



Board of Adjustment Staff Report

Meeting Date: December 3, 2020

Agenda Item: 8A

SPECIAL USE PERMIT CASE NUMBER: WSUP18-0007 (T-Mobile/Lighthouse Baptist Church)

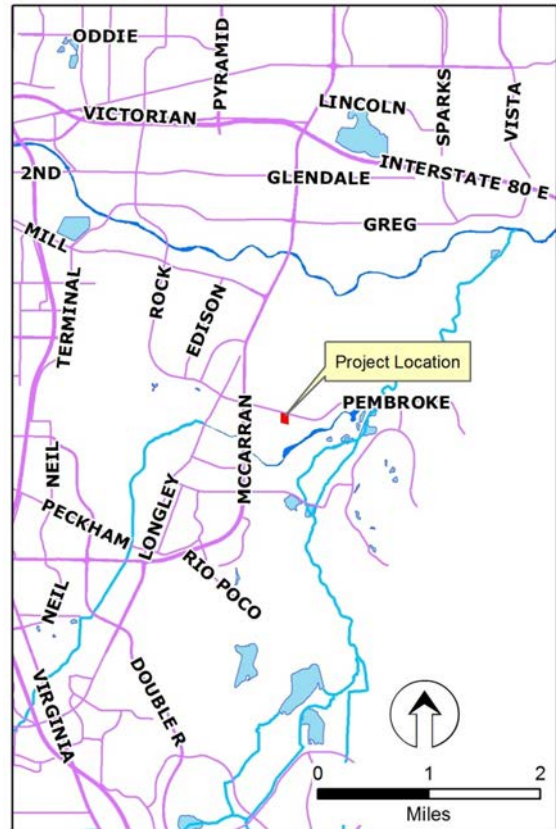
BRIEF SUMMARY OF REQUEST: Extension of Time for approved special use permit that allows construction of a new 55-foot high wireless cellular facility utilizing a stealth design

STAFF PLANNER: Roger Pelham, MPA, Senior Planner,
775.328.3622
rpelham@washoecounty.us

CASE DESCRIPTION

Extension of Time Request for Special Use Permit Case Number WSUP18-0007 (T-Mobile/Lighthouse Baptist Church). For possible action, hearing, and discussion to approve an extension of time for expiration of the approval of the special use permit, for two years, from October 8, 2020 until October 8, 2022. The special use permit was originally approved by the Washoe County Board of Adjustment to allow the construction of a new wireless cellular facility consisting of a 55-foot high tower utilizing a stealth design disguised as a pine tree (also known as a monopine) with faux branches screening the proposed antenna panels. The associated 30' x 30' (900 s.f.) lease area and equipment cabinets will be enclosed by a 7 foot concrete block wall, which will be treated with a stucco finish and painted to match the existing church building on property owned by the Lighthouse Baptist Church of Reno.

Applicant:	T-Mobile
Property Owner:	Lighthouse Baptist Church Reno
Location:	5350 Pembroke Drive, 1/3 mile east of McCarran Blvd
APN:	021-140-20
Parcel Size:	4 acres
Master Plan:	Rural (R)
Regulatory Zone:	General Rural (GR)
Area Plan:	Southeast Truckee Meadows
Citizen Advisory Board:	South Truckee Meadows/Washoe Valley
Development Code:	Authorized in Article 324, Communication Facilities and Article 810, Special Use Permits
Commission District:	2 – Commissioner Lucey



STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

POSSIBLE MOTION

I move that the Washoe County Board of Adjustment approve the two-year Extension of Time Request until October 8, 2022, for Special Use Permit Case Number WSUP18-0007 for T-Mobile / Lighthouse Baptist Church, subject to the attached original conditions of approval, having made the findings that the request for extension was made in writing prior to the expiration date and that the original findings remain valid, and that the circumstances have not appreciably changed since the original approval.

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Extension of Special Use Permit

Section 110.810.65 Expiration. A special use permit shall expire as provided in this section.

