

From: [Carol Bond](#)
To: peter@cpnv.com; [Julian, Kathie M.](#); [Christensen, Don](#); [Washoe311](#); [Pierce, Rob](#); [Olander, Julee](#)
Subject: Pro Pony Opposition, please review
Date: Tuesday, October 31, 2023 7:31:21 PM

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

Dear members of the Board of Adjustment,

I am writing regarding the Pro Pony development proposed on Holcomb Ranch Lane. My husband and I live in close proximity to the proposed large commercial development. We are very concerned as there have been no material changes in the facts presented to the board last year, when the development was not rejected.

Clearly - the proposal needs to be rejected again. There is much concern over the contamination of the ground water by the accumulation of urine by the large number of horses proposed for the size of the property. In addition, having the indoor facility approved in a flood zone is a major concern for the neighborhood.

Traffic on Lakeside Drive/Holcomb Rand cannot handle a commercial operation of this size for the safety of the community, and this is absolutely a major concern.

To reiterate, my husband Sheldon Schenk and I are opposed to the development.

Thank you in advance for reviewing carefully.

Sincerely, Carol Bond, and Sheldon Schenk

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From: [nancy burtard](#)
To: [Olander, Julee](#)
Subject: Silver Circle Ranch building project
Date: Tuesday, October 31, 2023 3:26:28 PM

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

Hi

I'm writing in support of the indoor arena project at the Silver Circle Ranch. Riding and caring for horses teaches young people responsibility, teamwork and gains lifelong friendships.

An indoor arena will benefit the children and adults in so many ways. Riding outdoors in winter or even the heat of summer can be a challenge. These conditions can be a deterrent to continuing their horsemanship journey.

Please consider the long term good an indoor arena in this area could offer and vote to allow it to be built.

Nancy Burtard
Stagecoach NV

From: [michelle](#)
To: [Olander, Julee](#); [Landess Witmer](#)
Subject: In Support.....
Date: Tuesday, October 31, 2023 1:55:17 PM

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

Dear Julee,

I am, unfortunately unable to attend the meeting on Thursday Nov. 2nd. I am writing to let you know that I am in support of the indoor/inclement weather riding arena proposed to be built at the Historic Silver Circle Ranch. This historic ranch has been the home of 20+ horses for decades! The horse community is in dire need of inclement riding arenas, especially with the closure of the indoor facility at Harrah's Ranch. As a local trainer for more than 15 years, I know that having a safe place to ride during inclement weather is critical for both horses and riders. I hope that you will approve the building of this much needed structure. There are several other large buildings in the area that have been approved for private use. The planned location does not detract from the area in any way, in my opinion and adds a much needed service for the entire equestrian community. Please seriously consider approving the permit for the inclement riding arena at the Historic Silver Circle Ranch.

Thank you for your consideration,
Michelle Greene
All Things Equine, Trainer/Owner

From: [Julie Hsu](#)
To: [Chris Hsu](#)
Cc: [Jill Brandin](#); [Olander, Julee](#); [Christensen, Don](#); [Julian, Kathie M.](#); peter@cpnv.com; [Pierce, Rob](#)
Subject: Re: Opposed to WSUP23-0029
Date: Tuesday, October 31, 2023 4:43:05 PM

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

Dear Members of the Board of Adjustment,

I am Julie Hsu, owner of the property [3600 Holcomb Ranch Lane](#), just to the south of ProPony's operation. Our house faces directly down on the horse operation.

I would like to second the shock and disbelief my husband, Chris Hsu, stated in his email to you. We thought that ProPony's SUP had been soundly rejected by the Board of Adjustment on February 3, 2022, by a vote of 4:1, denying Pro Pony's WSUP21-0036 and WADMIN21-0016 application, and that would stick. ProPony has ignored this, county regulations, and neighbors' concerns and desire for peace and enjoyment of their adjacent properties. I am saddened by this and hope that you will consider the direct neighbor's pleas to not approve this SUP and expansion in a residential community.

We, as permanent neighbors to this operation and those who are directly impacted, cannot state strongly enough how their current operation disrupts our peace and enjoyment. We cannot even imagine the impact of adding more horses, buildings, cars, trailers, traffic, etc.

Please consider the most impacted members of your community's continued pleas not to expand ProPony into an even more egregious commercial operation.

Julie Hsu
[3600 Holcomb Ranch Lane](#)
[Reno, NV 89511](#)

On Tue, Oct 31, 2023 at 3:49 PM Chris Hsu <chsu1992@gmail.com> wrote:

Dear Members of the Board of Adjustment,

I am Chris Hsu, owner of the property [3600 Holcomb Ranch Lane](#), just to the south of ProPony's operation. Our house faces directly down on the horse operation.

I was shocked to hear that the planning department had again approved a ProPony's SUP after the prior application had been soundly rejected by the Board of Adjustment on February 3, 2022, by a vote of 4:1, denying Pro Pony's WSUP21-0036 and WADMIN21-0016 application. Please refer to my testimony on the matter from that meeting for our views on Pro Pony's SUP, and my subsequent email to this committee (attached) of April 25, 2022.

WSUP23-0029
PUBLIC COMMENT

The only thing that has changed in their operation is that the steaming pile of horse manure highlighted in my testimony is still being dumped on the ground, but it is then piled into an open dumpster, still steaming, directly in the line of sight of our patio seating and outdoor dining table.

The way ProPony inconsiderately operates a for-profit business on property zoned residential has been harming all the neighbors. They do not care about the neighbors' concerns and have repeatedly made false accusations about us because we are opposed to this illegal commercial operation. They ignore the county code and care nothing about the impact on the neighbors. We are all animal owners and lovers and, despite their accusations, do not oppose horse riding.

We have reviewed Pro Pony's revised plan and believe that the substance of their proposed building and commercial operations are not materially different than what was rejected by the Board of Adjustment before. Our opposition remains consistent. We, as permanent neighbors to this operation and those who are directly impacted, cannot state strongly enough how their current operation disrupts our peace and enjoyment. We cannot even imagine the impact of adding more horses, buildings, cars, trailers, traffic, etc.

Last year this Board determined that 25 horses were too much for this property. Pro Pony ignored that denial and almost immediately increased to more than 25 horses but has not added any more land. This cannot continue. Additionally, adding an unsightly metal building with stadium lights glaring out of skylights, huge windows, and industrial doors would further damage our peace and enjoyment. Pro Pony operates 14 hours a day now, sometimes late into the night (see plow video - went on for an hour during our dinner) and this SUP would enable unlimited hours 7 days a week. My wife and I work - how could you even consider approving this SUP? Also, when the wind blows from the north or northwest the smell of urine is unbearable at our house. This is with far fewer horses than is proposed. In addition, as stated before, in the spring and summer we are besieged by flies from this commercial operation and cannot keep them out of our house.

Please consider the most impacted members of your community's continued pleas not to expand ProPony into an even more egregious commercial operation.

Chris Hsu

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Chris Hsu

----- Forwarded message -----

From: Chris Hsu <chsu1992@gmail.com>

To: "Olander, Julee" <jolander@washoecounty.gov>, vhartung@washoecounty.gov,
ahill@washoecounty.gov, blucey@washoecounty.us, kjung@washoecounty.us,
jherman@washoecounty.gov

Cc:

Bcc:

Date: Mon, 25 Apr 2022 07:53:20 -0700

Subject: Re: Opposed to Pro Pony WSUP21-0036 and WADMIN21-0016

Dear Honorable Members of the Board of County Commissioners:

I am writing to inform you about this weekend's activities. As I understand that you believe that the Pro Pony activities are not disturbing their neighbors, I can assure you that you would not want this in your front yard all weekend. And to be clear, we love animals, horses and are not opposed to riding or training horses. We believe that Pro Pony can peacefully exist in our neighborhood and have not opposed anything they have done until they started trying to ramp up activities and have not respected the neighbors.

After returning from my daughter's surgery, my family was in our living room having to hear and watch an organized outdoor entertainment event all weekend (Saturday, 4/23 and Sunday 4/24), including from 8 am - 5 pm on Sunday with traffic starting at 7 am. This video is from our living room: <https://photos.app.goo.gl/gZqXXyVXxeRaUZ4N6>
You could even hear this announcer in our backyard all day as the valley projects sound quite nicely.

Please notice the trailers and cars parked in the upper pasture as well. Pro Pony has made several statements that they will only have people park in the lower area, not the upper pasture. As you can imagine, all of these cars and trailers create quite the stir when entering and exiting the Pro Pony area. You can see in the video bikers riding by and cars passing them on Holcomb. These events are not meant for our neighborhood, and most certainly, not meant for Sunday. Our building crew can not work on Sunday because of the noise and potential disturbance of neighbors, but our next door neighbor can have an all day rodeo without permit in a neighborhood?

Other pictures from Sunday (from my living room) - parking lot in upper pasture:

<https://photos.app.goo.gl/oasEH78qRmFCXfdSA>

<https://photos.app.goo.gl/k6Qv2BKEyGvmEZqQ7>

from my pasture / driveway - see the size and number of trailers:

<https://photos.app.goo.gl/KoYybbb5fKEhAKSw9>

There is a reason that the planning commission voted 4:1 against this proposal. While the patrons of Pro Pony may like the convenience of having an events center close to their homes, I can assure you that our neighborhood does not support this expansion. If you approve this, it will be a continuous and long battle and our 45 strong neighbor group will expand to protect the character of our area.

Thank you,

Chris, Julie Hsu and 3 children

On Thu, Apr 7, 2022 at 8:49 PM Chris Hsu <chsu1992@gmail.com> wrote:

Dear Honorable Members of the Board of County Commissioners:

I am Chris Hsu. My wife Julie Hsu and our 3 daughters live directly facing the Silver Circle Ranch. If you refer to my testimony at the Board of Adjustment's February 3, 2022, meeting you will see the view from our front patio directly facing the riding arena and horse manure pile.

After meeting with the owners of Silver Circle and Pro Pony, listening to their revised plan and viewing their new videos, it is our belief that the substance of their proposed building and commercial operations are not materially different than what was rejected by the Board of Adjustment on February 3, 2022, by a vote of 4:1, denying Pro Pony's WSUP21-0036 and WADMIN21-0016 application. Our stated opposition remains consistent with my testimony at that hearing and we encourage you to affirm the decision of the Board of Advisors.

We do not wish the Pro Pony and Silver Circle owners any ill will as we do believe that they are well intended and very focused on their vision and business objectives. However, we do not believe they are adequately taking into account their plans impact on the immediate neighbors and community. We believe that the proposed increases in horse boarding, size of events, parking requirements (especially for trailers that will park directly in front of our patio), traffic in and out of Holcomb Ranch Lane, and putting up a large industrial building do not preserve the beauty, serenity and history of the area.

Additionally, we have been informed by neighbors that the owners of Pro Pony have been speaking unfavorably about us and others who are in opposition to their proposal. We are animal and horse lovers and have several animals ourselves. We have always been cordial and respectful to our neighbors, but we respectfully oppose their commercial operation as it will have detrimental impacts to our neighborhood and environment as previously outlined.

The Hsu Family

3600 Holcomb Ranch Lane
[Reno, NV 89511](mailto:chsu1992@gmail.com)

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Chris Hsu

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From: [Chris Hsu](#)
To: [Julian, Kathie M.](#); peter@cpnv.com; [Christensen, Don](#); [Pierce, Rob](#); [Olander, Julee](#); [Jill Brandin](#)
Subject: Opposed to WSUP23-0029
Date: Tuesday, October 31, 2023 3:50:12 PM
Attachments: [Opposed to Pro Pony WSUP21-0036 and WADMIN21-0016.eml.msg](#)
[IMG_3400.mov](#)

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

Dear Members of the Board of Adjustment,

I am Chris Hsu, owner of the property 3600 Holcomb Ranch Lane, just to the south of ProPony's operation. Our house faces directly down on the horse operation.

I was shocked to hear that the planning department had again approved a ProPony's SUP after the prior application had been soundly rejected by the Board of Adjustment on February 3, 2022, by a vote of 4:1, denying Pro Pony's WSUP21-0036 and WADMIN21-0016 application. Please refer to my testimony on the matter from that meeting for our views on Pro Pony's SUP, and my subsequent email to this committee (attached) of April 25, 2022. The only thing that has changed in their operation is that the steaming pile of horse manure highlighted in my testimony is still being dumped on the ground, but it is then piled into an open dumpster, still steaming, directly in the line of sight of our patio seating and outdoor dining table.

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unlimited hours 7 days a week. My wife and I work - how could you even consider approving this SUP? Also, when the wind blows from the north or northwest the smell of urine is unbearable at our house. This is with far fewer horses than is proposed. In addition, as stated before, in the spring and summer we are besieged by flies from this commercial operation and cannot keep them out of our house.

Please consider the most impacted members of your community's continued pleas not to expand ProPony into an even more egregious commercial operation.

Chris Hsu

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Chris Hsu

From: [Chris Hsu](#)
To: [Olander, Julee](#); [Hartung, Vaughn](#); [Hill, Alexis](#); blucey@washoecounty.us; kjung@washoecounty.us; [Herman, Jeanne](#)
Subject: Re: Opposed to Pro Pony WSUP21-0036 and WADMIN21-0016

Dear Honorable Members of the Board of County Commissioners:

I am writing to inform you about this weekend's activities. As I understand that you believe that the Pro Pony activities are not disturbing their neighbors, I can assure you that you would not want this in your front yard all weekend. And to be clear, we love animals, horses and are not opposed to riding or training horses. We believe that Pro Pony can peacefully exist in our neighborhood and have not opposed anything they have done until they started trying to ramp up activities and have not respected the neighbors.

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<https://photos.app.goo.gl/k6Qv2BKEyGvmEZqQ7>

from my pasture / driveway - see the size and number of trailers:

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There is a reason that the planning commission voted 4:1 against this proposal. While the patrons of Pro Pony may like the convenience of having an events center close to their homes, I can assure you that our neighborhood does not support this expansion. If you approve this, it will be a continuous and long battle and our 45 strong neighbor group will expand to protect the character of our area.

Thank you,

Chris, Julie Hsu and 3 children

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Additionally, we have been informed by neighbors that the owners of Pro Pony have been speaking unfavorably about us and others who are in opposition to their proposal. We are animal and horse lovers and have several animals ourselves. We have always been cordial and respectful to our neighbors, but we respectfully oppose their commercial operation as it will have detrimental impacts to our neighborhood and environment as previously outlined.

The Hsu Family
3600 Holcomb Ranch Lane
Reno, NV 89511

--
Chris Hsu

From: [Kurt Fehling](#)
To: [Julian, Kathie M.](#); peter@cpnv.com; [Christensen, Don](#); [Pierce, Rob](#); [Olander, Julee](#)
Subject: ProPony SUP
Date: Tuesday, October 31, 2023 9:34:32 AM

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

Dear Board of Adjustment Members:

I understand that in February of 2022, the Board of Adjustments voted 4-1 to deny ProPony's request for a SUP for a major commercial expansion. I further understand that ProPony is, once again, making the same request for approval. As far as I can tell, ProPony has not made any concessions or changes in their latest request. In fact, they have increased their request for more variances and boarding more horses which would only increase their overall impact. Thus, it is inconceivable to me why the Board would even consider the SUP let alone support it. The Board should revisit the SUP as there are many glaring false statements and facts in the SUP indicating that are clearly and intentionally misleading and thus they have provided false information to the Board and the SUP should be denied on those deceits alone.

All adjacent neighbors and most residents in this area are against this expansion, and this was noted in last year's Board of Adjustments meeting. Nearly all of the supporters live outside of this neighborhood which should be clear evidence that the neighborhood residents **OPPOSE** this expansion. ProPony has consistently proven they are not a good neighbor to the current residents. They've done this by constructing an unpermitted-access entrance onto Holcomb Ranch Lane, held multiple outside competitions without having received a SUP, and basically ignored many county zoning regulations and restrictions for this area. What is the purpose of zoning regulations, if they can be ignored at will? How have they not been cited or fined for any of these illegal issues?

Having been a resident in the Holcomb Ranch area for over a decade, I strongly urge you to again deny this SUP request, uphold the statues and laws you were sworn to protect, and most importantly, listen to your constituents who are most directedly affected.

Kurt Fehling

From: [mike hamel](#)
To: [Olander, Julee](#)
Subject: opposition to wsup23-0029
Date: Tuesday, October 31, 2023 11:56:57 AM

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

My name is Mike Hamel I reside at 2303 Diamond J Place Reno Nv. 89511 and I am strongly in opposition to wsup23-0029 for the following reasons.

1. An extremely large metal commercial building that is surrounded by established residential custom homes changing the consistency on the neighborhood.
- 2 This building being used for commercial use and for profit.
- 3.uncontrolled livestock waste (urine) in the soil that is surrounded by residential wells that are used for domestic drinking.
4. Uncontrolled excessive additional water into the steamboat ditch.

