

Board of Adjustment Staff Report

Meeting Date: June 4, 2020

Agenda Item: 8A

SPECIAL USE PERMIT CASE NUMBER: WSUP20-0008 (Five Ridges)

#### **BRIEF SUMMARY OF REQUEST:**

To approve major grading for an emergency access road and allow for the construct of a water line

#### STAFF PLANNER:

Planner's Name: Julee Olander Phone Number: 775.328.3627 E-mail: jolander@washoecounty.us

Subject

Property

#### **CASE DESCRIPTION**

For possible action, hearing, and discussion to approve major grading of an area of approximately 2.5 acres with  $\pm 10,582$  cubic yards of cut and  $\pm 10,267$  cubic yards of fill to construct a paved gated emergency access road for the Five Ridges Project and to allow for a utility service use for a 16-inch water main; and to allow slopes greater than 3:1 in a section of the access roadway.

Applicant/Property Owner:	Highland Ranch HOA and Sun Valley Water and	
Location:	Sanitation (SVGID) Eastern terminus of Warhol Dr. and north of Apple	HIGHLAND RANCH
APN:	Blossom Dr. 508-350-01, 508-340-01 and 02	ТТН.
Parcel Size:	51.6, 10.06, &1.43 acres	
Master Plan:	Suburban Residential (SR) and Open Space (OS)	
Regulatory Zone:	Public and Semi-Public Facilities (PSP) and Open Space (OS)	
Area Plan:	Sun Valley	
Citizen Advisory Board:	Sun Valley	
Development Code:	Authorized in Article 302, Allowed Uses; Article 438, Grading; and Article 810, Special Use Permits	
Commission District:	5 – Commissioner Hermann	
	STAFF RECOMME	

#### **APPROVE WITH CONDITIONS**

DENY

#### **POSSIBLE MOTION**

APPROVE

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve with conditions Special Use Permit Case Number WSUP20-0008 for Highland Ranch HOA and Sun Valley Water and Sanitation, having made all four findings in accordance with Washoe County Code Section 110. 810. 30.

(Motion with Findings on Page 9)

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#### Special Use Permit

The purpose of a special use permit is to allow a method of review to identify any potential harmful impacts on adjacent properties or surrounding areas for uses that may be appropriate within a regulatory zone; and to provide for a procedure whereby such uses might be permitted by further restricting or conditioning them so as to mitigate or eliminate possible adverse impacts. If the Board of Adjustment/Planning Commission grants an approval of the special use permit, that approval is subject to conditions of approval. Conditions of approval are requirements that need to be completed during different stages of the proposed project. Those stages are typically:

- Prior to permit issuance (i.e. a grading permit, a building permit, etc.)
- Prior to obtaining a final inspection and/or a certificate of occupancy on a structure
- 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 business or project.

The conditions of approval for Special Use Permit Case Number WSUP20-0008 are attached to this staff report as Exhibit A and will be included with the action order, if approved.

The subject property is designated as Public and Semi-Public Facilities (PSP) and Open Space (OS). The proposed use of utility service is permitted in PSP and OS with a special use permit per WCC Table 110.302.05.2. The proposed grading is permitted with a special use permit per WCC 110.438.35. Therefore, the applicant is seeking approval of this SUP from the Board of Adjustment.

Additionally, the SUP regulations allow "varying standards of the Development Code" as part of the approval of a special use permit per WCC Section 110.810.20(e). The applicant is seeking to allow finished grades steeper than a 3:1 slope. The Board of Adjustment will be ruling on this additional request.





Site Plan

#### Project Evaluation

The applicant is requesting to grade for an emergency access roadway and to construct a water line. There is a dirt road to the existing Sun Valley water tank from Warhol Drive. The applicant is requesting to upgrade the whole road and construct a road east of the water tank to the proposed Five Ridges development which is located within the City of Sparks. The 20-foot wide paved road will continue to access the water tank and be for emergency use and secondary access for the Five Ridges development for events such as wildfires. The road will be maintained by the Five Ridges Homeowner's Associate (HOA) as required by the development agreement with the City of Sparks. The water line will be underground and constructed to run from the water tank to the Five Ridges development, along the proposed roadway alignment. The water line will provide additional water service to the Five Ridges development. Washoe County will not have any maintenance obligations for the roadway or water line. Five Ridges is a 1,220-unit development with various lot sizes for townhomes and single-family houses. The access road will connect within Village 8 in the development.



#### 5 Ridges Development Plan

The access road and waterline will cross three parcels that are privately owned for a total of 62.65 acres (see the map below). The two larger parcels (APN: 508-350-01 and 508-340-01) are owned by the Highland Ranch HOA and the small parcel by the Sun Valley Water and Sanitation (SVGID). The regulatory zoning on 508-350-01 and 508-340-01 is Open Space (OS) and on 508-340-02 is Public and Semi-Public Facilities (PSP).



For this application a special use permit is required per WCC 110.438 for the following requirements:

- 1. More than 5,000 cubic yards are proposed to be graded 10,600 cubic yards of cut and 10,300 cubic yards of fill;
- 2. More than 10% of parcel 508-340-01 is proposed to be graded 1.35 acres will be disturbed of the 10.06 acres; and
- 3. More than 1,000 cubic yards will be graded on slopes in the excess of 15% there are slopes of 15% or more on the two larger parcels.