(a) Time Period. A special use permit shall expire and become null and void at the time specified in the permit, or if not specified, two (2) years from the final date of approval.

(b) Extension. The time period in subsection (a) of this section may be extended by the Planning Commission, Board of Adjustment, or a hearing examiner only for a special use permit originally acted upon by the Planning Commission, Board of Adjustment or a hearing examiner. Requests for time extensions shall be in writing and shall be submitted prior to the expiration date. The request shall state the reason for the extension.

Project Evaluation

The applicant requested extension of time of the approval of this special use permit, prior to its expiration (Attachment A). The applicant, T-Mobile has merged with Sprint, another wireless communication provider, during the time that the merger was under considerations many project were delayed until the merger was complete. This is one of those projects.

It is the opinion of staff that there have been no significant changes in the immediate vicinity that would result in impacts to the surrounding area that were not addressed by the Board of Adjustment in 2018.

Recommendation

After a thorough analysis and review, extension of time for WSUP18-0007 (T-Mobile/Lighthouse Baptist Church) is being recommended for approval with the original conditions of approval. Staff offers the following motion for the Board's consideration.

Motion

I move that the Washoe County Board of Adjustment approve the two-year Extension of Time Request until October 8, 2022, for Special Use Permit Case Number WSUP18-0007 for T-Mobile / Lighthouse Baptist Church, subject to the attached original conditions of approval, having made the findings that the request for extension was made in writing prior to the expiration date, that the circumstances have not appreciably changed since the original approval and that the original findings remain valid, including:

Article 810 findings:

1. **Consistency.** That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Southeast Truckee Meadows Area Plan;
2. **Improvements.** That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;
3. **Site Suitability.** That the site is physically suitable for a wireless communication facility, and for the intensity of such a development;
4. **Issuance Not Detrimental.** That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;

Article 324 findings:

1. **Meets Standards.** That the wireless communications facility meets all the standards of Sections 110.324.40 through 110.324.60 as determined by the Director of the Planning and Development Division and/or his authorized representative;
2. **Public Input.** That public input was considered during the public hearing review process;
3. **Impacts.** That the wireless communications facility will not unduly impact the adjacent neighborhoods or the vistas and ridgelines of the County.

Appeal Process

Board of Adjustment action will be effective 10 calendar days after the written decision is filed with the Secretary to the Planning Commission, unless the action is appealed to the Washoe County Board of County Commissioners, in which case the outcome of the appeal shall be determined by

the Washoe County Board of County Commissioners. Any appeal must be filed in writing with the Planning and Building Division within 10 calendar days from the date the written decision is filed with the Secretary to the Planning Commission and mailed to the applicant.

Applicant: T-Mobile
Attn: Danielle Sierra
1755 Creekside Oaks Drive #190
Sacramento, CA 95833

Owner: Lighthouse Baptist Church Reno
5350 Pembroke Drive
Reno, NV 89502

Action Order xc:



Revised Conditions of Approval

Special Use Permit Case Number WSUP18-0007

The project approved under Special Use Permit Case Number WSUP18-0007 for T-Mobile Lighthouse Baptist Church shall be carried out in accordance with the **REVISED** Conditions of Approval granted by the Board of Adjustment on **December 3, 2020**. Conditions of Approval are requirements placed on a permit or development by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act or to abide by all other generally applicable Codes.

Unless otherwise specified, all conditions related to the approval of this special use permit shall be met or financial assurance must be provided to satisfy the Conditions of Approval prior to issuance of a grading or building permit. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Building Division of the Washoe County Community Services Department.

Compliance with the Conditions of Approval related to this Special Use Permit is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. Failure to comply with any of the conditions imposed in the approval of the Special Use Permit may result in the initiation of revocation procedures.

Washoe County reserves the right to review and revise the Conditions of Approval related to this Special Use Permit should it be determined that a subsequent license or permit issued by Washoe County violates the intent of this approval.

