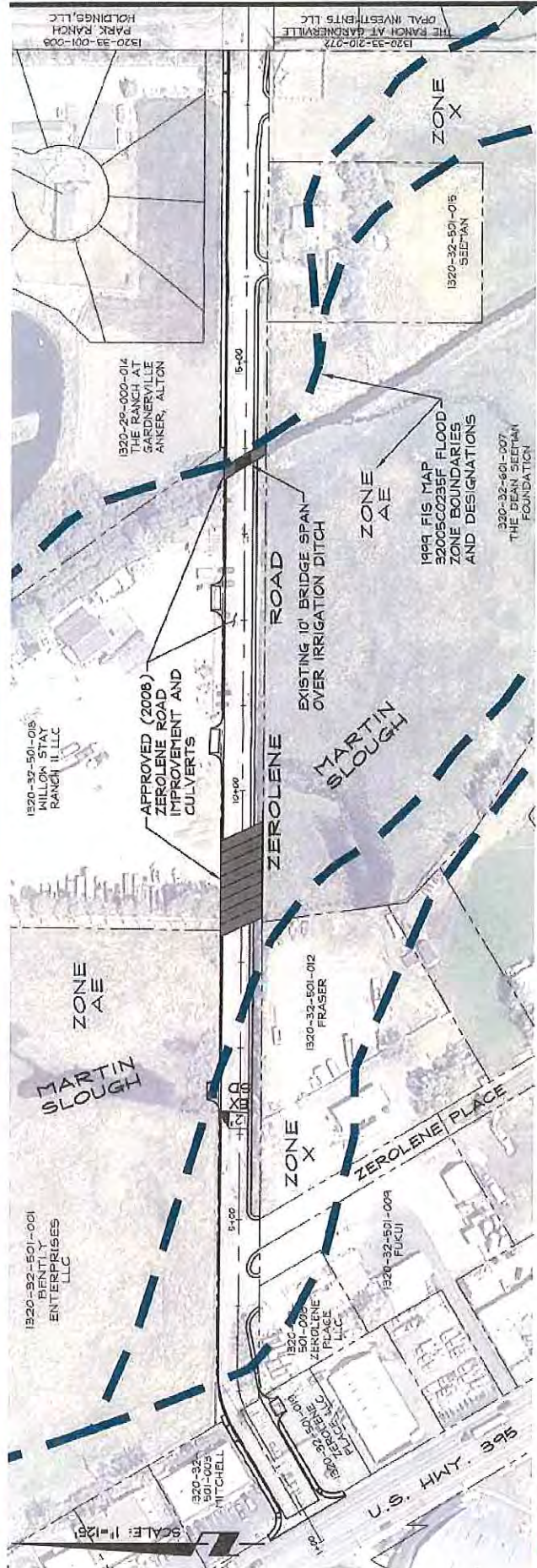
Background

- **December 2, 2004-** The Ranch at Gardnerville Planned Development was approved under the 2001 Douglas County Design Criteria and Improvement Standards (DCDCIS).
- **June 7, 2007-** The DCDCIS was updated requiring development to comply with the updated standards within 180 days of the most recent adoption.
- **April 2008-** plans for the Zerolene crossing of Martin Slough were submitted to and approved by Douglas County to install eight (8) 4 foot by 12 foot box culverts. Due to the economy the road was never constructed.
- **Subsequently** the Martin Slough Floodplain was re-studied and new floodplain maps were published by FEMA.
 - *Revised maps changed the floodplain to a floodway; however, the overall amount of flow reaching Zerolene Road was reduced from 3,689 cubic feet per second to 2,336 cubic feet per second.*

13-64

ZEROLENE ROAD 2008 APPROVED PLANS EFFECTIVE 1999 FIS MAP 32005C0235F

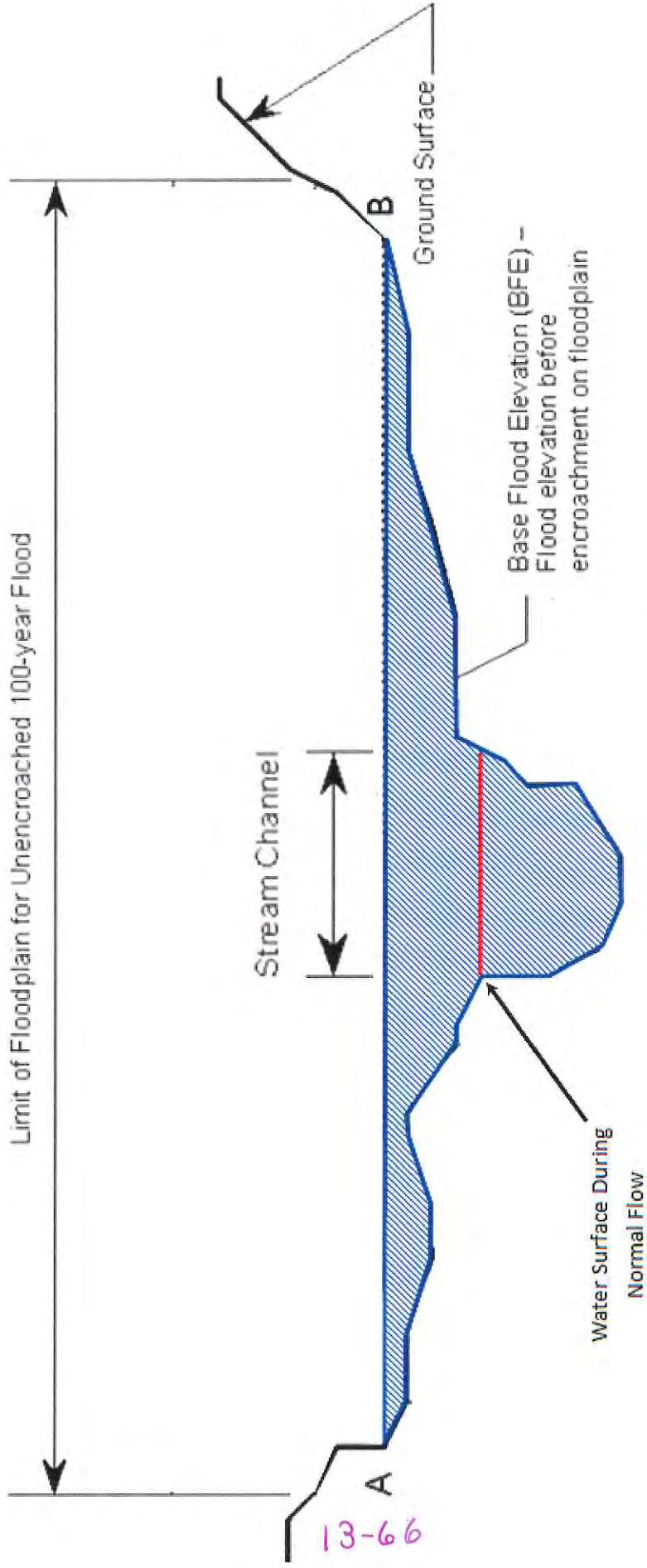
R O Anderson
MWM.ROANDERSON.COM
CALIFORNIA
3079 Harrison Avenue
Suite 2
Fridley, NV 89423
P 775.782.2322
NEVADA
1603 Ferrarida Ave
Suite 200
Las Vegas, NV 89102
P 702.733.8233



13-65

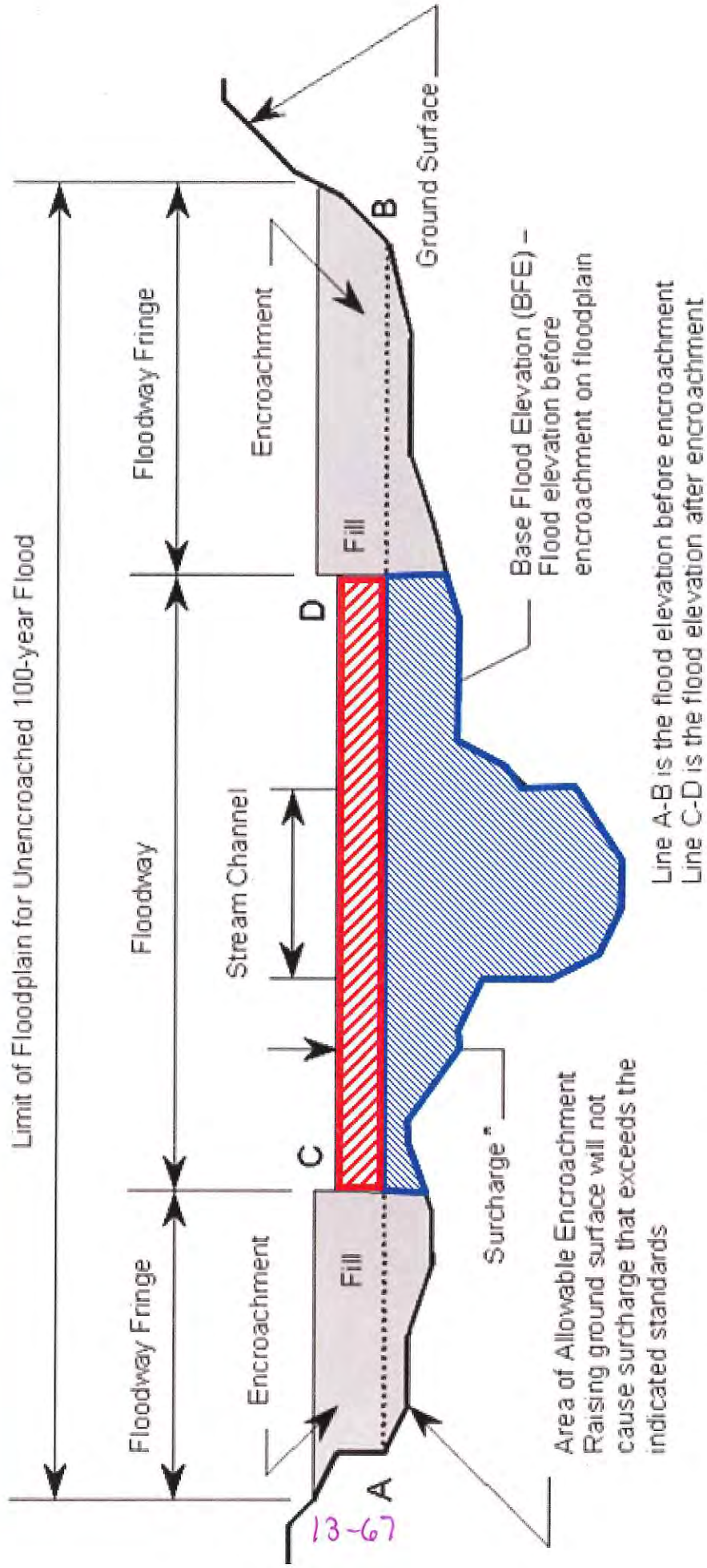


Floodplain vs. Floodway



Floodplain Encroachment and Floodway

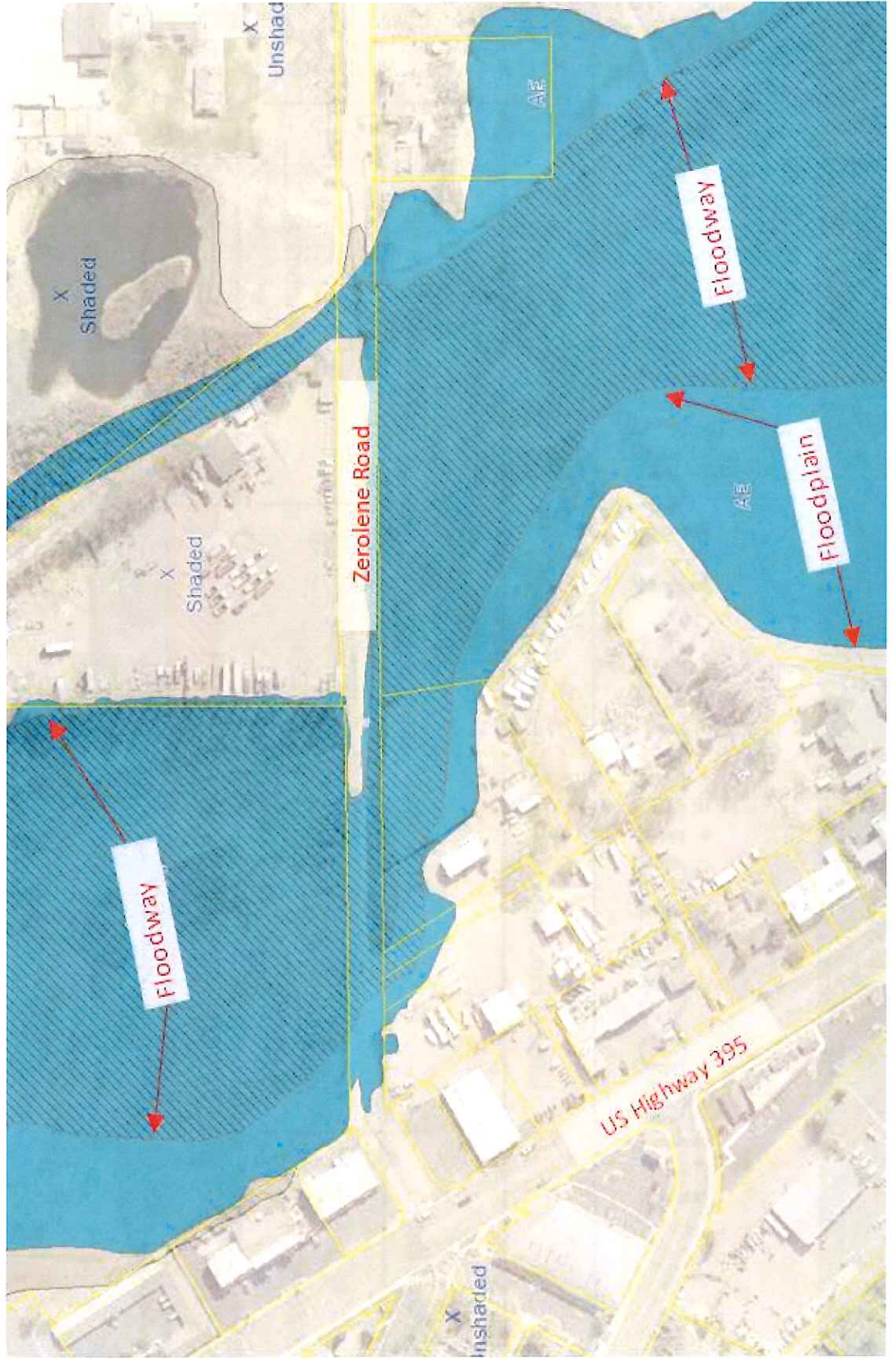
Floodplain vs. Floodway



*Surcharge not to exceed 1.0 ft. (FEMA requirement) or lesser height if specified by community

Floodplain-Encroachment-and-Floodway

Martin Slough Floodplain & Floodway



County Code and Design Criteria

Requirements

- Douglas County Code Section 20.676.110- public hearings by PC and BOCC are required for modifications to a PD that involve:
 - *changes in land use*
 - *expansion or intensification of development*
 - *changes in the standards of development*
- **PD modification** was requested in conjunction with the Variance to Improvement Standards because, approval of the variance would require modification of one or more of the conditions of approval associated with the PD.
- **Since 2007** the update to the DCDCIS arterial and collector roads are required to allow a minimum of one access to communities during the 100-year flood.

13-69

County Code and Design Criteria Requirements- *continued*

Requested Variance seeks relief from Note 1 on Table 6.2 of the Engineering Design Criteria and Improvement Standards. Zerolene would be constructed in accordance with FEMA's requirements of no rise in the Base Flood Elevation, but a portion of the road would be inundated during a 100-year flood event.

Table 6.2. Storm Drain and Drainage Facility Design Storm Events.

Design Storm Criteria	Design Storm Event (see Notes)
1. Local Roadways	25-year return period
2. Arterial and Collector Roadways	25-year return period
3. Developments (commercial, industrial, residential)	25-year return period
4. Drainage Crossings Under the Following Roadways:	25-year return period
a. Local Roadways	25-year return period
b. Arterials and Collectors	25-year return period
c. Developments (commercial, industrial, residential)	25-year return period

Notes:

- Arterial and collector roads shall be designed and constructed to allow for a minimum of one access to communities during the 100-year flood.

FEMA Requirements

- Allows for construction in a floodplain to raise the water surface by up to 1-foot; however, construction in a floodway may not increase the water surface elevation.
- The road must be constructed to:
 - 1) Allow one lane of access during the 100-year flood.
 - 2) Ensure the floodway water surface is not increased.
- Applicant believes FEMA also requires the construction of the roadway must ensure the 100-year base flood elevation is not increased. County staff has contacted FEMA for clarification.

13-71



Zerolene Crossing of Martin Slough

Four proposals considered for the Zerolene Road crossing of Martin Slough:

- 1) Six culverts with a 325 foot dip section- *applicant's request*
- 2) Eight culverts with no dip section- *as approved in 2008*
- 3) Ten culverts with no dip section
- 4) 140 foot clear span bridge

Zerolene Crossing of Martin Slough

The 8 culvert option is staff's preferred alternative. It allows access during a 100-year flood event and ensures the floodway water surface is not increased.