The applicant states that a total of 2.56 acres will be disturbed with 1.35 acres on 508-340-01, 1.2 acres on 508-350-01, and 0.01 acres on 508-340-02. The grading will be balanced on site and there will be no import or export of material. Rip-rap is proposed on site however, it will be covered by dirt and vegetation, which is allowed by WCC 110.438.50(b).

Some slopes are proposed at 2:1, which is allowed per Washoe County code (WCC) 110.438.45 when the property is over 5 acres and the slope is more than 100 feet from the property line; this proposed grading meets that requirement. However, there is a section of the roadway that does not meet this requirement because it is less than 100 feet for the property line. For this section of roadway, the applicant is requesting to vary the grading requirement as allowed by WCC 110.810.20 (e) with the approval by the BOA. The applicant looked at other routings of the roadway to meet the 3:1 code requirement. However, the water line from the existing tank needs gravity flow and by moving the road north (over 100 feet from the property line) the base elevations for the water line is not maintained. Also, the applicant indicates that if retaining walls were added to meet the 3:1 slope there would be roadway shadowing and runoff, potentially causing ice on the roadway surface. The applicant goes on to state "the natural topography of the site includes slopes that are approximately 1.5 to 2:1. Creating 3:1 slopes in these areas will result in more disturbance of the hillside and an unnatural appearance. This is in direct conflict with goals and policies of the Washoe County Master Plan. A comprehensive geotechnical study was completed as part of the SUP package and concludes that cut/fill slopes up to 1.5:1 can be achieved onsite given the soil characteristics." The master plan policies include:

<u>Sun Valley Area Plan Goal Four</u>: Maintain open vistas of the surrounding ridges and hills and minimize the visual impact of hillside development.

SUN.4.2 Hillside development shall disturb the minimum area required for construction and conserve steep slopes in their natural state.

<u>Conservation Plan Goal Two</u>: Development is conducted so that an area's visual features and amenities are preserved.

C.2.3 Each development proposal shall be evaluated with the intent to preserve visually prominent ridges and escarpments. Evaluation shall address mitigation of the effect on visual appearance, scarring of hillsides, and the impact of increasing access in roadless areas.

The road has been designed to not exceed 10% grade and designed to reduce overall visual impacts. All disturbed areas will be revegetated with a native seed mix to create a natural post-development appearance and the underground water line will not be visually.

#### Sun Valley Citizen Advisory Board (SV CAB)

The CAB did not meet during the month of April and May. The CAB was notified of the application and a paper worksheet was sent to each member and no comments were received.

#### **Reviewing Agencies**

The following agencies received a copy of the project application for review and evaluation.

- Washoe County Community Services Department
  - Planning and Building Division
  - Engineering and Capital Projects Division
  - o Water Management
  - Parks and Open Spaces
- Truckee Meadows Fire Protection District
- Washoe County Health District
  - o Air Quality
- State of Nevada
  - Department of Water Resource
  - Department of Wildlife
  - Environmental Protection
- City of Sparks

Six out of the nine above listed agencies/departments provided comments and/or recommended conditions of approval in response to their evaluation of the project application. A **summary** of each agency's comments and/or recommended conditions of approval and their contact information is provided.

• <u>Washoe County Planning and Building Division</u> addressed the construction plans and revegetation for the project.

#### Contact: Julee Olander, 775.328.3627, jolander@washoecounty.us

 <u>Washoe County Engineering and Capital Projects Division</u> addressed the requirement for complete construction drawings, grading requirements and other features associated with the project.

#### Contact: Leo Vesely, 775.328.2313, <a href="https://www.icea.com">lvesely@washoecounty.us</a>

• <u>Washoe County Health District</u> addressed the requirement for a dust permit. Contact: Michael Wolfe, 775.784.7206, <u>Imwolfe@washoecounty.us</u> The conditions of approval document is attached to this staff report and will be included with the action order, if approved.

#### **Staff Comment on Required Findings**

WCC Section 110.810.30, Article 810, *Special Use Permits*, requires all of the following findings be made to the satisfaction of the Washoe County Board of Adjustment before granting approval of the request. Staff has completed an analysis of the special use permit application and has determined that the proposal is in compliance with the required findings as follows.

1. <u>Consistency.</u> That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Sun Valley Area Plan.

<u>Staff Comment:</u> The application request is consistent with the Policies and Action Programs included in the Sun Valley Area Plan.

2. <u>Improvements.</u> 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.

<u>Staff Comment:</u> The grading project will establish a paved emergency access road and water line, which will provide improvements for the area.

3. <u>Site Suitability.</u> That the site is physically suitable grading and a waterline and for the intensity of such a development.

<u>Staff Comment:</u> The land is vacant and the proposed grading will make the site suitable for the proposed roadway and water line. The grading design is proposed to impact the terrain as little as possible and includes elements to reduce scarring and retain the natural post-development appearance. Conditions of approval include requirements to revegetate all disturbed areas.

4. <u>Issuance Not Detrimental.</u> 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.

<u>Staff Comment</u>: The site is currently vacant and the proposed project shall have minimal impact to the surrounding area and conditions of approval have been included to mitigate any negative potential impacts. The road will be paved, gated and provide emergency access to the area.

5. <u>Effect on a Military Installation</u>. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

<u>Staff Comment:</u> There is no military installation within the area of required notice for this special use permit; therefore, the project will have no effect on a military installation.

#### **Recommendation**

After a thorough analysis and review, Special Use Permit Case Number WSUP20-0008 is being recommended for approval with conditions. Staff offers the following motion for the Board's consideration.