Sent from my iPhone

From: [Steven Kirby](#)
To: [Julian, Kathie M.](#); peter@cpnv.com; dchristenson@washoecounty.gov; [Pierce, Rob](#); [Olander, Julee](#)
Cc: [Jill Brandin](#)
Subject: Opposed to WSUP23-0029
Date: Tuesday, October 31, 2023 9:37:03 AM

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

Living nearby, I travel Holcomb Ranch Lane several times daily. The traffic on this road has increased substantially in recent months and any increase caused by a horse riding arena and horse riding events will substantially negatively impact travel on the road. As it is, the increasing number of cyclists on the road has created a very dangerous situation which has already caused accidents. Any traffic increase will undoubtedly cause more accidents with fatalities. Do you really want this reality all for the sake of someone who really only wants to increase their income at the expense of residential homeowners in the immediate neighborhood? This WSUP23-0029 should definitely be voted down.
Regards, Steven Kirby

Amber Haw
144 Greenridge Drive
Reno, NV 89509

10-31-23


Washoe County Board of Adjustment
Rob Pierce, Chair
Don Christensen, Vice-Chair
Member Kathie Julian
Member Peter Ghishan
PO Box 11130
Reno, NV 89520-0027

Dear Chair Pierce and esteemed members of the Board of Adjustment:

I am writing in support of WSUP23-0029 (Silver Circle Ranch) for the following reasons:

1. The property has been used for horses and lessons for over 50 years and is a legal, non-conforming use. It should continue to be allowed to operate in Washoe County.
2. The subject property is designated as High Density Rural (HDR) and General Rural (GR) regulatory zoning. The proposed horse boarding stable, which is classified as commercial stable, is permitted in HDR and GR.
3. It is to the good of the community to allow this use to continue and to clean up the zoning and approval issues which have plagued the property for so long.

Please vote "yes" on WSUP23-0029.



Thank you,

Amber Haw

Cc: Julee Olander, Trevor Lloyd, Washoe County Planning

From: msehnert@verizon.net
To: peter@cpnv.com; [Christensen, Don](#); [Pierce, Rob](#); [Olander, Julee](#); [Julian, Kathie M.](#)
Subject: Opposition to ProPony SUP
Date: Tuesday, October 31, 2023 10:19:55 AM

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

This email is an expression of my opposition to the issuance of a SUP for ProPony commercial operation. I believe that it is inappropriate for there to be a significant commercial operation in this rural residential area. Allowing the construction of a metal building of this size will have a detrimental impact on the neighborhood, including visually, noise, environmentally, as well as adverse impact on property values. This building is almost as long a two 727s and with a height such that it will tower over Holcomb Drive and the existing area (it is equivalent in size to Dolan Kia on Virginia Str).. In view of the fact that a previous SUP application by ProPony was voted down by the Board of Adjustments, it seem that there can be no reason that this application is not also turned down, particularly in view of the fact that this application asks for even less conditions than the last. I urge you to vote NO regarding approval of the SUP application.

Mark Sehnert

From: [Chrysann Collatos](#)
To: [Olander, Julee](#)
Cc: [Witmer](#)
Subject: Public hearing Thursday Nov 4th
Date: Wednesday, November 1, 2023 9:16:05 AM

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

Hello,

I would like to speak on behalf of the Silver Circle Ranch's application to construct an indoor arena on their property at 3400 Holcomb Ranch Lane.

I have been a practicing equine veterinarian for 35 years. I have owned and operated my equine veterinary practice High Desert Veterinary Service in Washoe County since 1996. I have been active in equestrian sports, both cross-country riding and competitive show jumping, for most of my adult life. I have known Landess Witmer as both a fellow equestrian and a veterinary client since opening my practice here 27 years ago.

Landess Witmer has had a single vision regarding community activity since moving to Reno, and that is to give back. In her work to support animals in need she was Director of the Art Paws event from 2000-2015, and published PetFolio magazine from 1997-2012. Her community service to support those in need includes Reno Mom's, Junor League of Reno, M.O.P.S, UNR Starting 5, and Nevada New Comers Association.

Landess' vision to protect and preserve the historic Silver Circle Ranch culminated in purchase of the ranch in 2019 from Warren and Gail Nelson, with a commitment to the Nelson's to never develop the property and to continue to operate it as a small scale equestrian facility with carefully limited horse numbers and pasture space.

Landess chose Liz Reader to be the trainer she wanted to collaborate with in her development of an affordable, youth-directed horsemanship program.. This program not only gives our community's youth a goal-directed athletic activity, but also improves their understanding of, and connection with, the rural roots of our Nevada lifestyle. On October 23 Liz Reader was named the 2023 Practical Horseman Trainer of the Year. In their recognition of Liz, the nationwide committee noted that, quote "to ensure her students are as well-versed in riding as they are in horsemanship, Reader conducts a year-round Horsemanship Academy to teach the fundamentals to everyone who steps into her stable."

Let's be honest - the fight against building the indoor at Silver Circle Ranch isn't about the flies, it isn't about the traffic, it isn't about the possibility that neighbors may hear an announcer during a horse show. Landess Witmer, her architect and engineer and their support staff have provided deeply researched and unquestionable data to answer and disprove every allegation that this indoor arena will have ANY negative impact on an already existing and ongoing approved equestrian facility.

The environmental impact of the intensive residential development and loss of open land in the area around Silver Circle Ranch is magnitudes greater than anything that Silver Circle Ranch contributes to the neighborhood. The fight against the indoor is the fight against a

lifestyle that is fast disappearing in Washoe County. It is the fight for development, for concentrated human occupation of land that since the late 1800's has taught Nevadans how our very existence is locked in step with the land and water beneath our feet. The Silver Circle Ranch provides an important offset for this development, and the county should support and applaud the Witmer's commitment to our community's youth as well as the protection of a niche of open land that reminds us why we all love Nevada.

--

Chrysann Collatos VMD, PhD, DipACVIM

High Desert Veterinary Service

Reno, Nevada

hidvet@gmail.com

HighDesertEquine.com

775-742-2823

From: [mindy fontius](#)
To: [Olander, Julee](#)
Subject: In support of the Pair of Aces Indoor Riding arena
Date: Wednesday, November 1, 2023 6:36:08 AM

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

I am writing to voice my full support of the indoor riding arena at Pair of Aces riding facility. We have been riding there for almost 3 years and every winter and spring there are numerous days that are not safe to ride in the outdoor area due to weather. Last winter my daughter was only able to ride 4 times with the amount of snow we had. These missed opportunities are frustrating for the kids and set them back compared to other locations that can offer year round riding. The same number of horses are at the barn whether they get to ride or not and the indoor area would allow the opportunity for year round skill development. Horses and riding have had a longstanding roll in Reno and the opportunity to continue to have competitive and recreational riders with solid academy training should be available.

Melinda, Tom and Allison Warley

November 1, 2023

Washoe County Board of Adjustment
1001 East Ninth Street, Building A
Reno, NV 89512

RE: Special Use Permit Case Number WSUP23-0029

To whom it may concern,

I am writing in support of Pro Pony, LLC, for their request for a special use permit for a commercial stable and construction of an indoor arena. As a neighbor who lives approximately ½ mile from the site, I believe the benefits of the stable far outweigh the concerns that have been raised.

First and foremost, with the abundance of negatives in our world today, youths riding and learning about horses is a positive activity that we should all support. Having grown up with horses, I know firsthand how beneficial this is. The young riders learn responsibility, camaraderie, and how to work with others. They develop lifelong friendships. They are outdoors and exercising and having a great time. We need to support businesses that provide this opportunity for our young people.

I also wholeheartedly support their request to build an indoor arena. Having a horse is a year-round activity, not just limited to fair weather. Horses must be groomed, exercised, and trained regularly. In our climate, the ground is often frozen or covered in snow. Trying to lunge or ride a horse in these conditions is dangerous for both the rider and the horse. Having an indoor arena would provide good footing for the horses. Additionally, the kids would be able to ride in a sheltered environment when the weather is inclement.

I drive by the ranch on a daily basis. When they have events, like clinics, the effect on the surrounding neighborhood is minimal. All of the parking is on site and traffic is not affected. Unless you are a horse person, you might not even notice.

Thank you for this opportunity to comment on this request.

Sincerely,
Lynn Crosswhite
3450 Lone Tree Lane
Reno, NV 89511

**WSUP23-0029
PUBLIC COMMENT**

October 30, 2023

Julee Olander

Dear Ms. Olander,

My name is Franny Lepori and I am writing this letter in regards to the proposed indoor arena that will be located on Holcomb Ranch Lane.

My grandchildren are fourth generation Nevadans. My husband and I started a construction company here in the Reno-Sparks area when we were in our early 20's. We love Reno and the surrounding areas.

We have built, remodeled, designed and improved many properties and buildings. Some of our projects have been an asset to the community and some have not. Due to the nature of our business I try to remain neutral on many projects. The indoor arena is not one of the projects that I feel I am able to remain silent about. I feel very strongly that this riding arena will add so much value to our community. This is particularly true since the sad closing of Rancharrahs arena and stables.

Preserving open spaces in our hometown is necessary and important to our community. So many downtown projects include spaces both green and gray because of the importance to quality of life. We live in the West, rodeos, wild horses, mountains, deserts, lakes, rivers...outdoors.

Horses are important to society in so many ways. I understand that not everyone loves them, but helping folks foster that connection provides so many positives. Horses have an extraordinary ability to help humans. Equine therapy works by enhancing the quality and productivity of human lives. Horses teach us to be authentic, being present in the moment, it keeps us away from our electronic devices, they require us to set boundaries and respect the boundaries of others, they teach us the value of a hard day's work, they teach us to trust and often overcome fear. The list is endless, but the bottom line is that in a world gone crazy, we need anything and everything to stay grounded and engaged in the good life. I especially feel this is true for today's youth. I was the owner/director of a Preschool for many years, and I currently sit on the board for a non-profit horse rescue that helps special needs children, was named Horses for Heroes, donates time to the Boys and Girls Club for Truckee Meadows (of which I was a board member and President for many years), and so much more.

This property needs to remain available and open. It is a beautiful area that is being overbuilt with homes and we are losing the feeling of ranch life. Please help keep this special place available for all those looking for refuge from daily life, those who have spent hundreds if not thousands of hours training with their equine companions, those who keep their sanity by spending quality time with their horses, friends and family.

A barn is a sanctuary in an unsettled world, a sheltered place where life's true priorities are clear. When you take a step back, it's not just about the horses – its about love, life and learning.

Thank you for your time and consideration. If you would like to speak to me directly, my cell phone number is 775-230-8052. Again, thank you.

Franny Lepori
465 Mil Drae Lane, Reno, NV 89511



Robison | Sharp | Sullivan | Brust

October 31, 2023

VIA EMAIL ONLY: jolander@washoecounty.gov; washoe311@washoecounty.gov

Board of Adjustment
Washoe County, Nevada
1001 E. Ninth Street
Reno, Nevada 89512-2845

RE: Additional Documents in Support of the Neighboring Property Owners' Opposition to Pro Pony LLC's Special Use Permit Application (WSUP23-0029)

Dear Members of the Board of Adjustment:

On October 30, 2023, we submitted the Neighboring Property Owners' Opposition to Pro Pony LLC's Special Use Permit Application on behalf of Jill Brandin, as well as other neighbors and property owners. Please see attached additional supporting documents for this Board's consideration.

We also ask that this correspondence and all exhibits attached hereto be made part of the official public comment for this matter.

Thank you for your attention to the foregoing.

Yours very truly,

MICHAELA G. JONES
Robison, Sharp, Sullivan & Brust

/ch
Attachments

Kent R. Robison
Thomas L. Belaustegui
(Co-Founder Of Counsel)
F. DeArmond Sharp
Michael E. Sullivan
Clayton P. Brust
Stefanie T. Sharp
Michael A. Burke
Hannah E. Winston
Michaela G. Jones
Brett W. Pilling
Austin W. Slaughter

71 Washington St
Reno, Nevada 89503

RSSBLAW.COM

P: 775.329.3151

F: 775.329.7941

**WSUP23-0029
PUBLIC COMMENT**

EXHIBIT INDEX

EXHIBIT NO.	DESCRIPTION
Exhibit "1"	Washoe County Board of Adjustment Notice of February 3, 2022, Meeting & Agenda
Exhibit "2"	Washoe County Board of Adjustment February 3, 2022, Meeting Minutes
Exhibit "3"	Holcomb Ranch Community Opposition to WSUP21-0036 and WADMIN21-0016
Exhibit "4"	Additional Public Comment in Opposition to WSUP21-0036 and WADMIN21-0016 to Board of Adjustment
Exhibit "5"	Holcomb Ranch Community PowerPoint Presentation in Opposition to WSUP21-0036 and WADMIN21-0016
Exhibit "6"	Board of Adjustment Staff Report for WSUP21-0036 and WADMIN21-0016 (without exhibits)
Exhibit "7"	Exhibit A to Board of Adjustment Staff Report (Conditions of Approval)
Exhibit "8"	Exhibit B to Board of Adjustment Staff Report (Agency Comments)
Exhibit "9"	Exhibit D to Board of Adjustment Staff Report (Noticing Map)
Exhibit "10"	Exhibit E to Board of Adjustment Staff Report (Neighborhood Meeting Information)
Exhibit "11"	Exhibit F to Board of Adjustment Staff Report (Special Use Permit Application)
Exhibit "12"	Washoe County Board of County Commissioners April 12, 2022, Notice of Meeting & Agenda
Exhibit "13"	Board of County Commissioners – Staff Report for April 12, 2022, Meeting
Exhibit "14"	Appeals of Decision to Board of County Commissioners
Exhibit "15"	Board of Adjustment Action Order for WSUP21-0036 and WADMIN21-0016
Exhibit "16"	Video Recording of February 3, 2022, Board of Adjustment Meeting
Exhibit "17"	Memorandum of Standing for WSUP21-0036 and WADMIN21-0016

Exhibit "18"	August 16, 2022, Letter from Summit Engineering Corp. to Washoe County Commissioners re Pro Pony Appeal Withdrawal
Exhibit "19"	August 17, 2022, Letter from RSSB to Board of County Commissioners confirming Pro Pony's withdrawal of its appeal and Jill Brandin's withdrawal without prejudice
Exhibit "20"	June 13, 2022, RGJ Article – "Horse-boarding stable a bad fit for Reno residential neighborhood"
Exhibit "21"	Text Message from Lysle and Suzi Winchester advising that they have never had flies before Pro Pony's increase in number of horses boarded
Exhibit "22"	April 9, 2022, Email from Mark Sehnert to Board of County Commissioners in Opposition to WSUP21-0036 and WADMIN21-0016
Exhibit "23"	Letters in Opposition to WSUP23-0029
Exhibit "24"	Photograph of Lack of Screening and Landscaping
Exhibit "25"	Photographs of 2017 Flood at Pro Pony's Proposed Site to Construct Indoor Arena

EXHIBIT “1”

EXHIBIT “1”



WASHOE COUNTY BOARD OF ADJUSTMENT Notice of Meeting and Agenda

Thursday, February 03, 2022
1:30 p.m.

Board of Adjustment Members

Kristina Hill, Chair
Clay Thomas, Vice-Chair
Don Christensen
Rob Pierce
Brad Stanley

Secretary

Trevor Lloyd

Washoe County Administrative Complex
Commission Chambers
1001 East Ninth Street, Building A
Reno, NV 89512

and available via
Zoom Webinar

This meeting will be held in the County Commission Chambers and via Zoom teleconference. To attend this meeting via Zoom teleconference, please log into the Zoom webinar at the following link: <https://us02web.zoom.us/j/87215675749> or you can join the meeting by typing zoom.us into your computer browser, clicking "Join a Meeting" on the ZOOM website, and entering this **Meeting ID: 872 1567 5749**. NOTE: This option will require a computer with audio and video capabilities.

Alternatively, you can join the meeting via telephone only by dialing +1 669-900-9128, entering the **Meeting ID: 872 1567 5749** and pressing #.

The meeting will be televised live and replayed on Washoe Channel at: <https://www.washoecounty.gov/mgrsoff/Communications/wctv-live.php> also on YouTube at: <https://www.youtube.com/user/WashoeCountyTV>.

PUBLIC HEARING ITEMS

(Complete case descriptions are provided beginning on page three of this agenda)

- **Special Use Permit Case Number WSUP21-0035 (Resort at Tahoe and Residences)**
- **Special Use Permit Case Number WSUP21-0032 (Mineikis Property)**
- **Special Use Permit Case Number WSUP21-0033 (Williams Scotsman)**
- **Special Use Permit Case Number WSUP21-0034 (Washoe County Field Creek Water Truck Effluent Fill Station)**
- **Special Use Permit Case Number WSUP21-0036/ Administrative Permit Case WADMIN21-0016 (Silver Circle Ranch)**
- **Variance Case Number WPVAR21-0004 (Birta Front Yard Setback Reduction)**

Possible Changes to Agenda Order and Timing. Discussion may be delayed on any item on this agenda, and items on this agenda may be taken out of order, combined with other items and discussed or voted on as a block, removed from the agenda, moved to the agenda of another later meeting or moved to or from the consent section. Items designated for a specified time will not be heard before that time but may be delayed beyond the specified time.

Public Comment. Public comments are welcomed during the public comment periods at the beginning and end of the meeting and during public hearing and project review items and are limited to three (3) minutes per person. Persons may not allocate unused time to other speakers.

Members of the public may submit public comment by either attending the meeting in person, attending the meeting via teleconference or attending by telephone only. To provide public comment via Zoom

teleconference, log into the ZOOM webinar at the above link and utilize the "Raise Hand" feature during any public comment period. To provide public comment via telephone only, press *9 to "Raise Hand" and *6 to mute/unmute.

Additionally, public comment can be submitted via email to washoe311@washoecounty.gov. The County will make reasonable efforts to send all email comments received by 4:00 p.m. on FEBRUARY 02, 2022, to the Board members prior to the meeting.

During the general public comment periods at the beginning and end of the meeting, speakers may address any matter either on or off the agenda, including items heard on the consent section of the agenda. For the remainder of the agenda, public comment will only be heard during public hearing and project review items and should be about the specific item being considered by the Board at that time. If an item is continued, then public comment will not be heard for that item until the date of the continued hearing.