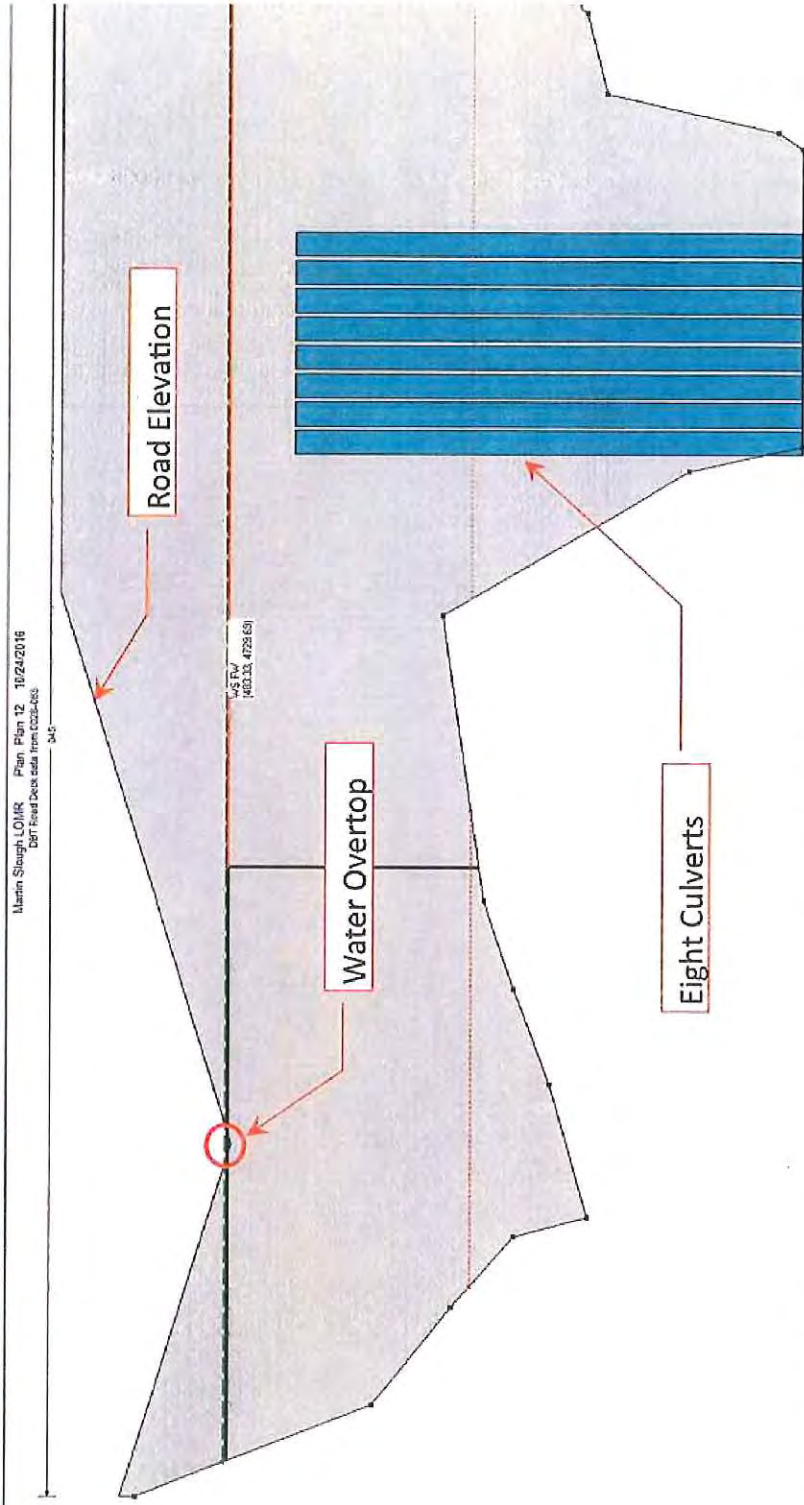
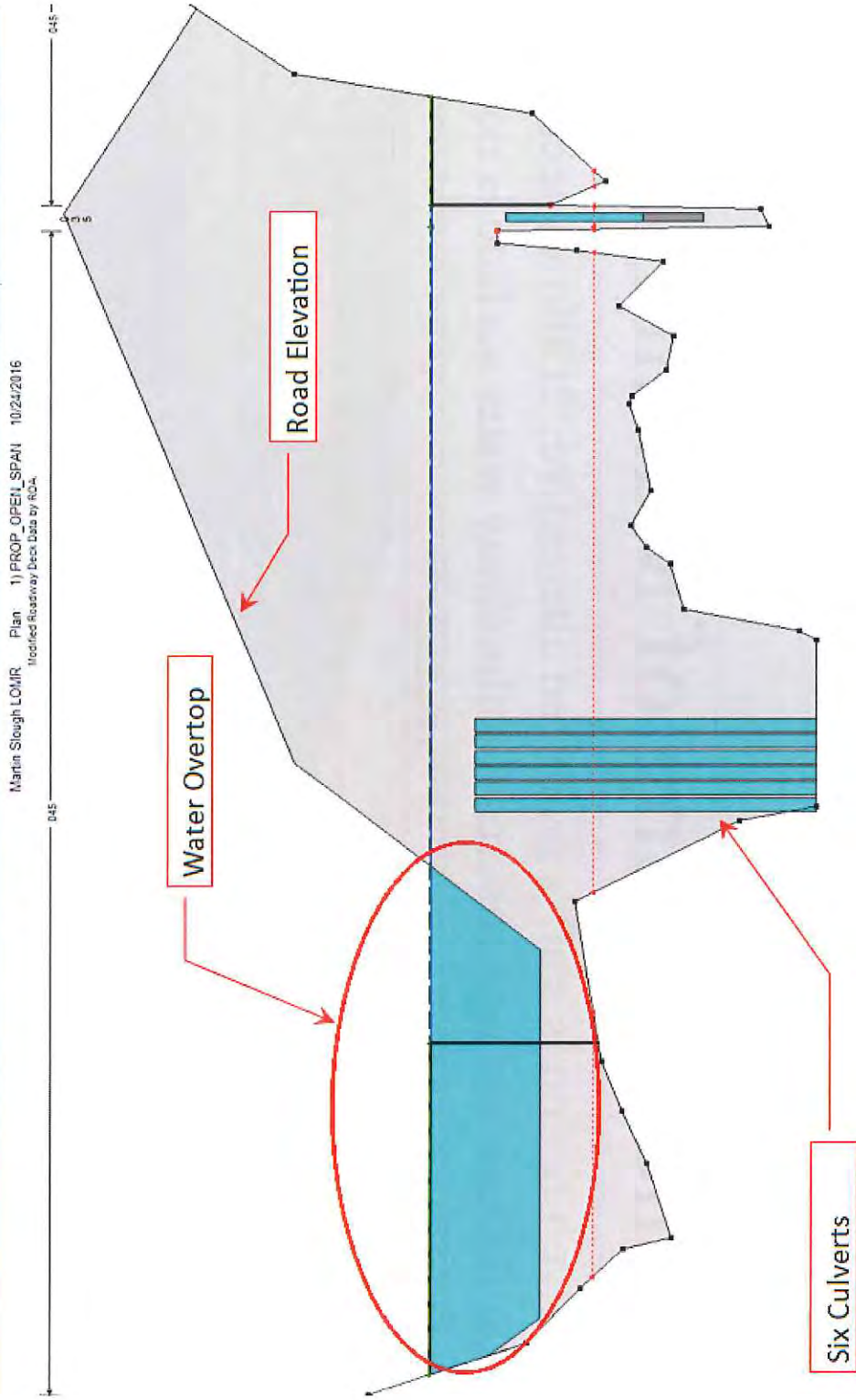


Exhibit A— Proposed Eight Culvert Configuration with Floodway

Zerolene Crossing of Martin Slough

The 6 culvert option is the developers preferred alternative. It allows floodwaters to overtop the roadway between the 50 and 100-year flood event and ensures the floodway water surface is not increased.



13-174

Applicants Proposed Six Culvert Configuration with Floodway

Code Provisions

Douglas County Code (DCC), 20.676.040 and NRS 278A.410 contain the findings that the Planning Commission and Board of Commissioners must consider in their actions on PD modification; and DCC 20.704.070 contains the findings the Planning Commission and Board of Commissioners must consider in their actions on the Variance to Improvement Standards. Part II, Division 1, Section 1.3 of the Douglas County Design Criteria and Improvement Standards contains additional findings that must be made to approve the variance.

13-75

All findings must be made in the affirmative in order to approve the requested modification.

PD Modification Findings

- Staff was unable to make findings 2, 5, 7, 11, 12, 15, and 17 of DCC 20.676.040, in the affirmative.
 - The proposed variance would allow for Zerolene Road to be constructed in a manner that would not provide for adequate emergency ingress and egress for the current and future residents or emergency responders; and the intensification of land use (adding additional homes) with no means of emergency access during flood events is detrimental to public health and safety.
- Staff was unable to make finding 2(c) of NRS 278A.410 in the affirmative. This requires a finding that the modification would not be “*granted solely to confer a private benefit upon any person.*”
 - Based on the information submitted to date, the PD modification and variance are requested solely for the benefit of the developer and would leave the future residents without adequate emergency access.

Variance to Improvement Standards Findings

- Staff was unable to make findings 1, 2, 3, and 5 of DCC 20.704.070 in the affirmative.
- The primary concerns cited in staff's responses to these findings is also public health and safety. Additionally, FEMA and Douglas County Standards can still be met by constructing the road as it was approved in 2008 with eight box culverts. The same cannot be achieved with the applicant's proposal of six box culverts and a 325 foot dip section.
- Staff was unable to make any of the findings 1-3 listed in the DCDCIS, in the affirmative.
- The concerns cited in staff's responses to these findings are public health and safety. The variance would place future residents in danger during a flood event. Additionally, there are no unique conditions at this site to support such a variance.

Town of Minden and Town of Gardnerville

Gardnerville will not hear this matter until the December 6th meeting and Minden will hear it at their December 7th meeting, assuming all appropriate documentation is filed with the Towns. Both meetings will occur after the Board of County Commissioners would be scheduled to hear the matter on December 1, 2016.

DCC requires development applications within the established boundaries of the Towns to be reviewed by the Towns prior to final action. Since the Towns will not be able to hear the request and provide recommendation prior to the Planning Commission or Board of County Commissioners meetings, the Planning Commission may wish to continue the matter for one month, providing the Towns with adequate time to review the application and make recommendation.

Options

- 1) Continue the matter for one month providing the Towns with adequate time to review the application and make recommendation.
- 2) Recommend approval of the variance to the Board of County Commissioners, allowing for the construction of six box culverts and a dip section.
- 3) Recommend denial of the request to the Board of County Commissioners, further recommending construction of the eight box culvert configuration, subject to FEMA approval.
- 4) Recommend denial of the request to the Board of County Commissioners, further recommending construction of the ten box culvert configuration if FEMA determines the eight box culvert configuration does not meet their standard.

13-79

Recommendation

Recommend, to the Board of County Commissioners, denial of the modification to the Planned Development (PD 04-008-8) and the Variance to Improvement Standards (LDA 16-035) seeking to waive Note 1 of Table 6.2 of Douglas County Design Criteria and Improvement Standards (DCDCIS) and require adherence to the adopted standards based on the discussion and findings included in the staff report.

1388

Additional Public Correspondence
Received Since the Distribution of the
Planning Commission Packet

Agenda Item No 4

PD 04-008-8 / LDA 16-035
Zerolene Road

Planning Commission Meeting

November 8, 2016

Shirley Fraser
1561 Jerolene Place
Minden, NV 89423

RECEIVED

NOV 03 2016

DOUGLAS COUNTY
COMMUNITY DEVELOPMENT

November 1, 2016

To: Douglas County Planning Commission
P.O. Box 215, Minden, NV 89423

Dear Sirs:

Subject: Concerning the construction of the
Jerolene Road crossing of the
Martin Slough.

Our property at 1567 Jerolene Place
Parcel # 1320-32-501-012, Area 500, on the
North side, butts up to Jerolene Road.

Every summer we irrigate our pasture.
The irrigation water flows into the
drainage ditch, which is a part of Jerolene
Road. The reconstruction of Jerolene Road
should accommodate our irrigation water
drain off.

Thank you,
Shirley Yvonne Fraser, Trustee

Copies to:
Douglas County Board of Commissioners
Case Planner: Heather Ferris
Case Engineer: Barbara Resnik



COMMUNITY DEVELOPMENT
1594 Esmeralda Avenue, Minden, Nevada 89423

Mimi Moss
COMMUNITY DEVELOPMENT DIRECTOR

775-782-6201
FAX: 775-782-6297
website: www.douglascountynv.gov

Building Division
Engineering Division
Planning Division
Code Enforcement

NOTICE OF APPLICATION AND HEARING

Planning Commission Meeting and Board of Commissioners Meetings

Dear Property Owner:

An application for the below-referenced project is on file at the Douglas County Community Development offices, Planning Division, at 1594 Esmeralda Avenue, Room 202, in Minden, Nevada. This file may be reviewed during regular office hours Monday through Thursday (8:00 a.m. to 3:00 p.m.) and Friday (8:00 a.m. - noon), except legal holidays. The staff summary for this project will be available for review at the Douglas County Community Development offices five (5) calendar days prior to the meeting or online <http://douglascountynv.igm2.com>.

For possible action. Discussion on a request for a modification to the Ranch-at Gardnerville Planned Development and Variance to Improvement Standards as they related to design criteria for the construction of the Zerolene Road crossing of Martin Slough. The property is located south of Buckeye Road and east of Highway 395 along Heybourne Road, within the SFR-8,000 (Single Family Residential- 8,000 square foot minimum net parcel size) and the MFR (Multi-Family Residential) zoning districts with a Planned Development (PD) Overlay, in the Minden/Gardnerville Community Plan Area. The applicant is Ezra Nilson. PD 04-008-8. LDA 16-035.

Case Planner: Heather Ferris (775) 782-6210
Case Engineer: Barbra Resnik (775) 782-6234

hferris@douglasnv.us
bresnik@douglasnv.us

Planning Commission Meeting:

Date: Tuesday - November 8, 2016 - **election DAY!**
Time: The meeting commences at 1:00 pm. This matter may be continued to another meeting without additional notice.

Location: Douglas County Commissioner Meeting Room of the Douglas County Administration Building, 1616 Eighth Street, Minden, Nevada.

Board of Commissioners Meeting:

Date: Thursday - December 1, 2016
Time: The meeting commences at 1:00 pm. This matter may be continued to another meeting without additional notice.

Location: Douglas County Commissioner Meeting Room of the Douglas County Administration Building, 1616 Eighth Street, Minden, Nevada.

Interested persons may appear at the meetings to present oral comments to the Planning Commission and Board of Commissioners, or may submit comments by mail to Douglas County Community Development Department P.O. Box 218, Minden, NV 89423. If written comments are not received prior to the date of the meetings, the Planning Commission or Board of Commissioners will not consider them. For further information please contact the case planner or fax comments to (775) 782-9007.