#### <u>Motion</u>

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve with conditions Special Use Permit Case Number WSUP20-0008 for Highland Ranch HOA and Sun Valley Water and Sanitation, having made all five findings in accordance with Washoe County Code Section 110.810.30:

- 1. <u>Consistency.</u> That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Sun Valley Area Plan;
- 2. <u>Improvements.</u> 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. <u>Site Suitability.</u> That the site is physically suitable for type of development, i.e. a bed and breakfast inn, etc., and for the intensity of such a development;
- 4. <u>Issuance Not Detrimental.</u> 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;
- 5. <u>Effect on a Military Installation</u>. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

#### Appeal Process

Board of Adjustment action will be effective 10 calendar days after the written decision is filed with the Secretary to the Board of Adjustment and mailed to the applicant, 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 Board of Adjustment and mailed to the applicant.

Applicant:	QK, LLC 1 E. Liberty St, Suite 444 Reno, NV 89501
Email:	blake@s3devco.com
Owner:	Highland Ranch Homeowners Association (HOA) 5860 Lighting Dr. Sun Valley, NV 89433
And,	
	Sun Valley Water and Sanitation (SVGID) 5000 Sun Valley Dr. Sun Valley, NV 89433
Representatives: Email:	Christy Corporation, Ltd. 1000 Kiley Pkwy. Sparks, NV 89436 mike@christynv.com



# Conditions of Approval

Special Use Permit Case Number WSUP20-0008

The project approved under Special Use Permit Case Number WSUP20-0008 shall be carried out in accordance with the conditions of approval granted by the Board of Adjustment on June 4, 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.

<u>Unless otherwise specified</u>, 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.

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 institution 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.

The Washoe County Commission oversees many of the reviewing agencies/departments with the exception of the following agencies.

• The DISTRICT BOARD OF HEALTH, through the Washoe County Health District, has jurisdiction over all public health matters in the Health District. Any conditions set by the Health District must be appealed to the District Board of Health. 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 Planning and Building, which shall be responsible for determining compliance with these conditions.

Contact Name – Julee Olander, 775.328.3627, jolander@washoecounty.us

- a. The applicant shall attach a copy of the action order approving this project to all permits and applications (including building permits) applied for as part of this special use permit.
- b. 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.
- c. The applicant shall submit construction plans, with all information necessary for comprehensive review by Washoe County, and initial 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.
- d. 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.

- e. The applicant shall re-vegetate all disturbed areas with a native seed mix as reviewed and approved by the Washoe Storey Conservation District and/or Washoe County Regional Parks and Open Space.
- f. An onsite noxious weeds management plan needs to be developed to ensure weed seeds do not impact other areas.
- g. Any imported earthen materials shall be "certified weed free" in order to prevent the spread of noxious weeds within the county.
- h. Any rip-rap that is not allowed per WCC 110.438 will be covered by dirt and vegetation as required per WCC 110.438.50(b).
- i. The grading on site shall be in compliance with applicable best management practices to minimize erosion.

#### Washoe County Engineering and Capital Projects

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

Contact Name – Leo Vesely, P.E., (775) 328-2041, <a href="https://www.usely.org">lvesely@washoecounty.us</a>

- a. A complete set of construction improvement drawings, including an on-site grading plan/slope stabilization plan, 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. Silts shall be controlled on-site and not allowed onto adjacent property.
- b. The applicant shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit and submit a copy to the Engineering Division prior to issuance of a grading or building permit.
- c. The applicant shall complete and submit the Construction Permit Submittal Checklist and pay the Construction Stormwater Inspection Fee prior to obtaining a grading permit.
- d. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering Division prior to any grading revegetation bond shall be provided to the Engineering Division prior to approval of the grading or building permit.
- e. All slopes shall be revegetated or mechanically stabilized unless documented by a geotechnical report as being competent and stable bedrock. If the competency of the cut slope cannot be confirmed, additional methods such as retaining walls may be required. Seed mix shall be designed by a licensed landscape architect and mechanical stabilization shall be designed by a licensed civil or geotechnical engineer.
- f. Any grading not covered by this SUP shall be in accordance with Article 110.438 Grading Standards.

#### Washoe County Health District

3. The following conditions are requirements of the Health District, which shall be responsible for determining compliance with these conditions.

#### Contact Name – Michael Wolfe, (775) 784-7206, mwolfe@washoecounty.us

a. A dust control permit will be obtained from Washoe County Health District.

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



# WASHOE COUNTY COMMUNITY SERVICES DEPARTMENT

Engineering and Capital Projects

1001 EAST 9<sup>TH</sup> STREET RENO, NEVADA 89512 PHONE (775) 328-3600 FAX (775) 328.3699

- Date: May 5, 2020
- To: Julee Olander, Planner
- From: Leo Vesely, P.E., Licensed Engineer
- Re: Special Use Permit Case *WSUP20-0008 Five Ridges Emergency Access Road* APNs 508-340-01 & 02, 508-350-01

#### GENERAL PROJECT DISCUSSION

Washoe County Engineering staff has reviewed the above referenced application. The Special Use Permit is for the major grading of an area of approximately 2.5 acres with 10,582± cubic yards of cut and 10,267± cubic yards of fill to construct a paved gated emergency access road and a 16-inch water main for the Five Ridges Project within the City of Sparks. The Engineering Division recommends approval with the following comments and conditions of approval which supplement applicable County Code and are based upon our review of the site and the application prepared by Christy Corporation. The County Engineer shall determine compliance with the following conditions of approval.

For questions related to sections below, please see the contact name provided.

