



Board of Adjustment Staff Report

Meeting Date: November 3, 2022

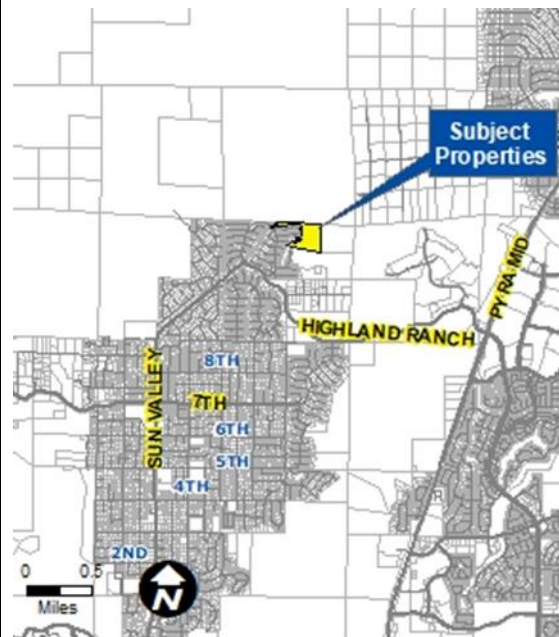
Agenda Item: 8F

SPECIAL USE PERMIT CASE NUMBER:	WSUP22-0025 (5 Ridges Grading)
BRIEF SUMMARY OF REQUEST:	To allow major grading for emergency access road and waterlines
STAFF PLANNER:	Julee Olander, Planner Phone Number: 775.328.3627 E-mail: jolander@washoecounty.gov

CASE DESCRIPTION

For hearing, discussion, and possible action to approve a special use permit to allow for a utility service use for two 12-inch underground waterlines and to approve major grading for an emergency access road resulting in a disturbance of up to ±2.0 acres of the site with a net increase of fill greater than 5,000 cubic yards; and for a modification of standards for 110.438.45(a), (c), (g), and (h) to minimize the grading footprint and 110.438.50(a) to allow the use of riprap.

Applicant: 5 Ridges Development Company Inc.
 Property Owner: Highland Ranch HOA
 Location: East of terminus of Cezanne, Rembrandt & Rodin Courts
 APN: 508-460-01
 Parcel Size: 26.02 acres
 Master Plan: Open Space (OS)
 Regulatory Zone: Open Space (OS)
 Area Plan: Sun Valley
 Development Code: Authorized in Article 438, Grading Standards and Article 810, Special Use Permits
 Commission District: 5 – Commissioner Herman



Vicinity Map

STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

POSSIBLE MOTION

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 WSUP22-0025 for 5 Ridges Development Company Inc., with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.810.30

(Motion with Findings on Page 10)

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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 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 WSUP22-0025 are attached to this staff report and will be included with the action order if the request is approved.

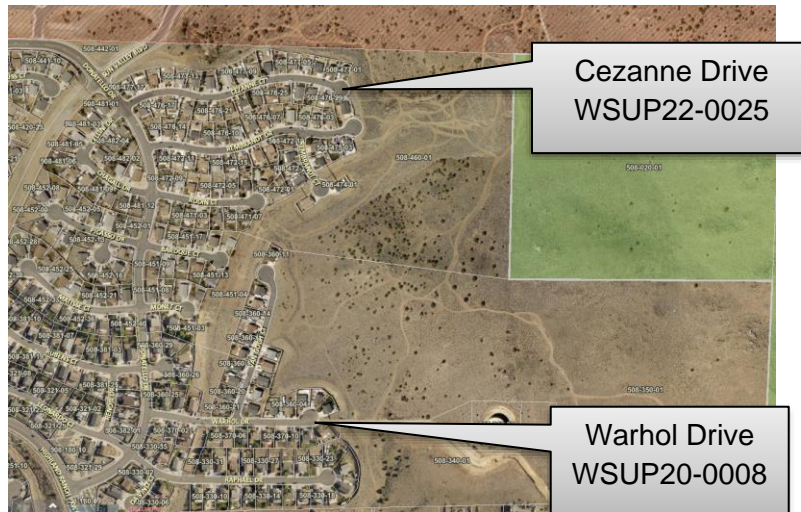
The subject property is designated as Open Space (OS). The proposed use of utility service is permitted in OS with a special use permit per WCC Table 110.302.05.2. The proposed grading is permitted with a special use permit per WCC 110.438.35. Therefore, the applicant is seeking approval of this SUP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

Additionally, Article 810, Special Use Permits, allows the Board of Adjustment to vary development code standards in conjunction with the approval process per WCC 110.810.20(e). The Board of Adjustment will be ruling on the requests to vary standards below:

Variance Requested	Relevant Code
Grading shall not result in slopes in excess of, or steeper than, three horizontal to one vertical (3:1)	110.438.45(a)
Finish grading shall not vary from the natural slope by more than ten (10) feet in elevation. Exposed finish grade slopes greater than ten (10) feet in height	110.438.45 (c)
Utilize a gradual transition or “rounding or contouring” of the manufactured slope at the intersection of a manufactured cut or fill slope and a natural slope	110.438.45 (g)
Visually integrate all slope faces (cut or fill) into the natural terrain by a gradual transition or “contouring/rounding” of the manmade landforms into the natural terrain.	110.438.45 (h)
The use of riprap and gabions as a mechanical stabilization for cut slopes	110.438.50(a)

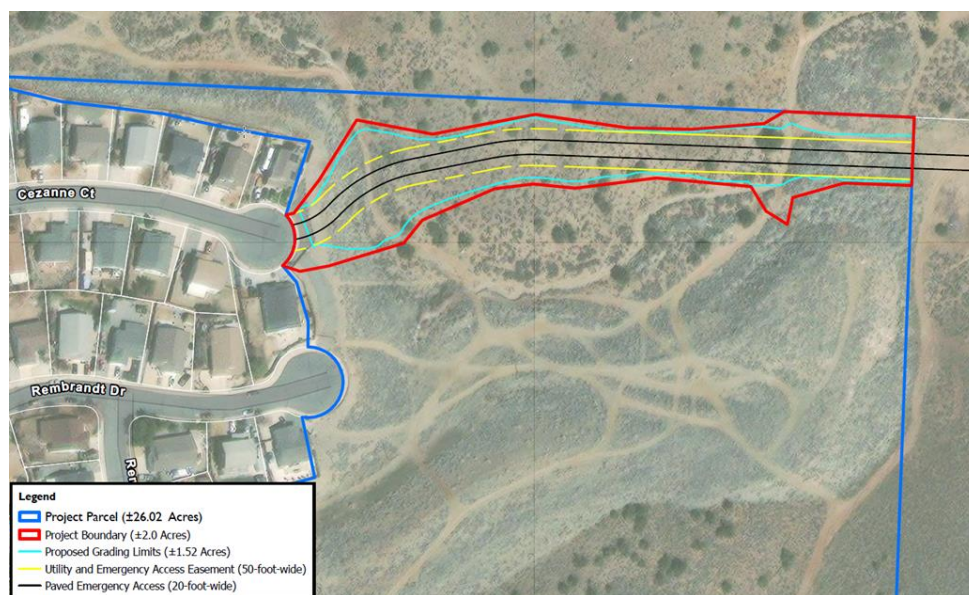
Background

The applicant received approval for Special Use Permit WSUP20-0008 on June 4, 2020 for major grading for an emergency access road and to allow for a utility service of a 16-inch water line for Five Ridges development. The previously approved road and waterline are located at the eastern terminus of Warhol Drive, north of Apple Drive. The applicant is now applying for another special use permit to construct another emergency road and two 12-inch waterlines.



Project Evaluation

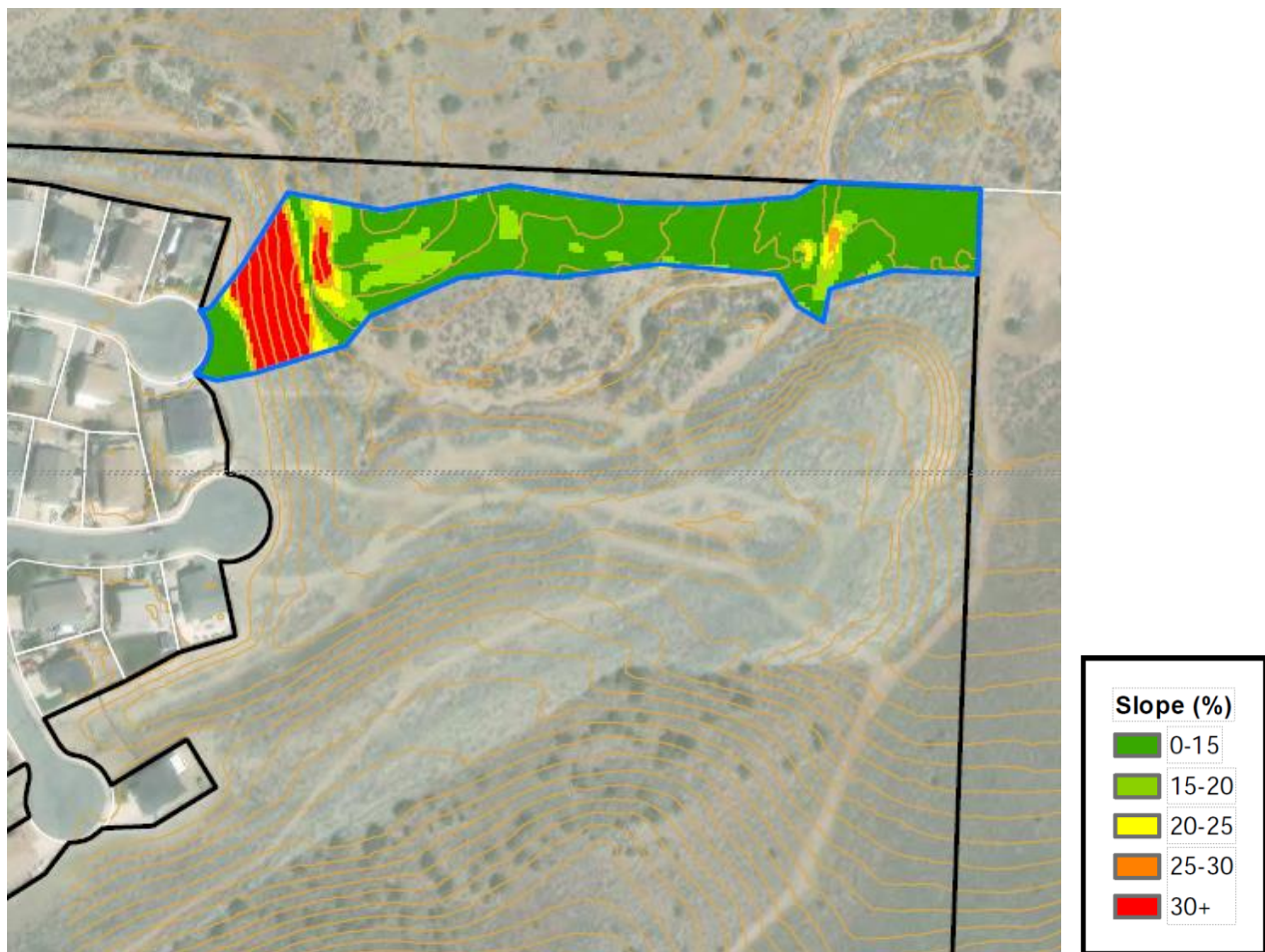
The applicant is requesting a special use permit for major grading per Washoe County Development Code Article 438, *Grading* to construct an emergency access roadway and for the use type of major service and utility per Article 302, *Allowed Uses* for two 12-inch underground waterlines. The roadway and waterlines will extend from Cezanne Court to the border of the City of Sparks for the Five Ridges development. The Five Ridges master planned community is located within and under the jurisdiction of the City of Sparks. It is a multi-village residential development currently under construction, with approximately 1,200 to 1,300 planned residential units.



Site Plan

The regulatory zoning of the parcel is Open Space (OS) and the parcel is vacant with native vegetation. Portions of the parcel along the western boundary of the site have been previously graded for residential development to of Stone Crest, to the west. Most of the parcel’s slopes are less than 30%, except for where the access road is proposed to be located (see the slope map below).

The emergency access road and waterline are proposed to be located in the northern portion of the 26.02-acre parcel owned by the Highland Ranch HOA. The applicant does have an existing agreement with the HOA, for a 50-foot-wide access and utility easement from Cezanne Court. The HOA negotiated an agreement with the applicant to have 2:1 slopes with no walls. According to the application, “The visual impacts from the nearest residents are minimal and will be mitigated with slope treatment that includes the replanting of native vegetation and trees.” The applicant is proposing to use riprap on the 2:1 slopes that is backfilled and revegetated. The revegetation with native seed mix and trees will soften the visual impact of the 2:1 slopes. The applicant is conditioned with a financial assurance that “all disturbed areas demonstrate 70% of the density of vegetation of the adjacent undisturbed areas”.



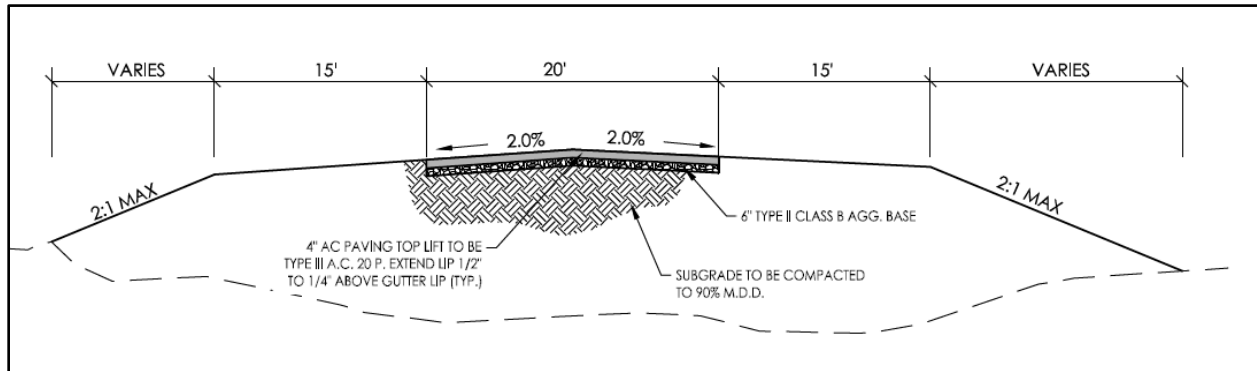
Slope Map

The proposed 20-foot-wide paved emergency roadway will be gated at the terminus of northeast corner of Cezanne Court and will continue to the Five Ridges development in the City of Sparks. The road will provide emergency use for the area for events such as wildfires. The road and waterlines will be maintained by the Five Ridges Homeowner’s Association (HOA) and Washoe County will not have any maintenance obligations for the roadway or water line.

The proposed water line is classified as a major service and utilities, utility service use type and a special use permit is required in the OS regulatory zone. The water line will be constructed underground, to run along the proposed roadway alignment. The Sun Valley General Improvement District (SVGID) will provide a large portion of the water service to the Five Ridges and the waterlines will connect with the SVGID water infrastructure.

Grading

The applicant is requesting to disturb up to ± 1.52 acres. The grading will result in ± 16.6 cubic yards (cy) of cuts and $\pm 13,415$ cy of fill, with a net import of $\pm 13,400$ cy. According to the applicant, "There are three drainageway crossings which will include the installation of 24-inch culverts to maintain the natural flow from north to south." The applicant will revegetate all disturbed areas with a native seed mix to help the slope blend with the natural surroundings. There are two piñon pine trees that are being removed. The applicant is conditioned to replace the trees two-to-one ratio and meet Article 412 standards, with the trees being at least 7 feet in height. The rock used in the areas where riprap is located will be stained to match surrounding rocks and a Bonded Fiber Matrix (BFM) will be used to assist with vegetation growth.



Proposed Roadway Plan

Modifications

The application is requesting to modify the following major grading thresholds of Article 438:

1. 110.438.45(a): Grading shall not result in slopes in excess of, or steeper than, three horizontal to one vertical (3:1)

Staff Comment: The applicant is requesting to waive the 3:1 requirement because of the topography of the location of the proposed roadway. Allowing 2:1 slopes will minimize the disturbance and footprint and the project will have less impact to the site. Also, 2:1 slopes will require less fill material than 3:1 and will reduce the overall grading and scarring of the site.

2. 110.438.45(c): Finish grading shall not vary from the natural slope by more than ten (10) feet in elevation.

Staff Comment: The applicant indicates there is a drainageway crossing that exceeds the 10-foot elevation (see slope map on page 5). This area was previously graded for the residential development to the west and is not considered a natural slope. The applicant states, "The proposed fill will be a maximum of approximately 23-feet from the natural slope of the drainage ditch as a result of the road spanning the drainage ditch and meeting the elevation of Cezanne Court". The applicant indicates that, "From this point to the west the fills required throughout the project area are relatively minimal."

3. 110.438.45(g): Utilize a gradual transition or “rounding or contouring” of the manufactured slope at the intersection of a manufactured cut or fill slope and a natural slope. Engineered slopes shall not intersect natural slopes at an angle greater than forty-five (45) degrees (see Figure 110.438.45.2).