Comments (additional comments may be provided separately): **What does this mean? More houses? Your map is too vague. People live & love it here because it is rural. Keep it that way. Why are you trying to make it a big city. Go back to L.A.**

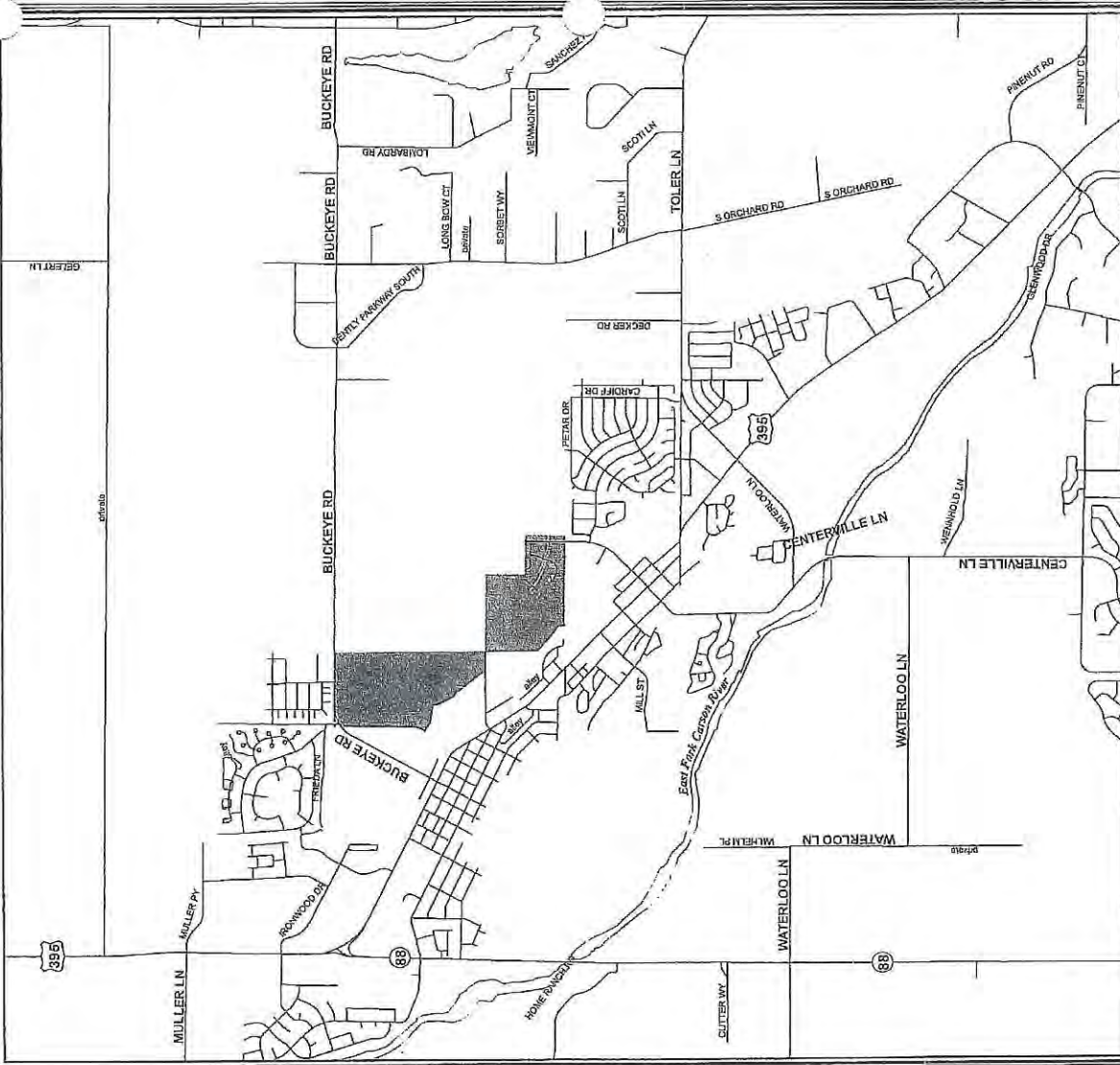
Mailing Address: P.O. Box 218, Minden, Nevada 89423

Very poor map ↓

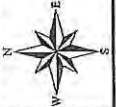
13-83

Douglas County Vicinity Map

MULTIPLE PARCELS



1 inch = 3,000 feet



Legend

- Subject Parcels

Print Date: 10/24/2016



This data contained herein has been compiled on a geographic information system for the use of Douglas County. The data does not represent survey delineation and should not be construed as a replacement for the authoritative sources, plat maps, deeds, resurveys, etc. No liability is assumed by Douglas County as to the sufficiency or accuracy of the data.

13-84

CARL & MARILYN MALKMUS

Post Office Box 1060

Gardnerville, NV. 89410

775-782-4931 FAX (775) 782-4943

RECEIVED

NOV 04 2016

DOUGLAS COUNTY
COMMUNITY DEVELOPMENT

November 2, 2016

D. C. Community Development Department
Planning Division

Attn: Ms. Heather Ferris, Case Planner

Post Office Box 218

Minden, NV 89423

Subject: 11-8-2016 Planning Committee Meeting

Possible Action: Applicant Ezra Nilson

PD04-008-8 LDA 16-035

Zerolene Rd Crossing at Martin Sough

I have reviewed the applicants design of subject project and found that it is based on saving construction costs in lieu of acceptable and necessary minimum engineering standards. It creates a potentially dangerous structure (ingress, egress roadway and culvert system).

Since this project impacts the 100 year Flood Way potential per the current flood studies, it would create more of a dam effect in lieu of allowing flood water relief with the required 6 culvert design and 2 full lanes for vehicular travel for both private vehicles and emergency vehicles to access the development.

I encourage you to deny this modification.

Sincerely,



Carl Malkmus

13-85

2016 Draft - Douglas county Transportation plan does:

1. Not include Zerolene as a needed collector through to 2040.
2. Not include Zerolene as a needed Evacuation Route.
3. Does show Zerolene as a 2 lane road (Figure 4.5) alternate and regional access

Figure ES.1: Douglas County Roadway Network Functional Classifications

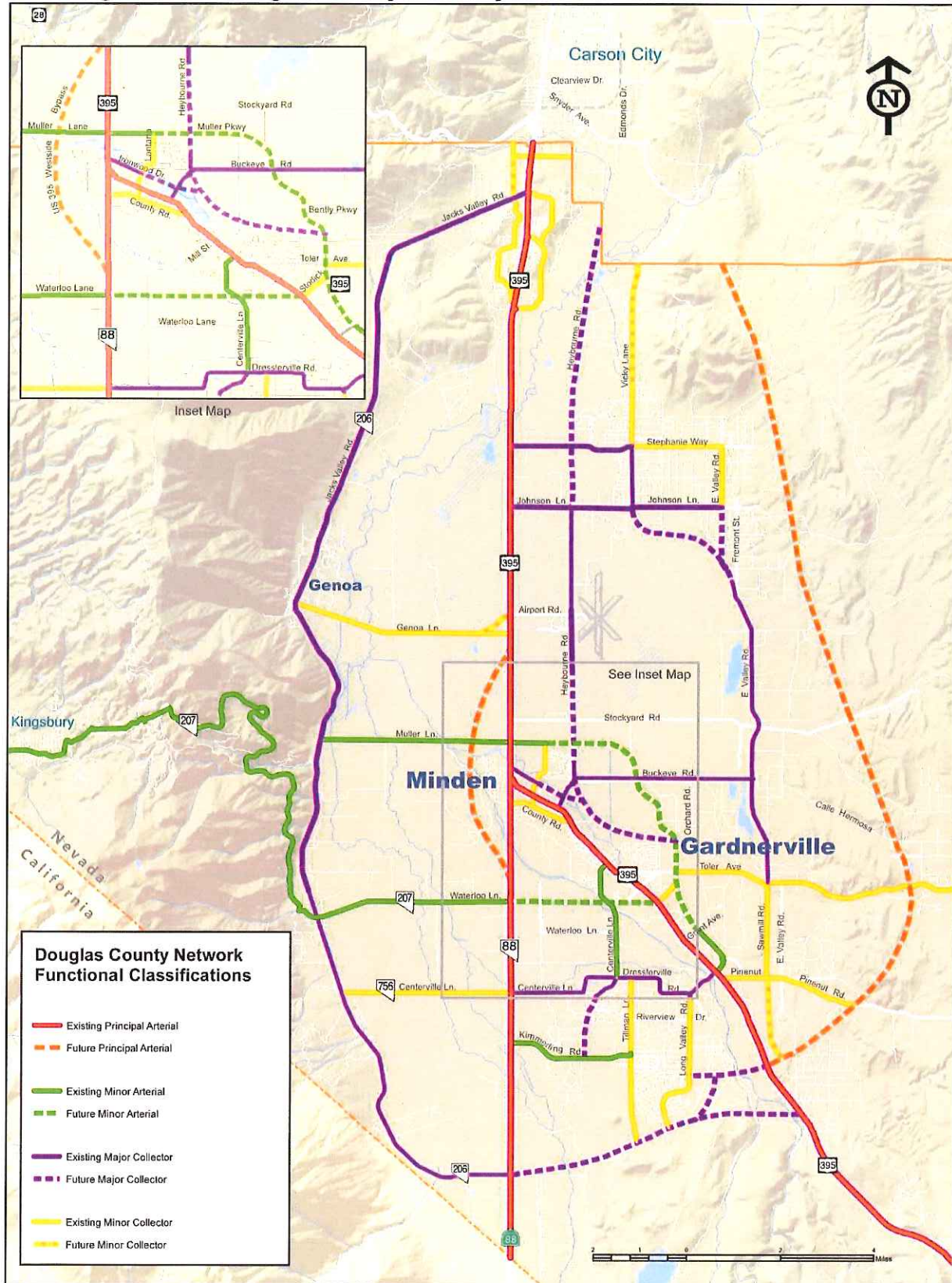
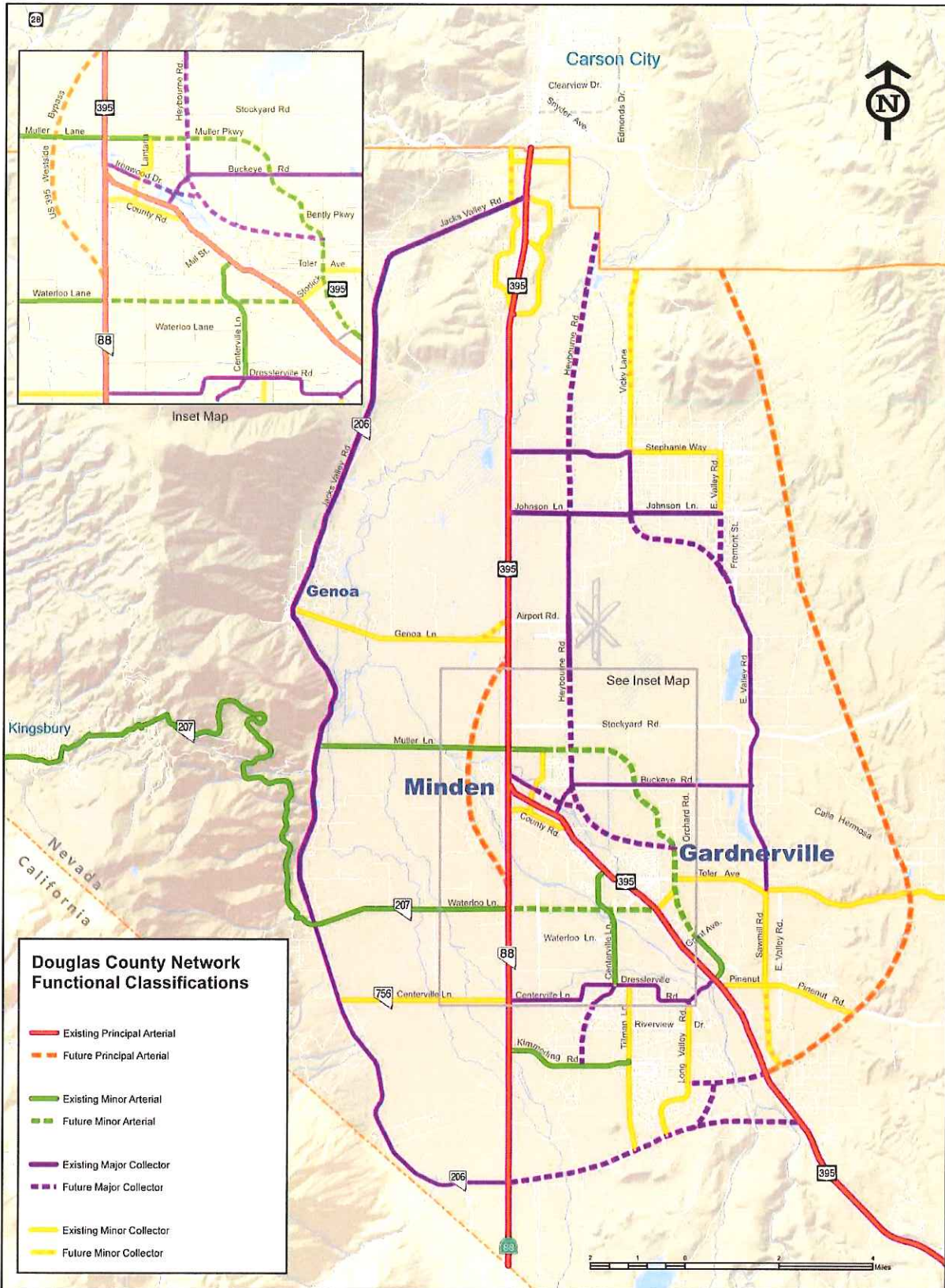


Figure 4.1: Roadway Functional Classification Map





2016 Douglas County Transportation Plan

Minor Arterials

The minor arterial street system interconnects with and augments the principal arterial system and provides service to trips of moderate length at a somewhat lower level of travel ability than the principal arterials. In addition, this system distributes travel to geographic areas smaller than those identified within the principal arterial system. Minor arterial street systems include all arterials not classified as principal and contain facilities that place more emphasis on land access than the principal arterial system. Minor arterial systems typically carry local bus routes and provide inter-community continuity, but ideally do not penetrate identifiable neighborhoods. The minor arterial street system includes urban connections to rural collector roads where such connections have not been classified as principal arterials.

Rural/Urban Major Collector

The rural/urban major collector system provides service to any central business district not on an arterial route, and into the larger towns not directly served by higher systems. In addition, major collector roads provide service to traffic generators of equivalent intra-county importance such as consolidated schools, county parks, important mining areas, etc. The rural/urban major collector roads link these places with nearby larger towns or cities or with routes of higher classifications. Rural/urban major collector roads serve the more important intra-county travel corridors.

Rural/Urban Minor Collectors

The rural/urban minor collector roadways are laid out consistent with population density in order to collect traffic from local roads and bring all developed areas within a reasonable distance of the collector road. In addition, they provide service to the remaining smaller communities and link locally important traffic generators within their rural areas.

Rural/Urban Local Roadway

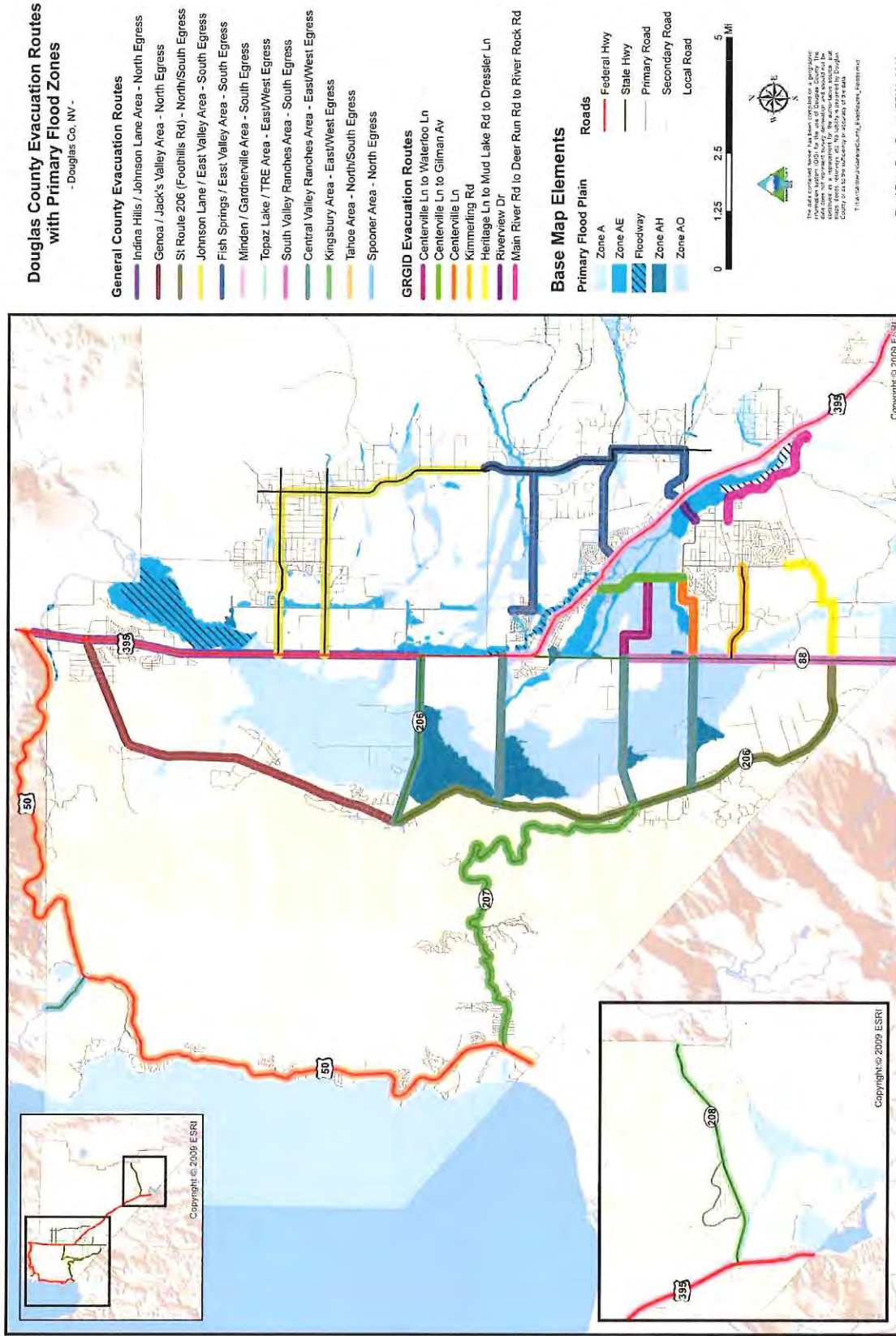
The local street system comprises all facilities not on one of the higher systems. The local roadway system provides direct access to abutting land and access to higher order systems.

Figure 4.1 shows the Roadway Functional Classification for streets and highways as determined by the Douglas County Community Development Department. Rural and urban local streets and roads are not illustrated on this graphic.

4.1.2 EXISTING TRAFFIC LEVELS

The second step in developing the transportation plan is to inventory the volume of traffic using the existing transportation network. To undertake this inventory, data was collected from NDOT and field counts were taken at 26 road segments in Douglas County and Carson City during 2015. These traffic volume counts were taken during the morning and evening times when traffic levels are highest, generally between 6:00 and 9 a.m. and between 3:00 and 7:00 p.m.