For the purpose of conditions imposed by Washoe County, “may” is permissive and “shall” or “must” is mandatory.

Conditions of Approval are usually complied with at different stages of the proposed project. Those stages are typically:

- Prior to permit issuance (i.e., grading permits, building permits, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy.
- Prior to the issuance of a business license or other permits/licenses.
- Some “Conditions of Approval” are referred to as “Operational Conditions.”

These conditions must be continually complied with for the life of the project or business.

FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

Washoe County Planning and Building Division

1. The following conditions are requirements of the Planning and Building Division, which shall be responsible for determining compliance with these conditions.

**Contact: Chad Giesinger, AICP, Senior Planner, 775.328.3626,
cgiesinger@washoecounty.us**

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Planning and Building Division shall determine compliance with this condition.
- b. All related utilities, including telephone and electrical lines connected with the proposed wireless communications facility and within any and all T-Mobile utility easements on the subject site shall be placed underground.
- c. The total height of the cell tower, including all antennas or any other apparatus, shall not exceed 55 feet from finished grade.
- d. The applicant shall submit complete construction plans and building permits m be issued **on or before December 4, 2022**. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Planning and Building Division.
- e. A 7 foot high concrete masonry wall with a stucco finish shall be erected around the entire 30' x 30' foot wireless communications lease area. All associated ground mounted equipment shall be enclosed within this walled area. The stucco finish shall match the architecture of the adjacent church building. No lighting shall be visible from within this enclosure.
- f. No lighting shall be installed on the cellular facility (unless required by the FAA for aviation safety purposes). In no instance shall reflective metal materials be utilized that could result in light and glare.
- g. The applicant shall attach a copy of the action order granting approval of this project to all administrative permit applications (including building permits) applied for as part of this special use permit.
- h. Prior to building permit issuance, the applicant shall provide proof that the FAA has completed its obstruction analysis and has issued a favorable airspace determination. The applicant shall incorporate any elements required by the FAA regarding painting, marking, or lighting.
- i. All disturbed areas (except for compacted/engineered gravel surfaces) resulting from construction of the project and related access roads and utilities shall be restored/re-vegetated with seed mixes that are native and/or adapted to the area.
- j. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any cairn or grave of a Native American be discovered during site development, work shall temporarily be halted at the specific site and the Sheriff's Office as well as the State Historic Preservation Office of the Department of Conservation and Natural Resources shall be immediately notified per NRS 383.170

- k. The following **Operational Conditions** shall be required for the life of the project:

- i. This Special Use Permit shall expire and become null and void within 2 years from the final date of approval if final building permits have not been issued by said date.
- ii. The applicant and any successors shall be responsible for maintenance and repairs of everything within the 30 x 30 foot wireless communications compound and shall be responsible for all maintenance and repairs of the entire wireless communications facility, including required maintenance of the walled enclosure and replacement of any part of the stealth design pine tree should it deteriorate or become damaged. The applicant shall take action not more than 30 days after receiving notification from Washoe County of any damage to the wireless communications facility or the walled enclosure, to include graffiti removal.
- iii. If the facility ceases operations, or if abandonment is contemplated, then the operator/owner of record shall notify Washoe County of its intent at least 2 months in advance and shall submit demolition plans to the Washoe County Planning and Building Division. The abandoned site shall be restored to its pre-development condition. The owner shall be responsible for all costs associated with demolition and restoration of the site.
- iv. Failure to comply with the Conditions of Approval shall render this approval null and void. Compliance with this condition shall be determined by Washoe County Planning and Building Division.
- v. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with Washoe County Planning and Building to review conditions of approval prior to the final sale of the site and/or the special use permit. Any subsequent purchaser/operator of the site and/or the special use permit shall notify Washoe County Planning and Building of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.
- vi. This special use permit shall remain in effect as long as the subject wireless communications facility is in operation and remains in compliance with the conditions of approval.