Presentations and public comment for individual agenda items are limited as follows: fifteen minutes each for staff and applicant presentations and three minutes for individual speakers unless extended by questions from the Board or by action of the Chair. All comments are to be directed to the Board as a whole and not to one individual. Emails will be included in the record but will only be read aloud during the meeting subject to the chair's discretion and if time permits.

Public Participation. At least one copy of items displayed and at least ten copies of any written or graphic material for the Board's consideration should be provided to the Recording Secretary.

Responses to Public Comments. The Board of Adjustment may deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. The Open Meeting Law does not expressly prohibit responses to public comments by the Board. However, responses from Board members to unlisted public comment topics could become deliberation on a matter without notice to the public. To avoid this situation and to ensure that the public has notice of all matters the Board will consider, members may choose not to respond to public comments, except to correct factual inaccuracies, ask for County staff action, or to ask that a matter be listed on a future agenda.

Forum Restrictions and Orderly Conduct of Business. The Board of Adjustment conducts the business of Washoe County and its citizens during its meetings. The presiding officer may order the removal of any person whose statement or other conduct disrupts the orderly, efficient or safe conduct of the meeting. Warnings against disruptive comments or behavior may or may not be given prior to removal. The viewpoint of a speaker will not be restricted, but reasonable restrictions may be imposed upon the time, place and manner of speech. Irrelevant and unduly repetitious statements and personal attacks which antagonize or incite others are examples of speech that may be reasonably limited.

Posting of Agenda. Pursuant to NRS 241.020, the Agenda for the Board of Adjustment has been posted at the following location: Washoe County Administration Building (1001 E. 9th Street, Bldg. A); and has been electronically posted at https://www.washoecounty.gov/csd/planning_and_development/board_commission/board_of_adjustment/index.php and <https://notice.nv.gov>.

How to Get Copies of Agenda and Support Material. Copies of this agenda and supporting materials for the items on the agenda provided to the Board of Adjustment may be obtained on the Planning and Building Division's website at https://www.washoecounty.gov/csd/planning_and_development/board_commission/board_of_adjustment/index.php or at the Planning and Building Division Office (contact Adriana Albarran, 1001 E. Ninth Street, Building A, Room A275, phone 775.328.2721 or e-mail aalbarran@washoecounty.gov). If you make a request, we can provide you with a link to a website, send you the material by email or prepare paper copies for you at no charge. Support material is available to the public at the same time they are available to Board members. If material is distributed at a meeting, it is available within one business day after the meeting.

Special Accommodations. The facilities in which this meeting is being held are accessible to the disabled. Persons with disabilities who require special accommodations or assistance (e.g. sign language interpreters or assisted listening devices) at the meeting should notify the Washoe County Planning and Building Division at (775) 328-6100 at least two working days prior to the meeting.

Appeal Procedure. Most decisions rendered by the Board of Adjustment are appealable to the Board of County Commissioners. If you disagree with the decision of the Board of Adjustment and you want to appeal its action, call the Planning staff immediately at 775.328.6100. You will be informed of the appeal

procedure, and application fee. Appeals must be in writing and must be delivered to the Planning and Building Division within 10 calendar days from the date that the decision being appealed is signed by the Secretary of the Board of Adjustment and mailed to the original applicant in the proceeding being appealed, in accordance with Washoe County Code.

AGENDA

1:30 p.m.

1. **Determination of Quorum** [Non-action item]
2. **Pledge of Allegiance** [Non-action item]
3. **Ethics Law Announcement** [Non-action item]
4. **Appeal Procedure** [Non-action item]
5. **Public Comment** [Non-action item]

Comment heard under this item will be limited to three minutes per person and may pertain to matters both on and off the agenda. However, action may not be taken on any matter raised during this public comment period until the matter is specifically listed on an agenda as an action item. Comments are to be made to the Board of Adjustment as a whole.

6. **Approval of the February 03, 2022 Agenda** [For possible action]
7. **Approval of the [January 06, 2022](#) Draft Minutes** [For possible action]

Commission members may identify any additions or corrections to the draft minutes as transcribed.

8. **Public Hearing Items** [For possible action]

A. [Special Use Permit Case Number WSUP21-0035 \(The Resort at Tahoe and Residences\)](#) [For possible action] – For hearing, discussion, and possible action to approve a special use permit for major grading of the project site and connector roadways to prepare for the redevelopment of the Tahoe Biltmore property. The applicant is also seeking to vary the following standards from Article 438; Section 110.438.45(a); 110.438.45(b); 110.438.45(c); 110.438.45(f); and 110.438.45(i). The applicant is proposing the excavation of 197,500 cubic yards of material, and 42,000 cubic yards of fill material, and exportation of 155,500 cubic yards of material.

- Applicant/Owner: EKN Development Group
- Property Owner: EKN Tahoe LLC & Big Water Investments
- Location: 47 Redervoir Road, 101 Lakeview Avenue, 0 Wassou Road, 5 SR 28 and 0 SR 28
- APN: 123-071-04; 123-054-01; 123-053-04; 123-053-02; 123-052-04; 123-052-02; 123-052-03; 123-071-35; 123-071-36; 123-291-01
- Parcel Size: 0.64 ac; 1.00 ac; 0.18 ac; 1.42 ac; 3.23 ac; 0.28 ac; 0.28 ac; 0.45 ac; 0.42 ac; 2.77 ac (Total: 11.12 ac)
- Master Plan: Crystal Bay Tourist
- Regulatory Zone: Tahoe Crystal Bay Tourist (TA_CBT)

- Area Plan: Tahoe
- Development Code: Authorized in Article 810, Special Use Permits
- Commission District: 2 – Commissioner Hill

- Staff: Chris Bronczyk, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3612
- Email: cbronczyk@washoecounty.gov

B. Special Use Permit Case Number WSUP21-0032 (Mineikis Property) [For possible action] – For hearing, discussion, and possible action to approve a special use permit to construct an approximately 2,500 square foot single-family detached residence (Family Residential Use Type) in the Neighborhood Commercial (NC) regulatory zone.

- Applicant / Property Owner: Alikis & Julia Mineikis
- Location: 643 US Highway 395 S
- APN: 050-231-04
- Parcel Size: 4.309 acres
- Master Plan: Commercial
- Regulatory Zone: Neighborhood Commercial (NC)
- Area Plan: South Valleys
- Development Code: Authorized in Articles 810, 808 & 306
- Commission District: 2 - Commissioner Lucey
- Staff: Katy Stark, Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3618
- E-mail: kstark@washoecounty.gov

C. Special Use Permit Case Number WSUP21-0033 (Williams Scotsman) [For possible action] – For hearing, discussion, and possible action to approve a special use permit to allow for storage of manufactured home style portable buildings within an Industrial regulatory zone. There are also requests to vary standards to waive the requirements for paving the driveways and storage yard, waive additional screening beyond the slatted chain link fence surrounding the site, waive improvements to stormwater drainage, and waive additional landscaping beyond the existing landscaping along both road frontages. The project site is currently occupied by a modular building business and the site would act as a storage facility for rental modular buildings between deliveries to job sites. These modular rental units are utilized as office and job site trailers.

- Applicant/Owner: Williams Scotsman, Inc.
- Location: 12050 Truckee Canyon Court, Washoe County
- APN: 084-090-41
- Parcel Size: 4.23 acres
- Master Plan: Industrial

- Regulatory Zone: Industrial (I)
- Area Plan: Truckee Canyon (TC)
- Development Code: Authorized in Article 810, Special Use Permits
- Commission District: 4 – Commissioner Hartung
- Staff: Katy Stark, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3618
- E-mail: kstark@washoecounty.gov

D. Special Use Permit Case Number WSUP21-0034 (Washoe County Field Creek Water Truck Effluent Fill Station) [For possible action] – For hearing, discussion, and possible action to approve a special use permit to allow the construction and operation of a water truck fill station (Utility Services Use Type) and a related request to reduce the landscaping required for a Civic use type by Article 412, Landscaping, of the Washoe County Development Code.

- Applicant: Washoe County Community Services Department, Utilities Services Division, attn. Dylan Menes
- Property Owner: Washoe County Community Services Department, Utilities Services Division, attn. Dwayne Smith
- Location: On the north side of Arrowcreek Parkway, approximately 600 feet west of its intersection with Tremolite Drive
- APN:
- Parcel Size: ± 24.488 Acres
- Master Plan: Suburban Residential (SR)
- Regulatory Zone: Public and Semi-Public Facilities (PSP)
- Area Plan: Southwest Truckee Meadows
- Development Code: Authorized in Article 810, Special Use Permits
- Commission District: 2 - Commissioner Lucey
- Staff: Roger Pelham, MPA, Senior Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3622
- E-mail: rpelham@washoecounty.gov

E. Special Use Permit / Administrative Permit Case Number WSUP21-0036/WADMIN21-0016 (Silver Circle Ranch) [For possible action] – For hearing, discussion, and possible action to approve a special use permit for a commercial horse boarding stable for 25 horses and for grading of 6,000 cubic yards for an indoor riding arena; an administrative permit for an 11,580 SF indoor riding arena structure that is larger than the existing 1,120 SF main residence. The applicant is also requesting modifications of paved surfaces to allow non-paved surface, reduction of landscape standards for a commercial use and waive screening requirements for commercial properties adjacent to residential properties.

- Applicant/Owner: Pro Pony LLC
- Location: 3400 Holcomb Ranch Ln.
- APN: 040-670-12

- Parcel Size: ±12.56 acres
- Master Plan: Rural Residential (RR)
- Regulatory Zone: 93% High Density Rural (HDR) & 7% General Rural (GR)
- Area Plan: Southwest
- Development Code: Authorized in in Article 302, Allowed Uses; Article 306, Accessory Uses and Structures; Article 438, Grading; and Article 810, Special Use Permits
- Commission District: 2 – Commissioner Lucey
- Staff: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3627
- E-mail: jolander@washoecounty.gov

F. Variance Case Number WPVAR21-0004 (Birta Front Yard Setback Reduction) [For possible action] – For hearing, discussion and possible action to approve a variance to reduce the required front yard setback from 15 feet to 8 feet to facilitate the addition of a two-car garage and a one-car carport at ground level and a new master bedroom suite on the floor above.

- Applicant/Property Owner: Robert and Calin Birta
- Location: 919 Jennifer Street at its intersection with Bridger Court
- APN: 125-361-12
- Parcel Size: ± 0.32 acres
- Master Plan: Incline Village #5
- Regulatory Zone: Incline Village #5
- Area Plan: Tahoe
- Development Code: Authorized in Article 804, Variances
- Commission District: 1 – Commissioner Hill
- Staff: Roger Pelham, MPA, Senior Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3622
- E-mail: rpelham@washoecounty.gov

9. Chair and Board Items [Non-action item]

- A. Future Agenda Items
- B. Requests for Information from Staff

10. Director’s and Legal Counsel’s Items [Non-action item]

- A. Report on Previous Board of Adjustment Items
- B. Legal Information and Updates

11. Public Comment [Non-action item]

Any person is invited to speak on any item on or off the agenda during this period. Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on an agenda as an action item.

12. Adjournment [Non-action item]

EXHIBIT “2”

EXHIBIT “2”



WASHOE COUNTY BOARD OF ADJUSTMENT Meeting Minutes

Board of Adjustment Members

Kristina Hill, Chair
Clay Thomas, Vice Chair
Don Christensen
Rob Pierce
Brad Stanley

Thursday, February 3, 2022
1:30 p.m.

Washoe County Administrative Complex
Commission Chambers
1001 East Ninth Street
Reno, NV

Secretary

Trevor Lloyd

and available via
Zoom Webinar

1. Determination of Quorum [Non-action item]

Chair Hill called the meeting to order at 1:30 p.m. The following members and staff were present:

Members Present: Kristina Hill, Chair
Clay Thomas, Vice-Chair
Don Christensen
Rob Pierce
Brad Stanley

Members Absent: None

Staff Present: Chris Bronczyk, Planner, Planning and Building Division
Julee Olander, Planner, Planning and Building Division
Katy Stark, Planner, Planning and Building Division
Roger Pelham, Sr. Planner, Planning and Building Division
Michael Large, Deputy District Attorney, District Attorney's Office
Lacey Kerfoot, Recording Secretary, Planning and Building Division
Donna Fagan, Account Clerk II, Finance and Customer Service
Adriana Albarran, Recording Secretary, Planning and Building Division

2. Pledge of Allegiance [Non-action item]

Member Pierce led the pledge of allegiance.

3. Ethics Law Announcement [Non-action item]

Deputy District Attorney Large recited the Ethics Law standards.

4. Appeal Procedure [Non-action item]

Secretary Trevor Lloyd recited the appeal procedure for items heard before the Board of Adjustment.

5. Public Comment [Non-action item]

Comment heard under this item will be limited to three minutes per person and may pertain to matters both on and off the agenda. However, action may not be taken on any matter raised during this public comment period until the matter is specifically listed on an agenda as an action item. Comments are to be made to the Board of Adjustment as a whole.

Wayne Ford provided an update regarding his daughter’s improved health conditions. She was attending the meeting with him.

6. Approval of the Agenda [For possible action]

In accordance with the Open Meeting Law, Chair Hill moved to approve the February 03, 2022, agenda with the following reordering: 8C continued to next meeting, order changed to 8A followed by 8F.

MOTION: Chair Hill moved to approve the agenda with re-ordered items. Member Thomas seconded the motion. The motion carried unanimously.

7. Approval of the January 06, 2022 Draft Minutes [For possible action]

Member Stanley moved to approve the minutes of January 06, 2022 as written. Member Pierce seconded the motion which carried unanimously.

8. Public Hearing Items [For possible action]

The Board of Adjustment may take action to approve (with or without conditions), modify and approve (with or without conditions), or deny a request. The Board of Adjustment may also take action to continue an item to a future agenda.

C. Special Use Permit Case Number WSUP21-0033 (Williams Scotsman) [For possible action] – For hearing, discussion, and possible action to approve a special use permit to allow for storage of manufactured home style portable buildings within an Industrial regulatory zone. There are also requests to vary standards to waive the requirements for paving the driveways and storage yard, waive additional screening beyond the slatted chain link fence surrounding the site, waive improvements to stormwater drainage, and waive additional landscaping beyond the existing landscaping along both road frontages. The project site is currently occupied by a modular building business and the site would act as a storage facility for rental modular buildings between deliveries to job sites. These modular rental units are utilized as office and job site trailers.

- Applicant/Owner: Williams Scotsman, Inc.
- Location: 12050 Truckee Canyon Court, Washoe County
- APN: 084-090-41
- Parcel Size: 4.23 acres
- Master Plan: Industrial (I)
- Regulatory Zone: Industrial (I)
- Area Plan: Truckee Canyon (TC)
- Development Code: Authorized in Article 810, Special Use Permits
- Commission District: 4 – Commissioner Hartung
- Staff: Katy Stark, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3618
- E-mail: kstark@washoecounty.gov

This item was continued until the March meeting.

There were no requests for public comment. Chair Hill closed the public comment period.

MOTION: Member Stanley moved to continue this item until the March meeting. Member Pierce seconded the motion. The motion carried unanimously.

Chairwoman Hill recused herself from item 8A (The Resort at Tahoe and Residences) and exited chambers at 1:40 pm

A. Special Use Permit Case Number WSUP21-0035 (The Resort at Tahoe and Residences)

[For possible action] – For hearing, discussion, and possible action to approve a special use permit for major grading of the project site and connector roadways to prepare for the redevelopment of the Tahoe Biltmore property. The applicant is also seeking to vary the following standards from Article 438; Section 110.438.45(a); 110.438.45(b); 110.438.45(c); 110.438.45(f); and 110.438.45(i). The applicant is proposing the excavation of 197,500 cubic yards of material, and 42,000 cubic yards of fill material, and exportation of 155,500 cubic yards of material.

- Applicant: EKN Development Group
- Property Owner: EKN Tahoe LLC & Big Water Investments
- Location: 47 Redervoir Road, 101 Lakeview Avenue, 0 Wassou Road, 5 SR 28 and 0 SR 28
- APN: 123-071-04; 123-054-01; 123-053-04; 123-053-02; 123-052-04; 123-052-02; 123-052-03; 123-071-35; 123-071-36; 123-291-01
- Parcel Size: 0.64 ac; 1.00 ac; 0.18 ac; 1.42 ac; 3.23 ac; 0.28 ac; 0.28 ac; 0.45 ac; 0.42 ac; 2.77 ac (Total: 11.12 ac)
- Master Plan: Crystal Bay Tourist
- Regulatory Zone: Tahoe Crystal Bay Tourist
- Area Plan: Tahoe
- Development Code: Authorized in Article 810, Special Use Permits
- Commission District: 1 – Commissioner Hill
- Staff: Chris Bronczyk, Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3612
- Email: cbronczyk@washoecounty.gov

Member Thomas called for member disclosures. There were no disclosures.

Planner Chris Bronczyk provided a presentation.

Member Pierce inquired about the radio facility. He said he heard that wasn't going to be interrupted during grading procedure, but what about when you do the tear down. Mr. Bronczyk said staff is working with regional communications who understands the permitting process. They are working with the applicants. Part of the conditions is that there are no interruptions or hiccups with the equipment.

Member Stanley asked for clarification regarding interruption to the connector roads. Mr. Bronczyk said as part of the previously approved abandonment and variance, the applicant

was required to provide additional routing, new routing and that is where the new connector roads to Wellness Road came in.