Figure 4.8 Map of Douglas County Evacuation Routes with Primary Flood Zones



13-91



4.6 Douglas County Street and Highway Design Standards

Each of the roadway functional classifications has different characteristics. Design standards vary with each functional classification relative to the character of the service that they provide. Roadways should be designed in accordance with the following referenced guidelines.

Nevada Department of Transportation Jurisdictional Roadways

Road Division Design, Design Manual, Parts 1 and 2, latest edition, Nevada Department of Transportation.

Douglas County Jurisdictional Roadways

Please refer to the *Douglas County Design Criteria and Improvement Standards Manual* for project standards.

Typical roadway sections and associated rights-of-way are contained in the current version of the *Douglas County Design Criteria and Improvement Standards Manual*. The right-of-way requirements were established to accommodate the roadway and local street drainage only. Additional right-of-way to accommodate drainage facilities for other than local street drainage (off-site) may be required. Additional easements/right-of-way may be required for slopes and construction.

4.7 Emergency Access Routes and Flooding

Although much of Douglas County is a high desert, flood events are not uncommon. Summer thunderstorms frequently generate localized flood events, and winter rains on snowpack can generate regional flooding. Figure 4.8, Douglas County Evacuation Routes, was prepared by the East Fork Fire and Paramedic District and Douglas County GIS office.

4.8 Complete Streets

Complete streets refers to retrofitting roads that are under the jurisdiction of a County Commission or Regional Transportation Commission to add or repair facilities that provide safe access for all users including pedestrians, bicyclists, persons with a disability, persons who use public transportation and motorists. The term includes the operation of a public transit system but does not include the purchase of vehicles or other hardware for operation of a public transit system.

Designing complete streets can increase the overall capacity of the transportation network by encouraging more transportation modes than just private automobiles. They also encourage exercise in the forms of walking and cycling, and can reduce vehicle emissions, improve safety and promote economic development. Adopting a Complete Streets Policy means routinely designing to provide safe access for all users of all ages and abilities, regardless of mode of travel.

PAGE 13-93

TO

PAGE - 13-110

Intentionally MISSING

2

The Ranch at Gardnerville PD modification
Request for a Variance to Improvement Standards
for the construction of Zerolene Road

Douglas County Planning Commission-
Meeting
Nov 8, 2016



EXHIBIT (for identification only)
#4
Filed 11-8-16
By RO Anderson Deputy

RO Anderson



Background

- September 2001 – DCDCIS adopted by Douglas County
- December 2004 – Project approved 633 units (not 613 units)
- November 2007 – DCDCIS revised, updated and adopted by Douglas County
- April 2008 – Approval of Design of Zerolene Road
(8 – 12'x4' box culverts with water over the road)
- September 2010 – FEMA established a floodway along the Martin Slough
- September 11, 2012 – DC Planning Commission – discussed a similar request
- October 2012 – FEMA revised limits of floodway due to changes in hydrology
(Effective discharge was reduced from 3,689 CFS and 2,336 CFS)

13-113

RO Anderson



September 6, 2001 DC DCIS Manual

Table 6.3
Design Storm Events

Design Storm Criteria	Design Storm Event (see Notes)
1. Local Roadways	25-year return period, 6-hour duration
2. Arterial and Collector Roadways	50-year return period, 6-hour duration
3. Developments (commercial, industrial, residential)	25-year return period, 6-hour duration

Notes:

1. All development shall provide emergency flow paths for a 100-year peak storm in accordance with Table 6.5.
2. Refer to Section 6.8.1 for additional situations where the drainage system shall be designed for not less than a 100-year return period, 6-hour duration.
3. Refer to Section 6.1.2.4.6 for additional requirements for projects located within a floodplain.



November 1, 2007 DC DCIS Manual

Table 6.2. Storm Drain and Drainage Facility Design Storm Events.

Design Storm Criteria	Design Storm Event (see Notes)
1. Local Roadways	25-year return period
2. Arterial and Collector Roadways	25-year return period
3. Developments (commercial, industrial, residential)	25-year return period
4. Drainage Crossings Under the Following Roadways: <ul style="list-style-type: none"> a. Local Roadways b. Arterials and Collectors c. Developments (commercial, industrial, residential) 	25-year return period 25-year return period 25-year return period

Notes:

1. Arterial and collector roads shall be designed and constructed to allow for a minimum of one access to communities during the 100-year flood.

Compare tables from 2001 and 2007 Manual

Table 6.3
Design Storm Events

Design Storm Criteria	Design Storm Event (see Notes)
1. Local Roadways	25-year return period, 6-hour duration
2. Arterial and Collector Roadways	50-year return period, 6-hour duration
3. Developments (commercial, industrial, residential)	25-year return period, 6-hour duration

Sept. 2001

Notes:

1. All development shall provide emergency flow paths for a 100-year peak storm in accordance with Table 6.5.

13-1:16

Table 6.2. Storm Drain and Drainage Facility Design Storm Events.

Design Storm Criteria	Design Storm Event (see Notes)
1. Local Roadways	25-year return period
2. Arterial and Collector Roadways	25-year return period
3. Developments (commercial, industrial, residential)	25-year return period
4. Drainage Crossings Under the Following Roadways: <ol style="list-style-type: none"> a. Local Roadways b. Arterials and Collectors c. Developments (commercial, industrial, residential) 	25-year return period 25-year return period 25-year return period

Nov. 2007

Notes:

1. Arterial and collector roads shall be designed and constructed to allow for a minimum of one access to communities during the 100-year flood.

Compare September 6, 2001 & November 1, 2007 DC DCIS manual Design Storm Street

Sept. 2001 Table 6.5 Street Capacity Limitations for 100-Year, 6 Hour Duration Storm.

Roadway Functional Classification	100-Year Return Period, 6 Hour Duration Storm Street Capacity Limitations (See Notes)
1. Major Collector / Minor Arterial	<p>A. Residential dwellings, public, commercial, and industrial buildings shall not be inundated at the ground line.</p> <p>B. The depth of water at the street crown shall not exceed 6 inches.</p> <p>C. The depth of water over the gutter flow line shall not exceed 12 inches.</p>
2. Urban Collector, Urban Commercial / Industrial Local Street, Urban Local Street, Rural Local Street, Urban Local Street	<p>A. Residential dwellings, public, commercial, and industrial buildings shall not be inundated at the ground line.</p> <p>B. The depth of water over the gutter flow line shall not exceed 12 inches.</p>

- Notes:
- For residential construction, the reference level as designated in the FEMA National Flood Insurance Program Elevation Certificate shall be located a minimum of one foot above the base flood elevation.
 - For nonresidential construction, the reference level as designated in the FEMA National Flood Insurance Program Elevation Certificate shall be located a minimum of one foot above the base flood elevation, or the construction shall be floodproofed in accordance with FEMA requirements to or above the base flood level.
 - Other criteria such as the Federal Housing Administration regulations may impose regulations more restrictive than cited.

Nov. 2007 Table 6.4. Street Capacity Limitations for 100-Year Storm.

Roadway Functional Classification	100-Year Return Period Storm Street Capacity Limitations (See Notes)
1. Collector / Arterial	<p>A. Residential dwellings, public, commercial, and industrial buildings shall not be inundated at the ground line.</p> <p>B. The product of the maximum depth of flow (feet) at any point on the traveled way times the average flow velocity (feet per second) shall be less than or equal to six (6).</p> <p>C. On County designated emergency routes a minimum 12 foot wide dry lane shall be maintained, centered on the roadway, or the County may establish an allowable depth of water.</p>
2. Urban Commercial / Industrial Local Street, Urban Local Street, Rural Local Street, Urban Local Street	<p>A. Residential dwellings, public, commercial, and industrial buildings shall not be inundated at the ground line.</p> <p>B. The product of the maximum depth of flow (feet) at any point on the traveled way times the average flow velocity (feet per second) shall be less than or equal to six (6).</p> <p>C. On County designated emergency routes a minimum 12 foot wide dry lane shall be maintained, centered on the roadway, or the County may establish an allowable depth of water.</p>

- Notes:
- For residential construction, the reference level as designated in the FEMA National Flood Insurance Program Elevation Certificate shall be located a minimum of one foot above the base flood elevation.
 - For nonresidential construction, the reference level as designated in the FEMA National Flood Insurance Program Elevation Certificate shall be located a minimum of one foot above the base flood elevation, or the construction shall be flood proofed in accordance with FEMA requirements to or above the base flood level.
 - Other criteria such as the Federal Housing Administration regulations may impose regulations more restrictive than cited.



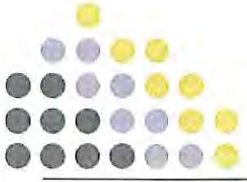
National Flood Insurance pg. 1 of 2

44 CFR 60.3.D3: (3) Prohibit encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge;

13-118

44 CFR 60.3.D4: Notwithstanding any other provisions of § 60.3, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first applies for a conditional FIRM and floodway revision, fulfills the requirements for such revisions as established under the provisions of § 65.12, and receives the approval of the Federal Insurance Administrator.

RO Anderson



National Flood Insurance pg. 2 of 2

65.12 Revision of flood insurance rate maps to reflect base flood elevations caused by proposed encroachments.

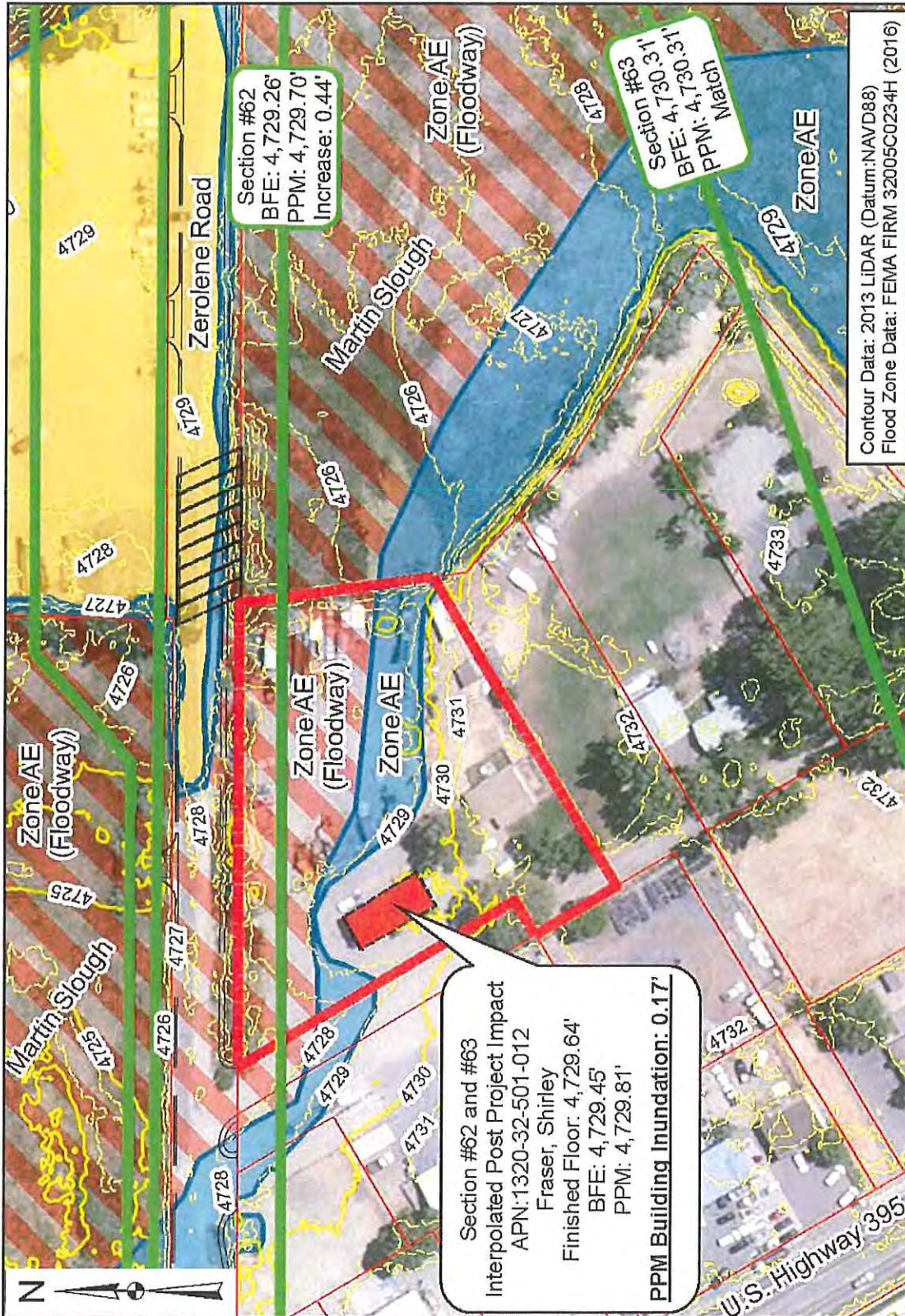
(5) Certification that no structures are located in areas which would be impacted by the increased base flood elevation;

13-119

RO Anderson

Douglas County, Nevada: A.P.N. 1320-32-501-012

Martin Slough Zerolene Road (8 Culvert Post Project Model): Flood Impact Analysis

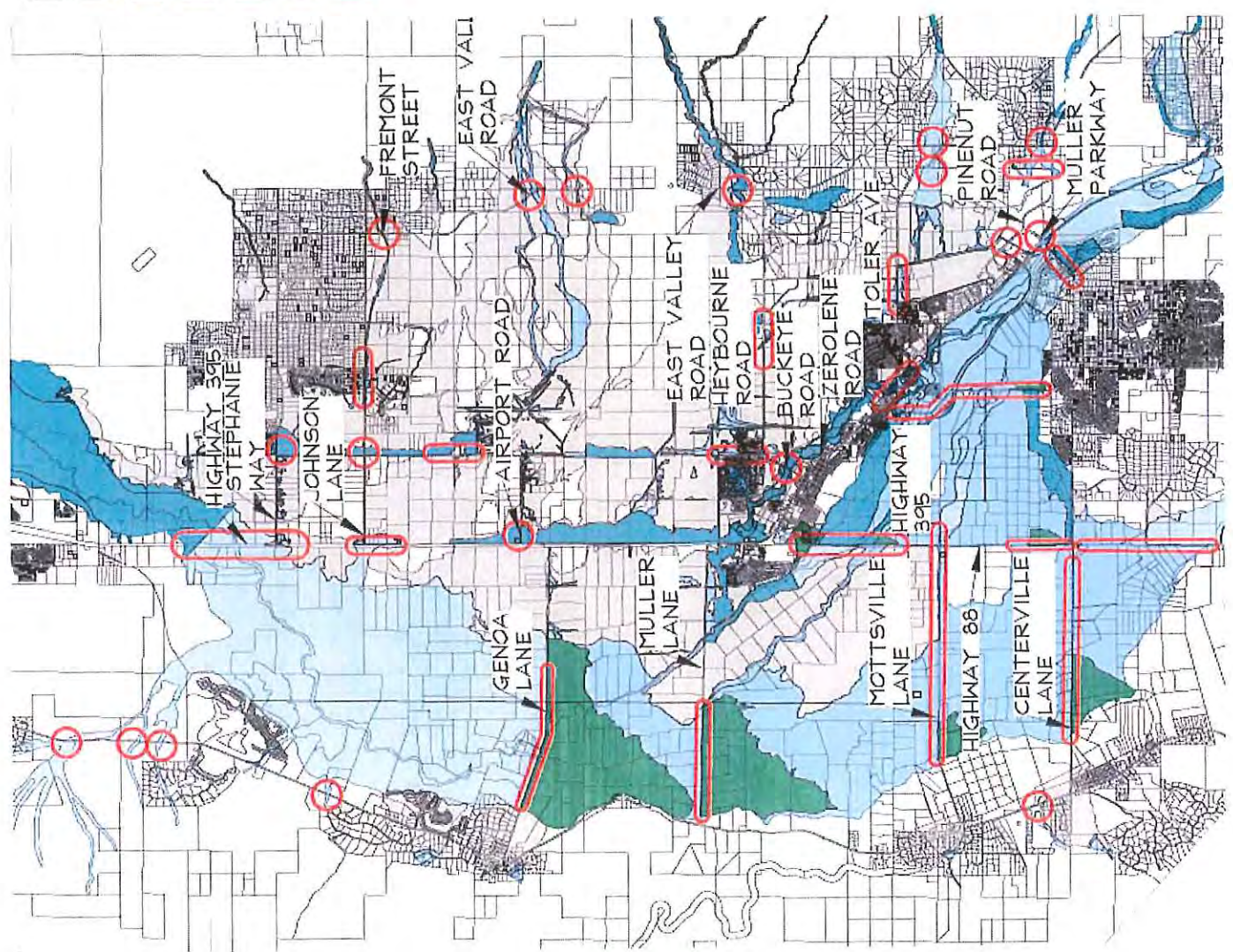


Post Project Impact: Depth Difference (PPM - BFE)