GENERAL CONDITIONS Contact Information: Leo Vesely, P.E. (775) 328-2041

- A complete set of construction improvement drawings, including an on-site grading plan/slope stabilization plan, 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. Silts shall be controlled on-site and not allowed onto adjacent property.
- 2. The applicant shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit and submit a copy to the Engineering Division prior to issuance of a grading or building permit.
- 3. The applicant shall complete and submit the Construction Permit Submittal Checklist and pay the Construction Stormwater Inspection Fee prior to obtaining a grading permit.
- 4. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering Division prior to any grading revegetation bond shall be provided to the Engineering Division prior to approval of the grading or building permit.
- 5. All slopes shall be revegetated or mechanically stabilized unless documented by a geotechnical report as being competent and stable bedrock. If the competency of the cut slope cannot be confirmed, additional methods such as retaining walls may be required. Seed mix shall be designed by a licensed landscape architect and mechanical stabilization shall be designed by a licensed civil or geotechnical engineer.





WWW WASHOFCOUNTY US

WSUP20-0008 EXHIBIT B Subject: WSUP20-0008 – Five Ridges Date: May 5, 2020 Page: 2

6. Any grading not covered by this SUP shall be in accordance with Article 110.438 Grading Standards.

DRAINAGE (COUNTY CODE 110.416, 110.420, and 110.421) Contact Information: Leo Vesely, P.E. (775) 328-2041

1. No comments.

TRAFFIC AND ROADWAY (COUNTY CODE 110.436) Contact Information: Mitch Fink, (775) 328-2050

1. No comments.

From:	Wolf, Mike
To:	Olander, Julee
Subject:	RE: WSUP20-0008
Date:	Thursday, May 07, 2020 9:19:44 AM
Attachments:	image007.png image008.png image009.png image010.png image011.png

As always with grading projects over an acre they need to obtain a dust control permit from AQMD.

#### **Michael Wolf, CEM**

Permitting and Enforcement Branch Chief | Air Quality Management Division | Washoe County Health District <u>mwolf@washoecounty.us</u> | O: (775) 784-7206 | 1001 E. Ninth St., Bldg. B, Reno, NV 89512

OurCleanAir.com



Please consider the environment before printing this e-mail.

From: Olander, Julee <JOlander@washoecounty.us>
Sent: Thursday, May 7, 2020 8:36 AM
To: Wolf, Mike <MWolf@washoecounty.us>
Subject: WSUP20-0008

Mike,

Do you have any conditions for WSUP20-0008 Five Ridges access road? Thanks,



#### Julee Olander

Planner | Community Services Department- Planning & Building Division jolander@washoecounty.us| Office: 775.328.3627 1001 E. Ninth St., Bldg A., Reno, NV 89512 Visit us first online: <u>www.washoecounty.us/csd</u> For Planning call (775) 328-6100 Email: <u>Planning@washoecounty.us</u>

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WASHOE COUNTY COMMUNITY SERVICES DEPARTMENT Regional Parks and Open Space

1001 EAST 9<sup>TH</sup> STREET RENO, NEVADA 89520-0027 PHONE (775) 328-3600 FAX (775) 328.3699

TO: Julee Olander, Planner

FROM: Sophia Kirschenman, Park Planner

DATE: May 6, 2020



SUBJECT: Special Use Permit Case Number WSUP20-0008 (Five Ridges)

I have reviewed WSUP20-0008 on behalf of Washoe County Regional Parks and Open Space (Parks Program) and prepared the following comments:

If approved, this permit would authorize major grading to allow for the construction of a 16inch water main and a gated emergency access road to serve the Five Ridges Project, located within the City of Sparks. The application indicates that any undeveloped disturbed areas will be blended with the natural terrain and revegetated. Given these considerations, the Parks Program offers the following conditions of approval:

- 1. All imported earthen materials shall be "certified weed free" in order to prevent the spread of noxious weeds within the county.
- 2. All undeveloped areas disturbed as a result of project activities shall be revegetated utilizing a native seed mix as reviewed and approved by the Washoe Storey Conservation District and/or Washoe County Regional Parks and Open Space.







From:	<u>Behmaram, Vahid</u>		
To:	<u>Olander, Julee</u>		
Cc:	Fagan, Donna		
Subject:	Five Ridges		
Date:	Friday, April 24, 2020 9:06:57 AM		
Attachments:	image001.png		
	image002.png		
	image003.png		
	image004.png		
	image005.png		

#### I have no conditions for the following project: WSUP20-0008 (Five Ridges)"

"Special Use Permit Case Number



Vahid Behmaram Water Management Planner Coordinator Building & Planning Division | Community Services Department vbehmaram@washoecounty.us</u> Office: (775)954-4647; Fax (775) 328-6133 1001 E. 9<sup>th</sup>, St., Reno, NV 89512



### Washoe-Storey Conservation District

Bret Tyler Chairmen Jim Shaffer Treasurer Cathy Canfield Storey app Jean Herman Washce app

1365 Corpotate Blvd. RenoNV 89502 775 857-8500 ext. 131 nevadaconservation.com

May 4, 2020

Washoe County Community Services Department

C/O Julee Olander, Planner

1001 E Ninth Street, Bldg. A

Reno, NV 89512

R: WSUP20- 0008 Five Ridges

Dear Julee,

In reviewing the special use permit to construct a paved gated emergency access road and 16-inch water main for Five Ridges, the Conservation District has the following comments.