To fully abandon the existing roadways, they not only have to meet the abandonment variance but also the requirements from NDOT, engineering, and TRPA. TRPA requires them to have all the permits before anything gets issued. Member Stanley said in terms of timing, through this process, what is the length of time that the connector roads won't be in-use. Mr. Bronczyk said he will defer to the applicant. Member Stanley inquired about the Conservation District comments regarding loss of trees and replacement commitment. Mr. Bronczyk responded because this permit only looks at grading, we didn't memorialize those conditions in the conditions of approval.

Member Thomas asked for clarification on the 'new' conditions that were submitted that went from two years to five years. Mr. Bronczyk confirmed. He said those are condition 1.C.

Member Christensen asked about the radio equipment. He said he understands it's not a military installation, but an important communication transmission site. He asked about the recourse if something gets knocked out during grading. He asked if there is recourse with grading. Mr. Lloyd said any interruptions would be like any other inadvertent damage. There would be repercussions. He said he doesn't have specifics, but the applicant would be at-fault.

Applicant Ebbie Nakhjavani provided a presentation.

Member Pierce asked a clarifying question; the community park and open space will not be used for storage. Mr. Nakhjavani confirmed.

Member Thomas thanked everyone for submitting their public comment. He reiterated what staff said earlier. We are not here to address what TRPA has decided. We are deciding the SUP with grading. The TRPA would ultimately approve what this board has done.

Public Comment:

Omer Raines, 180 Lakeview Ave, Crystal Bay resident. He said he lives in a conservation zone and it's the only one in Crystal Bay. It runs from Tuscarora to Reservoir Road which is proposed to be abandoned. He said he uses Reservoir Road every day. It's very well marked. He said his property abuts the proposed development. He shared a flyer – state of Nevada Conservation area sign. There is a sign on the perimeter of the proposed development. He said he would not have a way to enter or exit his property if Reservoir Road is abandoned. He said he would be landlocked which is illegal. The medical or fire will be impacted by the road abandonment. There would be no way to exit our property. We have avalanche warnings and avalanches up there. It's critical that the roadways are addressed. We cannot abandon Reservoir Roads. He said he has served in land use planning as chairman of a commission and comprehensive plan advisory commission for the state of California. He said he would be happy to meet with Nakhjavani. He said they have not reached out to me even though my property is the most impacted.

Daniel Adams, Big Water resident; Board member of the Granite Place Association which consists of the 18 units which is part of phase 1. He said he generally favors this resort and the additional residents that are planned; however, we do take great exception, which seems to be a later revision to the plan, in this connector road especially the southern portion. In 2009 and 2011, our 18 residences didn't exist, so we couldn't object to aspects of this project. We support the project, but object to part of the connector road as we feel it will negatively impact our property values and quality of life. He said he doesn't object to the middle section of the connector; that is safe path of ingress and egress down to highway 28. The notion that we would put a connector on our driveway when we already have difficulty coming and going on highway 28, to make a left turn requires a long wait. He referenced the connector PowerPoint slide. Wellness Way is the

bottom portion; it's Big Water drive. To change that would be ludicrous. The safe route is out on Stateline Road where a signal or roundabout needs to be installed to adequately convey traffic. Hopefully the traffic study will show that. He said look how close that road comes to our building. He said he doesn't know if that road follows setbacks. It needs to be moved or abandoned.

Joan Leutheuser, local Incline Village resident, said she has been coming to Crystal Bay for 20 years. She said she wanted to be here to support the property development. Everyone says it's about time they do something with the property because this property is an eyesore that needs to be done; it will bring jobs and careers. We keep hearing negative stuff, but the neighbors want change.

Mike Dunn, 30-year resident in Douglas County, said this affects the entire community. We are regionally connected. This area needs revitalization. This project is in a tourist corridor, it's not in a residential community. It sat there without improvement and doesn't benefit anyone. It's an eyesore. He said he is raising his children here. We are Tahoe. He said he supports TRPA's slow growth initiatives. He said we don't want to look like Park City, but we don't like seeing commercial buildings fall apart. This needs to come back to life. It needs current lodging. Bring in lodging that will benefit TOT. They will stay onsite and use shuttles instead of Airbnbs. He said he supports the revitalization especially when its tourist corridor.

Mark Higgins, Granite Place resident, said we don't understand the need to the connector road. Taking a left-hand turn is a challenge coming in and out of Big Water. They won't use that access road. He said he doesn't think it's effective. It's a huge detriment for the condos. The lights will shine into the building. It's going to strife the whole building and transmit traffic on a landscape buffer that we didn't believe could be a road. It dumps in front of our parking garage and is 6 feet from our access door. It's not effective and will be a detriment. He said we knew it was coming and pleased they are executing it and in favor. He said he is pleased with the park. The connector road is hugely expensive; it will create more access issues. It will negatively impact our condos. He said he was the second person to purchase and never heard of Wellness Way. It was approved a long time ago. It's ill conceived. It looks dangerous in its current design. It will be a busy access point. He said he hopes this development gets done.

Bert Sandman, resident on Speedboat Ave in Brockway, said he is here to support the North Tahoe Preservation Alliance presentation. He said he is the President of the Brockway Homeowners Association. He said he represents 80 homes, some of which were built in the 1920s. We are concerned about traffic and the traffic study that was provided.

Ann Nichols, North Tahoe Preservation Alliance, representing 487 people who signed the petition. She said there is no project. The one they are proposing with site plan is different. The subterrain is different, the Wassou connector, the different entrance, the different shape building, and new building. It's not the same. It has to be approved by TRPA first. They should re-submit. They will have to have a review. They want to come in and take the road. The Wellness Way is a terrible way. We fought in 2008. They are trying to take our 4th exit. She showed the exits. We will lose the Wassou to Stateline exit. It's a matter of life and death with wildland fires. It's a waste of everyone's time. We keep having to do this. Ebbie is still trying to take it. Let's get a better design. This new proposal is too big and too steep. It wouldn't need eight variances. You cannot make the findings. Its detrimental. Please protect us.

Margaret Martini said the studies are over 10 years old and things have changed. It would be unconscionable to think that in 10 years the environmental impact studies aren't significantly different. All the studies are significantly different and obsolete. Nothing should be considered. Traffic impact studies were questionable even 10 years ago. Please review the videos and news coverage of the evacuation efforts during the Caldor fire. There were 4 lanes used for evacuations and it still took hours and hours. Kings Beach and Crystal Bay on highway 28 are two, narrow lanes. Mt. Rose and Highway 267 are the only two evacuation routes in and out of the area. Full-time population has increased, and tourism has exploded. It's a traffic issue even during the middle of the week. There is other development approved that will impact traffic. Don't say it will

create jobs. It's not relevant unless you can provide affordable housing, and roads for increased traffic. The road that the developer is asking for is a public street and not up for grabs. It is a used public street especially in the winter. Reservoir Road is wanted for a private driveway. You have to determine if the impact to the small area is in best interest of the entire population of the north side of Lake Tahoe. It would be common sense that the magnitude is not a good fit for the area. Consider the safety of the residents and tourists who come here.

Nicole Beckering, Tahoe resident and business owner, said she knows the commute from Incline Village to Truckee is congested. The area is congested. It's a huge impact. Things have changed since the original proposal in 2008. There are so many more people. Commuting from Incline, individual residential construction puts a halt on traffic. She said she can't imagine the impact of the large proportion.

Sharon Heider, six-and-a-half-year resident of Crystal Bay, said she has worked for the developers and then public agencies and has been on both sides. She said we are acting prematurely. Just three days ago we received the presentation from applicant. There are changes to that. She said the developer wants to move forward with the previous approvals and then tells us the project has changed. She said we need to continue this item until we can look at this. It's an intriguing project and we would like to see that site developed consistent with the County's master plan. We don't have all the information. If you have a 10 ft retaining wall standard and you are looking at the 55 ft retaining wall variance, it's probably means you are stuffing a lot into a small site. A 50% variance is not slight. We need to look at this in detail. We need more time to do that. We need to look at the development application again. This is pitting the Boulder Bay folks against the long-term residents on how that road will function. You are hearing from the community that we don't love it. It's not a great thing for our community. If the vacation of Reservoir Road goes forward, we need to look at what that gift of public land is. The developer needs to give back in exchange of a very expensive gift. We can figure out if there is public benefit that needs to come back. We will ask the developer to show us the proposed grading and existing grading in liner feet. He keeps telling us that it's going to be a better road, but we aren't so sure.

Ron Code, 30-year resident in Crystal Bay, said he has generalized remarks of long involvement in crystal bay. He said he has to be skeptical of the artist renditions. Where is the Wellness Center, park-like center? The track record of development in Crystal Bay is dismal. They always push for economic return and ask 4X of what is reasonable and settle for 2x of what is reasonable. We don't have control of what happens. No vote or survey. Those who expressed concerns will be countered with louder voices. Crystal Bay has some of the nicest areas. To develop will detract from the area. There will be many adverse effects. You are only asked to approve road and earth moving. You are being asked to approve the foundation without knowing the consequences. Thank you, Ann Nichols, for her efforts for protecting the north shore.

Alexandra Poczy, Crystal Bay resident who lives across from the Biltmore, said she wanted to second what Mr. Code just said. It's going too fast. There haven't been enough studies. The impact of traffic is incredible. You have to wait for an opening in traffic. We have great concerns with fires. Either side of us is two lane roads to get out. During the summers, we have friends and families come up. You are looking at additional 500 cars for 100 units for the weekends. It equates to 2 miles of bumper-to-bumper traffic. Adding more units will clog the roads completely. We hope the project is downsized if it goes ahead. We have had a rash of earthquakes lately. To have retaining walls that are 50-75 feet is frightening. She said boulders can come down during earthquake. She said she feels this project hasn't been studied for seismology.

Scott Tieche, Wassou resident since 1980, said with a few exceptions, we would like to see the Biltmore redeveloped but we need one foot in front of another. We are looking at abandonment and grading. It's a county road that people use every day. This application is asking that road be abandoned tomorrow. We've been told Reservoir Road is one of the most dangerous roads in county, but we get rid of Wassou down to Stateline, people will have to go down Reservoir Road

in the snowiest months of the year. You need to review the document that Ann provided. Deny this grading permit as written.

Mary Mosher-Armstrong, Wassou resident, said she doesn't have a problem with the project that it's just kind of gone from a Bruce Banner to an Incredible Hulk. It needs to be right sized. It wouldn't need a variance. Reservoir Road is what everyone uses in the winter because Gonowabie has a blind corner and Amagosa is steep and has a blind corner. To lose that, it crushes me. She said she will use Wellness Way if that is the only alternative. The traffic study is a decade old and doesn't take into consideration Kings Beach went from four lanes to two lanes. In the summer, the traffic is backed up from roundabout to roundabout. That needs to be considered. Things have changed. IVGID had presented 2/3 of the houses sat vacant six years ago, but due to covid, the people in the city moved up here. There are more trips to grocery stores and school.

Charles Solt, owner on Lake Vista Drive, across from the Biltmore, said he is the closest neighbor to the project. He said he agrees with what has been said. The cart is before the horse. They had a layout of how things were going to be. We haven't been presented any information. If you look at EKN website, they been involved with developing projects but not of this scale. Their projects are standalone hotels that stand off the freeway. They aren't high-end resorts. We want to make sure that the project meets the needs and fits within the community. It seems like it will be too large. If the developer wanted to do something for the community, let the public use it in case of any kind of fire. There is no egress out of the basin.

Via zoom:

Tanya Miller thanked the members of the board. She said my family has been in Brockway since the 1920s. Everything has changed in the area since 2008. Between traffic and fire, Tahoe is a different place. Kings beach is one lane. It's traffic patterns changed. It can take one hour to get from Incline to Kings Beach in the summer. There was the Arora fire in South Lake. It's predicted that every inch of California will burn. More homes will only provide more of a challenge with trying to leave the basin if we need to. There is a housing crisis in the basin. People cannot afford to live and work. There is no plan for affordable housing. These guests will fly in from their private jets at the Truckee airports. They will have rental cars or second cars. Beach access and resort access will be in Tahoe Vista. There will be a large amount of traffic from this resort with friends and guests who come up to visit. We know this when we have our own guests. She said she would like them to think about how they are going to account for more residents and cars in the area. Thank you, Ann and Burt. She said we hope Mr. Navkajani takes these concerns into consideration – traffic and fire.

Earl Nemser, resident at Granite Place, said he heard we wouldn't be able to revisit the lower portion of Wellness Way. He said he believes staff is in error. This was previously granted - the abandonment of Reservoir Road with the condition of Wellness Way. If the abandonment of Reservoir Road was improvidently granted which it was, these conditions cannot be considered. The board has jurisdiction to reconsider whether the abandonment of Wellness ways was improvidently granted. The applicant didn't disclose to the 18-unit owners who purchased their property that there was going to be a park outside on the west side of the building and not a road. Circumstances have changed. There will be roads that will encroach on our property. That road will impact us severely because of exhaust, lights, and danger. He asked the board members to ask yourself how you would feel to have setbacks of a road six feet from your door. Consider on the east we will have a road; on the west we will have a road, and on the north, a parking lot; and on the south, a road. There is no property which will be so burdened. Think about our quiet enjoyment. Think about who gains and losses. The developer gains while we lose, why would you impose that on 18-owners.

Ellie Waller said she respectfully request that you table this and ask for TRPA review. The project has changed significantly. The grading for the parking structure is not a site plan. You must take into consideration the comments about the road abandonment; is this taking away from the

public? If TRPA supersedes your authority, why make a decision today. The determinations for the future, under substantial conformance will require too many variances. If it doesn't fit the site, reduce the footprint. Thank you.

John Boche, longtime resident on Speedboat, said he is a civil engineer and concerned that the grading permit is approved before a full understanding of the project. The density, details of construction haven't been disclosed. He said he doesn't understand how it could be approved for grading before understanding these crucial elements. It's elemental. He said he would appreciate it if you consider the impact of making such approval when a project is not fully defined.

Laura Pearson, Incline Village resident since 1998. She thanked Ann Nichols for her representation of our community. Its befuddling that we are looking at a project that was approved in 2008. It doesn't look like it did in 2008. If you went to the dentist in 2008, certainly your dentist wouldn't rely on your dental records from 2008. Its illogical that we are looking at this project. Its illogical that we are taking away that road. She said she has friends that use that road. It's incredibly challenging to get in and out of that neighborhood. Please look at what Ann Nichols has provided you. Please table this until we can take a look. Let's start over.

Kathie Julian, Incline Village full-time resident, thanked Ann Nichols for her work and research of these complex issues. She said she would like to reiterate and agree with what has been said about opposition to the grading. It seems the grading is not the only steep, slippery slope. Approving grading in advance of a project that has changed in size and scope from approved 10 years ago seems like a slippery slope. She said she worries about traffic getting to Kings Beach and 267. She said she worries about construction traffic with large vehicles, excavation and slowness of all that. They will be doing construction on Saturdays when we have max amount of traffic. There are a lot of red flags. They haven't taken these into consideration. She said she does support the redevelopment of the Biltmore. Its great to have commercial and residential. This project has gotten ahead of itself and needs to be reviewed.

Lou Feldman, local land use attorney, said he has been involved with the Boulder Bay project since its inception. The testimony that we heard is the same of the testimony we heard back during the process. The project is approved. In anticipation of this project, there will be underground and overhead utilities, attention to stormwater, a constructed public park, constructed building A which is the first phase. What is before the commission today is advancing what the Planning Commission approved as far as the abandonment and variance of these roadways in order to improve circulation and public safety by the TRPA permit which is still valid in effect. There is no other project. The approved project is being discussed but it's not before you. Grading and the variance is what is before you. Crystal Bay was developed 100 years ago as a summer vacation community. The infrastructure is antiquated. Lifestyles have changed to year-round. Everything that has been proposed will increase public safety by managing traffic flow and evacuation. The condition of approval of Wellness Way was deemed desirable by the Commissioners. We are advancing an existing approval with many phases already constructed and look forward to your favorable consideration of staff's recommendation. He said he has heard no evidence that have conflicted what staff has found as an appropriate variance to mitigate impacts of antiquated legacy infrastructure. Thank you for your favorable consideration.

Gail Heigh, 30-year local resident on Speedboat, said she has been going there for 78 years. She said her family owned for many years. Please consider the little town of Paradise. Please don't ignore this. Everyone is trying to get you to listen. South Tahoe could have been more of a disaster last year. She said she is not worried about the traffic inconvenience., but rather worried about death.

Greg Stalk, resident on Harbor, said he is learning more than he wants to know. This project was approved in 2008. 14 years ago, the studies were conducted. The traffic and EIR are totally outdated. We need to review these things. We are putting the cart before the horse when we talk about grading before we know the goal of the construction will be. Thank you.

Craig Lemons, property owner on Dolly Varden in Kings Beach, said we need time to evaluate this. Traffic in Kings Beach has been horrendous. He said he echoes what has been said about fire and emergency. He said he would like to see a pause on this to conduct more studies.

Secretary Albarran stated that all public comment received from the public was made available and posted to the website prior to the meeting.

Member Thomas closed the public comment area.