Staff Comment: The applicant has indicated that the 2:1 slopes would be difficult to achieve “rounding or contouring” of 2:1 slopes. The applicant had negotiated and agreed with the Highland Ranch HOA that this modification would be requested. The 2:1 slopes will provide a smaller grading footprint and necessary slope treatment methods. Riprap will be used to stabilize the 2:1 slopes, backfilled and revegetated with a treated with a bond fabric matrix to provide a more natural look to the slope.

4. 110.438.45(h): Visually integrate all slope faces (cut or fill) into the natural terrain by a gradual transition or “contouring/rounding” of the manmade landforms into the natural terrain. To the extent practicable ensure that hillside grading results in undulating naturalistic appearance, consistent with the surrounding undisturbed terrain (see Figure 110.438.45.3).

Staff Comment: The applicant has indicated that the 2:1 slopes would be difficult to achieve “contouring/rounding” of 2:1 slopes. The applicant did negotiate and agreed with the Highland Ranch HOA that this modification would be requested. A gradual transition from the natural slopes to the artificial slopes would be hard to accomplish with the 2:1 slope. The applicant states, “the orientation and location of the slopes are designed in a way that will have minimal visual impact to the surrounding neighbors”. The applicant is proposing to backfill the riprap with soil and revegetated the area with native seeds and tress covered with a bonded fabric matrix, which will adhere the soil and riprap.

5. 110.438050(a): The use of riprap and gabions as a mechanical stabilization for cut slopes is prohibited, except where essential for safe access, for passage within the rights-of-way of public roads, and for storm drainage control device(s).

Staff Comment: The applicant is requesting to use riprap on the 2:1 slopes to stabilize the slopes. The riprap is not located “within the rights-of-way of public roads, and for storm drainage control device(s).” The riprap will used to stabilize the 2:1 slopes. The riprap rocks will be stained with a permanent desert varnish product. The riprap will be covered with a bonded fabric matrix, which will adhere the backfilled soil, native seeds and tress soil to the riprap. The area will be temporality irrigated until the vegetation is established. These treatments will create a more natural looking slope, matching the adjacent undisturbed slope.

Neighborhood Meeting

A neighborhood meeting was held on September 19th at 5:30 pm by Zoom and there were three attendees. According to the applicant summary there were no questions. One attendee who spoke, appreciated hearing about the project.

Area Plan Evaluation

The subject parcel is located within the Sun Valley Area Plan. The following are the pertinent policies from the Area Plan:

Relevant Area Plan Policies Reviewed

Policy	Brief Policy Description	Complies	Condition of Approval
SV4.2	Maintain open vistas & minimize the visual impact of hillside	yes	
C.2.3	Preserve area's visual features	yes	

Reviewing Agencies

Agencies	Sent to Review	Responded	Provided Conditions	Contact
BLM - NV State Office	X			
NDF - Endangered Species	X			
NDOW (Wildlife)	X			
Washoe County Engineering & Capital Projects	X	X	X	Robert Wimer, rwimer@washocounty.gov
Washoe County Land Development (All Apps)	X			
Washoe County Sewer	X			
Washoe County Traffic	X			
Washoe County Water Rights Manager (All Apps)	X	X		Timber Weiss, tweiss@washocounty.gov
WCHD Environmental Health	X	X		James English, jenglish@washocounty.gov
TMFPD	X	X	X	Dale Way, dway@tmfpd.us
Regional Transportation Commission (All Apps)	X			
Sparks Community Services Dept.	X			
Washoe-Storey Conservation District (All Apps)	X	X		Jim Schaffer, shafferjam@gmail.com
Sun Valley GID	X			
City of Sparks	X	X		icrittenden@cityofsparks.us

All conditions required by the contacted agencies can be found in Exhibit A, Conditions of Approval.

Staff Comment on Required Findings

WCC Section 110.810.30 requires that 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.

- (a) Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the and the Sun Valle Area Plan.

Staff Comment: There are no policies or action programs within the Sun Valleys Area Plan that prohibit major grading or the establishment of a utility service . The application request is consistent with the policies and action programs included in the Sun Valley Area Plan and Master Plan.

- (b) 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.

Staff Comment: The project will establish a paved emergency access road and water line, which will provide improvements for the area and for Five Ridges development. The access road will provide emergency access and secondary access for the area for events such as wildfires.

- (c) Site Suitability. That the site is physically suitable grading and utility service for a waterline and for the intensity of such a development.

Staff Comment: The land is vacant and the proposed grading will make the site suitable for the proposed roadway and water line. The proposed grading design is intended to lessen the impact to the area. The applicant has requested modifications to further reduce scarring and retain the natural post-development appearance. Conditions of approval are include with requirements to revegetate all disturbed areas.

- (d) 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.

Staff Comment: The site is currently vacant and the proposed project shall have a minimal overall 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. The grading design is proposed to impact the terrain as little as possible. The applicant has requested modifications to reduce scarring and retain the natural post-development appearance. Conditions of approval include requirements to further lessen the impact.

- (e). Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Staff Comment: 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 WSUP22-0025 is being recommended for approval with conditions. Staff offers the following motion for the Board's consideration.

Motion

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 WSUP22-0025 for 5 Ridges Development Company Inc., with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.810.30:

- (a) Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Sun Valley Area Plan;
- (b) 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;
- (c) Site Suitability. That the site is physically suitable for grading and a waterline and for the intensity of such a development;
- (d) 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;
- (e) Effect on a Military Installation. 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: 5 Ridges Development Company Inc.
 Blakejr@s3devco.com

Property Owner: Highland Ranch HOA,
 5860 Lightning Drive
 Sun Valley, NV 89433

Representatives: Wood Rodgers, Attn: Andy Durling & Blake Smith Jr.
 adurling@woodrodgers.com
 ehasty@woodrodgers.com



Conditions of Approval

Special Use Permit Case Number WSUP22-0025

The project approved under Special Use Permit Case Number WSUP22-0025 shall be carried out in accordance with the conditions of approval granted by the Board of Adjustment on November 3, 2022. 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.

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.

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.

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, Planner, 775.328.3627, jolander@washoecounty.gov

- 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.
- 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.
- 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.

- d. Construction hours are 7am to 7pm Monday through Saturday.
- e. All disturbed area will be re-vegetated with a native seed mix and trees to stabilize any slope disturbance, as required by 110.438.70.
- f. Prior to approval of a building or grading permit by Washoe County the applicant shall provide Washoe County with financial assurances for completion of all required revegetation and landscaping, as well as both temporary and permanent irrigation (as required) of all disturbed areas. The financial assurances shall be 120% of the average of three estimates, from licensed contractors in the state of Nevada for completion of all required revegetation and landscaping. The financial assurances shall be held by Washoe County until all disturbed areas demonstrate 70% of the density of vegetation of the adjacent undisturbed areas.
- g. Any trees removed will be replaced with a two-to-one ratio, will meet Article 412 standards and all trees will be permanently irrigated.
- h. Areas with riprap will be backfilled with top soil after placement and then covered with Bonded Fiber Matrix (BFM) and temporary irrigation will be installed.
- i. Prior to application of soil and geo-fabric treatments, all exposed rock, including all riprap slopes, shall be stained with a permanent desert varnish product to mimic the color of the surrounding undisturbed geology.

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 – Robert Wimer, P.E. 775.328.2059, rwimer@washoecounty.gov

- a. A complete set of construction improvement drawings, including an on-site grading 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. For construction areas larger than 1 acre, the developer shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit or Waiver for construction and submit a copy to the Engineering Division prior to issuance of a grading permit.
- c. The developer shall complete and submit the Construction Permit Submittal Checklist and pay the Construction Stormwater Inspection Fee prior to obtaining a grading permit. The County Engineer shall determine compliance with this condition.
- d. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering Division prior to any grading.
- e. Cross-sections indicating cuts and fills shall be submitted when applying for a grading permit. Estimated total volumes shall be indicated.
- f. All disturbed areas left undeveloped for more than 30 days shall be treated with a dust palliative. Disturbed areas left undeveloped for more than 45 days shall be revegetated. Methods and seed mix must be approved by the County Engineer with technical assistance from the Washoe-Storey Conservation District. The applicant shall submit a revegetation plan to the Washoe-Storey Conservation District for review.
- g. Geogrid or alternative stabilization method approved by the County Engineer shall be used to protect all slopes steeper than 3:1.

DRAINAGE (COUNTY CODE 110.416, 110.420, and 110.421)

Contact Information: Robert Wimer, P.E. 775.328-2059, rwimer@washoecounty.gov

- h. A detailed hydrology/hydraulic report prepared by a registered engineer shall be submitted to the Engineering Division for review and approval. The report shall include the locations, points of entry and discharge, flow rates and flood limits of all 5- and 100-year storm flows impacting both the site and offsite areas and the methods for handling those flows. The report shall include all storm drain pipe and ditch sizing calculations and a discussion of and mitigation measures for any impacts on existing offsite drainage facilities and properties.
- i. Standard reinforced concrete headwalls or other approved alternatives shall be placed on the inlet and outlet of all drainage structures and rip rap shall be used to prevent erosion at the inlets and outlets of all pipe culverts to the satisfaction of the County Engineer.

TRAFFIC AND ROADWAY (COUNTY CODE 110.436)

Contact Information: Mitch Fink, 775.328.2050, mfink@washocounty.gov

- j. No heavy equipment or truck construction traffic shall be staged on or permitted through Washoe County local residential roadways. Heavy equipment and truck traffic shall be staged from the 5 Ridges Project.
- k. An Encroachment and Excavation Permit shall be obtained from Washoe County Engineering and Capital Projects Division for any utilities or other encroachments/excavations constructed within existing County roadways/right-of-ways.

Truckee Meadows Fire Protection District

- 3. The following condition is a requirement of the Truckee Meadows Fire Protection District, which shall be responsible for determining compliance with this condition.

Contact Name – Dale Way, Deputy Fire Chief, 775. 326-6000, dway@tmfpd.us

- a. This project shall meet and comply with all requirements of currently adopted TMFPD fire codes, ordinances, and standards at the time of construction to include infrastructure for fire apparatus access roads and water supply. <https://tmfpd.us/fire-code/>
- b. Install one (1) fire hydrant on the south side of the road as stated in the application.

*** End of Conditions ***



Date: October 13, 2022

To: Julee Olander, Planner

From: Robert Wimer, P.E., Licensed Engineer

Re: Special Use Permit for **5 Ridges Grading WSUP22-0025**
APN 508-460-01

GENERAL PROJECT DISCUSSION

Washoe County Engineering staff has reviewed the above referenced application. The Special Use Permit is for the construction of two 12-inch underground waterlines and an emergency access road and is located on approximately 26.02 acres east of the terminus of Cezanne Court, Rembrandt Drive, Rembrandt Court, and Rodin Court. The Engineering and Capital Projects 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 Wood Rodgers, Inc. 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: Robert Wimer, P.E. (775) 328-2059

1. A complete set of construction improvement drawings, including an on-site grading 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. For construction areas larger than 1 acre, the developer shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit or Waiver for construction and submit a copy to the Engineering Division prior to issuance of a grading permit.
3. The developer shall complete and submit the Construction Permit Submittal Checklist and pay the Construction Stormwater Inspection Fee prior to obtaining a grading permit. The County Engineer shall determine compliance with this condition.

4. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering Division prior to any grading.
5. Cross-sections indicating cuts and fills shall be submitted when applying for a grading permit. Estimated total volumes shall be indicated.
6. All disturbed areas left undeveloped for more than 30 days shall be treated with a dust palliative. Disturbed areas left undeveloped for more than 45 days shall be revegetated. Methods and seed mix must be approved by the County Engineer with technical assistance from the Washoe-Storey Conservation District. The applicant shall submit a revegetation plan to the Washoe-Storey Conservation District for review.
7. Geogrid or alternative stabilization method approved by the County Engineer shall be used to protect all slopes steeper than 3:1.

DRAINAGE (COUNTY CODE 110.416, 110.420, and 110.421)

Contact Information: Robert Wimer, P.E. (775) 328-2059

1. A detailed hydrology/hydraulic report prepared by a registered engineer shall be submitted to the Engineering Division for review and approval. The report shall include the locations, points of entry and discharge, flow rates and flood limits of all 5- and 100-year storm flows impacting both the site and offsite areas and the methods for handling those flows. The report shall include all storm drain pipe and ditch sizing calculations and a discussion of and mitigation measures for any impacts on existing offsite drainage facilities and properties.
2. Standard reinforced concrete headwalls or other approved alternatives shall be placed on the inlet and outlet of all drainage structures and rip rap shall be used to prevent erosion at the inlets and outlets of all pipe culverts to the satisfaction of the County Engineer.

TRAFFIC AND ROADWAY (COUNTY CODE 110.436)

Contact Information: Mitchell Fink, P.E. (775) 328-2050

1. No heavy equipment or truck construction traffic shall be staged on or permitted through Washoe County local residential roadways. Heavy equipment and truck traffic shall be staged from the 5 Ridges Project.
2. An Encroachment and Excavation Permit shall be obtained from Washoe County Engineering and Capital Projects Division for any utilities or other encroachments/excavations constructed within existing County roadways/right-of-ways.

UTILITIES (County Code 422 & Sewer Ordinance)

Contact Information: Tim Simpson, P.E. (775) 954-4648

1. No utilities related conditions.

From: [Way, Dale](#)
To: [Olander, Julee](#)
Cc: [Lemon, Brittany](#)
Subject: RE: WSUP22-0005 (5 Ridges Grading)
Date: Monday, October 3, 2022 1:58:51 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Julee,

Your statement is sufficient because they'll still need to submit a site plan for the road which will include location and we can provide a response to that if needed.

Thanks again for your assistance on this one.

Dale Way

Deputy Fire Chief | Truckee Meadows Fire & Rescue

dway@tmfpd.us | Office: 775.326-6000
3663 Barton Way, Reno, NV 89511



"Committed to excellence, service, and the protection of life and property in our community"

From: Olander, Julee <JOlander@washocounty.gov>
Sent: Monday, October 3, 2022 12:16 PM
To: Way, Dale <DWay@tmfpd.us>
Subject: RE: WSUP22-0005 (5 Ridges Grading)

Dale can I just add "Install one (1) fire hydrant on the south side of the road as noted to Wood Rodgers." as a condition? Or do I need to add the map, too?



Julee Olander

Planner, Planning & Building Division | Community Services Department

jolander@washocounty.gov | Direct Line: 775.328.3627

My working hours: Monday-Friday 8:00 am to 4:30 pm

Visit us first online: www.washocounty.gov/csd

Planning Division: 775.328.6100 | Planning@washocounty.gov

CSD Office Hours: Monday-Friday 8:00am to 4:00pm

1001 East Ninth Street, Reno, NV 89512



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From: Way, Dale <DWay@tmfpd.us>
Sent: Monday, October 3, 2022 8:54 AM
To: Olander, Julee <JOlander@washocounty.gov>
Cc: Cary Chisum <cchisum@WoodRodgers.com>; Lemon, Brittany <BLemon@tmfpd.us>; Eric Hasty <ehasty@woodrodgers.com>
Subject: RE: WSUP22-0005 (5 Ridges Grading)

Julee,

This project has the following condition from TM.

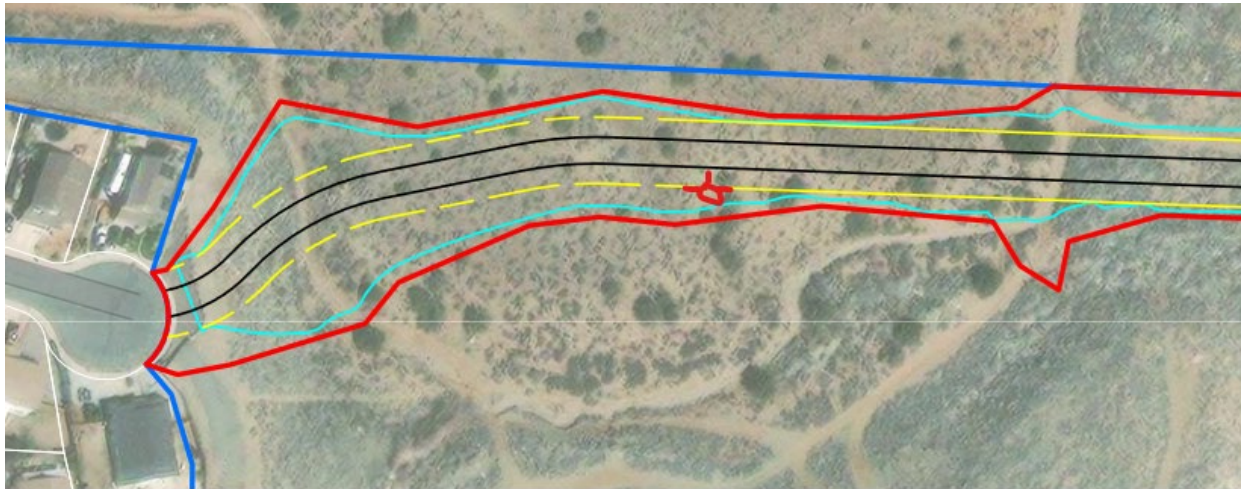
Install one (1) fire hydrant on the south side of the road as noted to Wood Rodgers.