To prevent the spread of noxious weeds concerning grading and importation of material, the applicant shall collaborate with the District to develop an onsite noxious weeds management plan to ensure weed seeds do not impact other areas, utilizing certified weed free material.

We will require a vegetation plan from a qualified professional that includes a seed mix based on the soil, contingency water plan, fertilizer plan, erosion control structures and a monitoring plan with updates provided to the Conservation District after the growing season (October 31) every year for a three year period.

To conserve water and reduce runoff to the infrastructure the District requires the typical front yard be xeriscape.

All proposed ditches and swales shall have 4-6-inch rock in the flow line to minimize sediment flow downstream. Additionally, the existing swales with the proposed road improvements have the first 50 feet lined with 4-6-inch rock to reduce sediment.

The construction of the detention basin shall have 2 feet wide 3-foot-deep low flow channel between the inlet(s) and outlet pipe to convey nuisance water runoff. In addition, a two foot by 3-foot-wide infiltration trench constructed below the low flow channel to assist with ground water recharge.

Additional measures of rockery walls and rip rap slopes are included in the proposal. In the construction of these we will require the voids in the face of the rockery wall (entire height) and rip rap slope filled with smaller rock to eliminate any undermining by small animals.

We recommend the paint color palette be earth tone colors for the subdivision.

Thank you for providing us the opportunity to review the project that may have impacts on our natural resources.

Sincerely,

Tyler-Shaffer

From:	Steve Shell	
То:	<u>Olander, Julee</u>	
Subject:	FW: April Agency Review Memo II, WSUP20-0008	
Date:	Monday, April 27, 2020 10:58:20 AM	
Attachments:	image001.png	
	April Agency Review Memo II.pdf	

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

The subject property lies within the Sun Valley GID. No water is committed at this time.

**Steve Shell** Water Resource Specialist II Division of Water Resources State of Nevada 775-684-2836

Stay home. Be Safe.

From: Fagan, Donna Sent: Thursday, April 23, 2020 4:27 PM To: Steve Shell <sshell@water.nv.gov> Subject: April Agency Review Memo II

Steve,

Please find the attached Agency Review Memo with cases received this month by CSD, Planning and Building.

You've been asked to review items #1, #2, and #3. Click on the highlighted item descriptions for a link to the application.

Please send any questions, comments or conditions to the planner for that item.

Thank you, Donna



Donna Fagan Planning and Building Division | Community Services Department dfagan@washoecounty.us | Office: 775.328.3616 1001 E. 9<sup>th</sup> Street, Reno, NV 89521

> WSUP20-0008 EXHIBIT B





# SPECIAL USE PERMIT

PREPARED BY:



# APRIL 15, 2020

WSUP20-0008 EXHIBIT D

# **FIVE RIDGES**

# **Special Use Permit**

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#### Introduction

This application includes the following request:

• A **Special Use Permit** to allow for "major grading" per Section 110.438.35 of the Washoe County Development code and to allow for utility services within the Open Space (OS) zone.

#### **Project Location**

The Special Use Permit (SUP) included with this application proposes grading and improvements located on three individual parcels (APN #'s 508-340-01, 02, and 508-350-01). The parcels are located in the Highland Ranch area of Sun Valley. Specifically, the project site is located east of the current terminus of Warhol Drive, north of Apple Blossom Drive within the Sun Valley Area Plan. Figure 1 (below) depicts the parcels impacted by this SUP request.



Figure 1 – Vicinity Map



#### **Existing Conditions**

Currently, two of the affected parcels are undeveloped (with the exception of an access road) and are owned and maintained by the Highland Ranch Homeowners Association (APN #'s 508-340-01 and 508-350-01). The third parcel (APN # 508-340-02) includes a water tank and is owned and operated by the Sun Valley General Improvement District (GID). Figure 2 (below) depicts the existing onsite conditions.





Figure 2 – Existing Conditions



The two parcels owned by the Highland Ranch HOA are zoned Open Space (OS) as they were included as common area with the adjoining final maps (Highland Ranch project). The "tank parcel" is zoned Public/Semi-Public Facility (PSP) reflective of the existing utility use. Figure 3 (below) depicts the existing site zoning and that of surrounding properties.



#### Figure 3 - Zoning



#### Project Request

The SUP requested with this application will allow for the construction of a 20-wide paved emergency access road that will provide for secondary emergency access to the Five Ridges project which is located directly east of the subject properties, within the City of Sparks. The access road will connect from Warhol Drive, past the existing water tank to a planned roadway within Village 8 of the Five Ridges project.

As part of the roadway construction, it is planned to extend a 16-inch water main from the existing tank into the Five Ridges project. Thus, the proposed access road will allow for secondary project access as well as access to water line infrastructure that will be dedicated to the Sun Valley GID.

Although the Five Ridges project has been reviewed and approved (conceptually) by the City of Sparks, the proposed secondary access connects through the HOA parcels which are located within unincorporated Washoe County and outside of the City of Sparks Sphere of Influence/jurisdiction. Additionally, the current OS zoning of the HOA parcels requires the approval of a SUP to allow for a new utility service to be constructed (16-inch water main). Each of these requests is described below:

#### • Emergency/Secondary Access

The first component of this SUP request is to allow for the construction of a secondary emergency access extending from Warhol Drive to the Five Ridges project. Grading of this road triggers a SUP based on the criteria included within Section 110.438.35 of the Washoe County Development Code. Specifically, the SUP is necessitated by the following code sections:

- Section 110.438.35(a)(1)(ii)(A)

The proposed grading will result in 10,582± cubic yards of cut and 10,267± cubic yards of fill. This exceeds the 5,000 cubic yard threshold established under Section 110.438.35(a)(1)(ii)(A).