Discussion by Commission:

Member Pierce asked for the PowerPoint slide that shows the timeline for what will happen between May-June. He said he it looks like Statline Road will go over and tie into Lake View Ave. It looks like there will be another connector road. Mr. Bronczyk confirmed. Member Pierce said that takes a lot of concerns away about getting rid of Reservoir Road. It will be a small abandonment. He showed on the overhead projector. Mr. Bronczyk said there will be two abandonments. He showed the first phase; they are proposing to abandon Wassou Road which is the existing connector from the Lake View and Wassou Roads to existing Stateline Road. However, they are proposing to do connector roads; once constructed, the remainder of Wassou and Reservoir will be abandoned. Member Pierce said it looks like it will be there for July-August. They are only losing access for a short period of time as part of the phasing plan. North Lake Tahoe Fire and Engineering is here to talk too. Member Pierce asked where is Wellness Way. Mr. Bronczyk said it's a carry over from the original approval from Board of County Commissioners in 2009. It came about in 2021 with the variance and abandonment application. He showed on the overhead map the road that is called Wellness Way. That is part of what will be built as part of connector. Only the purple is going to be abandoned. Member Pierce said the traffic studies will be done after, if we approve this and that will go to TRPA. Mr. Bronczyk referred to Alex Wilson, NDOT. Alex Wolfson, Engineering Manager for District 2, said any permits to improve SR 28 which includes removing existing access and building new ones will come through NDOT's office. He said he has permitting and traffic engineering under my purview. NDOT's process works with the County's process. We wait to see what the conditions of approval are going to be, what they are proposing, and who the contractor will be before doing the traffic study. Ultimately, the traffic study is due for NDOT review prior to us accepting an encroachment application. We won't consider an application to build a new road connection to SR 28, or to abandon the existing road connection to SR 28 and other work associated with the project until we have reviewed the traffic study. Our traffic study should be required at the same time as Washoe County's study. We won't accept a traffic study from the applicant unless it's a joint traffic study scope with NDOT, Washoe County, and any other relevant agencies. The traffic study is not just about SR 28, but all the roads impacted. We don't want a traffic study for just SR 28. Those processes are at the same time. We are just discussing building permits for grading but not necessarily the project improvements. It's hard to comment on that. He said he is not sure what the conditions will be put on that and what the timelines will be. NDOT process takes time as well. Mr. Bronczyk referenced Exhibit 5, condition from Engineering that speaks to traffic study that complies with NDOT and Washoe County standards.

Member Stanley asked for clarification; no abandonment will take place until traffic studies are done in the current environment. Mr. Wolfson replied and said that is kind of true. He said the decision to close the road will be Washoe County because they are the one's who own and maintain. The permit is required for physical removal of that portion of the road in the NDOT right-of-way. Our expectation is, if road is abandoned to the developer, they are responsible for maintaining that road. He said he would advise to consider the impacts of closing a road before doing it; however, the decision is the County's because it's their road. Member Stanley asked if there is an agreement to abandon the road, there would be one set of traffic study results. If there wasn't an abandonment of these roads there would be a different set with different results in your traffic study. Mr. Wolfson said yes. He said the traffic study take all things into consideration. Its rare we get a traffic study for an abandonment. He said the way he would like to see it is as a

realignment. We are taking Reservoir Road and route traffic through Stateline or Wellness Way. We want to see the results of abandoning or removing the road and the effects it will have, new roads and its factors that are impacting the traffic patterns.

Member Thomas said if you are north by the water tower and had to leave, you can go west out Stateline, east on Lakeside, you could go south on Reservoir to Wassou to get out. Those are the areas to take now. Mr. Bronczyk said yes. Wassou through that existing development is the route to State Route 28. Member Thomas said if we got rid of Reservoir from north to south, you would still have Stateline to 28, Lake View, and connector to Wassou. You could stay on Lake View or you could cut over Wassou and include Wellness Way to SR 28. We haven't really lost an exit other than direct route from north to south. The number of exits will remain the same. Member Thomas asked if a traffic study was done in 2008. Mr. Wolfson said yes, it was a similar concept where a traffic study was done considering all the impacts and reviewed by Washoe County, NDOT, and TRPA. There was a traffic study and it did include intersections along SR 28. We require an applicant to update a traffic study if it's more than a year old. Traffic numbers can become outdated quickly. We are aware of the traffic study from 2008. It's outdated at this point. Member Thomas agreed. It's different than it was back then. Member Thomas said if this project is approved, 155,500 cubic yards will be leaving the property, and an average dump truck of 14 cubic yards will make 11,000 trips at the same time NDOT is resurfacing SR 28. He asked if the 11,000 trips be included in the traffic study or is that a secondary issuance and not included in the traffic. Mr. Wolfson said those construction trips are not included – when we look at a traffic study, we look at it in terms of permanent final improvements and what kind of traffic is generated from the site. There would be a construction plan where they have to address those 11,000 trips. It's important, not only because of the re-pave, but maintain and minimize delays. That kind of construction traffic will create an impact. Construction trips are temporary and can be mitigated. It's something the applicant needs to address and they will need temporary permit for traffic control.

Member Stanley asked how long the roads will be impacted during the process. Tom Jacobson, applicant representative, said we will start between February-May. We will be in the process of getting the site ready, BMPs, and fence the site. The proposed abandonment of portion of Wassou that goes through the parcel will happen between May-June as we begin to build the roads. There will be discussion of the height of the retaining walls that will be used to hold back the soil to build the connector roads. Substantial cubic yards will be used to construct these connector roads. The walls will hold back the dirt. We will take the dirt from the site and use it to construct the connector roads. To be clear, none of the roads will be abandoned except for portion of Wassou until new connector roads are accepted. Member Stanley asked the timeline of impacts of roads and their ability to carry traffic. Mr. Jacobson said May through October at the latest. Member Thomas asked if the retaining walls that are 55 feet are temporary or permanently. Mr. Jacobson said those will be permanent.

Member Stanley asked about the conservation area. He said he didn't see that in the report or agency review. Mr. Bronczyk said agency reviews go to everyone within the Tahoe basin. Member Stanley said there was no mention of the conservation area. Mr. Lloyd said there is no conservation area on the site. It's off the site. He said he doesn't know what jurisdiction oversees the area.

Member Thomas said the evacuation routes that are proposed were assessed or evaluated. Are there problems with those being proposed or accessible routes. Jennifer Donohue, Fire Marshal with the North Lake Tahoe Fire Protection District, said we have looked at the proposed roads and they do meet and are proficient with 2018 edition of the International Fire Code which is what we would review this project with.

Member Pierce said he seems to have gotten all of his questions answered. Given our orders on this, there are other departments that will come in after us before they break ground. We are preliminary approvals. The willingness of applicant and support of staff, he said he would be inclined to approve this. Member Thomas said no ground will be broken, this will have to go to TRPA.

Member Stanley said he still has issues with the negative impacts on the current roads for a substantial length of time. He said he is wrestling with that as far as detriment. We are the first decision and flows from there with many more decisions.

Member Christensen said he agrees with Member Pierce. This is a major step, but the first step. He said the Biltmore is an eyesore. Its taken this long to get this far. He said he doesn't think anything will occur that is detrimental to the interest of the citizen of Washoe County, and specifically the residents of the area. There is a lot of review to come for the approval of this area. He said he is inclined to agree with approval of these variances.

Member Thomas said he had a lot of the same questions that were expressed by the members of the audience. One of the concerns was going back to the review, documentation and decisions all the way back to 2008 and now phased in 2022. The Board of Adjustment is here to review grading permit is our purview. Given whats been pressed to the board today regarding the willingness to not use the park as a staging area, he said he thinks that shows some degree the owner or applicant is willing to work with community. He said he hopes all the input is taken today and further dicussion will happen with the community. You are part of the community. He said he doesn't see anything substantial that would prohibit this from going forward. He said he doesn't like the amount of truck traffic on the road. He said that area is crowded even before this project. NDOT will have to address those issues. But for grading itself with what has been presented, he said he doesn't see anything that would prevent us from approving this.

MOTION: Member Pierce moved 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 the amended conditions (including the condition to prohibit the park to be used as staging), Special Use Permit Case Number WSUP21-0035 for EKN Development Group having made all five findings in accordance with Washoe County Code Section 110.810.30:

1. **Consistency.** That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Tahoe Area Plan;
2. **Improvements.** That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;
3. **Site Suitability.** That the site is physically suitable for major grading, and for the intensity of such a development;
4. **Issuance Not Detrimental.** That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
5. **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

The motion which was seconded by Member Christensen carried unanimously in favor.

The board took a 5-minute recess.

Chairwoman Hill re-entered chambers at 4:04 pm.

F. Variance Case Number WPVAR21-0004 (Birta Front Yard Setback Reduction) [For possible action] – For hearing, discussion, and possible action to approve a variance to reduce the required front yard setback from 15 feet to 8 feet to facilitate the addition of a two-car garage and a one-car carport at ground level and a new master bedroom suite on the floor above.

- Applicant/ Owner: Robert and Calin Birta
- Location: 919 Jennifer Street at its intersection with Bridger Court
- APN: 125-361-12
- Parcel Size: ± 0.32 acres
- Master Plan: Incline Village #5
- Regulatory Zone: Incline Village #5
- Area Plan: Tahoe
- Development Code: Authorized in Article 804, Variances
- Commission District: 1 – Commissioner Hill
- Staff: Roger Pelham, MPA, Senior Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3622
- E-mail: rpelham@washoecounty.gov

Planner Roger Pelham provided a presentation.

Member Stanley thanked Roger for providing alternatives to the applicant. The open space in the backyard is not a valid input to the variance criteria. Mr. Pelham said it's not in this case. It might be for another property if the result of the subtraction of the open space easement that resulted in a buildable area is smaller in dimension than the minimum lot requirements. In this case, it does not. Even after you take away that open space easement, the remaining area is still deeper and wider than the minimum lot dimension for this zone.

Applicant Wayne Ford provided a presentation.

Chair Hill asked the dimension of the garage you are proposing. Mr. Ford said 20x20. He said we have no other place to put the stairs. The car port is 22 ft long for larger vehicle.

Applicants' attorney Robert Angres said the idea hardship should apply for Incline Village with life safety with snow fall and snow removal. He said staff was not accurate in his portrayal of what has been recorded in the subdivision which drives the issue of fairness and equity. The issue of open space easements are relatively new to Incline Village and exist everywhere except Mill Creek. They need to be taken into account. While staff claims they provided alternatives, they are impractical and unworkable and truly a distraction from key issue at the heart of this matter. He said you have my letter that talks about equal protection and fundamental property rights and erring on the side of favorable of fairness instead of holding a line that keeps changing. What is at stake here – fairness and highest and best use of a property. He said he urges you to grant this application based on what it seeks – it's a plus for everyone and a detriment to no one.

Public Comment:

Robert Birta, owner, we are asking for 1% to be able to provide master bedroom and to be able to store the cars in the garage and off the street. We are residents of Incline Village since 2006. We are good people who pay our taxes. Thank you for listening to us.

Discussion by Commission:

Chair Hill said she is having a hard time; there are a lot of folks that don't have garages. It's something you can have when it's appropriate. She said I see you are doing a deck addition which takes up coverage; maybe build a garage instead of deck addition. She said she doesn't know the alternatives. She said she doesn't feel confident with approving at this time.

Member Thomas said NRS 278.300 limits our authority whether we can grant the variances with exceptional challenges with the property such as narrowness, exceptional topography, or other extraordinary exceptions for property. He said he doesn't believe the applicant has met one of those requirements.

Member Stanley agreed with Clay's analysis. He said as a citizen, he appreciates planner Pelham providing help to those who are filing applications. He said he would want that kind of assistance. There is always an alternative.

Mr. Lloyd said Chair Hill's comments are correct, there are a number of homes in Tahoe that do not have a garage; however, it's a code requirement for stick-built homes to have a minimum one car enclosed garage. Chair Hill said they can do that without a variance.

MOTION: Member Thomas moved 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 deny Variance Case Number WPVAR21-0004 for Robert and Calin Birta, being unable to make all five required findings in accordance with Washoe County Development Code Section 110.804.25:

1. **Special Circumstances.** Because of the special circumstances applicable to the property, including exceptional narrowness, shallowness or shape of the specific piece of property; exceptional topographic conditions; extraordinary and exceptional situation or condition of the property and/or location of surroundings; the strict application of the regulation results in exceptional and undue hardships upon the owner of the property;
2. **No Detriment.** The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted;
3. **No Special Privileges.** The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated;
4. **Use Authorized.** The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property;
5. **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.

Member Stanley seconded the motion which carried unanimously.

Mr. Lloyd read the appeal process.

B. Special Use Permit Case Number WSUP21-0032 (Mineikis Property) [For possible action] – For hearing, discussion, and possible action to approve a special use permit to construct an approximately 2,500 square foot single-family detached residence (Family Residential Use Type) in the Neighborhood Commercial (NC) regulatory zone.

- Applicant / Property Owner: Alik & Julia Mineikis
- Location: 643 US Highway 395 S
- APN: 050-231-04
- Parcel Size: 4.309 acres
- Master Plan: Commercial
- Regulatory Zone: Neighborhood Commercial (NC)
- Area Plan: South Valleys
- Development Code: Authorized in Articles 810, 808 & 306
- Commission District: 2 - Commissioner Lucey
- Staff: Katy Stark, Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3618
- E-mail: kstark@washoecounty.gov

Planner Katy Stark provided a presentation.

John Krmptic, applicant representative, provided a PowerPoint presentation.

Public Comment:

Sierra Noble, adjacent property owner to the proposed project. She said she has concerns; there is a very high-water table with run off that runs through the property. When that land is disturbed, and when that run off is already present on my property and the neighbor's property there will be an impact from additional run off. She said she knows we are talking about the home, but there will be a riding arena. She said she is concerned disturbing the land will increase the amount of water in our property. It will have a significant impact.

With no further requests for public comment, Chair Hill closed the public comment period.

Member Stanley said he was pleased with the use of the South Valleys plan. He said it looks like a clean project.

Member Christensen said he read this many times. He complimented the owner for building on an NC zoned area. It's the best use of the land there. He recognized the water problems in the area. Chair Hill said they will likely install mitigation measures to address the water.

Member Thomas asked if we need to include that into the conditions. Mr. Lloyd stated this is a request for use type and any construction activity would require permitting through Washoe County where they would be looking at drainage and hydrology.

Member Thomas thanked the applicant for clarifying this would be used for private use.

MOTION: Member Stanley moved 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 WSUP21-0032 for Aliks and Julia Mineikis, 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, and the two findings associated with the South Valleys Area Plan:

1. **Consistency.** That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the South Valleys Area Plan;
2. **Improvements.** That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;
3. **Site Suitability.** That the site is physically suitable for a single-family detached residence and for the intensity of such a development;
4. **Issuance Not Detrimental.** That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
5. **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.

South Valleys Area Plan Findings

SV.2.16 The community character as described in the Character Statement can be adequately conserved through mitigation of any identified potential negative impacts.

SV.18.3 No significant degradation of air quality will occur as a result of this special use permit.

Member Pierce seconded the motion which carried unanimously.

D. Special Use Permit Case Number WSUP21-0034 (Washoe County Field Creek Water Truck Effluent Fill Station) [For possible action] – For hearing, discussion, and possible action to approve a special use permit to allow the construction and operation of a water truck fill station (Utility Services Use Type) and a related request to reduce the landscaping required for a Civic use type by Article 412, Landscaping, of the Washoe County Development Code.

- Applicant: Washoe County Community Services Department, Utilities Services Division, attn. Dylan Menes
- Property Owner: Washoe County Community Services Department, Utilities Services Division, attn. Dwayne Smith
- Location: On the north side of Arrowcreek Parkway, approximately 600 feet west of its intersection with Tremolite Drive
- APN: 142-020-06
- Parcel Size: ± 24.488 Acres
- Master Plan: Suburban Residential (SR)
- Regulatory Zone: Public and Semi-Public Facilities (PSP)
- Area Plan: Southwest Truckee Meadows
- Development Code: Authorized in Article 810, Special Use Permits
- Commission District: 2 - Commissioner Lucey

- Staff: Roger Pelham, MPA, Senior Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3622
- E-mail: rpelham@washoecounty.gov

Planner Roger Pelham provided a presentation.

Applicant Dylan Menes provided a presentation.

Public Comment:

Via Zoom

Cameron Center-Carr, Heidi's Carr's son, said he has not been involved in the decisions with what is going on with the property next door. He said he wanted to make sure his viewpoint is expressed. He said we are the owners of the adjacent property; the property that will have a turning lane in front of it. It's also the property that will have the access road right next to it. This is a residential property for a single-family residence only. It's 3-acres. It's the last of a 400-acre ranch that his dad had purchased in 1975. Slowly the pieces went away until he kept the last 3-acres with Steamboat ditch going through it. It's an irregularly shaped property. The ditch creates a situation in which the building possibility for what he wanted as his dream home into the south-west corner of the property. The access road will go right there. The turn-in lane will go close to the property which would push the house away. If you look at the footprint of the homes in the area, the footprint helps keeps the character with amount of space, easement, and setbacks. There is a high impact on the value on this property. There is a request to reduce landscaping which would expose more of the traffic without the landscaping. The solution for us would be a steep approach to the access which would move the access road away. And a shorter access lane and landscaping that borders the property which is complete per requirements. He said he isn't an expert in real estate development. He said he wants to keep the legacy that his dad wanted for this property.

Steve Baker, Mountain Gate Community, resident who lives close to the subject site, thanked staff for answering his question. He asked about landscaping on the east side of property to help block the view. There are no provisions on the trees. It could take a decade to create a screen. He requested some provision or condition, so the trees are mature in size, so they quickly accomplish the objective to screen the structure. Much of the Mountain Gate Community will have a line of site to this area. He said his second concern is traffic. He said he can appreciate the 10-20 trucks estimate, but what if that is wrong. We have increased pressure for development. He said he would ask for a mitigation impact to reduce the amount of traffic to align it with the estimates to make sure it doesn't create a challenge and unsafe condition for the residents.