From: [Way, Dale](#)
To: [Olander, Julee](#)
Cc: [Cary Chisum](#); [Lemon, Brittany](#); [Eric Hasty](#)
Subject: RE: WSUP22-0005 (5 Ridges Grading)
Date: Monday, October 3, 2022 8:54:17 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Julee,

This project has the following condition from TM.

Install one (1) fire hydrant on the south side of the road as noted to Wood Rodgers.



Also,

“This project shall meet and comply with all requirements of currently adopted TMFPD fire codes, ordinances, and standards at the time of construction to include infrastructure for fire apparatus access roads and water supply.”

<https://tmfpd.us/fire-code/>.

Thank you.

Dale Way

Deputy Fire Chief | Truckee Meadows Fire & Rescue

dway@tmfpd.us | Office: 775.326-6000
3663 Barron Way, Reno, NV 89511



“Committed to excellence, service, and the protection of life and property in our community”

From: Way, Dale

Sent: Monday, October 3, 2022 7:16 AM

To: Eric Hasty <ehasty@WoodRodgers.com>

Cc: Cary Chisum <cchisum@WoodRodgers.com>; Olander, Julee <JOlander@washoecounty.gov>; Lemon, Brittany <BLemon@tmfpd.us>

Subject: RE: WSUP22-0005 (5 Ridges Grading)

Eric/Cary,

Thank you for the response. I was trying to confirm that I had read the grade correctly and it appears that I did.

I will be out of town until October 17th, but Capt. Lemmon (copied on this email) can meet and confer with Cary on the location and placement of hydrants along the roadway. Bollard protection can be installed to prevent vehicular damage.

Dale Way

Deputy Fire Chief | Truckee Meadows Fire & Rescue

dway@tmfpd.us | Office: 775.326-6000

3663 Barron Way, Reno, NV 89511



"Committed to excellence, service, and the protection of life and property in our community"

From: Eric Hasty <ehasty@WoodRodgers.com>
Sent: Friday, September 30, 2022 4:19 PM
To: Olander, Julee <JOlander@washoecounty.gov>
Cc: Way, Dale <DWay@tmfpd.us>; Cary Chisum <cchisum@WoodRodgers.com>
Subject: RE: WSUP22-0005 (5 Ridges Grading)

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Julee,

Below is the response from our engineer working on the project, Cary Chisum included in this email. Please let me know when we can set up a meeting to discuss the last comment:

What is the actual width of the proposed road? [The emergency access roadway width 20'](#).

What is the proposed roadway base? [The roadway is proposed as a paved roadway designed to accommodate Emergency vehicles.](#)

Are they planning to reduce the 30% grade on this access road? It looks like it will start at 2% from the end of Cezane Ct and eventually get to 7.31% grade. I just want to make sure I understand the grade along its entirety. [The roadway is designed in fill over the 3:1 slope to flatten the grade the emergency vehicles would travel on. The grade starts at 2% at the end of the Cezanne Court and transitions to a 7.31% slope through a vertical curve as it drops down heading east. The 7.31% slope transitions into a 1.8% down slope through another vertical curve as it leaves the County Parcel.](#)

Since they are installing water mains, we will more than likely enforce code requirements to have fire hydrants to be installed on this access road as this is in a Moderate WUI Fire Hazard Area. We can discuss placement with the developer. [We met with the Water Purveyor \(Sun Valley General Improvement District\) on September 29 and discussed the fire hydrant. We'd like to discuss this requirement. SVGID has had issues with hydrants located in isolated areas being vandalized or being hit by vehicles.](#)

I will be out of the office until Wednesday October 5th but will be free to meet on my return.

Thanks,

Eric Hasty | Planner

Wood Rodgers, Inc. | www.woodrogers.com |

775.823.9770 Direct

ehasty@WoodRodgers.com

From: Olander, Julee <JOlander@washoecounty.gov>
Sent: Friday, September 30, 2022 8:48 AM
To: Eric Hasty <ehasty@WoodRodgers.com>
Cc: Way, Dale <DWay@tmfpd.us>
Subject: FW: WSUP22-0005 (5 Ridges Grading)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Eric,
Don't see that I have received an response to Fires questions below. Could you please let us know the answers.
Thanks and have a good weekend



Julee Olander
Planner, Planning & Building Division | Community Services Department
jolander@washoecounty.gov | Direct Line: 775.328.3627
My working hours: Monday-Friday 8:00 am to 4:30 pm
Visit us first online: www.washoecounty.gov/csd
Planning Division: 775.328.6100 | Planning@washoecounty.gov
CSD Office Hours: Monday-Friday 8:00am to 4:00pm
1001 East Ninth Street, Reno, NV 89512



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From: Way, Dale <DWay@tmfpd.us>
Sent: Friday, September 16, 2022 9:35 AM
To: Olander, Julee <JOlander@washoecounty.gov>
Cc: Lemon, Brittany <BLemon@tmfpd.us>
Subject: WSUP22-0005 (5 Ridges Grading)

Julee,

I have questions on this project that I don't see spelled out in the package.

What is the actual width of the proposed road?

What is the proposed roadway base?

Are they planning to reduce the 30% grade on this access road? It looks like it will start at 2% from the end of Cezzane Ct and eventually get to 7.31% grade. I just want to make sure I understand the grade along its entirety.

Since they are installing water mains, we will more than likely enforce code requirements to have fire hydrants to be installed on this access road as this is in a Moderate WUI Fire Hazard Area. We can discuss placement with the developer.

Dale Way
Deputy Fire Chief | Truckee Meadows Fire & Rescue
dway@tmfpd.us | Office: 775.326-6000
3663 Barron Way, Reno, NV 89511

**WASHOE COUNTY
HEALTH DISTRICT**
ENHANCING QUALITY OF LIFE

September 18, 2022

Washoe County Community Services
Planning and Development Division

RE: 5 Ridges Grading; 508-460-01
Special Use Permit; WSUP22-0025

Dear Washoe County Staff:

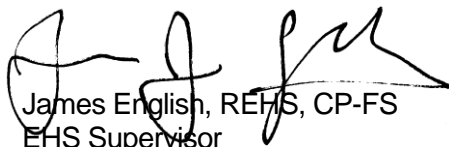
The following conditions are requirements of the Washoe County Health District, Environmental Health Division, which shall be responsible for determining compliance with these conditions.

Contact Name – James English - jenglish@washoecounty.us

- a) Condition #1: The application is for grading associated with proposed improvements to water infrastructure.
- b) Condition #2: The WCHD has no concerns or conditions for the approval of the application as submitted.
- c) Condition #3: If this special use permit is approved, ensure the final grading associated with this special use permit matched the elevations used for the proposed water project associated with the proposed 12 inch water lines.

If you have any questions or would like clarification regarding the foregoing, please contact James English, EHS Supervisor at jenglish@washoecounty.us regarding all Health District comments.

Sincerely,



James English, REHS, CP-FS
EHS Supervisor
Environmental Health Services
Washoe County Health District



Washoe-Storey Conservation District

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

1365 Corporate Blvd.
Reno NV 89502
775 857-8500 ext. 131
nevadaconservation.com

September 20, 2022

Washoe County Community Services Department

C/O Julee Olander, Planner

1001 E Ninth Street, Bldg. A

Reno, NV 89512

R: WSUP22-0025 5 Ridges Grading

Dear Julee,

In reviewing the special use permit to construct two 12-inch underground waterlines, the Conservation District has the following comments.

The District requests to review the vegetative plan and replanting for the slope treatment from a qualified professional that includes a seed mix based on the soil type.

With two pinion trees impacted, the District recommends a replacement of a two- to- one ratio for this tree loss.

Thank you for providing us the opportunity to review the project that may have impacts on our natural resources any questions call us (775-750-8272).

Sincerely,

J Shaffer

From: [Weiss, Timber A.](#)
To: [Olander, Julee](#)
Subject: WSUP22-0025 Water Rights
Date: Wednesday, September 28, 2022 10:51:56 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Hello,

No water rights comments for this project.

Thank you,



Timber Weiss, PE | Professional Engineer

Engineering & Capital Projects Division | Community Services Department

1001 E. 9th Street, Bldg A Reno, NV 89512

tweiss@washoecounty.gov | Office Voice Mail: 775.954.4626 or 775.433.0769

Visit us first online: www.washoecounty.us/csd

For additional information, email engineering@washoecounty.us or call 775.328.2040



From: [Crittenden, Ian](#)
To: [Olander, Julee](#)
Subject: Re: WSUP22-0025 Five Ridges grading
Date: Monday, October 17, 2022 8:58:20 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

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Julee,

We have reviewed the request and have no comments at this time.

Ian Crittenden
Development Services Manager
City of Sparks

From: Olander, Julee <Jolander@washoecounty.gov>
Sent: Friday, October 14, 2022 11:30 AM
To: Crittenden, Ian <Icrittenden@cityofsparks.us>
Subject: WSUP22-0025 Five Ridges grading

This Message Is From an External Sender

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Ian,
Do you have any comments for this application?
Thanks and hope you have a good weekend.



Julee Olander
Planner, Planning & Building Division | Community Services Department

jolander@washoecounty.gov | Direct Line: 775.328.3627

My working hours: Monday-Friday 8:00 am to 4:30 pm

Visit us first online: www.washoecounty.gov/csd

Planning Division: 775.328.6100 | Planning@washoecounty.gov

CSD Office Hours: Monday-Friday 8:00am to 4:00pm

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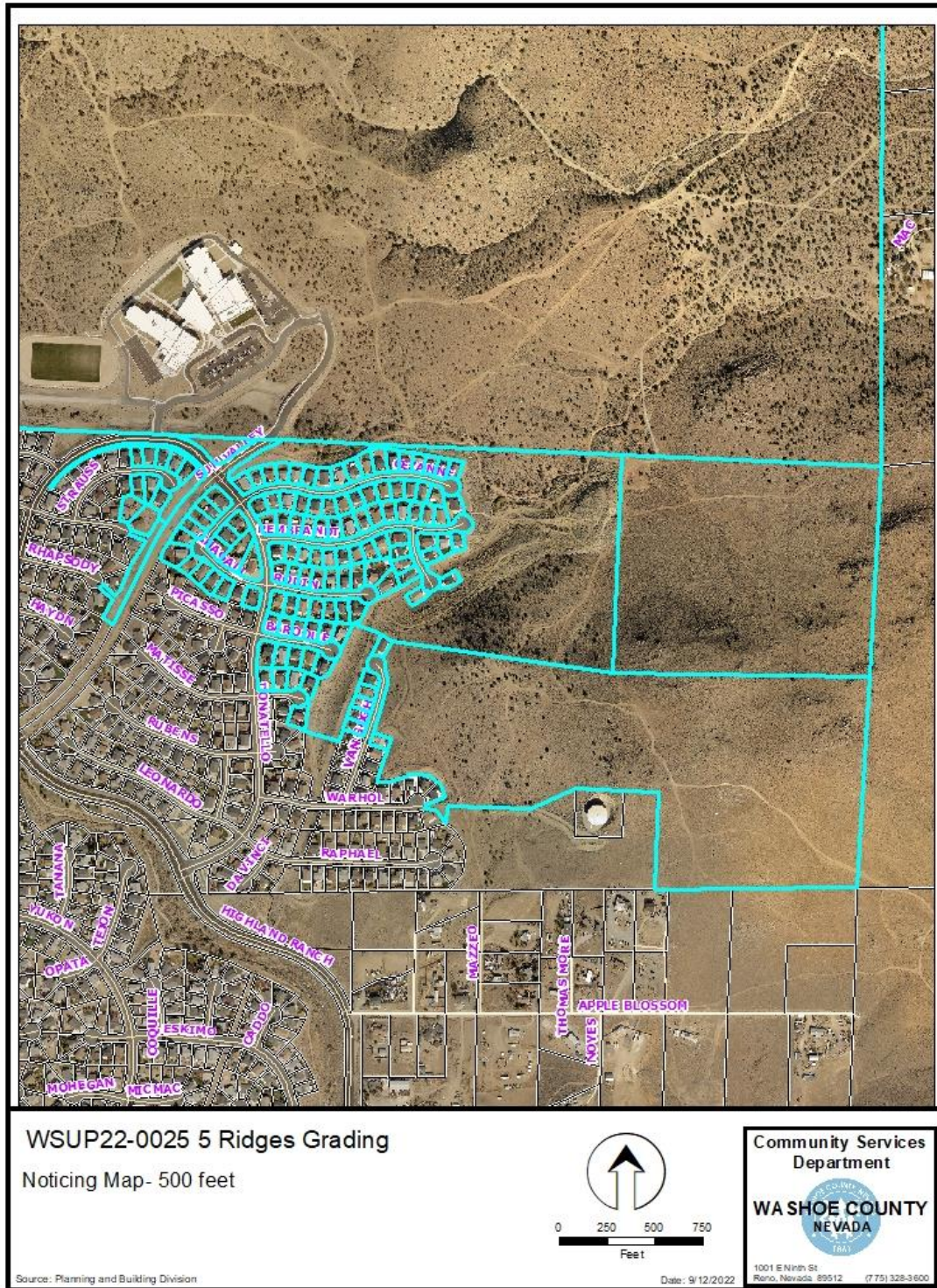


Public Notice

Washoe County Code requires that public notification of a Special Use Permit be mailed to a minimum of 30 separate property owners within a minimum 500 foot radius of the subject property a minimum of 10 days prior to the public hearing date. This proposal was noticed within a 500-foot radius of the subject property, noticing 128 separate property owners a minimum of 10 days prior to the public hearing date.

Public Notice Map

Special Use Permit Case Number WSUP22-0025



Memorandum



WOOD RODGERS

To: Washoe County
Community Services Department
Attn. Julee Oldander

From: Wood Rodgers, Inc.
Eric Hasty

Date: 9/20/2022

Subject: 5 Ridges Waterline SUP Sep. 19, 2022 Neighborhood Meeting Summary

On September 19, 2022 at 5:30 pm the applicants representative (Eric Hasty with Wood Rodgers) gave a brief online presentation via Zoom regarding the proposed Special Use Permit (SUP) for major grading activities related to the 5 Ridges Waterline. One member of the public was present. After the presentation there were no questions. Information on where to review the application as well as when the tentative Board of Adjustment Meeting would be also provided. The applicant's representative waited until 5:45 before the meeting was adjourned. The meeting was recorded and is available for review.

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: 5 Ridges Waterline Supply, Special Use Permit: Major Grading			
Project Description: A major grading special use permit is required for grading activities for the construction of two 12-inch underground waterlines and an emergency access road resulting in the modification of standards for 110.438.45(a), (c), (g), and (h).			
Project Address: 0 Sun Valley Blvd			
Project Area (acres or square feet): A portion (2.0 Acres) of APN 508-460-01 (26.02 Acres)			
Project Location (with point of reference to major cross streets AND area locator): The project parcel is located to the west of the terminus of Cezanne Court, Rembrandt Drive, Rembrandt Court, and Rodin Court.			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
508-460-01	26.02		
Indicate any previous Washoe County approvals associated with this application: Case No.(s). Unknown			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name: Highland Ranch HOA		Name: Wood Rodgers Inc	
Address: 5860 Lightning Drive		Address: 1361 Corporate Blvd	
Sun Valley, NV	Zip: 89433	Reno, NV	Zip: 89502
Phone:	Fax:	Phone: 775-823-5211	Fax: 823-4066
Email:		Email: adurling@woodrogers.com	
Cell:	Other:	Cell:	Other:
Contact Person: Tammy Leonard		Contact Person: Andy Durling	
Applicant/Developer:		Other Persons to be Contacted:	
Name: 5 Ridges Development Company Inc.		Name: Wood Rodgers Inc	
Address: 1 East Liberty Street, Suite 444		Address: Same as above	
Reno, NV	Zip: 89501		Zip:
Phone: 775-323-1405	Fax:	Phone: 775-823-9770	Fax:
Email: Blakejr@s3devco.com		Email: ehasty@woodrogers.com	
Cell:	Other:	Cell:	Other:
Contact Person: Blake Smith Jr.		Contact Person: Eric Hasty	
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?

• A Special Use Permit for major grading for a waterline and emergency access for the 5 Ridges Development from the terminus of Cezanne Court to the northeast corner of (APN) 508-460-01 which will result in the disturbance of up to ±2.0 acres with a net increase of fill greater than 5,000 cubic yards,
• And a modification to the Washoe County grading standards 110.438.45(a), (c), (g), and (h) to minimize the grading footprint.

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.)

As this is specific to grading and utilities/access all of the plans including utility and grading plans have been submitted with this application including any proposed structures.

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

This will be completed in one 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?

This request is specific to emergency access and waterline utilities to serve the 5 Ridges development. The site is adjacent to and owned by the Highlands Ranch Homeowners Association and has been designed to be located within a utilities and access easement that was previously recorded. See further details in the attached project description.

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

This will result in two 12-inch waterlines that will help supply water to the adjacent 5 Rides development as well as provide an emergency access road in the event of an evacuation. Furthermore, this emergency access will be able to be used by the existing residents in the Highlands Ranch Subdivision.