RO Anderson

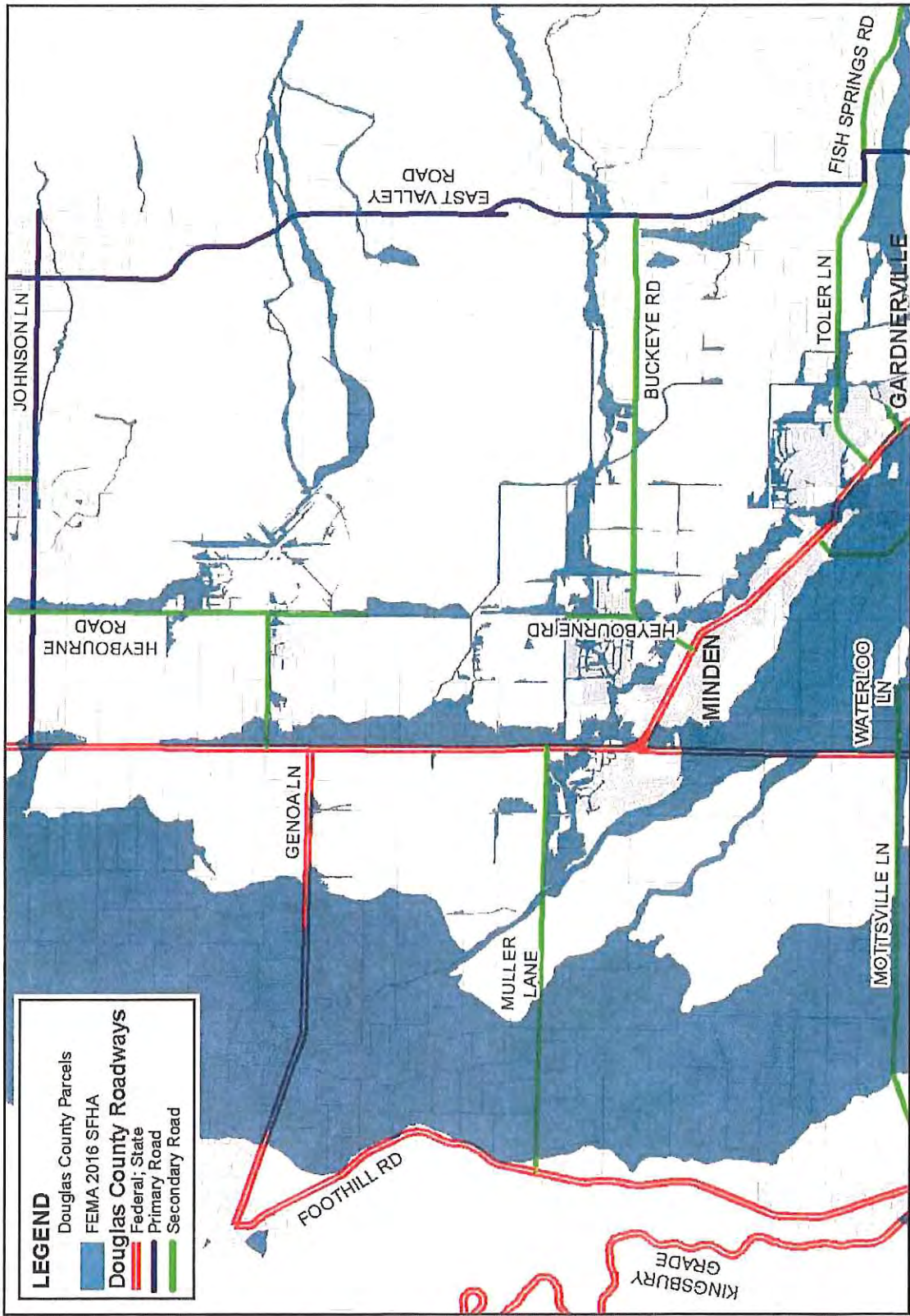
- ZONE X
- ZONE A
- ZONE AE
- ZONE AE FLOODWAY
- ZONE AH
- ZONE AC
- LOCATIONS OF WATER OVER ROAD

Floodplains vs. Arterial Collector Roads



13-121

Douglas County, Nevada: Roadways Roadways: Flood Impact Analysis



LEGEND

- Douglas County Parcels
- FEMA 2016 SFHA
- Douglas County Roadways**
 - Federal: State
 - Primary Road
 - Secondary Road



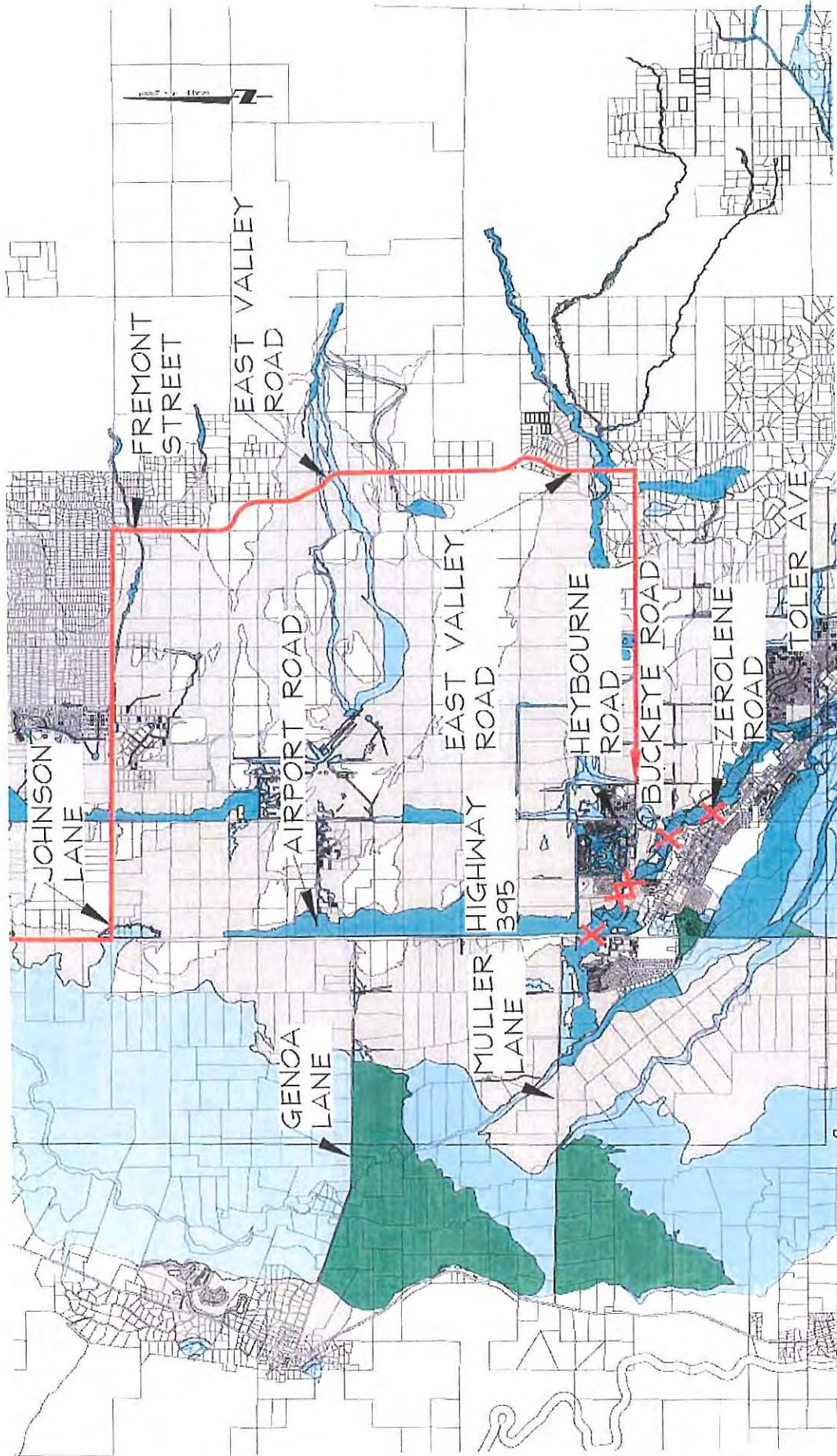
Print Date: 11/09/2016 -- File: ...12046-002\GIS\Transportation\Roads.mxd

RO Anderson

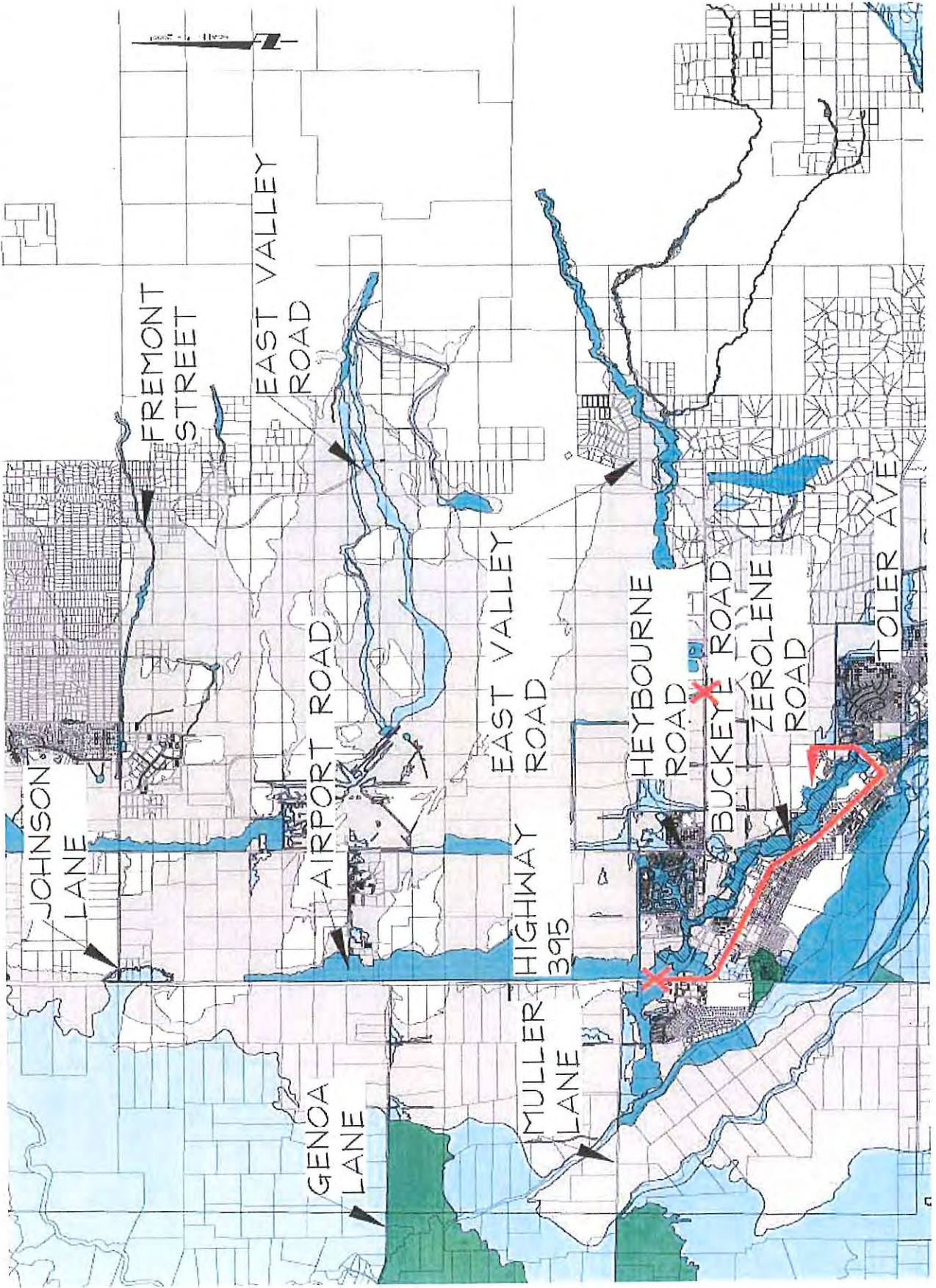
Exhibit

13-122

Martin Slough Flooded

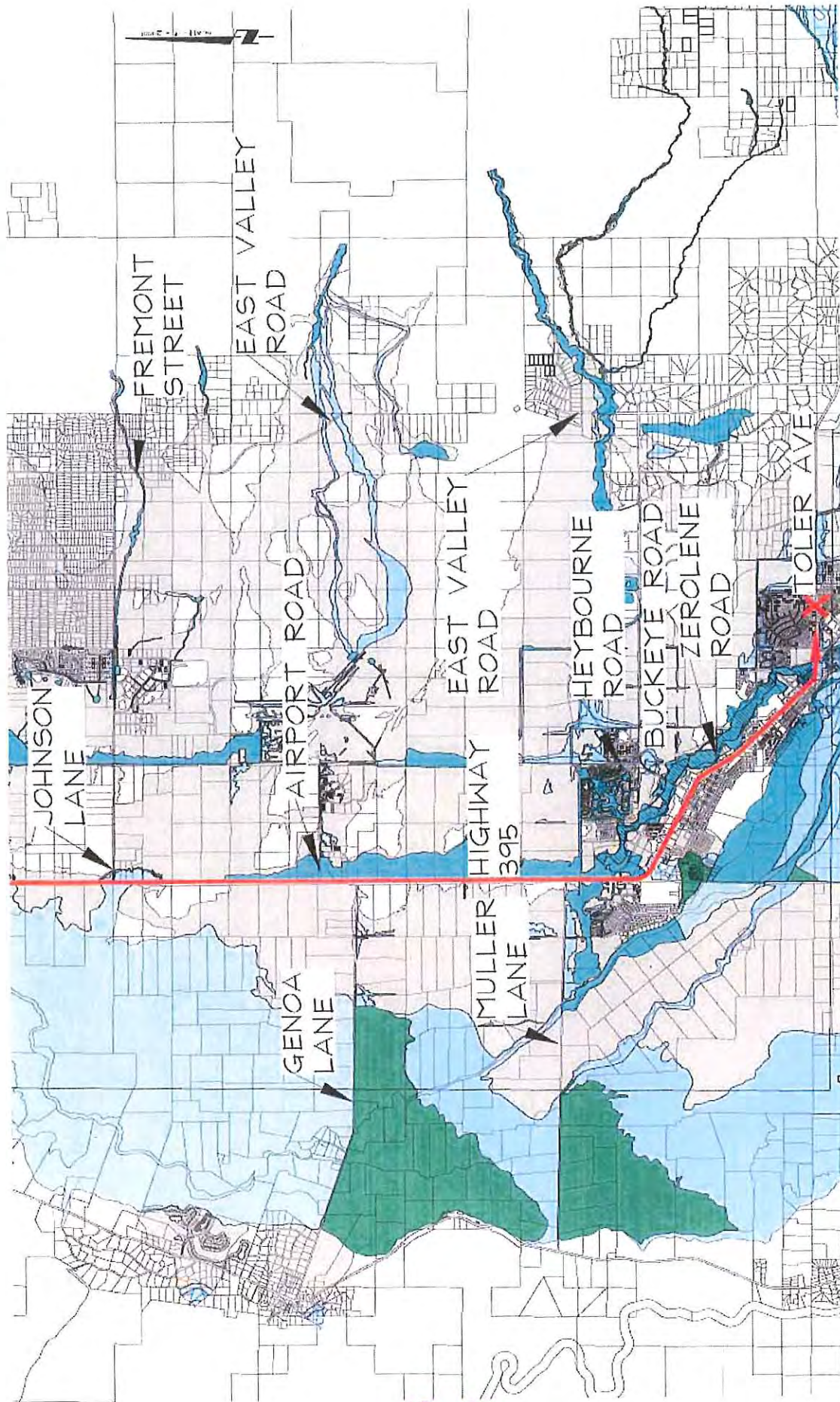


Buckeye Creek Flooded



13-124

Pinenut Creek Flooded



BOARD OF COMMISSIONERS

1594 Esmeralda Avenue, Room 101, Minden, Nevada 89423



T. Michael Brown
COUNTY MANAGER
775-782-9821

COMMISSIONERS:
Michael A. Olson, CHAIRMAN
David J. Brady, VICE-CHAIRMAN
Doug N. Johnson
Nancy McDermid
Greg Lynn

August 10, 2010

Via Hand Delivery

Mr. Ron Radil
WESTERN NEVADA DEVELOPMENT DISTRICT
704 W. Nye Lane, Suite 201
Carson City, Nevada 89703

Letter of Support
Sawmill Road Project, Douglas County, Nevada

Dear Mr. Radil:

On behalf of Douglas County, Nevada, please accept this letter expressing the Board of Commissioner's support of funding for the Sawmill Road Project through the U.S. Department of Commerce, Economic Development Administration for the Public Works and Economic Development Facilities Program.

The Board of County Commissioners is committed to promoting the economic vitality of Douglas County and is actively working to develop an Economic Vitality Action Plan as a critical component in the Board's adopted Strategic Plan. One of our goals is to promote business retention and expansion for existing County businesses, and relocation of new businesses to Douglas County. As you are aware, Douglas County is experiencing unprecedented high unemployment rates. The Board understands that critical infrastructure needs must be met in order to enhance the competitiveness of our region and thereby, retain and attract higher-skill, higher-wage jobs to the area. We believe the Sawmill Road Project will help create a climate for job creation and business development in Douglas County.