Washoe County Engineering and Capital Projects Division

2. The following conditions are requirements of the Engineering and Capital Projects Division, which shall be responsible for determining compliance with these conditions.

Contact: Leo Vesely, P.E., 775.328.2313, lvesely@washoecounty.us

- a. A complete set of construction improvement drawings, **including an on-site grading plan** (to include the access road), shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. All grading shall comply with Washoe County Code Chapter 110, Article 438, Grading Standards. Silts shall be controlled on-site.
- b. The site is in a FEMA 100-year floodplain, all grading and construction shall be in conformance with the Washoe County Code Article 416.

***** End of Conditions *****



1755 Creekside Oaks Drive
Suite 190
Sacramento, CA 95833

Washoe County Community Services Department
Building and Planning
1001 East 9th Street
PO Box 11130
Reno, NV 89520-3600

August 20, 2020

RE: Special Use Permit WSUP18-0007 – T-Mobile Lighthouse Baptist Church
Washoe County APN 021-140-20

Dear Sir or Madam:

On October 4, 2018, the above-captioned use permit was approved and subsequently filed on October 8, 2018. Unfortunately, that is approximately the time when T-Mobile and Sprint began earnest negotiations regarding merging their two companies – and nearly all construction (especially on new sites) was placed on hold pending the outcome of those negotiations. The merger was finally approved and completed on April 1, 2020.

Following the merger, the combined company began reviewing assets to determine which projects should be continued. This project is one of those that T-Mobile wishes to proceed with.

The permit, however, has an expiration date of two years from the date of issuance for T-Mobile to obtain a building permit. Given that it is already late August, we respectfully request an extension of that expiration date to allow time to obtain a building permit.

Please contact me at Danielle.Costa@Sprint.com or 206/910-3299 with any questions or concerns.

Cordially,

DocuSigned by:

2D462BA97ACA446...

Danielle Sierra
Program Manager III, T-Mobile-Sprint

Lloyd, Trevor

From: Todd Vicsik <tvicsik@eco-site.com>
Sent: Friday, September 04, 2020 12:43 PM
To: Lloyd, Trevor; Giesinger, Chad
Cc: Marc Samko; Hauenstein, Mojra; Michael Tanahey
Subject: RE: Special Use Permit Case Number WSUP18-0007 (T-Mobile Lighthouse Baptist Church)
Attachments: NV-001 T-Mobile executed letter 8-20-20.pdf
Importance: High
Follow Up Flag: Follow up
Flag Status: Flagged

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Hello Trevor: Thank you for the information below. I am writing to notify you that Eco-Site has cut and sent a check for the extension fees.

I anticipate your department will receive it on Tuesday, Sept. 8. Note that the check references WSUP18-0007 T-Mobile Lighthouse Baptist Church,

Regarding the correspondence in writing for an extension request, attached please a letter from T-Mobile requesting the extension.

Please review and let us know whether the fee check was received and the extension request letter is sufficient.

Thank you in advance for your assistance, and we look forward to hearing back from you.

Best Regards,
Todd Vicsik
Project Manager- Central Region
M. 773.908.6786

www.eco-site.com



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From: Lloyd, Trevor <TLloyd@washoecounty.us>
Sent: Wednesday, August 12, 2020 4:59 PM
To: Todd Vicsik <tvicsik@eco-site.com>; Giesinger, Chad <CGiesinger@washoecounty.us>

Cc: Marc Samko <MSamko@eco-site.com>; Hauenstein, Mojra <MHauenstein@washoecounty.us>

Subject: RE: Special Use Permit Case Number WSUP18-0007 (T-Mobile Lighthouse Baptist Church)

Hello Todd,

Please submit a letter requesting an extension of time. It will need to be approved by the Board of Adjustment. You will need to provide a letter and a fee in the amount of \$576.84. Below is a link to the master fee schedule for you reference. Please let me know if you have any additional questions.