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

There are minimal negative impacts that will impact adjacent properties, in fact a majority of the impacts will positively impact adjacent properties by supplying them with water and and emergency access. All other impacts including slopes created by this will be mitigated by slope treatment plans established in a previous agreement.

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.

All applicable code requirements are discussed in detail in the project description that has been submitted as part of this application.

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.)

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
---	-----------------------------

9. Utilities:

a. Sewer Service	N/A
b. Electrical Service	N/A
c. Telephone Service	N/A
d. LPG or Natural Gas Service	N/A
e. Solid Waste Disposal Service	N/A
f. Cable Television Service	N/A
g. Water Service	Sun Valley General Improvement District (SVGID)

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 #	N/A	acre-feet per year	
i. Certificate #	N/A	acre-feet per year	
j. Surface Claim #	N/A	acre-feet per year	
k. Other #	N/A	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).

The water rights to serve the 5 Ridges development were dedicated during the Development Agreement approved in the City of Sparks

10. Community Services (provided and nearest facility):

a. Fire Station	N/A
b. Health Care Facility	N/A
c. Elementary School	N/A
d. Middle School	N/A
e. High School	N/A
f. Parks	N/A
g. Library	N/A
h. Citifare Bus Stop	N/A

**Special Use Permit Application
for Grading
Supplemental Information**
(All required information may be separately attached)

1. What is the purpose of the grading?

The request is for the construction of two 12-inch underground waterlines and an emergency access road connecting at the terminus of Cezanne Court to the City of Sparks in northeast corner of the project parcel. This will provide water service and an emergency access road to the adjacent 5 Ridges development.

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

As described in the attached project description, grading will result in ± 16.6 cubic yards of cut and $\pm 13,415$ cubic yards of fill with a net of $\pm 13,400$ cubic yards of fill.

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

As described in detail in the attached project description there is a proposed area of 66,222 sq. ft. proposed to be disturbed. +

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

As described in the attached project description, grading will result in ± 16.6 cubic yards of cut and $\pm 13,415$ cubic yards of fill with a net of $\pm 13,400$ cubic yards of fill.

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

No, a major grading permit is required if a minimum of 5,000 cubic yards of cut or fill are disturbed on less than 15% slopes. As this project is already utilizing 2:1 slopes to minimize the grading footprint and still almost three times over the threshold of fill is required there is little feasible mitigation that can reduce it to be under the cubic yards of threshold required for a grading permit.

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.)

No grading for the proposed request has occurred however the site has had previous grading activities with the steepest slopes on the project site a result of grading activities from the Highland Ranch Subdivision which was completed over twenty-three years ago.

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

Yes, all grading areas are shown on the site plans that have been included with this application. This includes approximately 1.52 acres of disturbance.

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

Yes, the disturbed areas can be seen from all directions off-site with the most visible being looking north and south. However, these are vacant lands. The visual impacts from the nearest residents are minimal and will be mitigated with slope treatment that includes the replanting of native vegetation and trees. These impacts are detailed in the cross sections in the site plan and mitigation is detailed in the project description

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)?

Yes, as a benefit to this request the existing neighborhood will gain a secondary emergency access road that can be utilized in the event of an emergency.

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?

As stated above and in greater detail in the attached project description, the slopes are proposed at a two to one (2:1) ratio which will require a modification to the standards. This ratio will allow the footprint of the grading to be minimized to fit within the temporary easement and all slopes will be established with native vegetation and trees.

11. Are you planning any berms?

Yes	No X	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)?

There are no walls proposed with this request at this time to help mitigate the visual impact.

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

Yes, all proposed grading and slopes visible from the existing residents will be minimal and will be seeded with a native seed mix that will blend with the natural environment once it is established as required by the easement agreement.

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

Yes, the site plan identifies two pinion pines may be impacted by this request. As required in the easement agreement, these will be replaced on a one-to-one ratio. The actual number of trees will be further evaluated during final grading plans.

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?

A spray on slope stabilizer with a native seed mix will be utilized on any disturbed area as described in the project description.

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

Yes, temporary irrigation will be utilized until any trees and vegetation have been established.

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

The applicant is open and willing to have the revegetation plan reviewed and will incorporate any legitimate suggestions.

18. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that may prohibit the requested grading?

Yes	No X*	If yes, please attach a copy.
-----	-------	-------------------------------

* The conditions of the easement are outlined in the attached Grant of Non-Exclusive Right of Emergency Access, Slope, Ancillary Storm Drain Facilities and Waterline Easement No. 2 Doc #5282263 provided with this submittal

Project Description

Location

The project is located within unincorporated Washoe County within the north Sun Valley Area Plan and is owned by Highlands Ranch Homeowners Association (HOA). The subject parcel is ±26.02 acres and identified as Assessor's Parcel Number (APN) 508-460-01 but the project boundary is limited to a ±2.0-acre temporary grading and slope easement as identified in the *Grant of Non-Exclusive Right of Emergency Access, Slope, Ancillary Storm Drain Facilities and Waterline Easement No. 2* (Doc #5282263). This ±2.0-acre easement will be referred to throughout this document as the project boundary and generally runs from the terminus of Cezanne Court to the northeast corner of the parcel (*Refer to Vicinity Map, Assessor's Parcel Map, and Site Aerial in Section 3 of this submittal packet*).

Background

The 5 Ridges development is a multi-village residential development located in the City of Sparks adjacent to the east of the subject parcel. The City of Sparks has approved a Conditional Use Permit for mass grading of the site as well as a majority of the Tentative Maps including the approval of Village 8, 9, & 10 which are currently being processed in the City of Sparks and have initially been passed by the City of Sparks Planning Commission (PCN19-0040/CU22-0003, PCN19-0040/STM22-0001, & PCN19-0040/STM22-0002). These tentative maps will then be heard by the City of Sparks City Council for final approval. As part of the approval of Villages 9 & 10 the applicant is proposing a water supply line in partnership with the Sun Valley General Improvement District (SVGID) to connect to Villages 9 and 10 as well as the rest of the 5 Ridges development for a necessary water supply line and emergency access. In order to deliver the water to the 5 Ridges development the proposed water supply line will need to bisect the subject parcel to connect the existing service utility lines within Cezanne Court to the 5 Ridges development.

Neighborhood Meeting

As required the applicant hosted a Neighborhood Meeting to discuss the project. The meeting was noticed to 185 residents including any property within 750 feet of the property via mail. The meeting was held on Tuesday August 23, 2022 at 5:30 pm at the Spanish Springs Library, Washoe Room. Three members of the public attended including representatives from the HOA. Concerns were minimal with most interested in the overall development of the 5 Ridges development. Specific concerns about the project that were addressed included a comment about the language in the Grant of Easement that included reseeding of the slopes and replacement of the pinion pines should any be removed. These concerns have been addressed in this proposal and are detailed in the attached documents in Section 4. A recording of the meeting as well as the materials presented are reviewable in Section 4 of this application.

Current Request

The request includes:

- A Special Use Permit for major grading for a waterline and emergency access for the 5 Ridges development from the terminus of Cezanne Court to the northeast corner of (APN) 508-460-01 which will result in the disturbance of up to ±2.0 acres with a net increase of fill greater than 5,000 cubic yards,
- And a modification to the Washoe County grading standards 110.438.45(a), (c), (g), and (h) to minimize the grading footprint.

Washoe County Master Plan and Zoning

The subject parcel has a master plan designation of Open Space (OS) and a zoning designation of Open Space (OS) and is located within the Sun Valley Area Plan. The proposed utility is an allowed use within any zoning designation in accordance with Washoe County Development Code Section 110.332.10(b) and will not impact the overall use of open space common area, (*Refer to Master Plan Map, and Zoning Map in Section 3 of this submittal packet*).

Site Characteristics

The proposed project area identifies a disturbance area of up to ± 2.0 acres which is recorded as a Temporary Grading and Slope Easement in Document #5282263 which has been submitted with this application. The site is owned by Highlands Ranch HOA and is dedicated as open space common area. The site has portions of grading activities from the Highlands Ranch Subdivision with a large slope as a result of fill as a result of the Highland Ranch development along the western boundary. The rest of the site is mostly natural with native shrubs, piñon pines, sagebrush, and upland vegetation with several offroad trails and three natural drainage ditches which generally run north to south. Except for the artificial slope as a result from grading activities related to the Highlands Ranch Subdivision, the natural slopes on site are relatively gentle, with no slopes greater than 30% within the proposed project boundary, (*Refer to the Aerial Map and Slope Map in Section 3 of this submittal packet*).

Project Details

The proposed project is a result of the 5 Ridges development located to the east within the City of Sparks. The 5 Ridges development is anticipated to provide approximately 1,200 to 1,300 residential units. As a larger part of the development the 5 Ridges development will be served by water infrastructure provided by the Sun Valley General Improvement District (IVGID) which will connect two 12-inch waterlines as well as an emergency access road from the terminus of Cezanne Court to Village 9 within the 5 Ridges development. A majority of this road is being processed through the City of Sparks however, a portion is located on Highland Ranch HOA property within Unincorporated Washoe County.

An existing agreement with the Highland Ranch HOA has already recorded with an access and utility easement from the terminus of Cezanne Court to the northeast corner of the parcel. This agreement recorded in a *Grant of Non-Exclusive Right of Emergency Access, Slope, Ancillary Storm Drain Facilities & Waterline Easement No. 2* (Doc #5282263), identified a fifty-foot-wide easement. Furthermore, the document also identifies a temporary grading and slope easement which is identified as the project boundary throughout this application. All grading activities are required to be contained within this boundary but not all of the area is proposed to be graded.

Once complete the project and subject grading will result in the installation of two 12-inch underground waterlines and a 20-foot-wide paved emergency access road. The road will be gated at Cezanne Court and at the roads proposed in Village 9 of the 5 ridges development. These gates will be installed to meet fire code and will be opened in the case of emergency. This emergency access will allow for an alternative route for the existing Highlands Ranch Neighborhood as well as the 5 Ridges development. Grading will result in the disturbance of ± 1.52 acres and total ± 16 cubic yards of cut and $\pm 13,415$ cubic yards of fill with a net import of $\pm 13,399$ cubic yards of fill. There are three drainageway crossings which will include the installation of 24-inch culverts to maintain the natural flow from north to south.

Requested Modification of Standards

The first drainageway crossing located to the west will be the site of the highest fill and will exceed the 10-foot elevation standards outlined in Washoe County Code 110.438.45(c). The elevation of fill required at this location is due to the elevation of the existing Highlands Ranch Subdivision that was filled during the construction of the

neighborhood and is not considered a natural slope. The proposed fill will be a maximum of approximately 23-feet from the natural slope of the drainage ditch as a result of the road spanning the drainage ditch and meeting the elevation of Cezanne Court. From this point to the west the fills required throughout the project area are relatively minimal (*refer to the cross sections outlined in the 5 Ridges Grading Plan included in the Map Pocket*).

The proposed slopes created throughout the project are proposed at a two to one (2:1) ratio which exceeds those outlined in 110.438.45(a). However, this will minimize the footprint of the grading and result in less impact to the project parcel and require less fill material than a three to one (3:1) ratio. Additionally, these slopes are required to not exceed the boundary of the temporary grading and slope easement outlined in the *Grant of Non-Exclusive Right of Emergency Access, Slope, Ancillary Storm Drain Facilities & Waterline Easement No. 2* (Doc #5282263), which requires all grading to be contained within the boundary. Slopes at 3:1 would exceed these limits. Furthermore, due to the 2:1 slopes it will be difficult to achieve “rounding or contouring” as well as avoiding a gradual transition from the natural slopes to the artificial slopes created by the fill (Washoe County Code 110.438.45(g) and (h)). Because of these constraints, the applicant is requesting a modification to the standards listed above. These modifications will be mitigated by a smaller footprint and slope treatment methods that were negotiated and agreed to with the Highland Ranch HOA prior to this request. Finally, the orientation and location of the slopes are designed in a way that will have minimal visual impact to the surrounding neighbors as demonstrated in Cross Section B on Sheet CS-a of 3 in the Grading plans.

Slope Treatment & Stabilization

Slopes are proposed to be treated with a spray on stabilizer which will contain a native seed mix to help the slope blend with the natural surroundings once the vegetation is established and will be in compliance with the *Grant of Non-Exclusive Right of Emergency Access, Slope, Ancillary Storm Drain Facilities & Waterline Easement No. 2* (Doc #5282263). Furthermore, the two pinion pine trees that are required to be removed as part of the grading activities will be replaced at a one-to-one ratio. The trees will be required to be located within the 50-foot-wide easement and will receive temporary water until they are established.

Findings

General Special Use Permit Findings

Prior to approving an application for a special use permit, the Planning Commission, Board of Adjustment or a hearing examiner shall find that all of the following are true:

(a) Consistency. The proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the applicable area plan;

Response: The entire project area is designated as Open Space and in accordance with Washoe County Development Code, a utility and emergency access road are an allowed uses. The proposed project has been designed to meet goals and policies within the area plan.

(b) Improvements. 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;

Response: The project is in relation to the installation of utilities and will also serve as an emergency access road which will benefit the future development of 5 Ridges in the City of Sparks as well as the existing Highland Ranch neighborhood.

(c) Site Suitability. The site is physically suitable for the type of development and for the intensity of development;

Response: As previously stated, this is a utility and is an allowed use. The site has a mix of natural and artificial slopes. The grading will continue this and will return the disturbed slope to a natural state as described above and as outlined in the *Grant of Non-Exclusive Right of Emergency Access, Slope, Ancillary Storm Drain Facilities & Waterline Easement No. 2* (Doc #5282263) making the project physically suitable for the type and intensity of the development.

(d) Issuance Not Detrimental. 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; and

Response: The site has already been disturbed by previous grading activities and off road vehicle trails, any further disturbance will be properly mitigated. Furthermore, the emergency access road will increase the safety of the future and existing development by providing an alternative evacuation route in the case of an emergency.

(e) Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Response: N/A

Findings for Modification of a Special Use Permit:

Proposed modifications of approved special use permits shall be subject to the requirements in this section.

(a) Required Conditions. The Director of the Planning and Building Division may approve plans for an alteration of the approved use when the alteration complies with all of the following conditions:

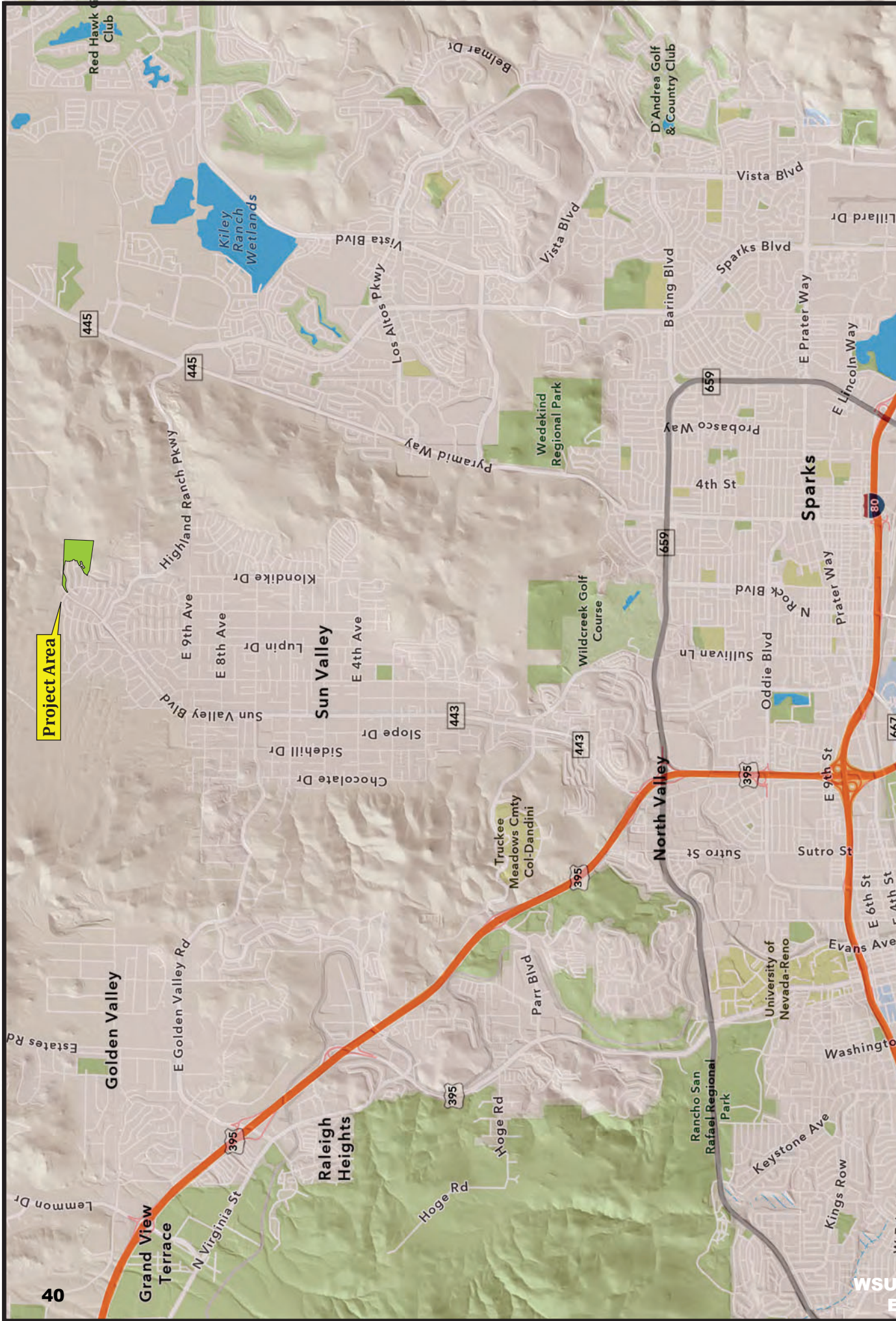
- 1. The building or use alteration is incidental to the existing use;**
Response: The requested modification will in no way impact the use of a utility and common area open space as it is requesting impacts to the slope and fill height. The use will remain with or without the modification.
- 2. The building or use alteration does not result in a change of use;**
Response: The requested modification will not have an impact on the use and will in no way change the use.
- 3. The building alteration involves less than ten (10) percent increase in floor area covered by existing structures associated with the use;**
Response: The requested modification does not include floor area or any structures. However, the modification will result in a smaller grading footprint and be a lesser impact to the area as a whole.
- 4. The use alteration involves less than ten (10) percent increase in the overall site area covered by the existing use;**
Response: The requested modification is proposed to disturb approximately 6% of the site or ± 1.52 acres of the ± 26.02 acre parcel and is less than the ten percent threshold.
- 5. The building or use alteration, in the opinion of the Director of the Planning and Building Division, would not have a substantial adverse effect on adjacent property;**
Response: The requested modification will have a smaller impact or footprint on the site and allow the rest of the use to remain in its natural state. Furthermore, the area that is impacted will be returned to its natural state including vegetation and allow the use to continue with the modifications and is in accordance with the agreement signed by the Highland Ranch HOA which represents the surrounding property owners.
- 6. and The building or use alteration complies with existing requirements of agencies having jurisdiction and any other appropriate regulatory agency as determined by the Director of the Planning and Building Division.**
Response: The requested modification will not negatively impact the jurisdiction of other agencies as a majority of the project which is currently in the processes of being approved in the City of Sparks and is anticipated to be fully approved by the time this is reviewed by Washoe County. The modifications are the result of a smaller footprint and will comply with agreements the outlined in the *Grant of Non-Exclusive Right of Emergency Access, Slope, Ancillary Storm Drain Facilities & Waterline Easement No. 2* (Doc #5282263) which is a signed agreement by the property owner.