- Section 110.438.35(a)(2)(i)(B)

As noted previously, grading will occur on two individual parcels owned by the Highland Ranch HOA. The first parcel (APN # 508-340-01) consists of 10.06± acres of which 1.35± acres are proposed to be disturbed. Therefore, per the provisions of Section 110.438.35(a)(2)(i)(B), more than 10 percent of the total parcel area is being disturbed, triggering a SUP threshold.

- Section 110.438-35(a)(2)(ii)(A)

Similar to Section 110.4385.35(a)(1)(ii)(A), Section (a)(2)(ii)(A) requires the approval of a SUP for disturbance of 1,000 cubic yards or more when grading in areas of slopes in excess of 15%. Both HOA-owned parcels include 15% or greater slopes of which a total of  $2.55\pm$  acres are being disturbed including approximately 10,600 cubic yards of cut and 10,300 cubic yards of fill in order to accommodate the proposed roadway.



Figure 4 (below) depicts the overall land plan for the Five Ridges project. The proposed access road will connect within Village 8. Figure 5 (following page) depicts the proposed alignment of the access road from Warhol Drive to Five Ridges.



#### Figure 4 – Five Ridges Land Plan

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Figure 5 – Emergency Access/Water Line Alignment

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As noted previously, for the purposes of this SUP, a total of 10,600± of cut and 10,300± square feet of fill are being proposed and is detailed on the attached engineering plans. The following table summarizes the disturbance within each individual parcel included within this SUP request.

#### **Disturbance Summary**

Parcel Number	Owner	Total Parcel Area	Proposed Disturbance
508-340-01	Highland Ranch HOA	10.06± acres	1.35± acres
508-340-02	Sun Valley GID	1.43± acres	0.01± acres
508-350-01	Highland Ranch HOA	51.16± acres	1.20± acres
TOTAL		62.65± acres	2.56± acres

The proposed access road will be located within a grading, access, and water line easement granted to the developer of Five Ridges by the Highland Ranch HOA. The proposed access road will include a 20-foot paved width and will be gated at both ends. No public access to the road will be permitted. Only emergency responders and the Sun Valley GID will have access to the roadway. Traffic from Five Ridges will utilize Highland Ranch Parkway for primary access (as approved by the City of Sparks). Residents of Five Ridges would only be able to utilize the proposed road during an emergency event such as wildfire, etc.

As depicted in Figure 5, the proposed emergency access and water line retain the same alignment from Warhol Drive and then deviate south of the existing water tank access road which will remain. The road then traverses in a southerly direction to the southern property line where it then heads easterly, paralleling the southern property line of parcel # 508-350-01.

The Five Ridges Homeowners Association will be responsible for the maintenance and upkeep of the roadway and has been conditioned as such by the City of Sparks through an adopted Development Agreement. Additionally, the Washoe County Department of Engineering and Capital Projects has previously submitted a letter to the City of Sparks stating that Washoe County has no objections to a secondary access road that connects to a County street, serving a City of Sparks project (a copy is included in the appendices of this report for reference). Washoe County will have no maintenance obligations whatsoever for the proposed roadway and water line.

As the attached engineering plans depict, the topography of proposed alignment is varied. Grading has been designed to reduce overall visual impacts. Disturbed areas will be revegetated to create a natural post-development appearance. Walls are included as necessary in order to reduce cut slopes. As incorporated into the adjoining Five Ridges project, the geotechnical analysis concludes that the use of 1.5:1 slopes can be incorporated into the project grading. This will further reduce visual scarring and the over all impacts of the grading by reducing required disturbance. The road has been designed to meet City of Sparks secondary access standards and will not exceed 10% grade.



Included as attachments to this report are detailed grading and drainage plans, cross-sections, a cut/fill exhibit, and slope analysis that clearly depict the grading proposed. Additionally, a preliminary hydrology report and a copy of the geotechnical investigation are included for Washoe County review.

• Utility Service

The second component to this SUP request is to allow for a utility service to be located within the OS regulatory zone, per Section 110.302.05 and Table 110.302.05.1 of the Washoe County Development Code. In the case of Five Ridges, the utility service proposed is a 16-inch water main that will run from the existing Sun Valley GID water tank east of Warhol Drive to the Five Ridges project to the east.

The water line will follow the proposed secondary access road alignment and essentially creates no impact since it will be located underground. Thus, the grading associated with the access road will fully accommodate the proposed water infrastructure upgrades. As shown in Figure 5, a vehicular access connection from the new road to the tank site (connecting with the existing tank access road) is provided for maintenance purposes.

#### **Special Use Permit Findings**

The Washoe County Development Code includes findings that must be made in order to approve a Special Use Permit request. These findings are listed below and are addressed in **bold face** type.

1. Consistency. The granting of the Special Use permit is consistent with the policies and maps of the Comprehensive Plan Elements and the Area Plan in which the property is located.

The proposed secondary access road and water line are consistent with the land use and policies included in the Sun Valley Area Plan in terms of land use, allowed uses, etc. The project will have zero impact in terms of traffic, noise, congestion, etc. The road is strictly for emergency purposes only. As depicted on the attached plans, grading has been designed to blend with the surrounding area, reduce visual impacts, etc.

2. Adequate Public Facilities. Adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities must exist or will be provided.

