

Dear Council Member Dueer,

On behalf of my team, I sincerely want to thank you for your recent time and input regarding the amendment to the Canyons PUD. We have carefully considered your proposed language and appreciate your strong engagement and direct feedback, which clearly reflect your commitment to the public.

As you noted, the development team, led by Mr. Tom Dolan, has made significant efforts to address previous concerns, analyze constraints and opportunities, and improve aspects such as connectivity, emergency services, recreation opportunities, sustainability, native habitat protection, and stakeholder engagement, including feral horse management and public safety. We believe the proposed Handbook represents a comprehensive approach that aligns with the City of Reno Master Plan policies, sets a high standard for future development, and supports public health, safety, and welfare. This view is supported by both the staff and Planning Commission recommendations. Based on the merits of the proposal and our respectful explanations in this response, we hope to secure your support at the upcoming hearing.

Our team, consisting of subject matter professionals and appropriate stakeholders, has reviewed your proposed language and offers the following responses:

- 1. Drainageway, Knoll, and Canyon:** The new land plan prioritizes the drainageway and rock Canyon with stringent standards and requirements. We have established development areas away from the drainage, promoted appropriate vegetation, and incorporated a trail, signage, and park to enhance awareness and access. To protect the rock canyon, adjacent development was removed on the east side near the Canyon. The knoll in question lacks an official designation as notable, which is noted in the staff report, and therefore we do not support the proposed language regarding this feature. This is a zoning application which identifies areas suitable for development. The tentative map will provide specific details on how the land plan is further developed to include supporting reports and specifics of parks, trails and open space enhancement. Further review and condition by the Reno Planning Commission is part of the tentative map process.
- 2. Constraint Map:** We agree with the Planning Commission's recommendation to include a constraint map at the time of application for a tentative map. The appropriateness of the map's elements will be determined through analysis, staff and agency review, and Planning Commission decisions. We prefer to collaborate with City staff to refine the language for the Handbook standards and requirements.
- 3. Protection of Native Flora and Fauna:** Our approach prioritizes the protection, conservation, and enhancement of native flora and fauna through habitat restoration and ecological integrity. No notable species have been identified in the proposed development area. We are aware of potential species as noted by NDOW in the surrounding area and will mitigate potential impacts through future approval processes. We fully support a wildlife management plan if required by a governing agency, with final determinations made through the tentative map analysis and engagement with appropriate commenting

agencies. Due to the sensitivity of certain species our team prefers to encapsulate all subject species under the term wildlife and not mention specific species in the handbook.

4. **Geotechnical Information/ Faults:** We do not agree with the proposed language and setback requirement. The attached fault map from the 2021 Engeo Geotech Report outlines three mapped faults. One fault, located at the project entry, is active within the last 10,000 years and will have a 50' setback as per building code, with all project lots proposed outside this setback. The other two faults do not show evidence of movement in the last 10,000 years, and no setback is required for residential homes. We will ensure that the final map includes a geotechnical report detailing standards and requirements for development and the development plan will support these requirements, including further study of the existing faults as warranted.
5. **Adaptable Architecture:** We are not agreeable to adding the proposed text due to limited time for research and input from the home-building community. However, we are open to including language that addresses house colors blending with the desert landscape and shielding road cuts. We will work with staff to determine appropriate language with actionable standards and requirements. The handbook already does provide for a minimum of 25% of the homes as adaptable architecture in the sense of hillside adaptive which requires the builder to develop specific home types that meet this requirement.
6. **Feral Horses:** After consulting the Nevada Department of Agriculture, we regretfully cannot support the proposed text changes related to feral horses. Accepting these changes could unintentionally lead to violations of State law and policy, create public safety risks, and result in potential nuisance and liability issues for property owners. The attached letter from the NDA Director provides detailed insights into legal matters and management authority. We intend to work with staff to determine if the amended handbook requirements and standards provided to our team by staff, comply with the NDA direction and authority.
7. **Regional Transportation Engagement:** While supportive of the intent, we do not agree to include this as a handbook requirement. Since fees are collected upon building permit issuance and the Canyons would contribute only a small fraction of the total cost of any regional project, we recommend engaging with RTC closer to the time funds are due. RTC is updating its regional transportation plan, and the City of Reno should advocate for prioritizing the Rio-Wrangler intersection project. Our team is committed to addressing traffic improvement concerns and will continue engaging with stakeholders as development progresses.
8. **Sustainability:** We agree to modify the text to require all residential units to be EV-ready. We will work with staff to finalize the language. We are not agreeable to adding the additional proposed text due to limited time for research and input from the home-building community how this could impact the development viability.
9. **Affordable Housing:** Based on NDA direction and the conclusions regarding feral horses, we believe this section should remain unchanged. Housing provision and affordability are critical issues and strategic priorities for the City Council.