Member Thomas asked what the estimated height above ground of this pipe is. Mr. Menes said 14 feet. Member Thomas asked if this project goes through, could the Fire District potentially use and fill their trucks. Mr. Menes said if it's possible, we encourage it. He said he wasn't sure if the pressure is there. We partner with them on different things. Maybe there is a special fitting to encourage use. Member Thomas said if there was a fire in Arrowcreek the fire department could fill their trucks. Mr. Menes said they are willing to explore it. Member Thomas asked if the turn lane extends in front of other people's properties or stays within the property boundaries. Mr. Menes said it is within the right-of-way; it will be in front of the gentleman's parcel, but it is in the right-of-way. Member Thomas asked if it's permanent. Mr. Menes said we had a special use permit on this site in the late 90s and it expired because it wasn't being used. He said it may come where the Arrowcreek area is built out and there won't be any more need for it. For the foreseeable future we will need it. Member Thomas said he did a site visit. It's 25-acres and its open. He said he wasn't sure if there is any significance to putting some boulders down or a gate

because there is a lot of access onto the property. Mr. Menes said that is the issue we have at other sites; we put up obstacles and people go around them. Member Thomas asked about installing a gate there. Mr. Menes said no, it would make it trickier there. Member Thomas asked about adding additional trees. Mr. Menes said we thought about it; we changed the lighting to be downlit, and the pipes will be painted to match the desert. We wouldn't be averse to adding more trees; however, we already doubled the amount in the impacted area. Tree maintenance is a lot of work for the crews.

Member Stanley asked about the turn-out lane on the right as you are driving west up Arrowcreek. He said he doesn't recall if it's a double yellow line. Having a water truck cut across that lane would be unsafe. He asked if anyone knows it's double-yellow. He asked about left-turn lane going down the hill. Mr. Menes said the traffic engineering reviewed but it can be verified. Member Stanley said he is concerned about safety and pedestrian use in the area. Mr. Menes showed the turn-lane on the overhead. There is a center-lane. Dwayne Smith, Director of Engineering, said we talked about this regarding the safety for this particular project. On the overhead projector, he showed where the turn lane would be with site access. Member Stanley said he was concerned about traveling east and crossing multiple lanes of traffic. Mr. Smith stated the width of the of the road already exists with a center turn lane. He said the area will be striped appropriately. It's not just water trucks, but service trucks, and TMWA trucks. Member Stanley said there are kids coming out of the high school. He asked if there is going to be blinking yellow lights. Mr. Smith said under the policies approved by the board in 2019 in terms of traffic safety is to address these issues. This area has had been a recent focus especially considering the expanded walking distance. Mr. Smith showed the crosswalk. He showed the recently completed push signal cross walk. He said we listened to the residents. He said there are other safety improvements that we are looking at as well. There isn't a sidewalk in the area, but there is a bike path. All the trucks have to comply with the rules of the road. If we find there is a need to add something more, we will do so. There will be a stop sign at the exit the site. Member Stanley asked if there is anything that a pedestrian will see on the tank side to provide caution. Mr. Smith said he hopes they utilize the existing sidewalks, effectively cross using the signal crosswalk, and not on the north side where the driveway is.

Member Pierce asked clarification about 10-20 trucks a day and 70 working days. Mr. Menes said there will be 70 working days to construct this facility. When its up and running, there will be 10-20 trucks accessing the property a day.

Member Thomas recommended that we remove conditions 1.e. and 1.f. for the boulders and the gate. He said he doesn't see the significance of them. That property on the Arrowcreek side is wide-open. Member Stanley asked if signage would be appropriate for the side of the street where the kids ride their bikes. Member Thomas said no, it's a driveway. It's just like any other driveway. He said he would not be in favor of that.

MOTION: Member Thomas moved 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 amended conditions Special Use Permit Case Number WSUP21-0034 for Washoe County Community Services Department, Utilities Services Division, 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:

1. **Consistency.** That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Southwest Truckee Meadows Area Plan;
2. **Improvements.** That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an

adequate public facilities determination has been made in accordance with Division Seven;

3. **Site Suitability.** That the site is physically suitable for a water truck fill station (Utility Services Use Type), and for the intensity of such a development;
4. **Issuance Not Detrimental.** That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
5. **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.

Member Pierce seconded the motion which carried unanimously.

The Board took a brief recess.

E. Special Use Permit / Administrative Permit Case Number WSUP21-0036/WADMIN21-0016 (Silver Circle Ranch) [For possible action] – For hearing, discussion, and possible action to approve a special use permit for a commercial horse boarding stable for 25 horses and for grading of 6,000 cubic yards for an indoor riding arena; an administrative permit for an 11,580 SF indoor riding arena structure that is larger than the existing 1,120 SF main residence. The applicant is also requesting modifications of paved surfaces to allow non-paved surface, reduction of landscape standards for a commercial use and waive screening requirements for commercial properties adjacent to residential properties.

- Applicant/Owner: Pro Pony LLC
- Location: 3400 Holcomb Ranch Ln.
- APN: 040-670-12
- Parcel Size: ±12.56 acres
- Master Plan: Rural Residential (RR)
- Regulatory Zone: 93% High Density Rural (HDR) & 7% General Rural (GR)
- Area Plan: Southwest
- Development Code: Authorized in in Article 302, Allowed Uses; Article 306, Accessory Uses and Structures; Article 438, Grading; and Article 810, Special Use Permits
- Commission District: 2 – Commissioner Lucey
- Staff: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3627
- E-mail: jolander@washoecounty.gov

Planner Julee Olander provided a presentation.

Applicant Representative and Engineer Clint These provided a presentation.

Member Thomas asked how many horses does the owner have? Mr. These said the owner has a total of seven horses. The assistant trainer has 2. The other 13 horses are boarded. Member Thomas asked how you take care of 24 horses with less than 1-acre per horse. He said horse trailers could be 10-14 feet in length and the entrance is a single lane road. Mr. These said there will be a 24 ft. access around the structure to provide 150 ft. roll out. Mr. These said the access road is probably not 24 ft wide, but its probably 20-ft wide. At the actual

gate, it might be narrower with a single vehicle. Member Thomas said there could be another 13 horse trailers that could potentially be coming in. Mr. These said yes, but the ropers don't all show up and leave at the same time. Mr. These said the applicant can provide additional answers.

Liz Reader, Owner/Operator, said the biggest questions have been traffic and how the operations are structured. She spoke about intended use, impact on existing business, and concerns that have been voiced. She said we received that letter this morning and we are trying to address those from the board and neighborhood. The indoor facility would allow us to work the horses in a safe place. We get significant wind and poor weather. When you are working with kids and horses, you run into the risk that horses get spooked in the wind and frozen ground in the winter. Indoor use allows us to operate year-round to provide high value to clients. It doesn't change the operating model. She said there will be the same amount of people coming in and out. Its important to address concerns regarding 1.5 acres per horse. She said that is correct if you have horses out on pasture and the pasture is the primary source of food. All our horses have their own stall with runs they go into. The stalls are 12x12. All their nutrition is met with hay and grain substitute with vitamin and minerals. They will go out to pasture in the summer, and we rest the fields for best practices for both parasites as well as making sure we don't overgraze the fields. We want to protect the grass fields. That is not their primary source of food. Their stalls are cleaned every day and horses are in at night and out during portions of the day.

Public Comment:

Art O'Connor, Holcomb Ranch resident, said this project has two components. First, expansion of an occasional historical training facility to 100 sessions per week. The second, the new indoor event center. The development code has two categories for them. First, commercial stables which allows for equestrian training. Second, is equestrian facility, which is the building. According to the table of the allowed uses, there is no equestrian facilities in the table. He said the equestrian events are sporting events which is the last row on the table. It's not permitted in the residential areas. The consultant's report listed all of this. It said 100 sessions over 5 working days, 20 trips per day, not 7. The events they hold will have 50 riders for each day. They ignored the 20 trips per day for riding. The road is narrow, steep drop off, with a gravel driveway. He showed the access road. The road is less than 12 feet.

Jill Brandin, Diamond J, owners of Flying Diamond Ranch, which is north, adjacent to Silver Circle. She said we never saw more than 4 horses until Pro Pony took over. You have the authority to correct the detriment effects of the unauthorized use by Pro Pony and what it has done to our neighborhood. We gave a written presentation for the record. Pages 9-12 show the opposition of the neighbors. This project is silent or misleading. It's not a grandfather issue. It should be analyzed as a new commercial property. The findings could not be made. The permits should be denied. The admin permit is for 30,000 sq. ft. metal building. On top of fill grade, it would make it as tall as a four-story tall building. The owners don't live here. Is this building really accessory use. There is nothing about this that pays homage to the area's western heritage as described in the area plan. It will be twice as tall as the Tom Dolan's Kia dealership or the Les Schaub Tire shop on South Virginia. The footprint would be larger than the entire ¼ lot in the residential neighborhood. How would you feel if you had this in your neighborhood instead of the 14 cottonwood trees the owner will cut down? How is that not detrimental to the character? It's not suitable for massive industrial building. There are other findings that cannot be made. Thank you.

Chris Hsu, Holcolmb Ranch Lane resident, showed on the overhead that his property shares the longest border with Silver Circle than any other neighboring property. He showed his

property adjacent. Since hearing about the plans to substantially increase the commercial operations with a metal building, we have been distraught. We love southwest Reno with beautiful countryside, quiet neighborhoods. It's a tradition to eat dinner on the front patio and we have had to alter our tradition over the last year as the dinner table faces the manure pile. When the wind blows our direction, there is a stench of urine. In the Spring and Summer, the flies are everywhere, and we cannot keep them out of our house. This unauthorized commercial operation has been expanding even before today's hearing recently adding a viewing stand, hosting more shows with more cars, commercial trucks, arena flood lights as shown in the picture and competitions that come in from far away. How much bigger can this get? Authorized expansion of this operation is unbearable. We weren't invited to the neighborhood meeting where it was reported to have neighbors in favor of Silver Circles expansion. Its peculiar that the owner contacts us often to access our yard to pull water off dry creek and we are in contact with them after a traffic accident in the arena in July. We found out about the meeting from two families after the event. We are the most impacted neighbor. There is no way this board or anyone who values homeowners would support these commercial operations like this with a metal arena or expanded boarding 25 horses. He said he wonders if the owner lived on-site or at our house if they would be excited about this opportunity. We expressed our strong opposition to this.

Rhonda Shafer, read a statement from Rich Larsen, resident on Diamond J Place for 18 years and a resident of Truckee Meadows for many more years. I've biked on these roads. Traffic is become an issue to bikers and runners. Annually, there are traffic counter cables on Holcomb. NDOT also provides a 10-year vehicle count for this location from 2011 to 2020. Those data show a low over that time period of over 2000 vehicles per day in 2012 and a high of 2950 vehicles per day in 2019. That's a 48% increase. Holcomb Ranch is a very narrow road with poor pavement, no paved shoulder or white line along the edge and an irregular pavement edge that drops off abruptly in many areas. How close the bicyclists can ride to the edge of the road? Most importantly less than .5 miles used to Silver Circle are two sections of short 90 degree turn with very limited visibility. If a vehicle gives a cyclist riding here of a state mandated 3-foot of clearance with the cyclist riding 12 inches edge of the road, even a car ends up over the solid yellow line on the road and into oncoming traffic. A vehicle with a trailer is much worse. And I've had this often happen to me too many times to count. Even worse is getting less than three feet of clearance from the vehicle, which also happens regularly because there is no room on the road for everyone. Unfortunately, there is no other route for bikes to travel North/South. Increased vehicle and trailer traffic will be a significantly increased risk to cyclists, runners and everyone in the area. Thank you. Rhonda Shaffer said she lives on Panorama, dry creek runs through my 9-acre property so that is a concern of mine as well.

Calvin Lida, neighboring resident of 18 years. He said he really enjoys that rural feeling out there. He said he bought the house from Sally Quay, who built house in 1955 who shared the stories of when they were living there. Jack was a geologist and Sally was a teacher and raised their children in this house. He said he works as an ER Physician and enjoy coming home to a peaceful area and look forward to after a long day at work. He said we have had friends and family comment on the tranquil area that we live in and how lucky we are to find a nice place. Numerous people ride and bike to enjoy the setting. A commercial enterprise with large building and crowds and traffic is not appropriate for the area. My neighbors on Lakeside Drive were not able to attend this meeting due to COVID and they asked me to express their feelings. They are in direct line of site to the project and development and concerned about building, traffic, and noise. They have noticed the increased traffic on Lakeside Drive. On three occasions, 3 cars have crashed into their fence and yard. We are concerned about the pollution of this project. There are 24 horses likely to come. There are a series of ditches and canals from Steamboat ditch which provides us with irrigation for landscaping and ponds. We get our water and domestic from ground wells. With a large

number of horses, it will provide pollution and urine and waste from the horses which can get into the groundwater and runs off into ditches. He said he hopes the board will not allow people to come into area and destroy the beauty and tranquility of this unique neighborhood.

Mark Sehnert, Diamond J resident since 2012, said we love living in this area. He said he wanted to focus on the building. It's located off of highway 671. It will rise more than two stories off of the elevated surface as indicated by the applicant. He said he took measurement of a mile around the area on google. The current largest residential structure has a volume of 215,000 cubic feet. This building has an estimate volume of 335,000 cubic feet. It's 1.5 times of the largest building. This is big. If you look at the typical footprint of a single use commercial building, its between 15-16,000 feet such as Courtyard or Springhill property. Les Schaub is about 15,500 square feet. It's unfathomable that a building could be built in this area. We will all have to live with the impacts of looking at the building. The owner will not because they don't live there.

Ryan Buell, read a statement of Ron Palmer of Timothy Drive, who cannot be here today. My name is Ron Palmer. I've lived at 9675 for more than 45 years. I was good friends with Warren Nelson and that gives you an idea of how old I am. I purchased my property from Warren in 1976. I lived across the road from Silver Circle and served on the Reno Rodeo board for 16 years and we enjoyed hunting together throughout North America. Warren lived on Circle Ranch and had a stable where he kept his personal horses along with other horses. He boarded many horses who belong to friends of his and for Warren. The stable was just a hobby. After he passed away, his daughter continued boarding and kept 4-5 of his horses till they grew old and passed away. It was peaceful and enjoyable until the property was sold to Pro Pony who ramped up the number of horses. The pasture has been carved up and the once a green meadow is now turning to dust. Traffic has been compounded by the illegal commercial development by Pro Pony. This is especially true on weekends. Joggers, cyclists, motorcycle and vehicles crowd this narrow curve of lakeside drive. Pro Pony's illegal events grid lock our neighborhood with trucks and trailers by people who aren't familiar with the area and make it dangerous. These events are a disrespect to the area and should be held at the Reno Livestock Event center. On December 5, my neighbor Lyle Winchester and I attended the open house of Pro Pony. We were surprised we were the only neighbors present. We didn't know the other attendees, and no one mentioned the metal building. The permit should not be approved. Ryan Buell said they are overgrazing the pasture. They aren't keeping the neighbors in mind. Adding bigger commercial will get worse in time.

Sheldon Schenk, Lakeside Drive and Reno resident for 33 years said he works as a physician. He said after a shift at work, he crests Windy Hill and reflect on the beauty. There are beautiful pastures with horses grazing and coyotes. Bicycles, joggers, and neighbors walk their dogs. As years has past, traffic has increase which making it difficult to enter my property. He said he has cared for patience who has been hit on these roadways. Spring arrives, the cottonwoods blossom. The ditches will fill with water. What you don't see is a large commercial building devoid of landscaping with horses grazing every blade of grass. Dust will permeate the surrounding properties. If this is approved, there will be increase flies from the urine and waste of horses. Trailers block traffic putting bicyclists and joggers at risk. Motorists swerve into oncoming traffic to allow space for bicycles. This development will significantly impact the character of the area of old south Reno. He said he can see no reason for commercial operations with negative affect on the surrounding properties.

Lysle Winchester, live across the street in the big modern house with copper roof. He said he is sure people didn't like when he built his house. The traffic is beyond belief. There is too much traffic and speeding. When they try to park on Holcomb, it makes it difficult to get by. My son is a double-bare-plegic. He was a Reno, Truckee Meadows Fire fighter and Captain. He has had two spinal cord injuries. This is an example with traffic. Unless you live on

Holcomb Ranch, you have no idea. Stand outside my house and you can see what we mean. They speed 70 mph in front of this establishment and our homes. Stand up and realize not everyone can get what they want. The local people don't want this. This committee needs to realize this. Realize what the majority doesn't want this establishment.

Pete Lazetich said we need some help in this neighborhood. He said he lived out there for 40 years. We owned 27 horses and cattle in the area. He said if you look at the photos, you will see a giant pile of manure. One horse produces 51 pounds of manure and urine. We are looking at 13 tons a year for one horse. This is a fantasy that they will pound into 3 acres of pasture. It was once a beautiful property until about a year ago. This is animal cruelty. There is no outside paddocks. He said he said he has been on the board of the last-ditch irrigation board for 20 years. The ditch runs through their property as well as the dry creek. You've seen pictures of the dry creek flooding and that's where they want to put the riding arena. We have nothing but trouble with their boarding of 15-20 horses. He said he knew the people who ran the barn. When Warren had animals left at the end, there were 6-7 horses in the last 15 years. When they had 20 horses on Last Chance Ditch, we had problems with urine and waste in that ditch.