https://www.washoecounty.us/csd/planning_and_development/applications/files-planning-development/application_files/Master%20Fee%20Sheet%20July%202020%20Final



Trevor Lloyd
Planning Manager, Planning and Building Division
Community Services Department
tlloyd@washoecounty.us | Office: 775.328.3617
Visit us first online: www.washoecounty.us/csd
For Planning call (775) 328-6100
Email: Planning@washoecounty.us



From: Todd Vicsik <tvicsik@eco-site.com>

Sent: Wednesday, August 12, 2020 1:51 PM

To: Giesinger, Chad <CGiesinger@washoecounty.us>

Cc: Marc Samko <MSamko@eco-site.com>; Lloyd, Trevor <TLloyd@washoecounty.us>; Hauenstein, Mojra <MHauenstein@washoecounty.us>

Subject: RE: Special Use Permit Case Number WSUP18-0007 (T-Mobile Lighthouse Baptist Church)

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Hello Chad: Thank you for looking into our request and the detailed response. I will share this within Eco-Site for an immediate plan of action.

Hello Mr. Lloyd: Would you please confirm on whether the e-mail correspondence herein serves as meeting the extension request in writing requirement?

If so, would you please elaborate on all of the timing requirements we would be obligated to meet (submittal dates, intake cycle, hearings, etc.)?

Thank you in advance for your feedback here, Todd

From: Giesinger, Chad <CGiesinger@washoecounty.us>

Sent: Wednesday, August 12, 2020 3:37 PM

To: Todd Vicsik <tvicsik@eco-site.com>

Cc: Marc Samko <MSamko@eco-site.com>; Lloyd, Trevor <TLloyd@washoecounty.us>; Hauenstein, Mojra <MHauenstein@washoecounty.us>

Subject: RE: Special Use Permit Case Number WSUP18-0007 (T-Mobile Lighthouse Baptist Church)

Importance: High

Hi Todd,

Attached is the application you will need to submit to gain approval of a time extension for the SUP. Unfortunately, our scheduled application intake for the next review cycle was on August 10, so you will have to submit for the next cycle, which for the Board of Adjustment is October 8 (for a Dec. 8 BOA hearing). That date is exactly 2 years from when the SUP approval action order was mailed, but the approval date was 10/4/2018. However, if time lines become an issue, I think you have met the code requirement (as highlighted below) with your email request to me.

Section 110.810.65 Expiration. A special use permit shall expire as provided in this section.

(a) Time Period. A special use permit shall expire and become null and void at the time specified in the permit, or if not specified, two (2) years from the final date of approval.

(b) Extension. The time period in subsection (a) of this section may be extended by the Planning Commission, Board of Adjustment, or a hearing examiner only for a special use permit originally acted upon by the Planning Commission, Board of Adjustment or a hearing examiner. **Requests for time extensions shall be in writing and shall be submitted prior to the expiration date. The request shall state the reason for the extension.**

Since all you have to do is request the extension by submitting the attached application and fees (i.e. no engineering work, etc.), you may still be able to make this intake cycle provided you get us the fees today or tomorrow. But that is really a call for the current Planning Manager (Trevor Lloyd) to make, so I have cc'd him on this email. When filling out the application use the Extension of Time, Not Subdivision fee line item (\$567.84). Let me know if you have any questions. Regards,



Chad Giesinger, AICP

Planning Manager, Code Enforcement and Business License |

Planning and Building Division | Community Services Department

cgiesinger@washoecounty.us | Office: 775.328.3626 | Fax: 775.328.6133

1001 East Ninth Street, Reno, NV 89512



From: Todd Vicsik <tvicsik@eco-site.com>

Sent: Wednesday, August 12, 2020 7:05 AM

To: Giesinger, Chad <CGiesinger@washoecounty.us>

Cc: Marc Samko <MSamko@eco-site.com>

Subject: Special Use Permit Case Number WSUP18-0007 (T-Mobile Lighthouse Baptist Church)

Importance: High

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Hello Mr. Giesinger: I hope this week finds you well.