(b) Conditions Not Met. If a proposed alteration does not comply with the conditions in subsection (a) of this section, a new permit shall be required following the same procedure required for the initial application.

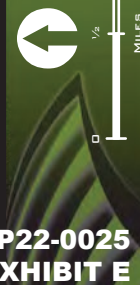
Response: For reasons described above the requested modifications meet with the conditions listed above and shall not require a new permit.

- (c) New Permit Required. Modification of the terms of the approved special use permit itself or the waiver or alteration of conditions imposed incident to the granting of the permit shall require a new application following the same procedure required for the initial permit.**

Response: Not applicable.



Project Area



Vicinity Map

5 Ridges Water Supply Line SUP

August 2022





WOOD RODGERS
 BUILDING RELATIONSHIPS ONE PROJECT AT A TIME
 1361 Corporate Boulevard
 Reno, NV 89502
 Tel: 775.823.4068
 Fax: 775.823.4066

WSUP22-0025
EXHIBIT E



Legend

 Project Area



0 125 250
FEET

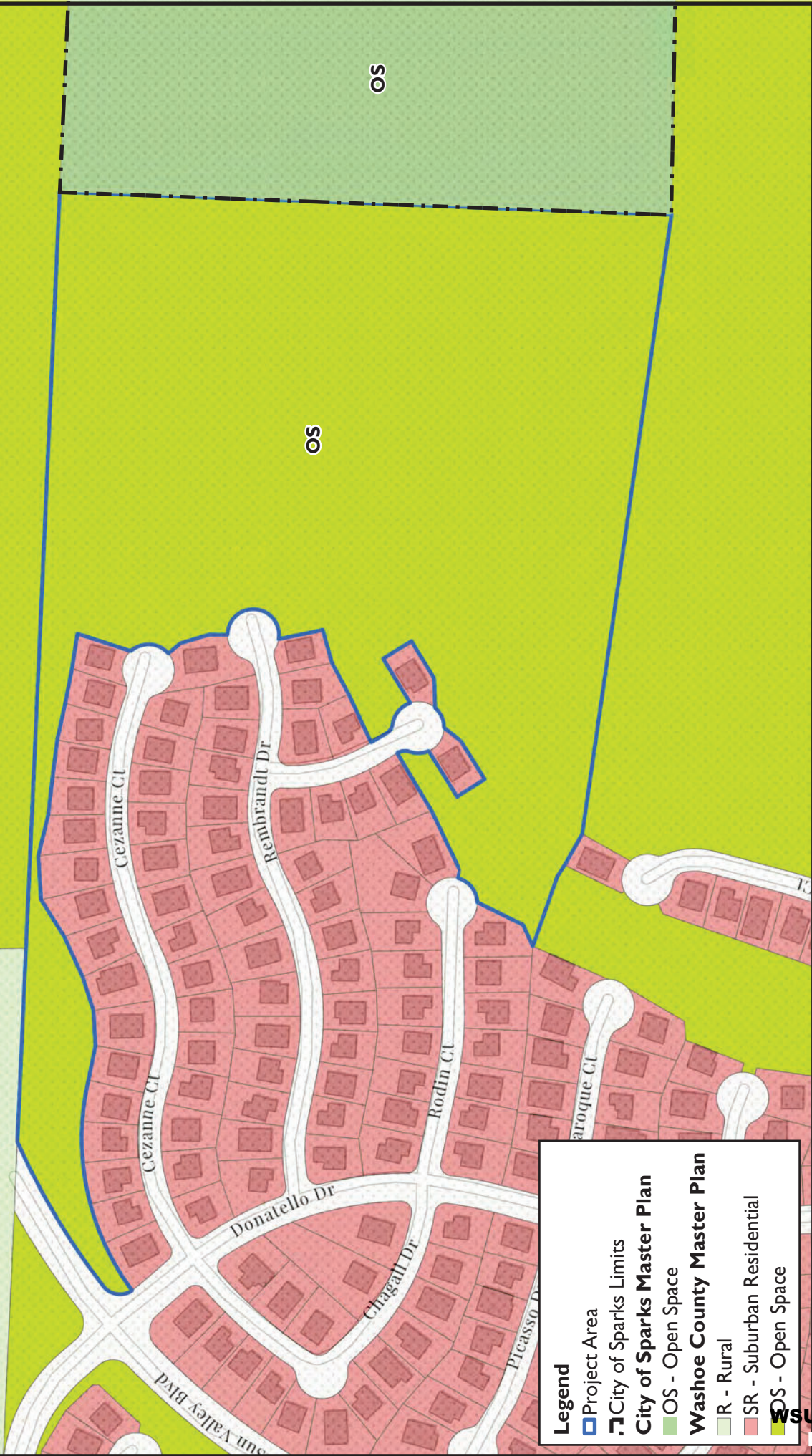
Aerial Map
5 Ridges Water Supply Line SUP
August 2022

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R

OS

OS



Legend

- Project Area
- City of Sparks Master Plan
- City of Sparks Master Plan**
- OS - Open Space
- Washoe County Master Plan**
- R - Rural
- SR - Suburban Residential
- OS - Open Space



WSUP22-0025
EXHIBIT E

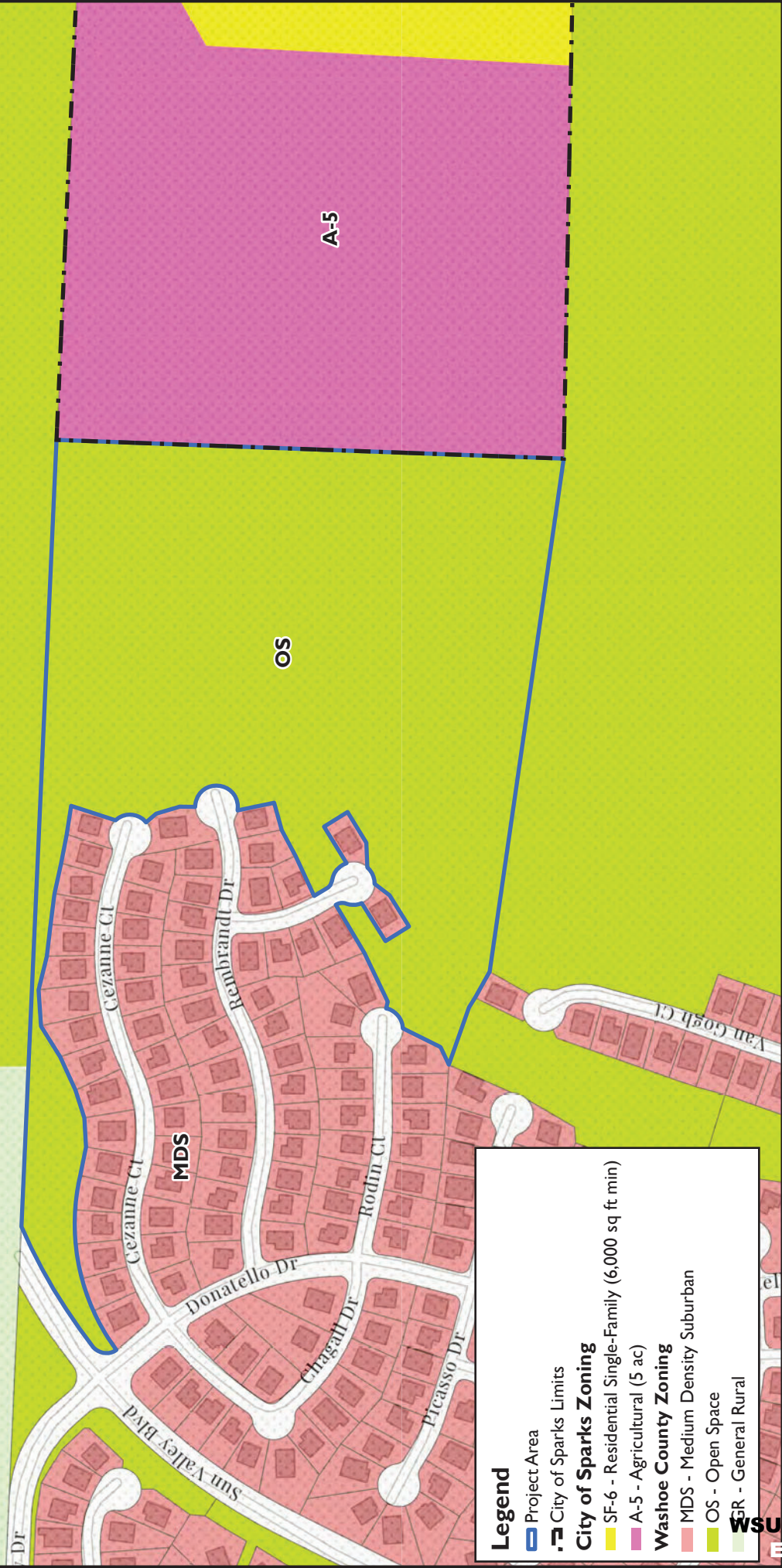
Master Plan
5 Ridges Water Supply Line SUP
August 2022



WOOD RODGERS
BUILDING RELATIONSHIPS ONE PROJECT AT A TIME
1361 Corporate Boulevard
Reno, NV 89502
Tel: 775.823.4068
Fax: 775.823.4066

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GR



Legend

- Project Area
- City of Sparks Limits
- City of Sparks Zoning**
- SF-6 - Residential Single-Family (6,000 sq ft min)
- A-5 - Agricultural (5 ac)
- Washoe County Zoning**
- MDS - Medium Density Suburban
- OS - Open Space
- GR - General Rural

WSUP22-0025

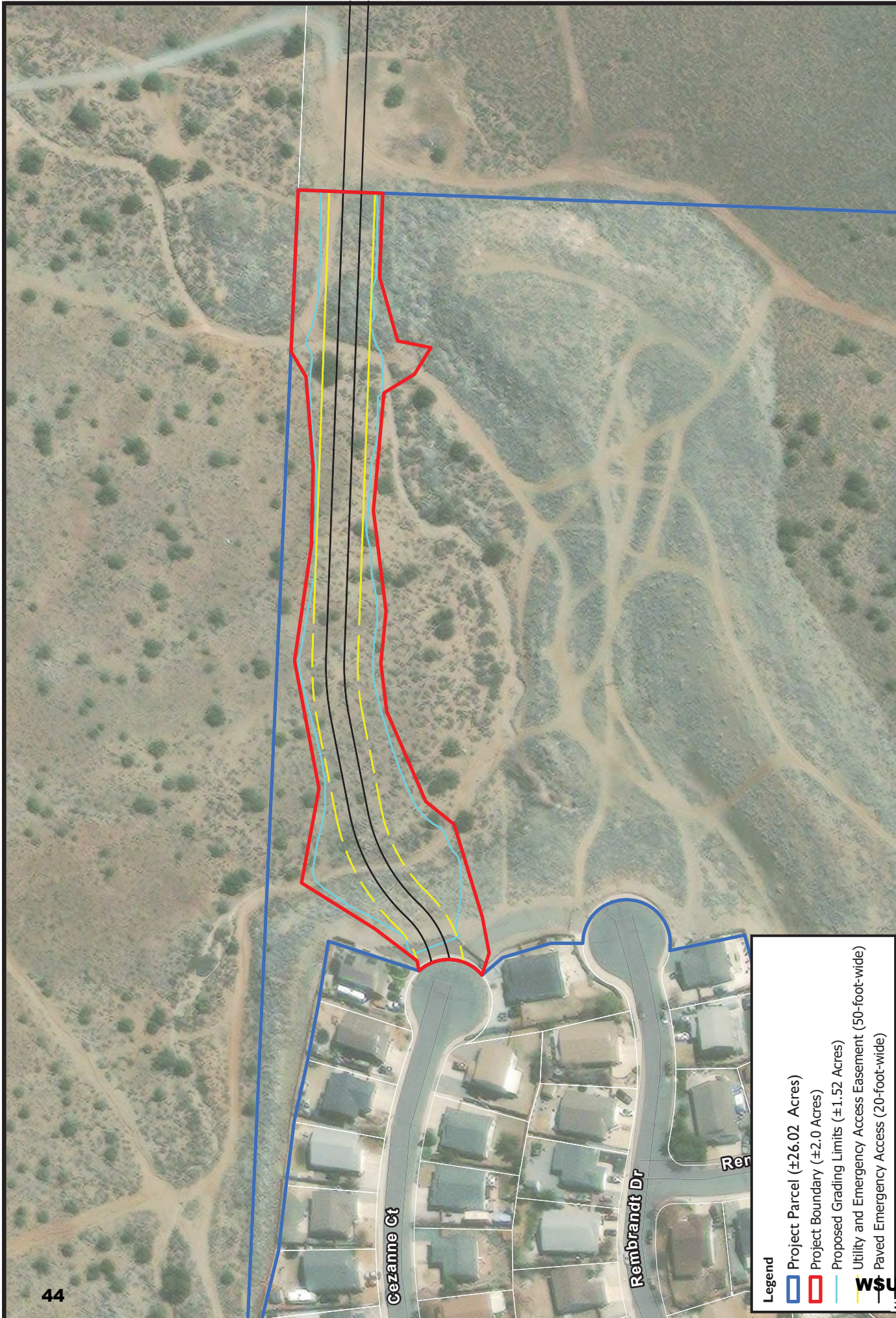
EXHIBIT E

A north arrow points upwards. Below it is a scale bar with markings at 0, 23.5, 47.0, and 94.0 feet.