As you review and consider public works projects for funding, we ask you to support the funding for the Sawmill Road Project as a key component to spark our community's economic recovery.

Sincerely,

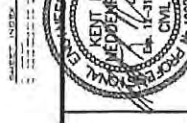
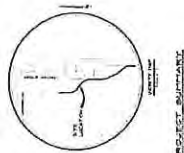
T. Michael Brown
Douglas County Manager

13-126



2008 East Valley Road Project pg. 1 of 3

EAST VALLEY ROAD
PLAN AND PROFILES
DOUGLAS COUNTY



DRAWN: LC
 ENGINEER: KRN
 SCALE: 1" = 500'
 DATE: 05/26/06
 JOB: 0110-054
 DRAWING: 0110-054C1
 SHEET: C1
 OF: C9 SHEETS

7-3-06

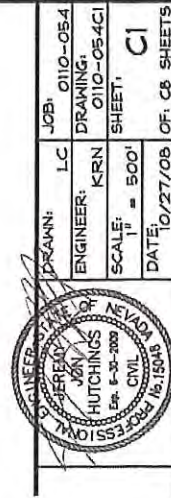
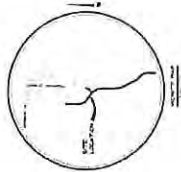
BASIS OF DESIGN
 DESIGN SPEED
 DESIGN LIFE
 DESIGN LOADS
 DESIGN CRITERIA
 DESIGN STANDARDS
 DESIGN MANUALS

10.0000	EAST VALLEY ROAD FLOOD CONTROL	DOUGLAS COUNTY	COVER PAGE
---------	--------------------------------	----------------	------------

Project:

- The project was redesigned in 2008 after the November 1, 2007 revision to the Douglas County Design Criteria and Improvement Standards (DC DCIS) manual.

EAST VALLEY ROAD
PLAN AND PROFILES
DOUGLAS COUNTY



DRAWN: LC
 ENGINEER: KRN
 SCALE: 1" = 500'
 DATE: 10/27/08
 JOB: 0110-054
 DRAWING: 0110-054C1
 SHEET: C1
 OF: C8 SHEETS

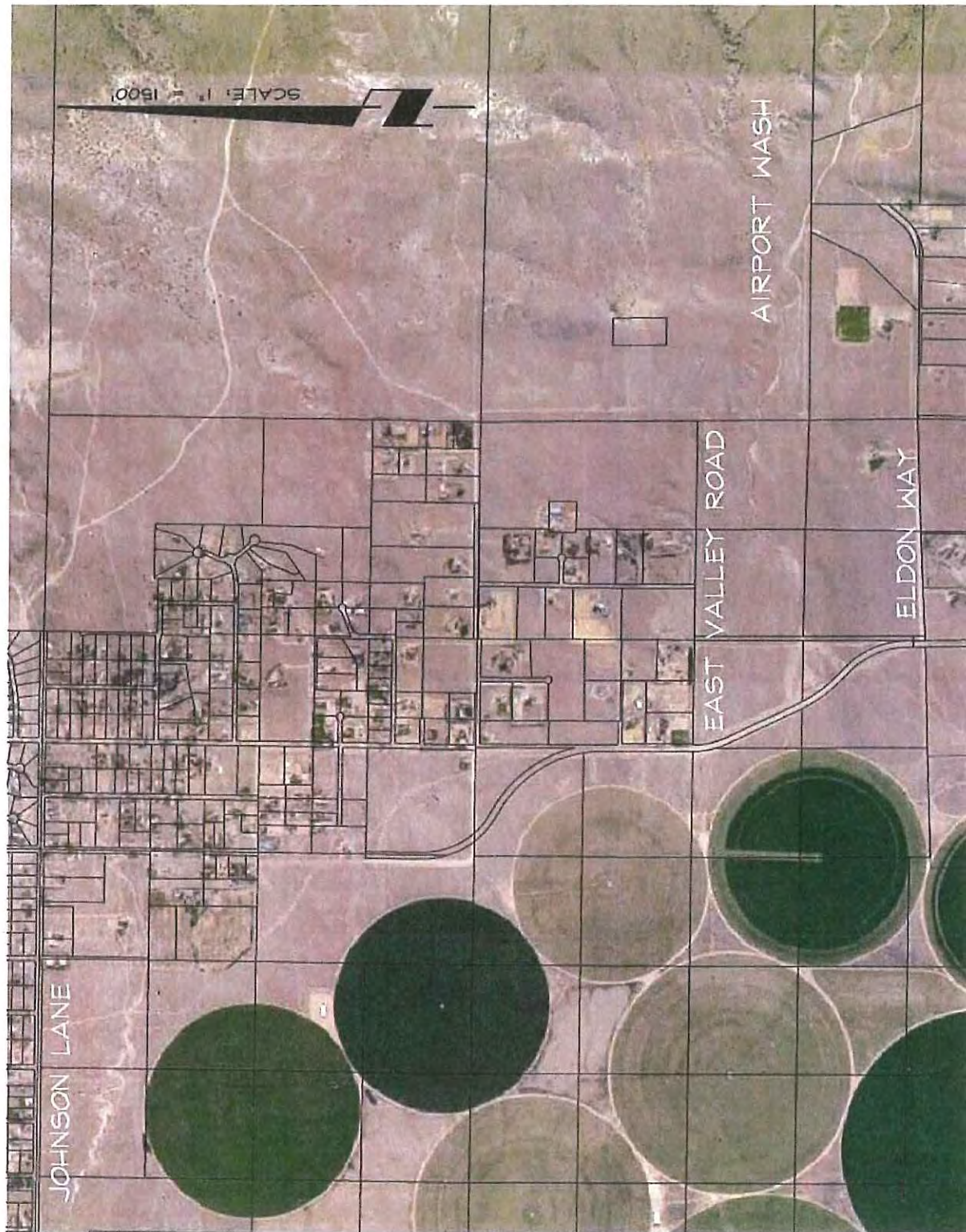
NOV 0 3 700R

10.0000	EAST VALLEY ROAD FLOOD CONTROL	DOUGLAS COUNTY	COVER PAGE
---------	--------------------------------	----------------	------------

RO Anderson

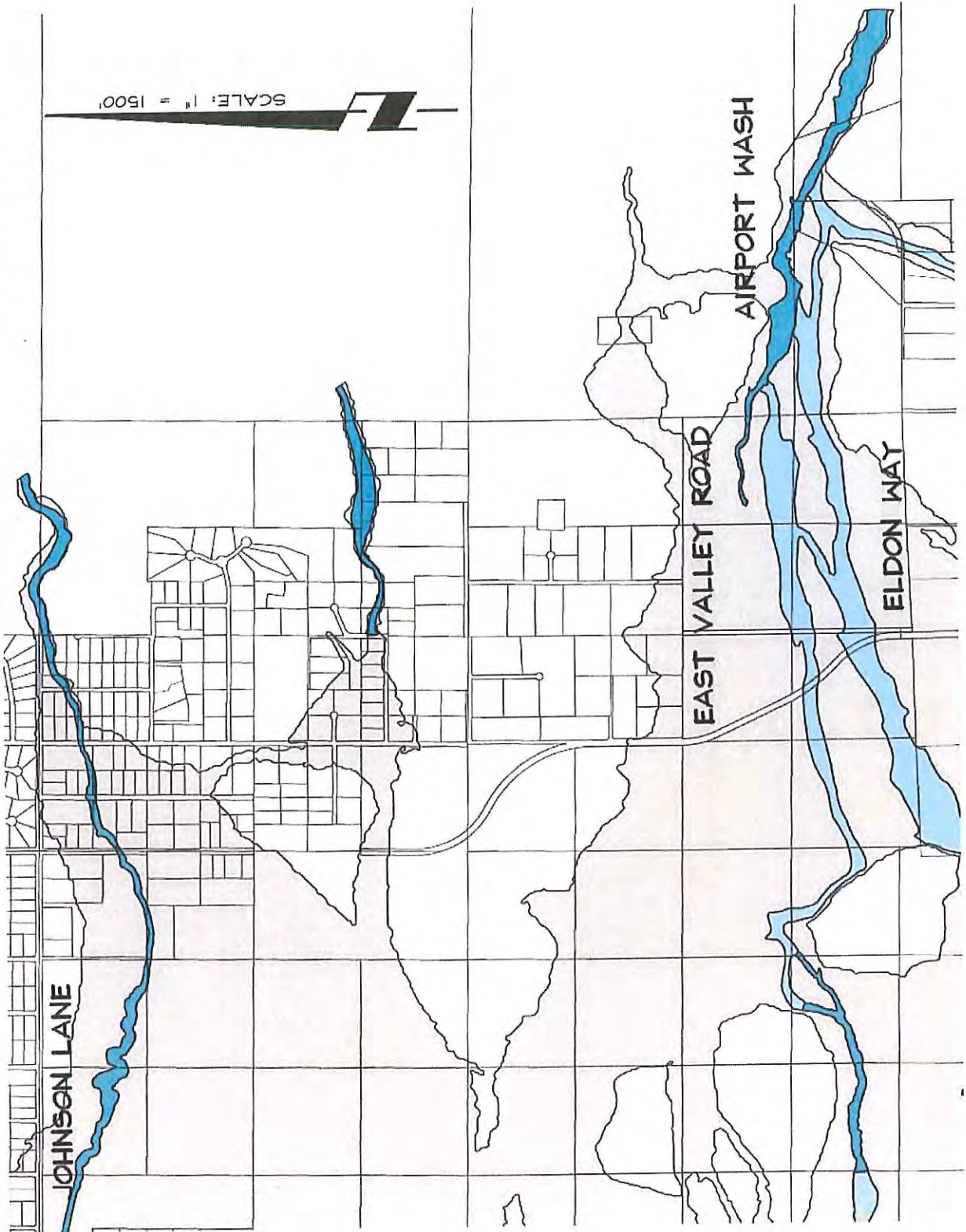
13-128

2008 East Valley Road Project pg. 2 of 3



13-129

2008 East Valley Road Project pg. 3 of 3

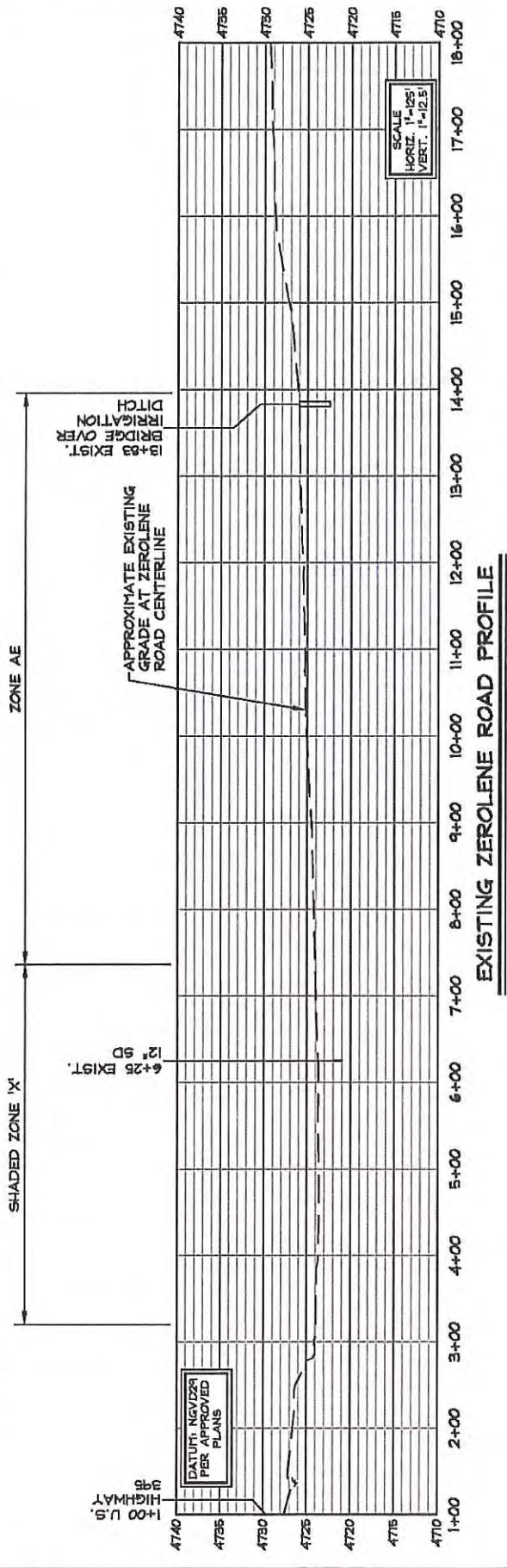
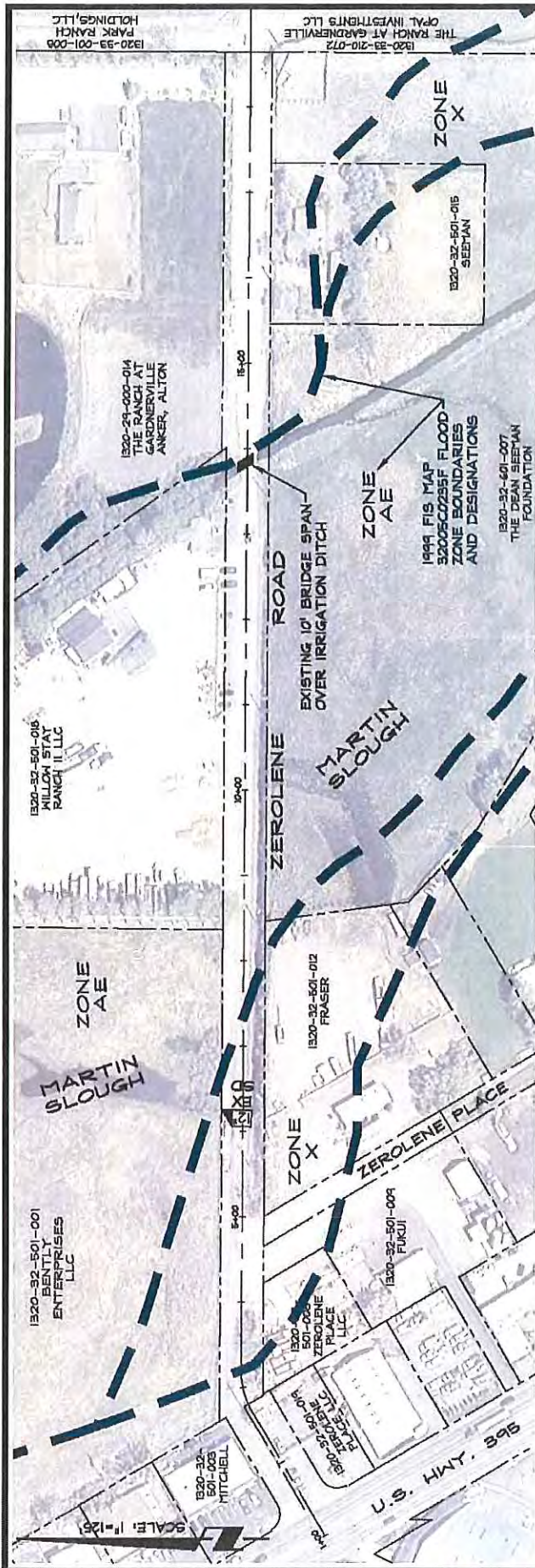