In general, this finding is not applicable to the SUP request being considered. The new water line and access road will ensure that the Five Ridges project (located within the City of Sparks) has proper secondary emergency access as well as water infrastructure to allow service from the Sun Valley General Improvement District. A detailed drainage study is included as an attachment to this report demonstrating compliance with all applicable Washoe County standards and policies and ensures that drainage impacts to surrounding properties will not occur.

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3. Site Suitability. The site must be physically suitable for the proposed use and for the intensity of development.

As noted previously, this SUP will allow for the construction a new access road and water line only. Although the roadway will traverse varying terrain, it has been designed to reduce the amount of required grading (as feasible) and includes design elements to reduce visual scarring and retain a natural postdevelopment appearance.

4. Issuance Not Detrimental. Issuance of the permit may not be significantly detrimental to the public health, safety or welfare; have a detrimental impact on adjacent properties; or be detrimental to the character of the surrounding area.

The project is not anticipated to generate negative impacts and will not result in any intensification within the Sun Valley Area Plan in terms of traffic, density, noise, etc. The roadway will only be used for emergency access and utility maintenance and will be gated at both ends to restrict public access. It can be reasonable argued that the roadway will have a positive benefit by providing another means of fire access to access the wildland areas that abut the property to the north, benefiting parcels to the south. Revegetation and natural contouring of cut/fill slopes will ensure a natural post-development appearance.

# APPENDICES

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#### Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Building staff at 775.328.6100.

Project Information		Staff Assigned Case No.:		
Project Name: Five Ridges				
Project A SUP to allow for "major grading" per Section 110.438.35 of the Description: Development Code and for utility services within the OS zone.				
Project Address: Eastern ter	minus of Warhol	Dr., north of Apple Blosso	m Dr.	
Project Area (acres or square fe				
Project Location (with point of re	ference to major cross	s streets AND area locator):		
East of Warhol Dr., North of Hig	ghland Ranch Pkwy	and Apple Blossom Dr. See at	tached vicinity map.	
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:	
508-340-01	10.06 acres	508-340-02	1.43 acres	
508-350-01	51.16 acres			
Indicate any previous Washo Case No.(s).	e County approval	s associated with this applicat	tion:	
Applicant Inf	ormation (attach	additional sheets if necess	sary)	
Property Owner:		Professional Consultant:		
Name: See attached list		Name: Christy Corporation, Ltd.		
Address:		Address: 1000 Kiley Pkwy.		
	Zip:	Sparks, NV	Zip: 89436	
Phone:	Fax:	Phone: (775) 502-8552	Fax:	
Email:		Email:mike@christynv.com		
Cell:	Other:	Cell: (775) 250-3455	Other:	
Contact Person:		Contact Person: Mike Railey		
Applicant/Developer:		Other Persons to be Contacted:		
Name: QK, LLC		Name:		
Address:1 E. Liberty St., Suite 444		Address:		
Reno, NV	Zip: 89501		Zip:	
Phone: (775) 323-1405	Fax:	Phone:	Fax:	
Email:blake@s3devco.com		Email:		
Cell: (775) 772-9295 Other:		Cell:	Other:	
Contact Person: Blake Smith		Contact Person:		
	For Office	Use Only		
Date Received:	Initial:	Planning Area:		
County Commission District:		Master Plan Designation(s):		
CAB(s):		Regulatory Zoning(s):		

#### Special Use Permit Application Supplemental Information

(All required information may be separately attached)

1. What is the project being requested?

This SUP will allow for grading to accommodate an emergency access road for the Five Ridges project located within the City of Sparks, as well as allow for a new utility service (16" water line) to be located within the OS zone. Refer to attached report for a detailed description.

2. Provide a site plan with all existing and proposed structures (e.g. new structures, roadway improvements, utilities, sanitation, water supply, drainage, parking, signs, etc.)

Refer to attached report, site plan, and engineering plans.

3. What is the intended phasing schedule for the construction and completion of the project?

The project will be completed in a single phase.

4. What physical characteristics of your location and/or premises are especially suited to deal with the impacts and the intensity of your proposed use?

The proposed roadway has been designed to reduce impacts to the extent possible. Cut/fill slopes will be blended with the natural topography and revegetation will occur in accordance with County requirements. Refer to attached report for details.

5. What are the anticipated beneficial aspects or affects your project will have on adjacent properties and the community?

The new road will provide emergency access and water service to the Five Ridges project while enhancing wildfire protection for properties to the south by providing for additional access to wildland areas.

6. What are the anticipated negative impacts or affect your project will have on adjacent properties? How will you mitigate these impacts?

The project is not anticipated to generate negative impacts. All visual impacts will be properly mitigated. Refer to attached report for a detailed analysis.

7. Provide specific information on landscaping, parking, type of signs and lighting, and all other code requirements pertinent to the type of use being purposed. Show and indicate these requirements on submitted drawings with the application.

10,600 CY of cut and 10,300 CY of fill. Refer to attached cut/fill map and grading plan.
8. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that apply to the area subject to the special use permit request? (If so, please attach a copy.)

🗅 Yes	No

9. Utilities:

a. Sewer Service	City of Sparks
b. Electrical Service	NV Energy
c. Telephone Service	AT&T or Charter Communications
d. LPG or Natural Gas Service	NV Energy
e. Solid Waste Disposal Service	Waste Management
f. Cable Television Service	AT&T or Charter Communications
g. Water Service	Sun Valley GID

For most uses, Washoe County Code, Chapter 110, Article 422, Water and Sewer Resource Requirements, requires the dedication of water rights to Washoe County. Please indicate the type and quantity of water rights you have available should dedication be required.

h. Permit #	acre-feet per year	
i. Certificate #	acre-feet per year	
j. Surface Claim #	acre-feet per year	
k. Other #	acre-feet per year	

Title of those rights (as filed with the State Engineer in the Division of Water Resources of the Department of Conservation and Natural Resources).