Zoning

5 Ridges Water Supply Line SUP

August 2022



Legend

- Project Parcel (±26.02 Acres)
- Project Boundary (±2.0 Acres)
- Proposed Grading Limits (±1.52 Acres)
- Utility and Emergency Access Easement (50-foot-wide)
- Paved Emergency Access (20-foot-wide)



 FEET

Aerial Map 2

5 Ridges Water Supply Line SUP

September 2022

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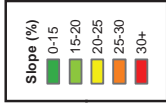
WSUP22-0025
EXHIBIT E

5 RIDGES WATERLINE SUP

SPARKS, NV
AUGUST 2022



Project Parcel
 Temporary Grading and Slope Easement Boundary (Doc #626265)
 5 ft Contours



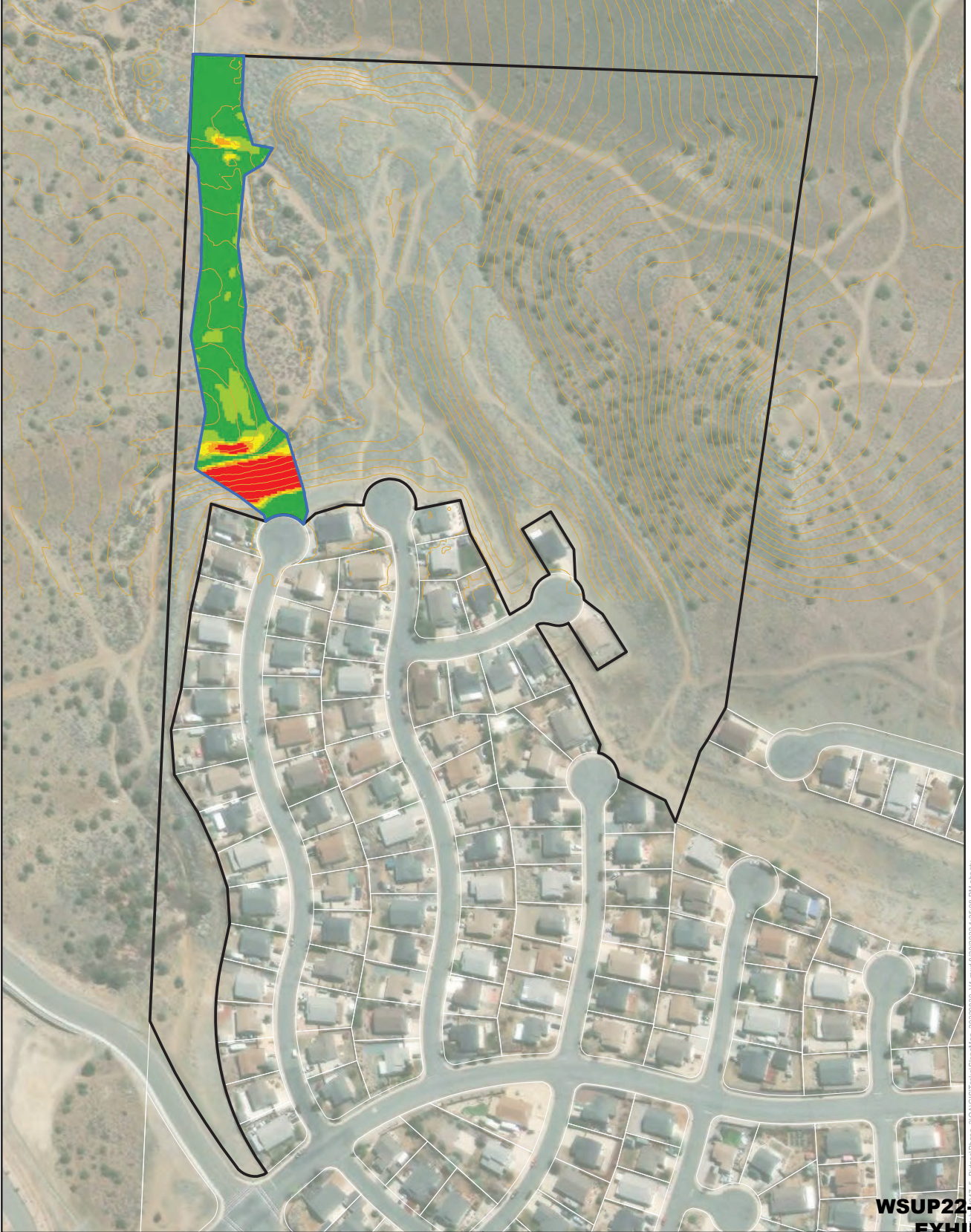
Slope (%)	Area (ac.)	% of Total
0-15	1.4	69.7
15.1-20	0.2	12.4
20.1-25	0.1	3.7
25.1-30	0.0	2.5
30+	0.2	11.6
TOTAL	2	99.9

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

PRELIMINARY



WOOD RODGERS



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DOC #5282263

03/03/2022 03:52:23 PM

Electronic Recording Requested By
LEACH KERN GRUCHOW ANDERSON SO

Washoe County Recorder

Kalie M. Work

Fee: \$43.00 RPTT: \$0

Page 1 of 17

APN: 508-460-01

Recording Requested By:

5 Ridges Development Company, Inc.

When Recorded Mail to:

Highland Ranch Homeowners Association
c/o LEACH KERN GRUCHOW ANDERSON SONG
5421 Kietzke Lane, Suite 200
Reno, NV 89511

**GRANT OF NON-EXCLUSIVE RIGHT OF
EMERGENCY ACCESS, SLOPE, ANCILLARY STORM DRAIN FACILITIES &
WATERLINE EASEMENT No. 2**

I, the undersigned hereby affirm that the attached document, including any exhibits,
hereby submitted for recording does not contain the social security
number of any person or persons per NRS 239B.030

Signature:  Donna A. Zanetti, Esq.

**GRANT OF NON-EXCLUSIVE RIGHT OF
EMERGENCY ACCESS, SLOPE, ANCILLARY STORM DRAIN FACILITIES &
WATERLINE EASEMENT No. 2**

THIS GRANT OF EASEMENT is made and entered into on this day of _____20____, by the HIGHLAND RANCH HOMEOWNERS ASSOCIATION, a Nevada nonprofit cooperative corporation ("Grantor), and to 5 RIDGES DEVELOPMENT COMPANY, INC., a Nevada corporation ("Grantee").

RECITALS:

A. Grantor is the owner of that certain real property located in the unincorporated area of Sun Valley, County of Washoe, State of Nevada, commonly referred to as Assessor's Parcel Number 508-460-01 ("Servient Parcel") which is legally described as:

A parcel of land situate in the North Half of Section 8, Township 20 North, Range 20 East, Washoe County, Nevada and being the same Common Area A as shown on the Official Plat of Stone Crest Phase 8, Subdivision Tract Map Number 3631, File Number 2314842, Official Records, Washoe County, Nevada.

Said parcel contains an area of approximately 26.02 acres.

The Servient Parcel constitutes a portion of the Common Area of Grantor and may currently be encumbered by various non-exclusive easements for landscaping, drainage, and other purposes in favor of members of the Association and third parties. Grantor, acting through its Board of Directors, has the power pursuant to its Governing Documents and NRS 116.3102(1)(i), to grant additional non-exclusive easements across and upon the Servient Parcel.

B. Grantee is the owner of and desires to construct residential and commercial improvements upon certain real property located in Sparks, Washoe County, Nevada, which is subject to the Development Agreement recorded in the Official Records of the Washoe County Recorder as Document No. 4827784 on June 29, 2018 and as subsequently amended by the Development Agreement, Amendment No. 2 recorded in the Official Records of the Washoe County Recorder as Document No. 5136203 on February 1, 2021, commonly referred to as "5 Ridges." To help facilitate the improvement of 5 Ridges, Grantee has requested Grantor grant a perpetual, non-exclusive easement for (i) paved and graded emergency access, including a paved roadway and water line, on, over, under, across, and through the portion of the Servient Parcel described on **Exhibit "A"** and depicted on **Exhibit "A-1"** attached hereto which is fifty (50) feet in width inclusive of the paved roadway which shall be no more than twenty (20) feet in width, and (ii) slope and ancillary storm drain facilities along and as a result of the emergency access road and water line, on, over, under, across, and through the portion of the Servient Parcel described on **Exhibit "B"** and depicted on **Exhibit "B-1"** attached hereto ("Easement"). The portions of the Servient Parcel subject to the Easement as described on **Exhibits "A"** and **"B"** and depicted on **Exhibits "A-1"** and **B-1"** are referred to herein as the "Easement Area."

Subject to the terms, conditions, and covenants set forth herein, Grantor is willing to grant to Grantee the Easement for the stated purposes, said Easement to be appurtenant to and for the benefit of 5 Ridges only.

WITNESSETH:

For good and valuable consideration, receipt of which is hereby acknowledged, and subject to the terms, conditions, and covenants set forth herein, GRANTOR does hereby grant to GRANTEE, its successors-in-title to all and portions of 5 Ridges, the Easement, on, over, under, through, and across the applicable Easement Area as set forth herein, for the benefit of 5 Ridges.

TO HAVE AND TO HOLD, said Easement and emergency right-of-way unto the Grantee and unto its successors-in-title to 5 Ridges forever. This is a non-exclusive Easement. To the extent that other uses of the Servient Parcel do not interfere with the use of said Easement by Grantee as permitted herein, Grantor, its successors and assigns, including members of Grantor, shall be permitted to use the Easement Area for any such non-interfering purposes they may desire consistent with the Governing Documents of Grantor. The Easement Area is specifically intended to provide pedestrian, bicycle, and equestrian access to improvements within the Servient Parcel for members of Grantor, and Grantee agrees not to interfere with said uses. Grantor acknowledges that Grantee's permitted uses provided herein and in the Temporary Grading, Slope and Construction Easement entered into by Grantor and Grantee concurrently herewith do not interfere with Grantor's and its members' intended uses enumerated above.

Grantee agrees to provide gates at each end of the Easement Area and to prohibit vehicular access across the Easement Area except in the case of emergencies for fire and police personnel and personnel evacuations.

IT IS FURTHER AGREED:

1. Scope of Easement: This Grant of Easement shall include the right to access the Easement Area for purposes of constructing, and the obligation to thereafter maintain, the waterline and all appurtenant facilities, including but not limited to access roadways, ancillary storm drain facilities, slopes, fences, gates, and other necessary or convenient appurtenances and facilities connected with the waterline. It is understood that the access rights herein granted over and across the Easement Area are for the sole purpose of egress and ingress to and from said waterline and not for accessing any other portions of Grantor's property or accessing 5 Ridges via vehicular traffic except in the case of emergency.

2. Consideration to be Paid by Grantee: This Easement is granted for and in consideration of Grantee's payment to Grantor of a sum equal to all expenses incurred by Grantor, including legal fees and costs, for the negotiation, preparation, review, finalization and recording of: (i) this Grant of Easement; (ii) the Extinguishment, Release and Termination of the Prior Easement; and (iii) the Temporary Construction Easement for construction of the waterline, ancillary storm drain facilities, and emergency access road, together with associated grading and slopes. All consideration shall be received by Grantor prior to the recording of any of the foregoing documents and entry upon the Easement Area by Grantee.

3. **Non-Exclusivity:** This is a non-exclusive Easement subject to the rights of Grantor and its members to access and use all portions of the Servient Parcel as common areas of Grantor consistent with the rights granted to Grantee. Members of Grantor have the right to enter upon the Servient Parcel at any time and Grantor has the right to grant other easements over the Servient Parcel including the Easement Area subject to the rights granted by, and provisions of, this Grant of Easement. Grantor shall not erect or construct, nor permit to be erected or constructed, any buildings, fences or structures, nor permit any activity which in the reasonable judgment of Grantee is inconsistent with Grantee's construction or maintenance of the emergency access road and or the waterline.

4. **Maintenance and Repair:** Grantee has the right to remove or clear any and all materials, trees, brush, debris, and any other obstructions from the Easement Area, which in Grantee's reasonable judgment may interfere with or endanger Grantee's use of or activities on the Easement Area; provided, however, upon completion of construction of the paved access road, waterline and facilities, Grantee shall repair, restore, remediate unimproved portion of the Easement Area to a condition that is at least as good, if not better, than the condition of the Easement Area at the time this Easement is granted and shall replace any pine trees removed from the Easement Area on a one for one basis replanted in the Easement Area and provide adequate water to these replacement trees until established. Thereafter, Grantee shall inspect the Easement and maintain the Easement in good condition and repair.

5. **Responsibility for Damages:** Grantee shall be responsible for any damage to persons, personal property, or improvements on the Servient Parcel, suffered by Grantor by reason of constructing, altering, maintaining, inspecting, repairing, reconstruction and operating said access roadway, ancillary storm drain facilities, the waterline, the slope and other related facilities by Grantee. Grantee shall promptly repair and/or pay for such damage upon demand by Grantor.

6. **Permits and Approvals:** Grantee shall comply with all applicable laws in its use of the Easement Area and shall obtain all permits and approvals required by any applicable governmental entity in connection with Grantee's use of the Easement Area. Grantor agrees to cooperate with Grantee in obtaining all such permits or approvals and shall execute all documents reasonably required to effectuate the intent of this Easement, provided Grantor shall incur no expense or liability for said cooperation.

7. **Plans and Specifications:** Grantor shall have no responsibility for construction, maintenance or repair of the Easement Area and or the improvements to made by Grantee within the Easement Area. Grantee shall make only those improvements to the Easement Area as set forth in the Plans and Specifications attached hereto as **Exhibit "C"** ("Plans and Specifications"). Grantee shall have no right to make any additional improvements to the Easement Area unless the prior written consent of Grantor is first obtained. Grantor shall have no responsibility for snow removal upon any portion of the Easement Area.

8. **Defense, Indemnification and Hold Harmless:** Grantee, on behalf of itself, its administrators, principals, shareholders, agents, employees, contractors, trustees, bond holders, attorneys, managers, insurers, successors-in-interest and assigns, and all individuals or entities claiming by

and through any of them, does hereby agree to defend, indemnify and hold harmless Grantor and its members, officers, directors, agents, managers, successors in interest, assigns, administrators, board members, attorneys, insurers, representatives, and employees, of and from any and all liabilities, claims, demands, actions, causes of action, liens, attorneys' fees, costs, fines, warranties, administrative remedies, sanctions, penalties, claims for damages at law or relief in equity, filed or otherwise, of whatsoever kind and nature, (collectively "Claims") including but not limited to any Claim made by any member of Grantor, or any owner, third party, person or entity claiming by or through them making use of the Easement Area with or without the consent of Grantee, arising out of or in any way related to Grantee's use of the Easement Area or entry upon the Servient Parcel. A "Claim" shall specifically include but not be limited to:

- (a) Claims based upon negligence, the meaning of which includes the failure to use such care as a reasonably prudent and careful person would use under similar circumstances and the failure to meet any standards of care;
- (b) Claims for breach of any other duty imposed by law;
- (c) Claims for breach of any contract;
- (d) Claims based upon mistakes or errors in judgment of any kind or nature; and
- (e) Claims based upon willful or intentional conduct.

Grantee will promptly restore or replace any and all tangible personal property owned by Grantor and any other improvements located within the Easement Area as of the date Grantor signs this Grant of Easement if the same are damaged for any reason as a result of Grantee's use of or activities within the Easement Area. Grantee shall have no responsibility for replacing any native vegetation removed by Grantee as necessary for the use of the Easement Area but shall return such areas to their pre-Easement condition so as to remove any evidence of Grantee's construction activities.

9. Insurance. Grantee shall maintain primary general liability insurance on its operations in an amount not less than \$2 Million Dollars, together with workman's compensation insurance in a similar amount. Grantor shall be named as an additional insured on all insurance policies. All insurance policies shall be written only by an insurance company licensed in the State of Nevada having an A.M. Best Company exceptional rating of AAA. Within thirty (30) days of the execution of this Easement, Grantee shall send to Grantor a Certificate of Insurance covering its activities on the Easement Area, naming Grantor as an additional insured.

10. Enforcement and Notices. Grantor and Grantee shall be entitled to enforce the provisions of this Grant of Easement with all remedies at law or in equity. All notices or communications between the parties shall be addressed to the parties at the following addresses:

If to Grantor: Highland Ranch Homeowners Association
 c/o First Service Residential, Attn: Sheila Carrera
 5860 Lightning Dr.
 Sun Valley, NV 89433

With a copy to: Donna A. Zanetti, Esq.
LEACH KERN GRUCHOW ANDERSON SONG
5421 Kietzke Lane, Ste. 200
Reno, NV 89511

If to Grantee: 5 Ridges Development Company, Inc.
1 East Liberty Street, Suite 444
Reno, NV 89501
Attn: G. Blake Smith, Jr.

With a copy to: Rob Winkel, Esq.
MAUPIN COX & LEGOY
4785 Caughlin Parkway
Reno, NV 89519
P.O. Box 30,000
Reno, NV 89520

11. Termination of Easement: If at any time Grantee's need for the Easement ceases, Grantee shall, at the request of Grantor, execute in recordable form a Relinquishment, Release and Termination of Easement acknowledging the termination of this Grant of Easement. Upon termination, this Grant of Easement shall be of no further force or effect and Grantee shall have no right to enter upon the Easement Area for any purpose and shall have no further liability or obligation under this Grant of Easement.

12. Assignment. Grantee is the declarant of the 5 Ridges Community Association, a limited purpose landscape maintenance association ("LMA") created pursuant to Nevada Revised Statutes Chapter 116. This Easement specifically contemplates that Grantee's obligations to maintain the slope, ancillary storm drain facilities, and the emergency access road and gate shall be assigned to the LMA created by Grantee for 5 Ridges and that Grantee's obligations pursuant to the waterline shall be conveyed to the Sun Valley General Improvement District ("SVGID") and Grantor expressly consents to such assignment or conveyance, which shall become effective when recorded in the Official Records of the Washoe County Recorder. Upon such assignment, Grantee shall have no further liability or obligation under this Grant of Easement. Grantee covenants and agrees that the LMA's declaration of covenants, conditions and restrictions shall include reference to the LMA's obligations pursuant to this Easement. The covenants and agreements herein contained shall inure to the benefit of and shall be binding upon the executors, administrators, heirs, successors and assigns of the parties and shall be, and are, covenants running with the land binding upon the Servient Parcel for the benefit of 5 Ridges. Except for Grantee's successors-in-title to all or portions of that real property comprising 5 Ridges, the LMA, and SVGID, the rights granted herein may not be assigned or transferred by Grantee without the prior written consent of Grantor, said consent not to be unreasonably withheld or delayed. Grantor may withhold its consent to an assignment which requires its approval if Grantor, acting through its Board of Directors, determines that said assignment shall constitute an increased burden upon the Servient Parcel

and/or Easement Area. Grantor may condition its approval of an assignment upon any conditions, including the payment of fees and or expenses by Grantee or its Assignee. No assignment, other than an assignment to the LMA and SVGID, shall become effective until and unless Grantor's written consent to an assignment, evidenced by Grantor's signing of an Acknowledgement and Consent to Assignment, is recorded in the Official Records of the Washoe County Recorder.