Landess Witmer, Pro Pony, said Silver Circle Ranch has 50 years of experience taking care of horses with kids learning to ride, ponies braided and brushed, and ladies becoming athletes. We aren't doing anything new there. There are 34 stalls there and asked to have a lower number of horses. For two years, we have honored heritage. We are proud and a hard-working stable. No changes. We are helping to keep the passion for horses and want to teach riding safely. If you back horsemanship, you should back this. There are neighbors who wrote letters of support because they care about horses. There is misinformation. The Nelsons wrote letters on our behalf. She read the letter from the Gail Nelson, daughter of the owner, who said they boarded horses that did not belong to her father. Before 1996, the number of horses boarded fluctuated. There were probably more than 20 horses in the glory days.

Dexter Witmer said he has lived as a tenant since 2021. He said he has been directly intertwined in the traffic and all the parking and noise and smells from the property. He said he is in support of the indoor facility. It will provide a more consistent training process and won't be adding more issues.

Bruce Witmer, Del Monte Lane residence, said he thought this property as a way to preserve and not to disrupt. The intent has shown itself with young riders introduced to the sport. We appreciate the chance to express the purpose to maintain a well-respected trainer and give her a chance to make it happen in safe and effective manner. We like how they respect the children and other riders. They are there for the same reasons; to enjoy the outdoors and come together. Our goal is not to develop the area. The Nelsons took our offer for less than what they would from developers. This meshes best as an equestrian training center. The safety and ability to be what the community needs. He said we don't want to have to go to Carson or Minden to ride. It's important for the community for us to provide a safe riding community and we want to support that.

Elizabeth Lacroix, local horse trainer, said met Landess Witmer when she was 11 years old. She said Landess bought art from me which sets the tone of the type of people they are. We heard many complaints today about road conditions, traffic, and none of these things have to do with riding facility. We hear people speak about typical building size compared to a tire shop or car dealership. Those buildings are made for people, not for people/horse interactions. There is a horse community on Rhodes Road. It's a horse community known for equestrian operations. She said it was around when she was a kid. The medium home price is \$2million. There are four equestrian centers on that road. They all have indoor riding arenas. These indoor, commercial operations positively impacted the neighborhoods and

land values. The issue isn't about feeding, horses, manure, or urine. It's about how we can preserve our sport and continue the traditions of equestrian sport. She said she has returned to Reno to open her own operation. An indoor building creates a safe place to train year-round.

Clara Andriola, resident of 35 years, she said she is new to the horsemanship world. She said she haven't met two people more dedicated to safety and cleanliness. They do what they can to make sure the environment is well respected, and the neighbors are well respected. She said she has the honor of riding and learning from them. Cattle bring flies and manure too. It's the cleanest place. It's about preserving the property that we have there. It's an indoor opportunity for children to learn a skill that is going away. We want to keep our western heritage alive in safe and effective way. It's not some big concert event center. The drivers who come in are the safest drivers. There isn't an impact to traffic. She said she doesn't understand some of the observations. She said she is in support of this. She encouraged the board to support this.

Dr. Scott Green, equine veterinarian for 34 years, said his first visit to Silver Circle Ranch was as an assistant for Dr. Mike Kirk who worked for Mr. Nelson. He said he didn't do a headcount, but at that time, they had a full stable. There is a 28-stall barn with 3-4 set aside for tacking. He began to work at Silver Circle since 1988 for clients. The barn was full. This is not a new commercial operation. The Witmers and Liz Reader have done an outstanding job. The idea that the animals are being abused is ludicrous. They are very conscious of that. This has been a mecca for horse owners for many decades. The majority of homes have pastures for horses and cattle. There are two indoor arenas in the area of Silver Circle. It always has been a challenging road and won't add to the impact of this road.

Bryn Klitzke said she hand delivered the invitations to all the neighbors. We did our best which we thought was appropriate. The trees are old cottonwood trees. They have roots exposed. They have been impacted by flooding. They can be problem over time regardless. We had the wettest December on record. We have the manure removed regularly, but due to the wet winter, a truck couldn't access the site to remove the manure and it accumulated. We made a lot of progress not to ruin the property. When we spoke to a former boarder, there were always 12-16 horses plus a dozen longhorns. The proposed indoor riding arena has a smaller footprint than the current outdoor arena. This is just a place for our animals to work safely. It's not an event center. We held two events over three days and all the parking were in the upper area. There is no need for double passing. We have expansion on our gate, but it's not needed.

Irene Self said she is in favor of this project. She said she has been involved with horses for over 30 years. She said she is disturbed by the allegations that the horses at this property aren't properly cared for. 1.5 horse per acre is just for grazing and that has already been addressed. She said she has known Liz and the Witmers for 5 or more years. It's a good operation and part of our western heritage. One of the richest neighborhoods is Ranchera which has an indoor arena which is part of the draw. Liz worked and operated an indoor arena off of Holcomb. Liz was classically trained in Europe. The horses are part of the culture. She said she shows horses and accounts for 6 horses. It's not accurate to say it will be 50 trailer trips. Over several days, riders will compete in multiple classes. She said she knows the property. They do a good job keeping it safe. It's the same amount of traffic on that road. There were inaccurate statements made. Think of this as a riding academy. This won't be an ugly building. It will be where kids and seniors can go and ride.

Karen Lockard, resident of 21 years, said she appreciates a clean and safe facility to ride in. She is thankful for the opportunity. The horses are well maintained. She said the horses don't feed on the pasture as it's a relaxing play area for them. This is a local, clean, safe arena to

ride year-round. An indoor arena would be less dusty. Most of the riders use the horse there. They aren't bringing horses in daily. The kids don't bring their own horses. They use the horses there. She said she attended the open house where they displayed a plan. She said she fully supports this.

Leslie Gilkey, resident for 22 years, said she is in support of the indoor arena. She said she has been riding since she has lived her. She said she rode in Red Rock or Rhodes Road. She said by having an equestrian arena available within 15 minutes, she could still be riding. She said she has been to the facility several times. Some of the comments are distressing. The grass pastures are not turning into dust. One of the supporters has pictures of the open house where the plans were available.

Annalise Appleseth, local trainer in Reno, said she wanted to speak on behalf of Liz and her business model. It's fantastic. She gets wonderful results with her riders. She does this by having small lesson numbers. She caps her lessons at 5 which is small in the industry. It speaks to her program, and she runs it responsibly. She said she attended the open house where there were plans for the arena. It would be a nice addition to our equine community. She said she has ridden in that arena with cars flying by and the horses get spooked. It would be a safer alternative to have an indoor arena.

Kerson Ferrall, employee of Landess Witmer, said he is disappointed in the false accusations and negative comments against the Witmers and this development. They are community focused who are working hard to provide a safe arena for the equine community to flourish. He said Landess gave me a job when he was unemployed going to college. He said he has opportunities now because of the Witmers. He said he has a hard time understanding the validity of what others have said because they are ready to help.

Cindy Lazetich said we are not criticizing the people who own the barn, we are criticizing the barn itself. It's a huge metal building. The septic system is a residential septic system. They will have a number of people in there. It will be 3 stories high. We will see it from the road. There is no provision for screening. There is one access in and out. They have another gate, but NDOT said they aren't allowed to use that gate. In the last two weeks, that gate has been open, and the barn has been purchased and delivered. They have used the separate entrance. The manure sat there for a month and that is the reason we are disgusted. Half of these people don't live in our neighborhood. She said she doesn't want to see a steel building. We counted 14 trailers in the upper area. They said that area isn't available for trucks and trailers, but they are there. It's not about the Witmers or ponies. She said she lives in that neighborhood. It's not a neighborhood for a commercial operation. The detriment is the highway. Our street, side street, and corner of Watt and Martin is wider than highway 671. It's dangerous and will be dangerous on the weekends when there are bicyclists. We cannot even walk on that highway. She said she has to go down to Bartley Ranch because it's too frightening.

All public comment received was available to the Board members.

Member Stanley asked NDOT requirement for access into the driveway. Clint These said we are paving an asphalt apron into the driveway with a 25-foot radius down into the driveway. It's 10 feet in depth and it's to keep the gravel from traveling into the existing highway. It will be built to NDOT standard. The plan showed the second driveway which they said nothing about it's used infrequently only for maintenance purposes or when she holds events to park trailers. Mr. These said they have an encroachment permit; every driveway on a State highway right-of-way needs permission to have that. A lot of the driveways that were built in the 50s, 60s, 70s weren't permitted. This went through a preapplication about 3 years ago and never made it to submittal process. At that time, the applicant became aware they needed

the permit. We had that in place a year ago. We have had it for 15 months. We hadn't been able to improve it yet because of the fiasco with having to move the building and then realized we needed the special use permit for grading and the operations. Mr. These said we provide a plan and the existing condition of the encroachment and improvements. It's from the edge of the highway to the right-of-way fence. It's roughly 30 feet in depth. Mr. These said in response to the septic comment, the septic system was replaced with a commercial septic system at the instance of the Washoe County Health Department. Those plans need to be registered with NDEP. Any commercial facility needs NDEP approval. They keep track and monitor it.

Member Stanley asked maximum amount of participation anticipated for any given event. Liz Reader, owner/operator Paravasas Stables, said we anticipate having 55 horses which is what we had at a large event last year. Not all those horses came in. Of those 55 horses, 15 were already on-site. There are 100-150 people.

Member Stanley asked if there is a requirement for an event over 100 people. Ms. Olander said Washoe County has a requirement for an outdoor event license for event over 99 people. She said we distribute that application to various agencies including NDOT. It's on an NDOT road. Mr. Lloyd said applications for events with over 300 attendees would come before the Board of Adjustment, under 300 is handled by staff.

Member Christensen asked, for the above grade, what is the total elevation at the peak? Ms. Olander said at that location, because of the zoning, they can't have a building height of 35 feet. They are in a residential zone. 35 feet is the limit. The zoning drives the height allowance. She said they will be doing grading for drainage purposes, but we don't count that in the height of the building. We are looking at the height of the structure. We measure the structure of the building from the base of the building to the top. Mr. These said the building is 32 feet high at the peak. The building pad on the south end matches ground around the existing barn. There is a 4% slope with 10 ft fill in northeast corner. If you come from the west from Lakeside and Holcomb, its recessed about 15 feet. You will see the top of the building. The only place you would be able to see the full height of the building is on Holcomb as you look down the canyon at dry creek.

Member Pierce said it was difficult to review the 12-page packet of comments with the timing while trying to listen to all the comments. Member Stanley agreed. Chair Hill said it's a lot of information and points of views. The members agreed it would have been nice to have received it a few days ago. Member Stanley said his concerns were traffic and safety. He said he went out and did a site visit. It is a small area. He said that is why he asked about the NDOT permits. He said there are people going 65 mph while others trying to pull a horse trailer. He said the events at Hawkins have flagmen. He said there is safety concerns. On the flip side, it's great to have horse training facility. It's a great cause but there are concerns with roadway traffic and safety concerns. Chair Hill said it seems as those it's been operating for quite some time at the same level.

Member Thomas said the board isn't here to discuss the health of horses or personality of the owner. It's about the building of a structure and addition of more horses. He said he listened to the speakers. He said he has driven that road - Holcomb Ranch Road, Thomas Creek, and Lakeside. Holcomb Ranch Road is a small road with no shoulder, no white fog line, and the asphalt rolls off the road. It was ranch land. People jog and bicycle on that road and understand the problems that can occur. It's a small two-lane road. He said he has been on that road behind trailers and watched ongoing traffic go as far right to avoid the trailers on that road. it's a narrow road. He said if you have a standard 20-ft truck and pulling 14-ft or longer trailer, it has to slow down or stop and turn into a narrow road. There isn't a lot of room to maneuver something of that size. Leaving that property, you come up a gravel hill onto a

narrow road while towing a trailer. It will slow progress and create a traffic issue. He said he has an issue with the road, driveway size. He said they are requesting to increase to the amount of horses. There was a pile of manure which is the result of having horses. He said he noticed the pile today. If you have an event with 55 horses over 3-days, that is a lot of manure. There was mention that December was the wettest month on record and couldn't be removed; but January was the driest month on record and the manure was still there. He said he isn't in favor of adding more horses. 23 horses on a property that size is good. He understands the horses aren't living out on the pasture, but they still need to be turned out. You won't leave them in the barn the whole time. It will limit the number of horses out there at one time. He said he received numerous emails pro and against this proposal. He looked at the addresses. There were 27 individuals who are against the property live in the area. There are over 50 individuals that were in favor, but those individuals live in Las Vegas, Sparks, or North Reno. He said he is focusing on the community involved and what they have to say. There were 27 neighbors are opposed which carries weight. As for the structure itself, it's large. He said he looked at it. It will replace the lower arena. He said it was mentioned that the cottonwood trees were ruined during a flood; however, that is the proposed site of the arena. He said the inside of the chambers is 17 feet tall. The proposed structure will be 32 feet tall which means you will be able to see the big building right there off the road. He said for those reasons, he is not in favor of approving this project. Member Stanley asked which of the findings he couldn't make – site suitability and detriment. Member Thomas said we aren't taking away someone's business or reducing the number of horses. We aren't telling you can't train. Everything will stay status quo if the decision is made not to move forward with this.

Member Pierce said traffic is something we all deal with. He said he doesn't see where that is a reason to stop this. They are requesting two more horses. He said he saw the negative and positive comments. He said he is in favor of the project.

Member Christensen agrees with Member Thomas' comments. This 32 ft building with 10 ft fill will impact this neighborhood. He said he attended a 250-person wedding on Holcomb Ranch, the tent was an imposition, and it wasn't 32 feet tall. Holcomb Ranch isn't designed for this type of activity. Chair Hill said it's a highway. Member Christensen said he is concerned with the visual impact on the neighbors. Member Piece said 15 feet is visible from the west. Member Stanley said from the highway, you can see 15 feet, but the neighbors might be getting a full view of the building. Member Christensen said the approximate neighbors were compelling. He said he doesn't support this. Member Stanley said we have some control of the road if it's Washoe County Road, but with this, it's a highway. It's NDOT. The applicant has to deal with the daunting tasks of getting the adjustments and encroachments. That road is narrow road with two 90-degree dogleg turns in it.

MOTION: Member Thomas moved 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 deny Special Use Permit Case Number WSUP21-0036 and Administrative Permit Case Number WADMIN21-0016 for Pro Pony LLC, having been unable to make finding #4, detrimental, in accordance with Washoe County Code Section 110.810.30 and 110.808.25:

1. **Consistency.** That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Southwest Area Plan;
2. **Improvements.** That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed

roadways, and an adequate public facilities determination has been made in accordance with Division Seven;

3. **Site Suitability.** That the site is physically suitable for commercial horse boarding stable and for the intensity of such a development;
4. **Issuance Not Detrimental.** That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
5. **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.

Member Stanley seconded the motion. The motion carried 4-1. Member Pierce opposed.

9. Chair and Board Items [Non-action item]

A. Future Agenda Items

Chair Hill said CABs are being eliminated and the applicants have to provide neighborhood meetings. She said she attended the Resort at Tahoe Residences community outreach meeting. There was no public input. They provided a presentation and then it ended. She said she doesn't understand how this can take the place of the Citizen Advisory Boards. DDA Large said it can be agendaized for a future meeting. Member Stanley said he is proponent of the CAB.

B. Requests for Information from Staff - None

10. Director's and Legal Counsel's Items [Non-action item]

A. Report on Previous Board of Adjustment Items - None

B. Legal Information and Updates - None

11. Public Comment [Non-action item]


Any person is invited to speak on any item on or off the agenda during this period. Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on an agenda as an action item.

12. Adjournment [Non-action item]

The meeting adjourned at 8:07 p.m.

Respectfully submitted by Misty Moga, Independent Contractor

Approved by Board in Session on March 3, 2022



Trevor Lloyd
Secretary of the Board of Adjustment

EXHIBIT “3”

EXHIBIT “3”

**Special Use Permit WSUP21-0036 and WADMIN21-0016 Silver Circle Ranch
Board of Adjustment Hearing date February 3, 2022**

**Holcomb Ranch Community Opposition to
WSUP21-0036 and WADMIN21-0016
Presentation to Board of Adjustment**

Dear Honorable Members of the Board of Adjustment:

We are a group of neighbors who live immediately adjacent to and in the area surrounding 3400 Holcomb Ranch Lane, where a commercial equestrian center has been proposed to be constructed, despite significant flaws which render the scale of this use incompatible with the site and detrimental to the surrounding residential properties. Although we respect the desire of the clients of the applicant, Pro Pony LLC (“Applicant”), to have a recreational facility, most, if not all, of these clients do not live in our neighborhood and may not understand the consequences of a having a large commercial enterprise next door. We neighbors are thankful for this hearing before the Board of Adjustment since Pro Pony has been operating without authorization for its commercial use for 2 years.

We are asking you to consider that the Applicant has not described the full extent of the impacts of its proposed use to the neighborhood. This incompatible use proposal would create a number of significant issues including groundwater contamination, nuisance conditions, fire safety concerns, and direct harm to neighboring uses.

Moreover, the Applicant refers to its request for an SUP as an “grandfathered horse stable operation”, which is an incorrect characterization of the allowed use on the property. A commercial stable is only permitted with a special use permit, otherwise the use is prohibited. We understand that a significantly smaller commercial stable operation functioned at this site 12 years ago, but since then has not been a commercial enterprise; instead, it only had stables for private use. Because the commercial stable aspect of this property has not been in effect for many years, it is not grandfathered under Washoe County Code. *See* WCC 110.904.20(a)(2) (“If such a [nonconforming] use ceases for any reason for a period of more than twelve (12) consecutive months, any subsequent use of such land shall conform to the requirements of this Development Code for the regulatory zone in which it is located”).