We appreciate your diligent and thoughtful review. We hope this information clarifies our position and outlines our commitment to delivering a successful project. We look forward to your continued support.

Sincerely,

Brooklyn Oswald PLA / Tom Dolan, Jack Dolan, Jim Dolan and John Munson PE)

The primary geotechnical concerns that could affect development on the site are surface fault rupture, rockfall hazard, excavatability, hillside grading in steep terrain, deep fill settlement, oversized materials, and variable soil and rock conditions. We summarize our conclusions below.

3.1 SEISMIC HAZARDS

Potential seismic hazards resulting from a nearby moderate to major earthquake can generally be classified as primary and secondary. The primary effect is ground rupture, also called surface fault rupture. The common secondary seismic hazards include ground shaking and ground lurching. The following sections present a discussion of these hazards as they apply to the site. Based on topographic and lithologic data, soil liquefaction, lateral spreading, earthquake-induced landslides, tsunamis, flooding or seiches is considered low to negligible at the site.

3.1.1 Surface Fault Rupture

As discussed in Section 2.3, an active fault that likely ruptured less than 10,000 years ago crosses the site near the southwestern boundary. As depicted in Figure 5, Fault Trench Log, this fault is well defined and corresponds to a scarp visible in the Pleistocene alluvium. As required by the 2018 Northern Nevada Amendments to the 2018 International Building Code (IBC), we recommend a 50-foot setback distance from this fault to occupied structures. The fault location and a 50-foot setback is shown on Figure 2, Site Plan. The location of the fault in the field was measured from the property line, which had been staked in the field by ESE Consultants.