13. **Attorney's Fees and Costs.** Should it become necessary for either Grantor or Grantee to commence a legal action to enforce the terms of this agreement, the prevailing party shall be entitled to receive an award of its attorneys' fees and costs.

IN WITNESS WHEREOF, this Grant of Easement has been executed as of the 18th day of February, 2020, and shall become effective upon recording of the same in the Official Records of Washoe County, State of Nevada.

GRANTOR

GRANTEE

HIGHLAND RANCH HOMEOWNERS ASSOCIATION, a Nevada nonprofit cooperative corporation

5 RIDGES DEVELOPMENT COMPANY, INC., a Nevada corporation

By: Tammy Leonard
Tammy Leonard
Its: President

By: G. Blake Smith
G. Blake Smith
Its: President

By: Judith Jensen
Judith Jensen
Its: Secretary

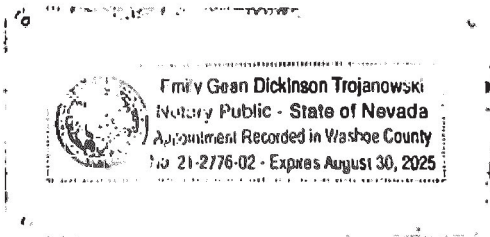
By: Geoffrey B. Smith II
Geoffrey B. Smith II
Its: Secretary

NOTARY ACKNOWLEDGMENTS ON FOLLOWING PAGES

STATE OF NEVADA)
): ss.
COUNTY OF WASHOE)

This instrument was acknowledged before me on February 11, 20 22, by Tammy Leonard, as President of the Highland Ranch Homeowners Association.

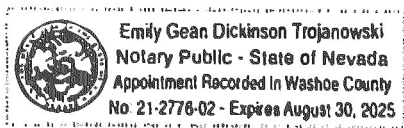
WITNESS my hand and official seal.



STATE OF NEVADA)
): ss.
COUNTY OF WASHOE)

This instrument was acknowledged before me on Feb 11, 20 22 by Judith Jensen, as Secretary of the Highland Ranch Homeowners Association.

WITNESS my hand and official seal.

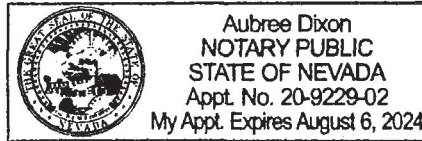


STATE OF NEVADA)
): ss.
COUNTY OF WASHOE)

This instrument was acknowledged before me on Feb. 28th, 2022 by G. Blake Smith,
as President of 5 Ridges Development Company, Inc.

WITNESS my hand and official seal.

Aubree Dixon



STATE OF NEVADA)
): ss.
COUNTY OF WASHOE)

This instrument was acknowledged before me on Feb 28th, 2022 by Geoffrey B. Smith
II as Secretary of 5 Ridges Development Company, Inc.

WITNESS my hand and official seal.

Aubree Dixon

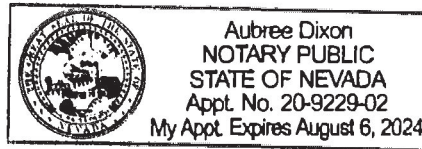


EXHIBIT A

LEGAL DESCRIPTION OF EMERGENCY ACCESS ROAD AND WATERLINE EASEMENT AREA

All that certain emergency access easement situate within the Northeast Quarter (NE 1/4) of Section 8, Township 20 North, Range 20 East, M.D.M., County of Washoe, State of Nevada, being a portion of Common Area A per Subdivision Tract Map No. 3631, recorded March 8, 1999 as File No. 2314842 in the Official Records of Washoe County, Nevada. Said easement being fifty (50) feet in width, being twenty-five (25) feet on each side of the following described centerline:

COMMENCING on the westerly boundary of said Common Area A, being the Southeast corner of Lot 471, being on the easterly right-of-way of Cezanne Court, both being per said Subdivision Tract Map No. 3631, being the beginning of a non-tangent curve to the right;

THENCE departing said Southeast corner of said Lot 471 and along said westerly boundary of Common Area A and said easterly right-of-way of Cezanne Court from a tangent which bears, South 42°13'35" East, 26.30 feet along the arc of a 48.00 foot radius curve through a central angle of 31°23'17" to the beginning of a non-tangent curve to the left, being the **POINT OF BEGINNING**;

THENCE departing said common boundary and along said centerline the following five (5) courses:

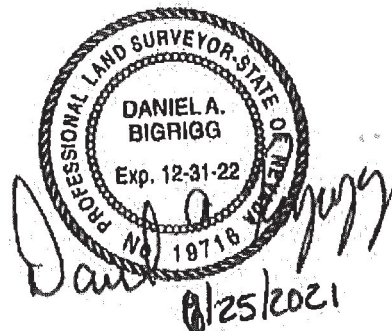
- 1) from a tangent which bears North 79°09'42" East, 62.84 feet along the arc of a 100.00 foot radius curve through a central angle of 36°00'16" to the beginning of a reverse curve;
- 2) 124.17 feet along the arc of a 200.00 foot radius curve through a central angle of 35°39'28";
- 3) North 78°48'53" East, 104.88 feet to the beginning of a tangent curve to the right;
- 4) 69.59 feet along the arc of a 300.00 foot radius curve through a central angle of 13°17'25";
- 5) South 87°53'41" East, 507.75 feet to the East boundary of said Common Area A and the **POINT OF TERMINUS**.

The sidelines of said easement are to be lengthened or shortened to begin on said easterly right-of-way of Cezanne Court and to end on said East boundary of Common Area A.

See Exhibit A-1, attached hereto and made a part hereof.

The basis of bearings for this description is Nevada State Plane Coordinate System, West Zone (NAD 83/94-HARN).

Prepared by:
Christy Corporation
1000 Kiley Parkway
Sparks, Nevada 89436



Daniel A. Bigrigg, P.L.S.
Nevada Certificate No. 19716

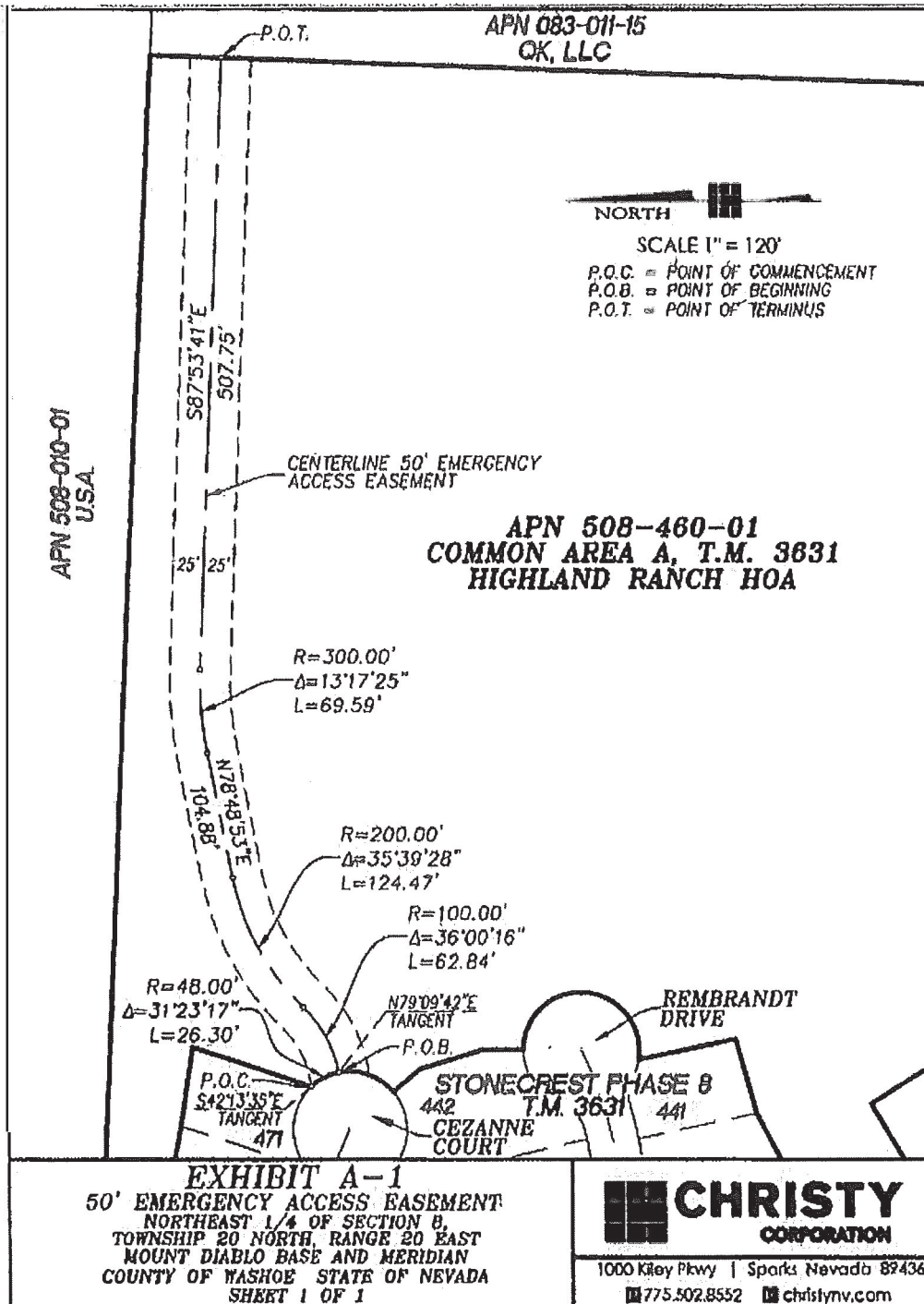


EXHIBIT "B"**LEGAL DESCRIPTION OF SLOPE AND ANCILLARY STORM DRAIN FACILITIES
EASEMENT AREA**

All that certain temporary grading and slope easement situate within the Northeast Quarter (NE 1/4) of Section 8, Township 20 North, Range 20 East, M.D.M., County of Washoe, State of Nevada, being a portion of Common Area A per Subdivision Tract Map No. 3631, recorded March 8, 1999 as File No. 2314842 in the Official Records of Washoe County, Nevada, being more particularly described as follows:

BEGINNING at the westerly boundary of said Common Area A, being the Southeast corner of Lot 471, being on the easterly right-of-way of Cezanne Court, both being per said Subdivision Tract Map No. 3631;

THENCE departing said Southeast corner, said westerly boundary and said easterly right-of-way and along the following eight (8) courses:

- 1) North 54°24'38" East, 35.10 feet;
- 2) North 32°02'42" East, 127.65 feet;
- 3) South 79°29'33" East, 105.15 feet;
- 4) North 79°05'24" East, 142.23 feet;
- 5) South 81°40'29" East, 127.49 feet;
- 6) South 88°43'54" East, 86.80 feet;
- 7) North 85°26'48" East, 134.10 feet;
- 8) North 60°02'24" East, 24.09 feet to the North boundary of said Common Area A;

THENCE along said North boundary, South 87°26'12" East, 147.89 feet to the Northeast corner of said Common Area A;

THENCE departing said Northeast corner and along the East boundary of said Common Area A, South 02°07'16" West, 98.20 feet;

THENCE departing said East boundary and along the following twelve (12) courses:

- 1) South 88°48'51" West, 153.53 feet;
- 2) South 37°17'47" West, 48.29 feet;
- 3) North 52°42'13" West, 28.00 feet;
- 4) North 31°03'20" East, 31.05 feet;
- 5) North 84°56'27" West, 158.86 feet;
- 6) South 82°52'46" West, 110.98 feet;
- 7) North 84°23'18" West, 57.17 feet;
- 8) South 83°09'34" West, 53.18 feet;
- 9) South 66°29'18" West, 107.34 feet;

- 10) South 39°00'48" West, 39.93 feet;
- 11) South 73°07'04" West, 149.87 feet;
- 12) North 46°30'07" West, 24.22 feet to the aforementioned westerly boundary of said Common Area A and said easterly right-of-way of Cezanne Court, being the beginning of a non-tangent curve to the left;

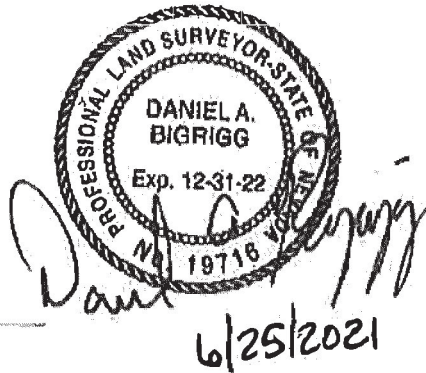
THENCE along said westerly boundary and said easterly right-of-way from a tangent which bears North 43°29'53 East, 71.82 feet along the arc of a 48.00 foot radius curve through a central angle of 85°43'29" to the aforementioned Southeast corner of Lot 471 and the **POINT OF BEGINNING**.

Containing 87,474 square feet of land more or less.

See Exhibit A-1 attached hereto and made a part hereof.

The basis of bearings for this description is Nevada State Plane Coordinate System, West Zone (NAD 83/94-HARN).

Prepared by:
Christy Corporation
1000 Kiley Parkway
Sparks, Nevada 89436



Daniel A. Bigrigg, P.L.S.
Nevada Certificate No. 19716

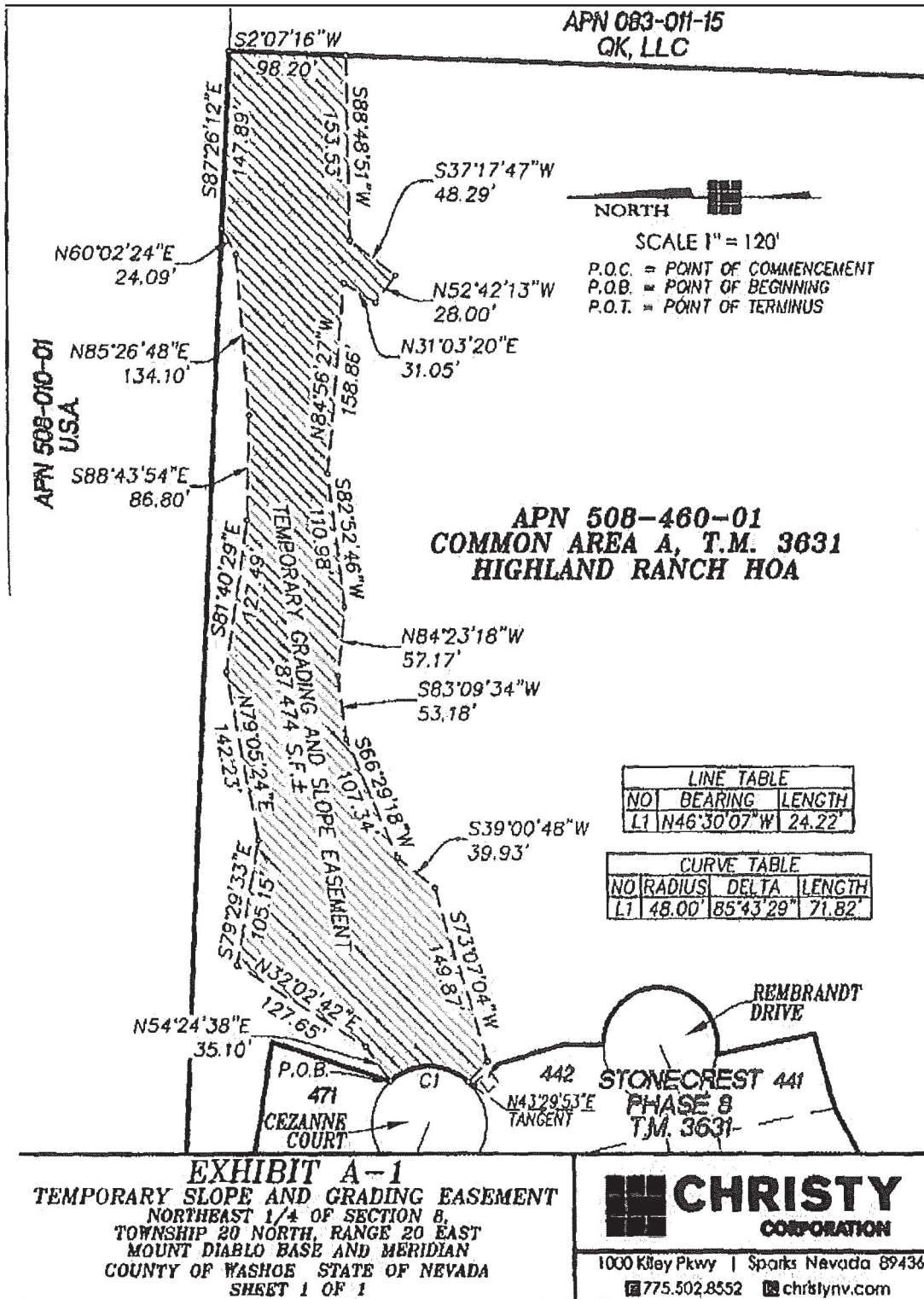


EXHIBIT C
PLANS AND SPECIFICATIONS

WASHOE COUNTY RECORDER

OFFICE OF THE RECORDER
KALIE M. WORK, RECORDER

1001 E. NINTH STREET
RENO, NV 89512
PHONE (775) 328-3661
FAX (775) 325-8010

LEGIBILITY NOTICE

The Washoe County Recorder's Office has determined that the attached document may not be suitable for recording by the method used by the Recorder to preserve the Recorder's records. The customer was advised that copies reproduced from the recorded document would not be legible. However, the customer demanded that the document be recorded without delay as the parties rights may be adversely affected because of a delay in recording. Therefore, pursuant to NRS 247.120 (3), the County Recorder accepted the document conditionally, based on the undersigned's representation (1) that a suitable copy will be submitted at a later date (2) it is impossible or impracticable to submit a more suitable copy.