13-130

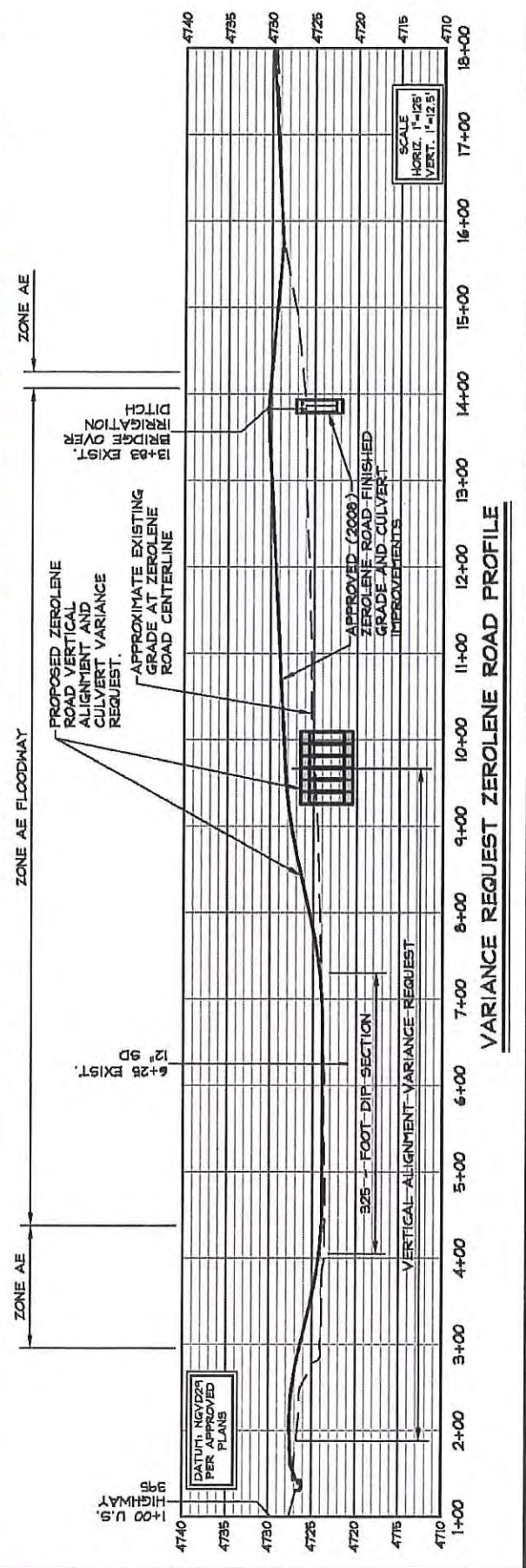
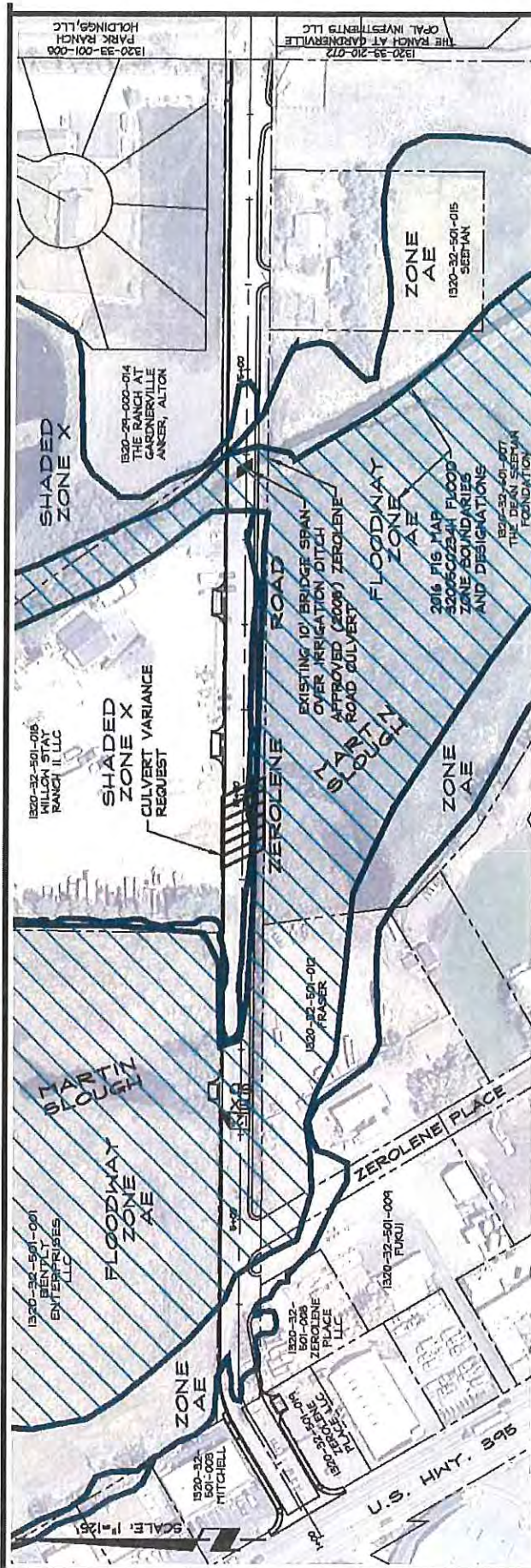
2012 Muller Parkway Project



2008 Zerolene Road Existing



2008 Zerolene Road Proposal





EAST FORK FIRE PROTECTION DISTRICT

1694 County Road
Minden, NV 89423
(775) 782-9040 FAX (775) 782-9043
eastforkfire.org

Tod F. Carlini, District Fire Chief
Dave Fogerson, Deputy Fire Chief - Operations
Steve Eisele, Deputy Chief/Fire Marshal
Lisa Owen, Executive Office Manager
Joseph Langkilde, CPA, District Accountant

MEMORANDUM

Date: December 5, 2016

To: Mimi Moss, Community Development Director
Eric Nilsson, County Engineer
Tom Dallaire, Gardnerville Town Manager
Jennifer Davidson, Minden Town Manager
Steve Eisele, Deputy Chief/Fire Marshal
Larry Werner, County Manager

From: Tod F. Carlini, District Fire Chief

Regarding: Consideration of Zerolene Road as Critical Infrastructure

The East Fork Fire Protection District, also serving as Douglas County Emergency Management under contract with Douglas County, would highly recommend a condition that Zerolene Road be considered critical infrastructure, key to emergency access and travel through the Martin Slough area. Essentially, our position has not changed since our prior review and position referenced in the minutes of the September 11, 2012 meeting of the Douglas County Planning Commission.

Zerolene Road should receive consideration as an emergency access route, hence designed in such a manner that would not allow the roadway to be overtopped during a flood situation. The East Fork Fire Protection District's response capacity has significantly decreased even more since the 2012 review of the project. Having an unencumbered access across the Martin Slough would be a significant benefit to public safety for the proposed developments on both sides of Martin Slough. With the proposed intersection and connection to Heybourne Road, emergency access would certainly be enhanced.

Even short periods of overtopping would impact the district's ability to provide prompt services to the development and to areas of East Valley. Depending on the amount of overtopping, district apparatus may not be suited to ford those areas and would need to seek alternate routes which all would add to response times. Being able to deploy duplicate resources, as we once were able to do and to service potential areas of isolation is no longer an option for the district given our constraints on equipment and staffing.

While our mission is specific to fire and emergency medical services, public safety, including law enforcement and search and rescue would all benefit. Development residents would also receive the benefit of a secure ingress and egress if the roadway design was not one which encourages overtopping of flood waters.

Please feel free to contact me if you have any questions.

Gardnerville Town Board
AGENDA ACTION SHEET



1. **For Possible Action:** Discussion to approve or deny authorizing staff to proceed with submittal of an application for the Gardnerville Station project, located at 1395 Highway 395 North (APN: 1320-33-402-086) to Douglas County for their consideration and support for the 2017 Community Development Block Grant application; with public comment prior to Board action.

2. **Recommended Motion:**

Funds Available: Yes N/A (requires staff time)

3. **Department:** Administration

4. **Prepared by:** Tom Dallaire

5. **Meeting Date:** December 6, 2016 **Time Requested:** 10 minutes

6. **Agenda:** Consent Administrative

Background Information: The town submitted for funding in the 2014 CDBG process and was awarded \$84,000 for planning and conceptual plans on the project, to remove the distribution lines, and fuel tanks because they could not be removed by funds of the petroleum fund. Plans were created and the fuel tanks were removed in December 2015. The Town tried in the 2016 round of funding. With no support of the county commissioners on the project it was not selected to proceed in the application process. They ended up with funding to award for another project and we applied again and were successful in applying for \$269,000.00 to cover the costs of the building remodel. The committee of Regional Development Authorities' manager did not prioritize the list of 9 projects they were reviewing and the town's project was not selected for funding. Candice Stowell and town staff did prepare and submit the notice of intent, and we were approved to proceed with the application process due at the end of December. This 2017 round of applications will need to demonstrate an economic development driver for the project.

See the next section for the rest of the story...

7. **Other Agency Review of Action:** Douglas County N/A

8. **Board Action:**

Approved Approved with Modifications
 Denied Continued

Nevada Governor's Office of Economic Development
Governor's Office of Economic Development
2017 CDBG Application Process
1/10/2017 deadline

Douglas County Nevada
Eagle Gas Station Redevelopment Project

\$ 539,350.00 Requested

Project Contact

Lucille Rao
lrao@douglasnv.us
Tel: 775-782-6218

Additional Contacts

chstowell@icloud.com

Douglas County Nevada

1594 Esmeralda Avenue
Minden, NV 89423
United States

Telephone 775-782-6218
Fax
Web Douglascountynv.gov

BOCC Chair
Doug Johnson
Djohnson@douglasnv.us

Eligibility

Project Description

1. Is there a Sub-Recipient on the proposed project?

If no Sub-Recipient put none

<input type="checkbox"/>	TOG	Sub-Recipient Organization
<input type="checkbox"/>		Sub-Recipient Address
<input type="checkbox"/>		Contact Person
<input type="checkbox"/>		Phone Number
<input type="checkbox"/>		Email Address
<input type="checkbox"/>		DUNS#
<input type="checkbox"/>		CAGE#
<input type="checkbox"/>	0.00	TOTAL

2. Provide the HCDA Citation for the proposed project.

NOTE: A copy of the HCDA Citation is in the Library tab.
105(a)(2)

3. Type of Project.

For definitions of project types refer to the Application Handbook in the Library.

- 1. Community Facilities/Infrastructure
- 2. Economic Development
- 3. Planning
- 4. Community Service
- 5. Housing Rehab

4. National Objective: Benefit to Low and Moderate Income (LMI) Persons.

- City/County/Census Tract:LMI-A
- Site Specific LMI-S (Income Survey required)
- Limited Clientele LMI-C
- Economic Development LMI-J
- LMI Housing LMI-H
- N/A

5. Elimination or Prevention of Slum and Blight

NOTE: Include a copy of the declaration of Slum and Blight or the Redevelopment Area authorization passed by the City Council/County Commission as an attachment.

- Slum/Blight Area
- Slum/Blight Site Specific
- N/A

6. Urgent Need: All criteria must be met:

NOTE: This grant funding provides for an interim solution to a problem of urgent nature until funding for a permanent solution can be secured. Contact the CDBG office before using this National Objective.

- Yes
- No

7. Project Beneficiaries

2652	Total number of individuals/jobs/businesses/households
1475	Total number of low/moderate income beneficiaries
56%	Percentage of LMI beneficiaries (Divide line 2 by 1) %
4,127.00	TOTAL

8. Provide US Census or HUD LMISD

Please see link to the HUD LMISD web page in the Library Tab.

	Web link or HUD LMISD
1.01	Census Tract
1 & 2	Block Group
1.01	TOTAL

9. Income Survey, Who conducted the survey and when? Date verified by CDBG staff.

NOTE: Attach survey methodology and details. If an Income Survey has not been completed please put "none".
-no answer-

10. Provide a brief Scope of Work

NOTE: Be clear and concise

The Town of Gardnerville is requesting \$539,350 to compete Phases IIA and IIB of the Eagle Gas Station Redevelopment Project. These funds will be used to pay for exterior and interior building renovations so that the building can be used as an information center and public meeting room. The funds will also be used to install two underground stormwater detention basins.

The redevelopment of the former Eagle Gas Station into the new Gardnerville Station will provide a new gateway in the Main Street District of the Town of Gardnerville and will impact 222 properties within the Main Street Gardnerville District. As such, the project will provide a positive benefit to all of the existing and future business members of Main Street Gardnerville.

The installation of on-site stormwater detention basins will reduce flooding hazards at this location and will facilitate development of parcels in the vicinity. Douglas County donated this parcel to the Town of Gardnerville for public purposes, including stormwater management purposes.

11. Is the proposed project part of a larger or phased project?

If not part of a larger project please put none as answer.

Yes. The Eagle Gas Station Redevelopment Project has several phases. See Question 12.

12. If phased, list the phases and a brief summary of each (past and future). Indicate if the City/County has researched funding for subsequent phases.

If not a phased project please put none in answer.

There are two phases to the Eagle Gas Station Redevelopment Project. Phase 1 (2014-2016) involves site remediation and preparation of design concepts. All underground gasoline, heating oil, and waste oil tanks have been removed and removal of remaining contaminated soil will take place in November 2016. The Town of Gardnerville has already paid for the preparation of construction documents for the building renovations.

Phase II includes three sub phases: 1) renovation of the former gas station building into a public facility; 2) installation of underground stormwater detention basins; and 3) on-site improvements.

Building renovations will include a public meeting room, a new ADA accessible public restroom, and visitor information area inside the building.

The future on-site improvements (which are not included with this request) will include interpretative signs, a new photovoltaic canopy, accessory parking for visitors, and a bus stop for Douglas Area Rural Transit (DART).

13. Does the City/County expect to receive \$750,000 or more in direct and indirect federal financial assistance during any fiscal year of the project?

NOTE: If so, the CDBG office requires a copy of the single audit for the year(s) of the project, if funded.

- Yes
- No

14. Economic Development Impact

Link to NAICS codes in library.

<input type="text" value="27"/>	Anticipated # of full time jobs.
<input type="text" value="\$35.69"/>	Anticipated average wage of jobs.
<input type="text" value="236220"/>	NAICS code of Industry for jobs.
<input type="text"/>	NAICS code of Industry for jobs.
<input type="text" value="236,282.69"/>	TOTAL

15. Community Development Impact

<input type="text"/>	Anticipated increased ad valorem taxes as result of project
<input type="text"/>	Anticipated increased property tax (site of project)
<input type="text"/>	Anticipated property tax increment as a result of project (district of project)
<input type="text"/>	Anticipated number of Businesses created/ attracted as a result of the project
<input type="text"/>	Anticipated number of Business retained as a result of the project
<input type="text" value="222"/>	Anticipated number of Businesses/Properties impacted by project
<input type="text" value="222.00"/>	TOTAL

Application Questions

Some answers will not be presented because they are not part of the selected group of questions based on the answer to #14.

1. What is the need of the community and how was it determined? Please provide a brief summary of Tangible & Intangible community impacts that are expected to occur as a result of the proposed project.

-answer not presented because of the answer to #14-

2. How does the proposed project activity meet the need or solve the problem?

-answer not presented because of the answer to #14-

3. Provide a clear, concise description of the proposed project including milestones, reports, and deliverables. Precisely what is CDBG paying for.

-answer not presented because of the answer to #14-

4. Is the project specifically identified in a city/county/regional/state plan or does the project contribute to a general priority in a plan? (Capital Improvement Plan or Community Economic Development Plan)

-answer not presented because of the answer to #14-

5. How does the proposed project meet the objectives of the plan(s) and promote long-term, proactive planning, which includes asset management?

-answer not presented because of the answer to #14-

6. What level of environmental review is required for the proposed project?

-answer not presented because of the answer to #14-

7. If the project requires an Environmental Impact Statement (EIS), Environmental Assessment (EA), or Categorically Excluded/Subject to 24 CFR Part 58.5, in what stage is the environmental review process?

-answer not presented because of the answer to #14-

8. Describe the efforts local government and the community has made to fund this project from internal sources: (not limited to) new taxing/bonding proposals, net mine proceeds, special assessment districts, budget override votes, rate increases.

-answer not presented because of the answer to #14-

9. Describe the efforts the local government and community made to fund this project from alternative/external sources: (not limited to) state water/sewer grants and loans, USDA-RD programs, EDA, etc.

-answer not presented because of the answer to #14-

10. Explain the economic impact to the community based on the economic development analysis from the pre-application?

-answer not presented because of the answer to #14-

11. Do any rights-of-way, easements, property, leases or other access rights need to be acquired? If "YES", when will the rights be acquired.

-answer not presented because of the answer to #14-

12. If the project requires water rights or well permits, have they been acquired? If "NO", when will the rights/permits be acquired?

-answer not presented because of the answer to #14-

13. Who currently holds title to the property involved? In whom will the title be vested upon completion of the project?

-answer not presented because of the answer to #14-

14. Please indicate if your project is one of the following

-answer not presented because of the answer to #14-

15. Has a plan or study previously been conducted for the same or a similar project?

-answer not presented because of the answer to #14-

16. IF "Yes", answer the following

-answer not presented because of the answer to #14-

17. A plan MUST contain a recommendation/option section. Explain when the recommendations will be implemented and who will be responsible for implementation. If no recommendations, explain why.

-answer not presented because of the answer to #14-

18. The proposed project is for:

-answer not presented because of the answer to #14-

19. Please indicate if this is a water or sewer project

-answer not presented because of the answer to #14-

20. Complete the following table:

-answer not presented because of the answer to #14-

21. Solid waste projects:

-answer not presented because of the answer to #14-

22. If a fee will be charged for the services provided (other than water, sewer, or solid waste disposal) in connection with the project, describe the fee structure in detail.

-answer not presented because of the answer to #14-

Budget

Funding Sources/Revenues	CDBG	Local Cash	Local In-Kind	State	Other Federal
-none-	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Funding Uses/Expenses	CDBG	Local Cash	Local In-Kind	State	Other Federal
-none-	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

Project Implementation Schedule

Project Implementation Schedule

	Task	Timeframe
PROJECT SET UP		
-		
-		
-		
-		
-		
PROCUREMENT OF PROFESSIONAL ASSISTANCE		
-		
-		
-		
-		
-		
PROJECT IMPLEMENTATION		
-		

PROJECT CLOSEOUT

Total

Documents

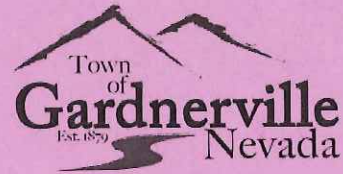
Documents Requested *	Required?	Attached Documents *
Environmental Review Exempt or Categorically Excluded/Not Subject to 24 CFR Part 58.5 MUST have the Environmental Review attached to the application	✓	
(1) copy of the City/County Housing & Community Needs Assessment	✓	
(1) copy of the minutes from the three (3) public participation meeting.	✓	
Letters of Commitment on Secured Funds	✓	
Letter of Intent on unsecured funds.	✓	
Economic Development Matrix	✓	
LMISD & GIS Map	✓	
other documents		

* ZoomGrants™ is not responsible for the content of uploaded documents.