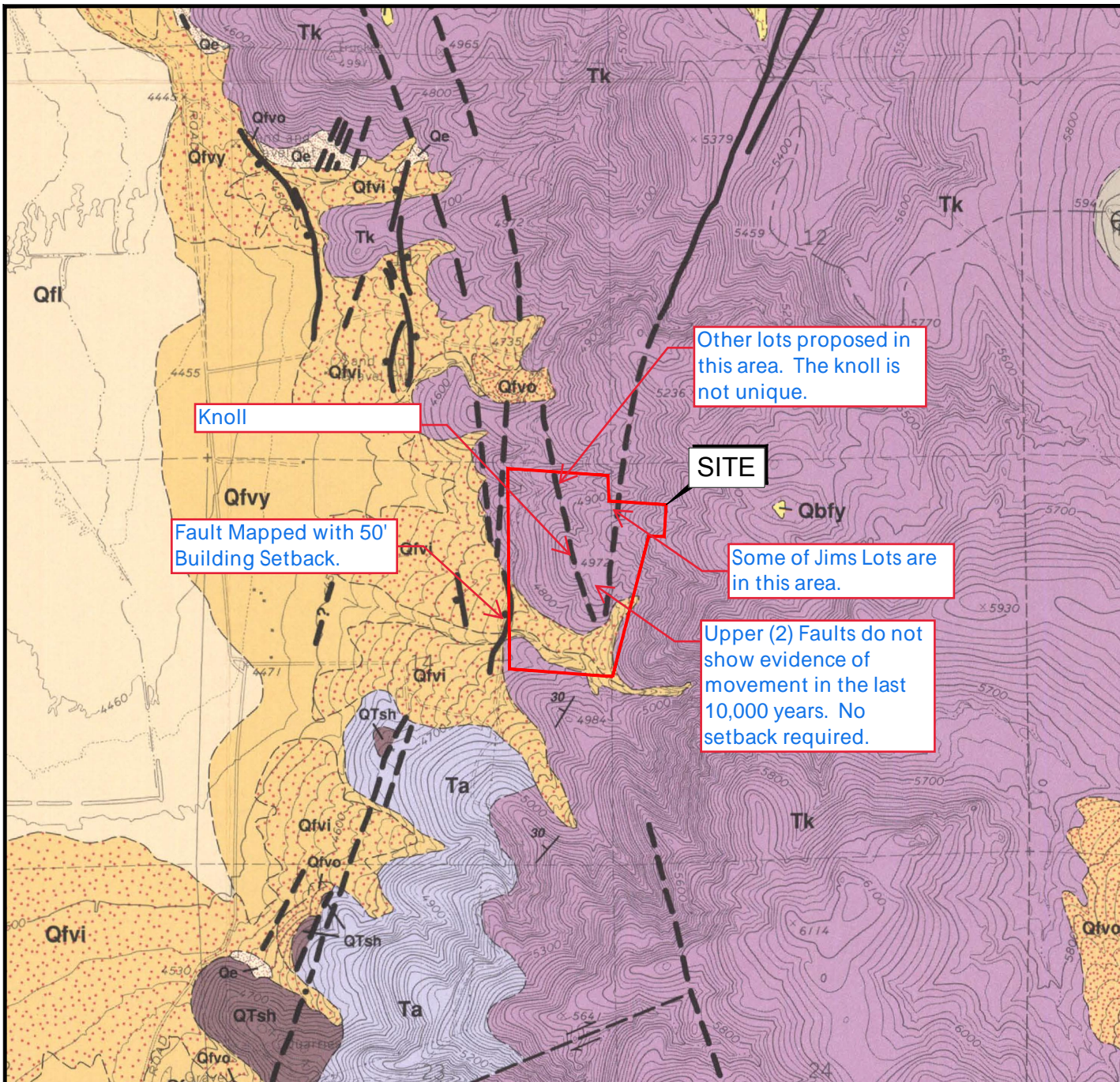
We do not recommend establishing setbacks from the remainder of the regionally mapped faults discussed in Section 2.3 due to their apparent lack of Holocene rupture. This is based on the lack of continuous linear features observed within the Tertiary age bedrock as well as the lack of surface expression within older Pleistocene deposits along the faults projections.

3.1.2 Ground Shaking

An earthquake of moderate to high magnitude generated within the region could cause considerable ground shaking at the site, similar to that which has occurred in the past. To mitigate the shaking effects, structures should be designed using sound engineering judgment and the 2018 International Building Code (IBC) requirements, as a minimum. Seismic design provisions of current building codes generally prescribe minimum lateral forces, applied statically to the structure, combined with the gravity forces of dead-and-live loads. The code-prescribed lateral forces are generally considered to be substantially smaller than the comparable forces that would be associated with a major earthquake. Therefore, structures should be able to: (1) resist minor earthquakes without damage, (2) resist moderate earthquakes without structural damage but with some nonstructural damage, and (3) resist major earthquakes without collapse but with some structural as well as nonstructural damage. Conformance to the current building code recommendations does not constitute any kind of guarantee that significant structural damage would not occur in the event of a maximum magnitude earthquake; however, it is reasonable to expect that a well-designed and well-constructed structure will not collapse or cause loss of life in a major earthquake (SEAOC, 1996).

3.1.3 Ground Lurching

Ground lurching is a result of the rolling motion imparted to the ground surface during energy released by an earthquake. Such rolling motion can cause ground cracks to form in weaker soil. The potential for the formation of these cracks is considered greater at contacts between deep



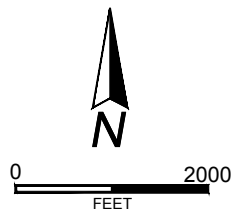
EXPLANATION

- GEOLOGIC CONTACT-DASHED WHERE GRADATIONAL OR APPROXIMATELY LOCATED
- FAULT-DASHED WHERE INFERRED, DOTTED WHERE CONCEALED, QUERIED WHERE EXISTENCE IS DOUBTFUL. SAWTEETH ARE ON UPPER PLATE OF LOW ANGLE THRUST FAULT