As a follow-up to my voicemail of Monday, our company recently obtained the above referenced Special Use Permit.

As you may know, several capital projects of this nature were not actively pursued during the 2018-2020 T-Mobile and Sprint merger talks. A considerable amount of time was consumed during these long and extensive negotiations.

Following the merger, projects were further extensively delayed due to the CV-19 pandemic and subsequent lock-downs, which affected both jurisdictions and vendors.

Due to these extraordinary circumstances, Eco-Site would like to request a six month extension to the above zoning permit.

Is there a formal policy or procedure for these types of requests?

Let me know if you would like to schedule a call to discuss in detail. Please feel free to contact me at any time. Thanks,
Todd

Best Regards,
Todd Vicsik
Project Manager- Central Region
M. 773.908.6786

www.eco-site.com



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WASHOE COUNTY
COMMUNITY SERVICES DEPARTMENT
 Planning and Building

1001 EAST 9TH STREET
 PO BOX 11130
 RENO, NEVADA 89520-0027
 PHONE (775) 328-3600
 FAX (775) 328.6133

Board of Adjustment Action Order

Special Use Permit Case Number WSUP18-0007 (T-Mobile Lighthouse Baptist Church)

Decision: Approval with Conditions
 Decision Date: October 4, 2018
 Mailing/Filing Date: October 8, 2018
 Applicant: T-Mobile
 Assigned Planner: Chad Giesinger, AICP, Senior Planner
 Washoe County Community Services Department
 Planning and Building Division
 Phone: 775.328.3626
 E-Mail: cgiesinger@washoecounty.us

Special Use Permit Case Number WSUP18-0007 (T-Mobile Lighthouse Baptist Church) - For possible action, hearing, and discussion to approve an application by T-Mobile for a Special Use Permit for the construction of a new wireless cellular facility consisting of a 55-foot high tower utilizing a stealth design disguised as a pine tree (also known as a monopine) with faux branches screening the proposed antenna panels. The associated 30' x 30' (900 s.f.) lease area and equipment cabinets will be enclosed by a 7 foot concrete block wall, which will be treated with a stucco finish and painted to match the existing church building on property owned by the Lighthouse Baptist Church of Reno.

- Applicant: T-Mobile
- Property Owner: Lighthouse Baptist Church Reno
- Location: 5350 Pembroke Drive, 1/3 mile east of McCarran Blvd
- APN: 021-140-20
- Parcel Size: 4 acres
- Master Plan Category: Rural (R)
- Regulatory Zone: General Rural (GR)
- Area Plan: Southeast Truckee Meadows
- Citizen Advisory Board: South Truckee Meadows/Washoe Valley
- Development Code: Authorized in Article 324, Communication Facilities and Article 810, Special Use Permits

Notice is hereby given that the Washoe County Board of Adjustment granted approval with conditions for the above referenced case number based on the findings in accordance with Washoe County Development Code Article 810, Special Use Permit and Article 324, Communication Facilities. If no appeals have been filed within 10 calendar days from the Mailing/Filing Date shown on this Action Order, the approval by the Washoe County Board of Adjustment is final. If filed, an appeal stays any further action on the decision until final resolution of the appeal. An appeal shall be filed in accordance with the provisions found in Article 912 of the Washoe County Development Code.



INTEGRITY



EFFECTIVE COMMUNICATION



QUALITY PUBLIC SERVICE

WWW.WASHOECOUNTY.US

WSUP18-0007
EXHIBIT C

To: T-Mobile
Subject: Special Use Permit Case WSUP18-0007
(T-Mobile/ Lighthouse Baptist Church)
Date: October 8, 2018
Page: 2

The action was based on the following findings in accordance with Washoe County Code Section 110.810.30:

Findings from WCC Section 110.810.30

1. **Consistency.** That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Southeast Truckee Meadows Area Plan;
2. **Improvements.** That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;
3. **Site Suitability.** That the site is physically suitable for a wireless communication facility, and for the intensity of such a development;
4. **Issuance Not Detrimental.** That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area.