By my signing below, I acknowledge that I have been advised that once the document has been microfilmed it may not reproduce a legible copy.



Signature

3/03/2022

Date

Donna A. Zanetti, Esq

Printed Name

Notice of Neighborhood Meeting

63

Dear Property Owner:

You are invited to attend a neighborhood meeting to discuss 5 Ridges waterline special use permit, a proposed development project in your area. This is your opportunity to review the proposed project, ask questions and provide feedback prior to submittal of a formal development application.

Neighborhood Meeting Information:

**5:30 p.m., Tuesday, August 23, 2022 at
Spanish Springs Library (Washoe Room)**
7100-A Pyramid Highway
Sparks, NV 89436

Project Description:

This project is located at 0 Sun Valley Boulevard, parcel number(s) 508-460-01. This proposed project is requesting a special use permit for grading related to the extension of two SVGID water lines to supply the 5 Ridges Development. The proposed lines will be within a single utility easement running from Cezanne Court/Rembrandt Court Cul-de-sac to the 5 Ridges property to the east.

If you have questions about the meeting or would like to discuss the proposed development project, please contact: Andy Durling via e-mail, adurling@woodrogers.com or by 775-823-5211.

This is not a public hearing, and public officials will not be present. If you have questions regarding meeting requirements, please contact the **Washoe County Staff Planner** for the project: **Courtney Weiche, 775.328.6100, cweiche@washoecounty.gov**

To review information about neighborhood meetings, please visit: <https://neighborhood-washoe.hub.arcgis.com/>

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WSUB 22-0025
XHEB 11

5 Ridges Waterline Special Use Permit

WASHOE COUNTY NEIGHBORHOOD PRE-APPLICATION MEETING

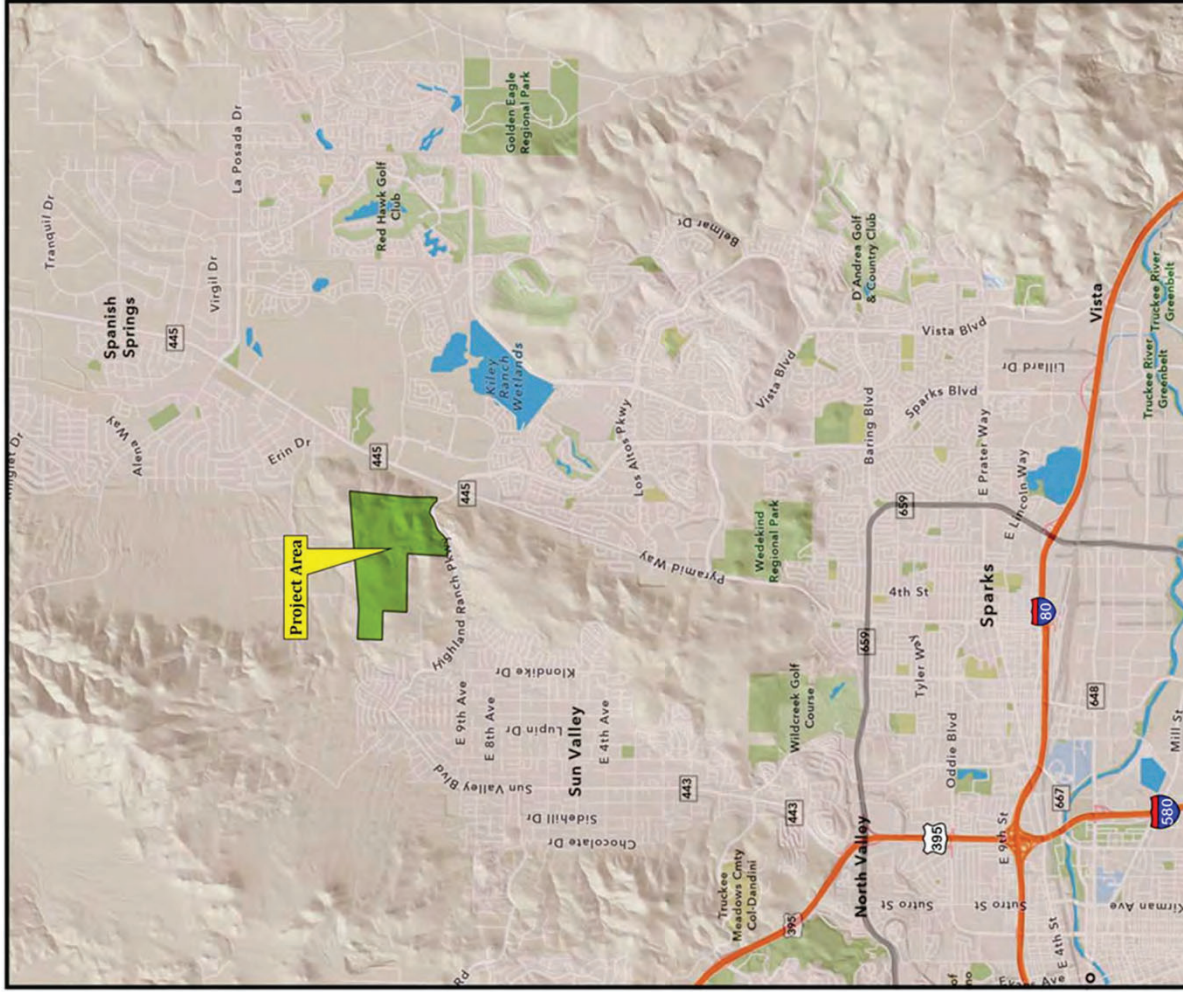
AUGUST 23, 2022



**WSUP22-0025
EXHIBIT E**

Project Location

- Washoe County APN508-460-01
- West of the 5-Ridges Development
- From the terminus of Cezanne Court east to the City of Sparks



Project Request:

A special use permit for grading activities related to the connection of a water supply line and emergency access road from the currently approved CUP located within the City of Sparks to the terminus of Cezanne Court.



Project Facts

- Two (2) twelve-inch SVGD water supply lines
- Emergency access to 5 Ridges providing additional alternative evacuation route for current residents
- Minimal grading
- Access will be gated only for emergency use



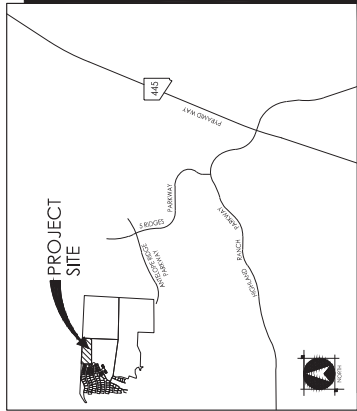
Next Steps:

- ✓ Submitting the Application on September 8th
- ✓ Staff Review
- ✓ Tentative Board of Adjustment Meeting October 6th

THANKYOU

Andy Durling
775.823.4068
adurling@woodroddgers.com

5 RIDGES WATER LOOP SPECIAL USE PERMIT TITLE SHEET



VICINITY MAP
NOT TO SCALE

APPLICANT/DEVELOPER:
5 RIDGES DEVELOPMENT COMPANY,
INC.

ATTN: BLAKE SMITH
EAST LIBERTY, SUITE 444
RENO, NV 89501
(775) 323-1405

PROPERTY OWNER
GK LLC
4785 CAUGHLIN PARKWAY
RENO, NV 89519

CIVIL ENGINEER/PLANNER
WOOD RODGERS
ATTN: CARY CHISUM
1881 CORPORATE BOULEVARD
RENO, NV 89502
(775) 823-4063

GEOTECHNICAL ENGINEER
CONSTRUCTION MATERIALS
ENGINEERS, INC.
300 SIERRA MANOR DRIVE, SUITE 1
RENO, NV 89511

SITE INFORMATION:

APR: 508-010-01
SHEET ID: 0000000000
PROJECT AREA
15,244 CU YDS (REU)
18 CU YD (CUT)

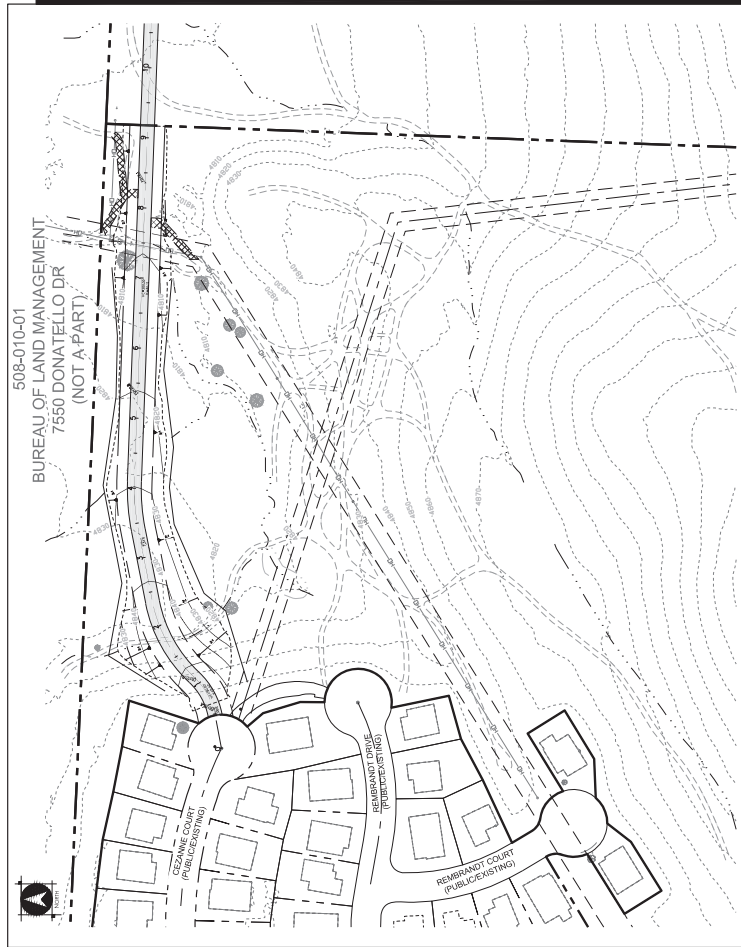
ENGINEERS STATEMENT:

I, CARY D. CHISUM, DO HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED BY ME OR UNDER MY SUPERVISION AND WAS COMPLETED ON THE 31ST DAY OF SEPTEMBER, 2022.

CARY D. CHISUM, P.E. #15194

SHEET INDEX

SHT. NO.	DWG. ID	DRAWING DESCRIPTION
1	C-1	TITLE SHEET
2	C-1	GRADING PLAN
3	CS-1	PRELIMINARY CROSS SECTIONS



SITE PLAN
NOT TO SCALE

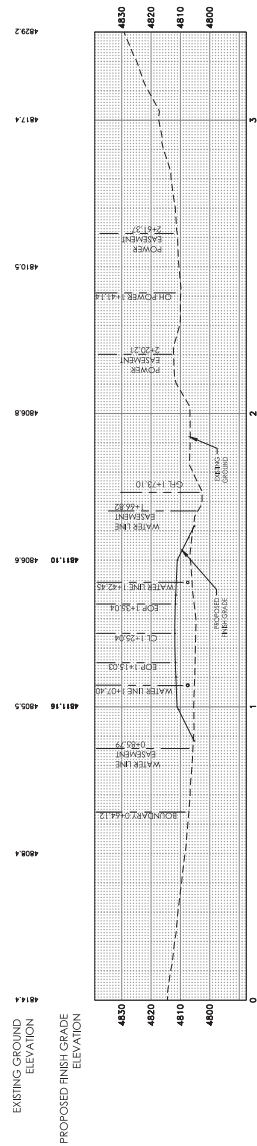
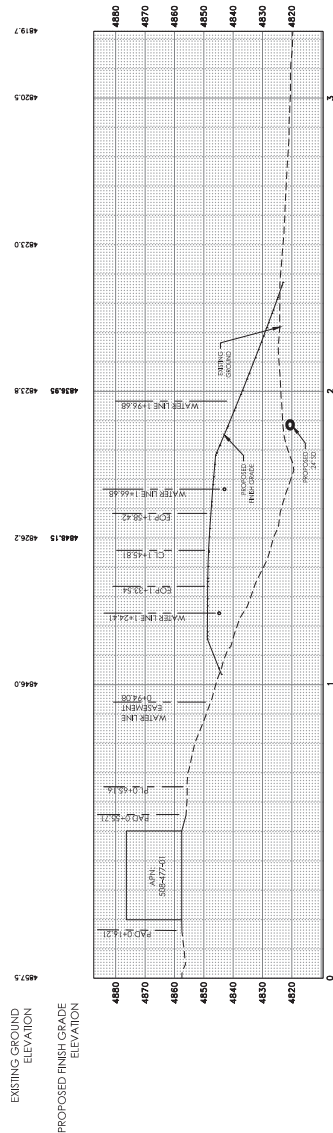
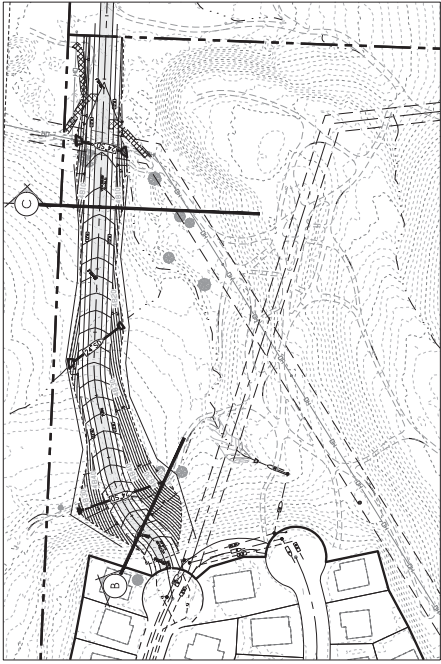
5 RIDGES WATER LOOP
TITLE SHEET



WOOD RODGERS
BUILDING RELATIONSHIPS ONE PROJECT AT A TIME
1381 Corporate Boulevard Tel 775.823.4068
Reno, NV 89502 Fax 775.823.4068

JOB NO. 4047 SEPTEMBER 2022
SHEET T-1 OF 3

5 RIDGES WATER LOOP SPECIAL USE PERMIT PRELIMINARY CROSS SECTIONS



5 RIDGES WATER LOOP
PRELIMINARY CROSS SECTIONS

WOOD RODGERS
BUILDING RELATIONSHIPS ONE PROJECT AT A TIME
1381 Corporate Boulevard Reno, NV 89802
Tel 775.823.4068 Fax 775.823.4068

JOB NO. 4047 SEPTEMBER 2022
SHEET CS-1 OF 3



WOOD RODGERS

October 18, 2022

Julee Olander, Planner
Washoe County
Community Services Department
1001 E. 9th Street, Bldg A
Reno, NV 89512

Subject: WSUP22-0025 (5 Ridges Grading) Design Revision Request

Julee,

The purpose of this letter is to request design revisions for the SUP application listed above in order to address staffs concerns with the original application. Two revisions to Sheet G-1 are being requested and are explained below:

1. Addition of a fire Hydrant as required by Dale Way, Truckee Meadows Fire and Rescue Deputy Fire Chief.

A fire Hydrant has been added to the plans along with a roadway widening to 26' in front of the hydrant as required by IFC. The location was of the Hydrant is based on Dave's direction.

2. Slope Treatment Revision for all slopes along the emergency access Roadway.

The slope treatment has been revised to mitigate the concerns from both Washoe County Planning and Engineering staff. The treatment in the original application of Bonded Fiber Matrix (BFM) has been replaced with a combination of Rip Rap filled with top soil after placement and then covered with BFM. Temporary irrigation was also added to the plans in order to accelerate the revegetation of the slopes.

An updated copy of Sheet G-1 has been provided to reflect these revisions. Please let me know if you have any questions or concerns.

Sincerely,
Wood Rodgers Inc.

Cary D. Chisum, P.E.
Vice President

**WSUP22-0025
EXHIBIT E**