- Qfvy ALLUVIAL FAN DEPOSIT (YOUNGER)
- Qfvi ALLUVIAL FAN DEPOSIT (OLDER)
- Tk KATE PEAK FORMATION

STRIKE AND DIP OF STRATA

- INCLINED VERTICAL OVERTURNED



BASE MAP SOURCE: BONHAM AND BELL, 1993



REGIONAL GEOLOGIC MAP
THE CANYONS
RENO, CALIFORNIA

PROJECT NO.: 18701.000.001

SCALE: AS SHOWN

DRAWN BY: CC

CHECKED BY: PJC

FIGURE NO.

3

ORIGINAL FIGURE PRINTED IN COLOR

July 29, 2022

City of Reno
1 E. First Street
Reno, Nevada 89501

Re: *Canyons Edge Project (the "Project")*;
Virginia 40s, LLC (the "Applicant");

This letter memorializes and reaffirms certain representations and development commitments made by the Applicant at the City Council meeting on July 27, 2022.

1. *Continued Cooperation.* With no guarantees to success, Applicant commits to continue working with Wild Horse advocates, adjacent property owners, federal, state and local authorities, and other interested, regional stakeholders to develop and implement plans to secure permanent water resources and facilities for the existing Virginia Range horse and wildlife population and displaced by Applicant's project.

2. *Horse Trail.* At its own expense and subject to the Projects approval by City Council at its second reading and the City of Reno's approval of necessary grading permits, Applicant agrees to construct a horse access trail (the "Trail"). In general, the Trail shall be located where the existing legal trail intersects the proposed fence line on the north, and shall continue south to the border of the Project property line. The Trail shall be no less than six (6) feet wide, and shall remain within an adjacent twenty (20) foot corridor on the east side of the proposed Virginia Range fence line as outlined within the amended PUD (Canyons) Handbook. The Trail shall be designed to accommodate the safe passage of horses to existing water sources and safe passage of horses north and south of the Project to accommodate current movement patterns. Applicant shall post reasonable signage indicating that the Trail is not open for public use or motorized vehicles, as well as signage in accordance with NRS. Signage must be approved prior to posting by the American Wild Horse Campaign, Wild Horse Connection, and the City of Reno Development Services Administrator.

3. *Watering Facilities.* Applicant intends to install watering facilities within the northeast portion of the Project.

4. *Access for Diversionary Feeding.* At its own expense and subject to the Projects approval by City Council at its second reading and the City of Reno's approval of necessary grading permit(s), Applicant agrees to grade improvements to an existing access roadway to parcels east of the Project and grant permission to use suitable areas accessed by this roadway, and on its property for Wild Horse advocates to provide diversionary feeding for public safety and other range management activities authorized by the Nevada Department of Agriculture.

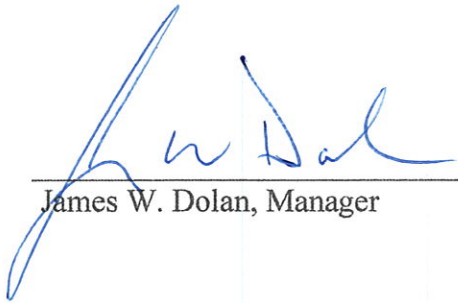
Virginia 40s, LLC

Reno Office
5150 Mae Anne Ave
Suite 405 #238
Reno, NV 89523

Main 949-929-7069
Fax 949-666-6788

5. *Deed Restricted Open Space.* Subject to the Projects approval by City Council at its second reading and the City of Reno's approval of necessary grading permit(s) Applicant agrees to deed restrict the PGOS (Open Space) area identified within the Applicant's MPA and Amendment of The Canyons PUD Handbook to prohibit (1) any further development of housing structure(s), and (2) any fencing within PGOS (Open Space) area. Specifically, no fencing (other than that required by the City of Reno and Canyons PUD) shall be allowed east of the required Virginia Range Fencing.

Virginia 40s, LLC



James W. Dolan, Manager

American Wild Horse Campaign
Wild Horse Connection



Tracy Wilson, Special Projects Manager