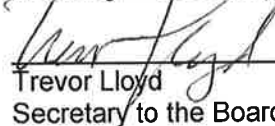
Findings from WCC Section 110.324:

1. **Meets Standards.** That the wireless communications facility meets all the standards of Sections 110.324.40 through 110.324.60 as determined by the Director of the Planning and Development Division and/or his authorized representative;
2. **Public Input.** That public input was considered during the public hearing review process;
3. **Impacts.** That the wireless communications facility will not unduly impact the adjacent neighborhoods or the vistas and ridgelines of the County.

This Action Order is issued subject to the attached conditions and Washoe County development standards. Please contact the planner assigned to your project at the above-referenced phone number within 7 days of receipt of this Order to review the steps necessary to satisfy the Conditions of Approval. Any business license, certificate of occupancy, or final approval shall not be issued until all of the Conditions of Approval are satisfied. Additionally, compliance shall be required with all federal, state, and local statutes, ordinances, and regulations applicable to the approved project.

This Action Order does not authorize grading or building without issuance of the necessary permits from the Washoe County Planning and Building Division.

Washoe County Community Services Department
Planning and Building Division



Trevor Lloyd
Secretary to the Board of Adjustment

TL/CG/df

Attachments: Conditions of Approval

To: T-Mobile
Subject: Special Use Permit Case WSUP18-0007
(T-Mobile/ Lighthouse Baptist Church)
Date: October 8, 2018
Page: 3

Applicant: T-Mobile
Attn: Karen Lienert
1755 Creekside Oaks Drive #190
Sacramento, CA 95833

Owner: Lighthouse Baptist Church Reno
5350 Pembroke Drive
Reno, NV 89502

Staff Report: Dan Bartholomew, Manager of Planning and Environmental Services
Washoe County Airport Authority

Action Order : Nathan Edwards, District Attorney's Office; Keirsten Beck, Assessor's Office; Cori Burke, Assessor's Office; Leo Vesely, Engineering and Capital Projects; Denise Reynolds, Truckee Meadows Fire Protection District; Regional Transportation Commission; South Truckee Meadows/Washoe Valley Citizen Advisory Board, Chair



Conditions of Approval

Special Use Permit Case Number WSUP18-0007

The project approved under Special Use Permit Case Number WSUP18-0007 for T-Mobile Lighthouse Baptist Church shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on October 4, 2018. Conditions of Approval are requirements placed on a permit or development by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act or to abide by all other generally applicable Codes.

Unless otherwise specified, all conditions related to the approval of this special use permit shall be met or financial assurance must be provided to satisfy the Conditions of Approval prior to issuance of a grading or building permit. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Building Division of the Washoe County Community Services Department.

Compliance with the Conditions of Approval related to this Special Use Permit is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. Failure to comply with any of the conditions imposed in the approval of the Special Use Permit may result in the initiation of revocation procedures.

Washoe County reserves the right to review and revise the Conditions of Approval related to this Special Use Permit should it be determined that a subsequent license or permit issued by Washoe County violates the intent of this approval.

For the purpose of conditions imposed by Washoe County, "may" is permissive and "shall" or "must" is mandatory.

Conditions of Approval are usually complied with at different stages of the proposed project. Those stages are typically:

- Prior to permit issuance (i.e., grading permits, building permits, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy.
- Prior to the issuance of a business license or other permits/licenses.
- Some "Conditions of Approval" are referred to as "Operational Conditions."

These conditions must be continually complied with for the life of the project or business.

FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

Washoe County Planning and Building Division

1. The following conditions are requirements of the Planning and Building Division, which shall be responsible for determining compliance with these conditions.