Application ID: 61926

Become a [fan of ZoomGrants™](#) on Facebook
Problems? Contact us at Questions@ZoomGrants.com
©2002-2016 GrantAnalyst.com. All rights reserved.
"ZoomGrants" and the ZoomGrants logo are trademarks of GrantAnalyst.com, LLC.
[Logout](#) | [Browser](#)

Gardnerville Town Board
AGENDA ACTION SHEET



1. **For Possible Action:** Discussion on joining with Douglas Disposal Inc. (DDI) and the Town of Minden in a trial recycling program by providing approximately 180 homes with limited recycling service in the Town of Gardnerville every other week between February 2017 and July 2017, and allowing the town to collect data needed to determine a volume across all the towns customers should a recycling program become offered by DDI full time; with public comment prior to board action.

2. **Recommended Motion:**

Funds Available: Yes N/A (requires staff time)

3. **Department:** Administration

4. **Prepared by:** Tom Dallaire

5. **Meeting Date:** **Time Requested:** 10 minutes

6. **Agenda:** Consent Administrative

Background Information: More information to be presented to meeting.

7. **Other Agency Review of Action:** Douglas County N/A

8. **Board Action:**

- Approved Approved with Modifications
 Denied Continued

Gardnerville Town Board
AGENDA ACTION SHEET



1. **For Possible Action:** Discussion on the Town Attorney's Monthly Report of activities for November 2016.

2.

3. **Recommended Motion:**
Funds Available: Yes N/A

4. **Department:** Administration

5. **Prepared by:** Tom Dallaire

6. **Meeting Date:** December 6, 2016 **Time Requested:** 5 minutes

7. **Agenda:** Consent Administrative

Background Information: To be presented at meeting.

8. **Other Agency Review of Action:** Douglas County N/A

9. **Board Action:**

Approved Approved with Modifications
 Denied Continued

ROWE HALES YTURBIDE

A LIMITED LIABILITY PARTNERSHIP

ATTORNEYS AT LAW

P.O. Box 2080
1638 Esmeralda Avenue
Minden, NV 89423

Telephone (775) 782-8141
Facsimile (775) 782-3685

Michael Smiley Rowe
James R. Hales
Jennifer A. Yturbide

29 November 2016

Piercy Bowler Taylor & Kern
6100 Elton Avenue, Suite 1000
Las Vegas, NV 89107

Via Email Only to:

Reas Allen at: rallen@pbtck.com
Martha Ford at: mford@pbtck.com

**Re: *Town of Gardnerville, Nevada
Douglas County Audit***

Dear Sirs:

I write to you as the result of a 21 November 2016 letter from Vicki Moore, Accounting Manager/Interim Chief Financial Officer for Douglas County, Nevada, received via email on 28 November 2016 requesting a response by 29 November 2016. Ms. Moore requested several responses to discreet questions contained in her letter. Prior to the responses, and at her request, I confirm the following:

Our firm, Rowe Hales Yturbide, LLP ("Firm") acts as general counsel to the Town of Gardnerville ("Town"), and we have responsibility for the general supervision of the Town's legal affairs. In such capacity, we would have reviewed any litigation and claims threatened or asserted involving the Town or would have consulted with outside legal counsel with respect to such claims, where in our judgment it would be appropriate to do so. Because of the short amount of time between receipt of the audit response request and the date when it is requested to be sent to you, I have confirmed with the Town Manager that the Town has no pending litigation or claims filed against it that meet the criteria defined in Ms. Moore's letter, and the Town has no threatened litigation or claims in any amount of which the Manager has been notified.

Ms. Moore requested that our response be limited to matters with respect to which we have devoted substantial attention in the form of legal consultation or representation on behalf of the

16-2

Piercy Bowler Taylor & Kern

29 November 2016

Page 2

Town. Ms. Moore requested that our response be limited to material matters which she defined as involving loss contingencies that exceed \$20,000.00 individually or \$40,000.00 in the aggregate. Ms. Moore also requested that our response include matters that existed as of 30 June 2016 and any that arose prior to the effective date of our response. The effective date of our response is as set forth above, however, should a matter arise, I would promptly notify the Gardnerville Town Board, its manager and, should the matter require disclosure, you as well.

Ms. Moore's letter requests that the Firm set forth any limitations to its response. There are no such limitations.

We are unaware of any pending or threatened litigation, claims or assessments against the Town of Gardnerville.

In her letter, Ms. Moore advised that she represented to you that there are no unasserted possible claims and assessments to which the Firm has devoted substantial attention and which I have advised the Town and Douglas County should be disclosed in accordance with the requirements of the applicable financial reporting framework (for example, the requirements of the Financial Accounting Standards Board or the Governmental Accounting Standards Board). The Firm concurs with Ms. Moore's representation regarding unasserted possible claims and assessments.

Whenever in the course of performing legal services for the Town with respect to any matter recognized to involve any unasserted claim or assessment that may call for a financial statement disclosure, we will inform the Town Board and its manager, as well as Douglas County, when, in our professional opinion, we believe such disclosure will be required. When the claim or assessment may be such that it requires a financial disclosure, this is immediately brought to the attention of the Town Board and other retained professionals. Usually, the matter is discussed at a public meeting with the Town Board, after which discussion we are advised by the Town Board of how they wish to proceed. Should such a matter require disclosure to Douglas County or to you as the County's auditors, we would promptly make such disclosure pursuant to the requirements of the applicable financial reporting framework.

This response includes matters that existed as of 30 June 2016 and from that date to the date of this response. As noted, should any matter arise after the date of this letter requiring disclosure, we will provide notice to Douglas County and to you in accordance with the terms of this letter.

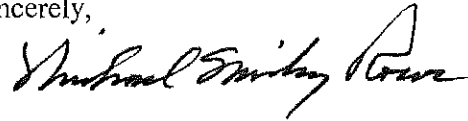
Our representation of the Town is pursuant to an attorney/client retainer agreement which is currently in effect. No amounts are due to us for our services for the period ending 30 June 2016, and no amounts are due to us for our services other than those amounts which are billed monthly pursuant to that agreement. Such amounts are approved routinely by the Town Board as the result of a submittal of an invoice, and are paid routinely after review at the general business meetings of the Town Board conducted monthly.

Piercy Bowler Taylor & Kern
29 November 2016
Page 3

of a submittal of an invoice, and are paid routinely after review at the general business meetings of the Town Board conducted monthly.

If we can be of any further assistance to you, please do not hesitate to contact us.

Sincerely,



MICHAEL SMILEY ROWE

MSR:sk

pc: Ms. Vicki Moore, Accounting Manager/Interim Financial Officer, Douglas County
Doug Ritchie, Deputy District Attorney
Tom Dallaire, Gardnerville Town Manager

Gardnerville Town Board
AGENDA ACTION SHEET



1. **Not For Possible Action: Discussion on the Town Manager's Monthly Report of activities for November 2016.**

2. **Recommended Motion: No action required.**
Funds Available: Yes N/A

3. **Department: Administration**

4. **Prepared by: Tom Dallaire**

5. **Meeting Date: December 6, 2016 Time Requested: 15 minutes**

6. **Agenda:** Consent Administrative

Background Information: See attached report.

7. **Other Agency Review of Action:** Douglas County N/A

8. **Board Action:**

- | | |
|-----------------------------------|--|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Approved with Modifications |
| <input type="checkbox"/> Denied | <input type="checkbox"/> Continued |



Mary Wenner , Chairwoman
Ken Miller, Vice Chairman
Cassandra Jones, Board Member
Linda Slater, Board Member
Lloyd Higuera, Board Member

Town Manager Monthly Report December 2016 Board Meeting

- A. Gardnerville Station (former Eagle Gas):** This item is on the agenda to discuss the application approving the submittal of the next 2017 CDBG Round of funding. Bramco will be onsite in December to remove the canopy and finish removing the underground contamination from the site. Working with Jensen seemed to slow and I need to determine where the funding will come from for the small portion of the underground detention pond. The pond is 40'x40'x8' deep roughly in size and will cost around \$100,000 plus the installation using a crane. So this vision may not become reality at this time.
- B. 395 Crosswalks:** The meeting with Linda Besset and Charlene Booth at NV Energy went ok. I learned a lot about the billing and had them clean up how they bill the town to save Marie some time. They will not turn over or sell to us the existing phase one 395 decorative lights through town. – lights from Mill street to Mission Street) They are willing to look into why the pole at the Overland is so different and met with Mark Newman, NV Energy to discuss the possibility of powering the rapid flashing beacons from their power. They are considering that but I have not heard back from them on that meeting.
- C. Kingslane Sidewalk Project:** We received confirmation on the previously proposed 4 lights at the crosswalk to meet NDOT's 20 lux requirement. They will be decorative lights as shown on the plan we previously shared with the board. We have submitted that to the NDOT staff for final review and approval. While this last step is going on, I have turned over the plan preparation to Lumos and Associates. I will work on an irrigation box improvement plan. Three Castles Engineering is working on the wall and channel structural plan. Lumos is doing the site work plan incorporating the comments from NDOT for the final plan submittal.
- D. Toiyabe Storm Drain Project:** - RO Anderson is updating the plan with the new storm drain concept. I need to have another meeting with them after the kickoff event. Once I know for sure that will work, then we can abandon the storm drain line this winter.
- E. Maintenance Yard Plans:** Final review was done. Anderson is finalizing those plans and I have filled out a special use permit application for the county review of the plans once I get those for submittal. .
- F. Chichester Estate Park Ditch Storm Drain Outlet:** All the contractors are busy. I need to call and follow up with them to see when this could be done.
- G. Office Items:**
- BLA (boundary line adjustment), as of today was still not recorded. The plan review, comments and addressing the county's minor concerns and wording made the project missed paying the taxes and the treasurer's office will not record the map until the taxes are paid in full. Dave is paying those Thursday, December 1 and it would be recorded by the meeting.
 - Colbre Paving is finishing up the list of issues with the project. The power issue is finally resolved and the meter is in. Addresses were issued and NV Energy now has to pull the wire to make the meters live. We obtained the easement for the new power utility equipment in the landscaping island.
 - Still no news from the county on the alley at the French Bar. Doug is still in the middle of a couple of lawsuits. It is not a priority for them.
 - I have been attending meetings with county staff and perspective insurance carriers. We are now filling out forms to get prices on alternative insurance from Pool Pact. We shall see where this goes. It is a complicated mess.



Mary Wenner , Chairwoman
Ken Miller, Vice Chairman
Cassandra Jones, Board Member
Linda Slater, Board Member
Lloyd Higuera, Board Member

- Discussed the proposed website with Pronto Marketing and we will start the process on this now. We plan to create a Gardnerville.com URL. The .gov domain is going to increase in fee to \$400 annually. Civic Plus wants to continue our business relationship and is providing some helpful tools on the account. We are currently not being billed for their services. It is under the county contract and pulling away is not going to lose any money from them. We are going to develop the website, get it up and review them both for a final determination to make sure the board likes the new web page.
- Esplanade pre construction meeting. They have started on that project.
- The ROTC group came out on the windiest day of the month and helped Geoff, Mike and I stain the barn, clean out the hanging flower baskets and clean out some of the tall weeds along the channel.
- Met with Gateway magazine about some advertising opportunities. We will discuss this in the future during the budget cycle.
- Ken and I met with Rob Anderson and Steve, from the High Sierra Fellowship group.
- I was elected as the Vice Chair of the Storm Water Committee charged with the design of the utility the county is trying to put together.
- I am helping with comments and review of the master plan. The Chamber's Economic Development Committee is helping to make that a more useful document.
- Trent made the Freshman Boys Basketball team. I will be going to his games this season.



Erik Nilssen, P.E.
Douglas County, County Engineer
1594 Esmerelda Ave.
Minden, NV 89423

RE: Transportation Plan 2016 Update - Comments

Please see below for the Town Manager's comments and concerns with the proposed Transportation Plan.

Is this plan intended to be a proposed update of the 2007 plan or is it to be taken to the community for input (a single workshop and presentations to RTC)? County staff did not invite or consider presentations to the towns for the considerations of their concerns and potential revisions to the proposed plan and considerations of future roads and connections. The following is the formal written concerns from the town's perspective:

General Observations:

1. There is not a summary of all roads located within the county, including county maintained roads, and roads under the maintenance responsibilities of the other entities like the towns and general improvement districts.
2. What is the future growth potential of the valley?
The master plan should address that and this chapter should be used to ensure the transportation needs can be met by the proposed demand. The transportation plan estimates the growth to 50,000 to 82,000 residents. That is a substantial range, will the valley sustain 80,000 people?
The population estimates should be in a section elsewhere in the master plan and use those numbers throughout the entire document for all elements. There appears to be extensive work in this portion of the plan that would be useful in the other chapters of the master plan.
3. Page 23 last paragraph, states that when a new subdivision is proposed the model can be updated to verify the impact of the proposed development. Will this be part of the submittal requirement when a new subdivision is being considered?
4. The plan does not address the complete streets concepts.
5. Should the DART and Blue Go and Airporter be an appendix so it can be updated regularly?
Chapter 5 pages 64-67

Page xiv:

The bypass from 395 across the Carson River from Genoa Lane to Mottsville Lane. (which is labeled Waterloo Lane), crosses at Muller and the valley flood plain and is not a logical alternative. Page 40 first bullet under 4.2.11 states "construct the following projects (if needed)" The plan should tell us if the project is needed.

Is there evidence in the model that supports this project and is it needed?

17-4

Page 4:

Formatting of sections 5-8 or 1-4 should be adjusted to match

Page 15:

Project growth from 2010 to 2040 as shown in table 2.5 page 16, indicates vested lots of 7,602 residential units. This will generate an additional population of 18,093 people (based on a 2.38 person per household). Current population of 46,931, the population per this table would be 65,024.

Does this mean that no more subdivisions can be approved?

Do the other elements in the master plan reflect this chapter's population estimates?

4.1.4 – 1st paragraph last sentence (pg. 38)

Should be updated to include adequate space along Hwy 395 from Toler to Mill Street, whether a bike lane or shoulder, for riders along 395 due to narrow rights-of-way widths and lane widths for riders.

4.2.10 – (pg. 40)

Please include "ADA upgrades of existing driveways and pedestrian ramps".

4.4.2 – (pg 45)

Is there a reason why the Improvement to Airport Road intersection improvement is not included in this section?

4.4.4 – (pg 46)

Can lane widths be discussed in this section. The county standards is 12'. The bike plan studied this and found very inconsistent lane widths. Paint would be an easy fix to solve this consistent problem on valley roads.

Table 4.11 - Project 23 High School Street extension – (pg 55):

The map on page 56 does not show the correct location of the High School Street improvement.

I know in the past we wanted to construct this road through from Hwy 395 to Gilman Ave. Was it planned for in the traffic study for LOS numbers along 395 as the title of table 4.11 indicates?

Do you think that High School Street as a through road is critical to the LOS at Gilman and 395?

I have talked with the school district about this and they are reluctant to build the road through the school property. They are afraid of traffic using the road as a bypass to the Gilman light. I believe their concerns are valid and it's happening now in times of heavy traffic with cars going around the park to Gilman.

I think I can talk them into creating a dead end and cul-de-sac on this road and they can provide a drive isle that can be closed off by a gate when needed to allow bus only access and drop off separating the parent drop off from the bus routes to the Middle School. I just need them to participate in the cost of the bulb for improved access to their property. Or we do a simple turn around like at the end of Snaffle Bit.

Waterloo Lane:

Is the Waterloo Lane extension still being planned to go behind the community center and extend across the river as indicated on the map? (project 18) it was discussed earlier in the report (pg 49 last paragraph) that that extension would not fix a LOS problem.

General concerns and questions:

1. How hard would it be to add a proposal of a large residential development into the traffic study you have for the county?

I was thinking of the proposed Park Ranch Holdings, LLC, if and when they come back for consideration?

How hard would it be to verify the new roads like Muller and the existing roads and intersections that LOS will be adequate with a total buildout of an additional 2900 or more units?

2. Town staff would like to add a couple road connections as future connections:
 - a. Industrial Way to Service Drive to simplify access there and utilize street light controls at Grant.
 - b. Industrial Way to Muller Parkway, within the Virginia Ranch Specific Plan.

Thank you for your considerations,



Tom Dallaire, P.E.
Gardnerville Town Manager



Gardnerville Town Board

AGENDA ACTION SHEET

1. For Possible Action:

**a. Election of Gardnerville Town Board Chairman for the 2017 calendar year;
with public comment prior to Board action.**

**b. Election of Gardnerville Town Board Vice-Chairman for the 2017 calendar year;
with public comment prior to Board action.**

2. Recommended Motion: Per Board Discussion

Funds Available: Yes N/A

3. Department: Administration

Prepared by: Tom Dallaire

4. Meeting Date: December 6, 2016 Time Requested: N/A

5. Agenda: Consent Administrative

Background Information: This year the town board can elect next year's Chairman and Vice Chairmen as this is not an election year providing a change on the board.

6. Other Agency Review of Action: Douglas County N/A

7. Board Action:

Approved

Denied

Approved with Modifications

Continued