Natural revegetation and recontouring will be used to blend disturbed areas with the natural environment.

10. Community Services (provided and nearest facility):

a. Fire Station	TMFPD Sun Valley Station/City of Sparks Station # 5	
b. Health Care Facility	Renown Regional Medical Center	
c. Elementary School	Sepulveda Elementary	
d. Middle School	Shaw Middle	
e. High School	Spanish Springs High	
f. Parks	Lazy 5 Regional Park	
g. Library	Washoe County Spanish Springs Branch	
h. Citifare Bus Stop	Sun Valley Blvd.	

## Special Use Permit Application for Grading Supplemental Information

(All required information may be separately attached)

1. What is the purpose of the grading?

The proposed grading will allow for a secondary/emergency access road for the Five Ridges project within the City of Sparks to the east, as well as a new 16" water main. Refer to attached report for a detailed description.

2. How many cubic yards of material are you proposing to excavate on site?

10,600 CY of cut and 10,300 CY of fill. Refer to attached cut/fill map and grading plan.

3. How many square feet of surface of the property are you disturbing?

Approximately 111,514 sq.ft. (2.56 acres)

4. How many cubic yards of material are you exporting or importing? If none, how are you managing to balance the work on-site?

It is planned to balance the earthwork onsite, as detailed on the attached grading plan.

5. Is it possible to develop your property without surpassing the grading thresholds requiring a Special Use Permit? (Explain fully your answer.)

No. Given the distance between Warhol Drive and the Five Ridges boundary, a grading SUP will be triggered regardless of how the road is designed/located.

6. Has any portion of the grading shown on the plan been done previously? (If yes, explain the circumstances, the year the work was done, and who completed the work.)

A portion of the roadway leading from Warhol Drive to the Sun Valley GID water tank already exists. Refer to attached engineering plans.

7. Have you shown all areas on your site plan that are proposed to be disturbed by grading? (If no, explain your answer.)

Yes. Refer to attached engineering plans.

8. Can the disturbed area be seen from off-site? If yes, from which directions and which properties or roadways?

Portions of the proposed roadway will be visible. Refer to attached plans and cross-sections for specifics.

9. Could neighboring properties also be served by the proposed access/grading requested (i.e. if you are creating a driveway, would it be used for access to additional neighboring properties)?

This proposed roadway will be for emergency access only. However, the road will enhance emergency access in general within the area to the benefit of adjoining properties.

10. What is the slope (horizontal/vertical) of the cut and fill areas proposed to be? What methods will be used to prevent erosion until the revegetation is established?

Refer to attached grading plan. Disturbed areas will be blended with natural terrain and revegetated. Walls will be used as necessary. Additioanly, geotechnical conditions will allow for the use of 1.5:1 slopes in some areas.

11. Are you planning any berms?

Yes NoXX If yes, how tall is the berm at its highest?

12. If your property slopes and you are leveling a pad for a building, are retaining walls going to be required? If so, how high will the walls be and what is their construction (i.e. rockery, concrete, timber, manufactured block)?

Not applicable.

13. What are you proposing for visual mitigation of the work?

Natural revegetation and recontouring will be used to blend disturbed areas with the natural environment.

14. Will the grading proposed require removal of any trees? If so, what species, how many and of what size?

Not applicable.

15. What type of revegetation seed mix are you planning to use and how many pounds per acre do you intend to broadcast? Will you use mulch and, if so, what type?

Seed mix will be per Washoe County standards and best management practices.

16. How are you providing temporary irrigation to the disturbed area?

Temporary irrigation, if necessary, will be extended from the Five Ridges project to the east.

17. Have you reviewed the revegetation plan with the Washoe Storey Conservation District? If yes, have you incorporated their suggestions?

Not at this point.	Any comments	received can	be conditioned,	as appropriate.
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18. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that may prohibit the requested grading?

Yes	NoXX	If yes, please attach a copy.



WASHOE COUNTY COMMUNITY SERVICES DEPARTMENT Engineering & Capital Projects 1001 EAST 9<sup>TH</sup> STREET PO BOX 11130 RENO, NEVADA 89520-0027 PHONE (775) 328.3600 FAX (775) 328.3699

March 10, 2020

Armando Ornelas Assistant Community Services Director City of Sparks 431 Prater Way Sparks, Nevada 89431

RE: 5 Ridges Residential Development Secondary Emergency Access to Cezanne Court.

Washoe County understands that the proposed development has been designed to provide for a secondary emergency access onto Cezanne Court, an existing Washoe County roadway located to the west of the development. We further understand that the emergency access roadway will be designed to City of Sparks standards and will be gated at a location prior to its connection to Cezanne Court and that the connection will be for emergency use only. We also understand the roadway and gate will be owned and maintained by the 5 Ridges Development homeowners association. It is also understood that the Highland Ranch HOA, the underlying property owner for a portion of the emergency access roadway, has provided the required permissions for the use of their property.

With this understanding Washoe County has no objections with this gated secondary emergency access.

Respectfully

Dwayne Smith, P.E. Director of Engineering and Capital Projects Division/County Engineer

Cc: Jennifer Heeran, P.E., Washoe County Mike Railey – Christy Corporation file





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