**Contact: Chad Giesinger, AICP, Senior Planner, 775.328.3626,
cgiesinger@washoecounty.us**

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Planning and Building Division shall determine compliance with this condition.
- b. All related utilities, including telephone and electrical lines connected with the proposed wireless communications facility and within any and all T-Mobile utility easements on the subject site shall be placed underground.
- c. The total height of the cell tower, including all antennas or any other apparatus, shall not exceed 55 feet from finished grade.
- d. The applicant shall submit complete construction plans and building permits shall be issued within two years from the date of approval by Washoe County. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Planning and Building Division.
- e. A 7 foot high concrete masonry wall with a stucco finish shall be erected around the entire 30' x 30' foot wireless communications lease area. All associated ground mounted equipment shall be enclosed within this walled area. The stucco finish shall match the architecture of the adjacent church building. No lighting shall be visible from within this enclosure.
- f. No lighting shall be installed on the cellular facility (unless required by the FAA for aviation safety purposes). In no instance shall reflective metal materials be utilized that could result in light and glare.
- g. The applicant shall attach a copy of the action order granting approval of this project to all administrative permit applications (including building permits) applied for as part of this special use permit.
- h. Prior to building permit issuance, the applicant shall provide proof that the FAA has completed its obstruction analysis and has issued a favorable airspace determination. The applicant shall incorporate any elements required by the FAA regarding painting, marking, or lighting.
- i. All disturbed areas (except for compacted/engineered gravel surfaces) resulting from construction of the project and related access roads and utilities shall be restored/re-vegetated with seed mixes that are native and/or adapted to the area.
- j. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any cairn or grave of a Native American be discovered during site development, work shall temporarily be halted at the specific site and the Sheriff's Office as well as the State Historic Preservation Office of the Department of Conservation and Natural Resources shall be immediately notified per NRS 383.170

- k. The following **Operational Conditions** shall be required for the life of the project:

- i. This Special Use Permit shall expire and become null and void within 2 years from the final date of approval if final building permits have not been issued by said date.
- ii. The applicant and any successors shall be responsible for maintenance and repairs of everything within the 30 x 30 foot wireless communications compound and shall be responsible for all maintenance and repairs of the entire wireless communications facility, including required maintenance of the walled enclosure and replacement of any part of the stealth design pine tree should it deteriorate or become damaged. The applicant shall take action not more than 30 days after receiving notification from Washoe County of any damage to the wireless communications facility or the walled enclosure, to include graffiti removal.
- iii. If the facility ceases operations, or if abandonment is contemplated, then the operator/owner of record shall notify Washoe County of its intent at least 2 months in advance and shall submit demolition plans to the Washoe County Planning and Building Division. The abandoned site shall be restored to its pre-development condition. The owner shall be responsible for all costs associated with demolition and restoration of the site.
- iv. Failure to comply with the Conditions of Approval shall render this approval null and void. Compliance with this condition shall be determined by Washoe County Planning and Building Division.
- v. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with Washoe County Planning and Building to review conditions of approval prior to the final sale of the site and/or the special use permit. Any subsequent purchaser/operator of the site and/or the special use permit shall notify Washoe County Planning and Building of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.
- vi. This special use permit shall remain in effect as long as the subject wireless communications facility is in operation and remains in compliance with the conditions of approval.

Washoe County Engineering and Capital Projects Division

2. The following conditions are requirements of the Engineering and Capital Projects Division, which shall be responsible for determining compliance with these conditions.

Contact: Leo Vesely, P.E., 775.328.2313, ivesely@washoecounty.us

- a. A complete set of construction improvement drawings, **including an on-site grading plan** (to include the access road), shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. All grading shall comply with Washoe County Code Chapter 110, Article 438, Grading Standards. Silts shall be controlled on-site.
- b. The site is in a FEMA 100-year floodplain, all grading and construction shall be in conformance with the Washoe County Code Article 416.

***** End of Conditions *****