There were never 23 horses on this property. There were no high intensity lights. Amplified public address systems were never used. No clinics, shows, competitions or other events were held inviting horses and riders that were not on-site. No industrial sized 13,580 square foot metal building rising 4 stories above the existing grade ever existed. Thus, this application should not be given any treatment as a “grandfathered” use. We respectfully request that this Board consider all of the significant and adverse impacts that this immense use will have on our small neighborhood.

Comments relating to WSUP21-0036

A commercial operation is not compatible with our neighborhood as it exists today. In order to approve this SUP for new commercial stable 5 findings must be satisfied. These findings cannot be met.

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

Staff Comment:

“The Area Plan acknowledges that residents own horses and, ‘the area still possesses a rural quality that pays homage to its Western heritage.’ ”

Opposition Comment:

This incompatible use proposal is inconsistent with several policies of the Southwest Truckee Meadows Area Plan, including but not limited to the following:

- Policy SW.2.5: Significant lighting is proposed, but the Area Plan requires lighting be minimized to ensure “dark sky” standards.
- Policy SW.2.10: The impact of new uses on adjacent properties must be mitigated through a community process. The Applicant has only invited its supporters, who are not adjacent property owners, to its community process. The affected community has been left out of this sham process.
- Policy SW.2.13: The proposed use must consider the impacts to the neighborhood, including with respect to traffic, lighting, hours of operation, parking, and safety. The neighbors have been left out of this process and cannot be assured that these impacts have been mitigated.
- Policy SW.2.14: Approval of this SUP must include a finding that the community character will be adequately conserved through mitigation of potential negative impacts. Considering that staff is recommending approval with only standard and de minimis conditions of approval, this finding cannot be met.
- Policy SW.10.3: Approval of this SUP must include a finding that no significant degradation of air quality will occur. The wear on the land from a herd of commercial horses will eliminate any grasses on the meadow. The barren pastureland will allow dust, pollutants, and ground up feces to become airborne and cause further burden to downwind property owners. We are not aware of any demonstration from the Applicant that these conditions will be mitigated.

Furthermore, many of the neighbors own horses and cattle but not as an intensive commercial operation – they are for our own use and enjoyment. There is nothing whatsoever about the boarding of 23 horses with just 3 acres of pasture and the proposed construction of a featureless 13,580 square foot building rising 4 stories above ground level that pays homage to our Western Heritage.

2. Site Suitability. Adequate utilities, roadway improvements, sanitation, water supply drainage, and other necessary facilities have been provided [....]

Staff Comment: “The site is physically suitable for the type of development. The site has been used as commercial stable for many years...”

Opposition Comment:

It is our understanding that commercial horse boarding ceased on or about 2010. Warren Nelson’s horses were kept there after that. When the property was sold to Pro Pony, there were no horses on site and no commercial operation had existed for over a decade. Pro Pony did not take over a grandfathered commercial stable use. They bought land with a stable and a barn on it and now seek to convince this body that the abandoned use should be grandfathered, despite the clear Washoe County Code provisions to the contrary. There has never been as many as 23 horses on site until Pro Pony bought the property. Please see section A below that lists the degradation that has occurred with that level of intensity.

Additionally, there is not adequate sanitation or drainage which exists on the site to serve this intense, incompatible use. We understand that the property runs on septic, and will not have the capability to serve a commercial enterprise with patrons on the premises constantly. The sheer number of the Applicant’s supporters (who are not neighbors) should indicate to this body the amount of additional traffic and sewage usage at this site.

Finally, increasing the number of permitted horses on this site will create significant drainage issues for adjacent neighbors living downstream. Toxins from urine, feed, and other chemicals will pollute adjacent properties and creeks.

3. 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.

Staff Comment: “The commercial stable is existing with two outdoor arenas on site.”

Opposition Comment:

Staff’s comment is demonstrably false. This is an application to establish a new commercial stable operation. It does not exist. There were never outdoor arenas until Pro Pony started operating without having obtained this special use permit. There were 3 acres of irrigated pasture. There was an outdoor riding ring, a rectangular outdoor riding area that could be used for dressage practice and a round pen.

Staff Comment: The conditions of approval will further provide requirements for the facility to operate without significant negative impact upon the surrounding area...”

Opposition Comment:

We cannot find any meaningful operating conditions in the staff report that address issues critical to securing the quiet enjoyment and character of our neighborhood. We believe that a new commercial operation is detrimental to the character of our neighborhood, injurious to adjacent properties and detrimental to the public safety on Holcomb Ranch Lane.

If, however, you decide that the findings required for approving a SUP for a new commercial stable can be made after taking into consideration the public testimony on February 3, 2022, you have the authority to impose operating conditions for the life of the business that should be applied to any new commercial use moving into a high density rural neighborhood.

The following are issues that we feel need to be addressed at a minimum:

1. There should be a maximum of 12 horses allowed.

5 for personal use and 7 for boarding/lessons. When Warren Nelson was alive he lived on site. During that time there were on average 8 to 9 horses. Commercial boarding had been discontinued for over a decade when Pro Pony purchased the property. Their commercial activity that was not authorized by a special use permit has increased the number of horses from 0 to 23. The prior use was residential, not commercial. Now, the owner and the trainers do not live on site.

The correct starting point for analyzing the incremental impacts of this application is from 0, not from 23. In addition, the number of horses is not the whole story. With horses used for personal use only one rider is typical. With a business emphasis on lesson horses the number of riders increases tremendously and the impact on the neighborhood increases along with it.

Pro Pony's current unauthorized operation of a 23 horse commercial stable has already had a significantly detrimental effect on the character of the area as detailed in the following pages.

A. The Site is not Suitable.

Today what once was 3 acres of scenic grass pasture has been divided into a number of paddocks turning into dirt. Today on this turn in the road, manure is visibly piled in front of a residence and an unattractive large metal cargo container is parked. [See Pictures 1, 2 and 3.](#)

B. Significant detriment to the Public Safety.

There has already been a significant increase in the traffic caused by the 23 horse operation that has not been authorized by a special use permit. The focus should not be

on the increase in traffic from a 23 to a 25 horse operation, rather the proper focus should be on the increase from 0 to 25 horses. This is an application for a new commercial operation and the full impact of the number of trips that logically result from Pro Pony's needing to request a 31 car parking lot needs to be evaluated. The size of this parking lot would be larger than many strip mall lots on Longley Lane and throughout intense mixed used areas of Washoe County. A truck and trailer coming from the west on Holcomb cannot make a right turn into the driveway without veering into oncoming traffic. What effect does that have on the safety of both vehicles and the bicyclists that use this route constantly? [See Pictures 4, 5 and 6.](#)

C. Detrimental to the Adjacent Properties.

The smell of urine from the stable and from the manure pile resulting from the current level of a 23 horse operation is unimaginable. The application does not even mention that an amplified public address system is used and destroys the quiet enjoyment. The application does not disclose that during their unauthorized commercial use operation high intensity lights have been installed on 25 to 30 foot poles that ruin the nights. The use of an amplified public address system and the high intensity lights should be prohibited at all times. There are residences adjacent to the south, east and diagonally west as well as on the rise directly above the site. [See Pictures 7 and 8.](#)

D. Detrimental to the Character of the Surrounding Area.

Many horses and cattle are in the area but not as a part of an intense commercial enterprise. Simply put, a commercial enterprise in this neighborhood is not an appropriate use. A 23 horse operation is not compatible with the neighborhood that exists in 2022.

2. All Buildings should meet Commercial Code Standards.

This is a new use that must come into compliance with all applicable building codes. The application is not merely a change to an existing nonconforming use. It does not appear that this new commercial operation meets existing commercial building standards. The barn, the stable, the apartments, the trainers' full bath and the public restroom should be required to comply with current commercial codes relating to, among other things, fire, electrical, plumbing, and Americans with Disabilities Act access.

3. Environmental concerns for Pollution by Animal Waste need to be addressed.

There are Washoe County protection requirements for keeping urine and manure from leaching into the ground water, Dry Creek and Last Chance Ditch which all flow through the property and onto the property that is directly across Holcomb Ranch Lane. If a horse drinks 20 gallons of water per day most of that comes out the "other end" as urine and makes its way into the ground water and adjacent creeks – especially during the times of year when the pasture is flood irrigated.

A horse may produce 50 pounds of manure daily. Add another 60 to 70 pounds of barn waste daily and it is readily apparent that tons of animal and barn waste should be removed offsite by third party contractors and kept in enclosed dumpsters in the interim.

4. Competitions/Clinics/Shows etc. should be expressly prohibited on site.

Competitions, clinics, shows, and other such large gathering events were not held before Pro Pony began their operation without the appropriate use permission from the Board of Adjustment. The applicant has requested competitions, clinics and shows with 50 riders from the “community”. When the addition of parents, other trainers and spectators, horses, trucks and trailers are considered, it is likely that 150 to 200 people will be on site at any given event. These types of events would have a significant impact on the surrounding neighborhood and especially so on the immediately adjacent neighbors, who oppose this application.

Furthermore, allowing such events goes beyond what is permitted for a commercial stable use. Bringing in horses, riders and spectators does not fit the definition of a commercial stable operation. They have been using an amplified public address system. These types of public events should require permits for outdoor entertainment or other extremely intense uses. These type of events might be suitable for properties with 35 to 40 acres, but they are not well suited for properties of this size adjacent to residential homes.

The application provides no analysis of the incremental traffic impact caused by those events. The weekends are probably the times most heavily used by cyclists who would be jeopardized by trucks and horse trailers, especially when driven by people unfamiliar with the area.

The Applicant indicates that the upper pasture area can be used for trailer parking. Only 1 access per parcel is permitted on Holcomb Ranch – that is the driveway. There is no other access to the upper pasture permitted via Holcomb Ranch.

There is one public restroom in the barn and only a 2,000 gallon residential rated septic system– being used by 150-200 people. This is woefully insufficient.

5. Hours of Operation.

Lessons, training, etc. should be limited to the hours between 7 AM to 6 PM, or until sundown, whichever is earlier, Tuesday through Saturday. There are residences all around this site that are affected by this operation. Any other operating hours would significantly injure our quiet enjoyment.

6. Washoe County Health.

We agree with the condition included in the staff report. In addition, County Health and appropriate agencies should monitor how the horse wash stall waste water and high

pressure barn/stable cleaning water is captured by the septic system to avoid polluting ground water and streams running through the property and onto neighbors' property.

Comments relating to WADMIN21-0016

An industrial sized metal building does not honor the history of Warren Nelson and Silver Circle Ranch.

1. Accessory Use.

The proposed 13,580 square foot building that is approximately 29 feet tall is “being addressed as an “accessory use” according to the application. However, the owner and trainers do not live on the site, so the primary use cannot be considered residential. It is clear that this massive building would be a significant part of the primary use. There are 3 apartments in the barn with total square footage of 1,400. This is not appropriate and the Board should reject the idea that the enormous metal building is merely accessory.

2. The Site Is Not Suitable.

The building will sit on about 10 feet of fill because it will be in a FEMA Flood Zone AE. This is a serious concern, as demonstrated in the picture we provide depicting water running through the site in 2017. [See Picture 9.](#)

More importantly, if completed the 13,580 square foot building would be about 39 feet above the existing grade. This site is certainly not suitable for a building of even half that height. The size and footprint of the building would cover an entire lot in a residential area – more than a quarter acre.

3. The Building is Injurious to the Adjacent Properties and Detrimental to the Character of the Surrounding Area.

The narrative of the application fails to mention that the height of this building is 29 feet. If completed it would sit about 39 feet above the existing grade due to the added fill. That is the equivalent of a 4-story high rise in this rural residential neighborhood. The design is featureless and the material is metal. It has an industrial feel and impact that is totally incompatible with the surroundings. [See Picture 10.](#) The proposed building clearly does not blend into the character of the residences adjacent to the south, east and diagonal. [See Pictures 11, 12, 13 and 14.](#)

If approved, Pro Pony will cut down at least 14 cottonwood trees that are 30 to 50 feet tall and replace them with this building. The loss of these 14 mature trees is a significant environmental impact that will be “detrimental to the character of the surrounding area”.

By our estimate, the building would be built extremely close to Holcomb Ranch Lane and after adding 10 feet of fill would rise about 21 feet above it. Yet the Applicant has the audacity to request a waiver of commercial landscaping and screening requirements.

Allowing this metal building to take the place of 14 existing mature trees is completely inappropriate for this rural residential neighborhood.

There is nothing whatsoever about the building “that pays homage to [the area’s] Western Heritage” as described by the Southwest Area Plan. This metal building would be about twice as tall as Tom Dolan’s Kia Dealership on South Virginia Street and about twice as tall as Les Schwab Tire on South Virginia Street. Both of those commercial buildings are about 15,500 square feet. This metal building is 13,580 square feet. There is no site on this property that is suitable for such a massive industrial structure in the middle of a residential neighborhood. It would have a disastrous impact on the adjacent properties and on the character of our neighborhood. [See Picture 15.](#)

4. The “neighborhood meeting” excluded actual adjacent neighbors and did not accurately describe the impacts to the neighborhood.

Flying Diamond Ranch at 8790 Lakeside Dr. (the property adjacent to the north), and The Hsu family 3600 Holcomb Ranch Lane (property adjacent to the southwest) did not receive notices of a meeting. There were only 2 actual neighbors present at the meeting. Those notices were not mailed. They were taped to the outside of the mailbox. It was an invitation for an open house and did not mention the topics of discussion. While the neighbors were present about 35 people were in attendance. There was no indication that a metal building 13,580 square feet and 29 feet tall was going to be delivered to the site on January 17, 2022.

5. Letters in support attached to Staff Report are not from neighbors; supporters live across town and will not be affected; should not be considered by the Board of Adjustment.

For the most part the writers of the support letters do not live in the neighborhood or the nearby vicinity. On average they are about 10 miles distant from the site.

We do not believe that the Board of Adjustment can give reasoned consideration to the information received during the public hearing, and make the five findings required by Washoe County Code. The proposed use is not consistent with the Southwest Area Plan. The site is not suitable. The operation of a 25 horse commercial stable and the erection of a 13,580 square foot metal building that is 29 feet tall are definitely significantly injurious to the property and quiet enjoyment of adjacent properties. The application will be exceedingly detrimental the character of the surrounding area.

Please see the attached list of 27 neighbors of the Holcomb Ranch Community who live in the immediate vicinity of Silver Circle. They represent 41 parcels in the Planning Division District #2. They are opposed to WSUP21-0036 and WADMIN21-0016.

For all of the reasons stated in this letter, the neighboring property owners respectfully request that the Board of Adjustment deny WSUP21-0036 and WADMIN21-0016.

Holcomb Ranch Community

**We, the following neighbors,
Support the Attached Presentation
in Opposition to WSUP21-0036 and WADMIN21-0016**

Carol Bond
7240 Lakeside Dr.
Reno, NV 89511
APN 040-573-03

Gordon and Suzanne Depaoli
3925 Fairview Rd.
Reno, NV 89511
APN 040-691-04

Thomas Dolan
2400 Holcomb Ranch Lane
APN 230-060-07
2855 Holcomb Ranch Lane
APN 040-412-14
100 & 200 Rillough Road
APNs 230-070-07 & -08

Nancy Flanigan
2750 Holcomb Ranch Lane
Reno, NV 89511
APN 230-070-17

Flying Diamond Ranch LLC
Jill Brandin
8790 Lakeside Dr.
Reno, NV 89511
APNs 040-650-44 and 040-650-46, -47, -48, -49

Bill Glass Family Trust
9300 Timothy Dr.
Reno, NV 89511
APN 040-660-03

Tom Ghidossi
1515 Holcomb Ranch Lane
Reno, NV 89511
APN 043-062-12, -13, -14, and -15

George and Mary Hemminger
9700 Timothy Dr.
APN 040-660-01

Chris and Juliane Hsu
3600 Holcomb Ranch Lane
Reno, NV 89511
APN 040-670-13

Calvin Iida
8690 Lakeside Dr.
Reno, NV 89511
APN 040-650-27

Steve and Dona Kirby
2335 Diamond J Place
APN 230-031-10
and 2347 Diamond J Place
APN 230-031-11
Reno, NV 89511

Pete and Cindy Lazetich
9100 Timothy Dr.
APN 040-640-09
and 0 Lombardi Lane
APN 041-190-08
Reno, NV 89511

Daniel David Loose
2220 Holcomb Ranch Lane
Reno, NV 89511
APN 230-080-03

Rich Lorson
2315 Diamond J Place
Reno, NV 89511
APN 230-031-02

Morze Family Trust
4025 Fairview Rd.
Reno, NV 89511
APN 040-691-05

Sonny Newman Family Trust
9400 Timothy Dr.
Reno, NV 89511
APN 040-660-05

Ron Palmer
9675 Timothy Dr.
APN 040-650-17
And 0 Holcomb Ranch Lane
Reno, NV 89511
APN 040-650-24

Harry and Stella Pappas
8770 Lakeside Dr.
Reno, NV 89511
APN 040-650-28

Durian Pingree
2400 Diamond J Place
Reno, NV 89511
APN 230-032-02

Sheldon Schenk
7240 Lakeside Dr.
Reno, NV 89511
APN 040-573-03

Bart Scott
3945 Lamay Circle
Reno, NV 89511
APN 040-491-41

Mark Sehnert
2371 Diamond J Place
Reno, NV 89511
APN 230-031-03

Rhonda Shafer
8777 Panorama Dr.
Reno, NV 89511
APN 040-401-16

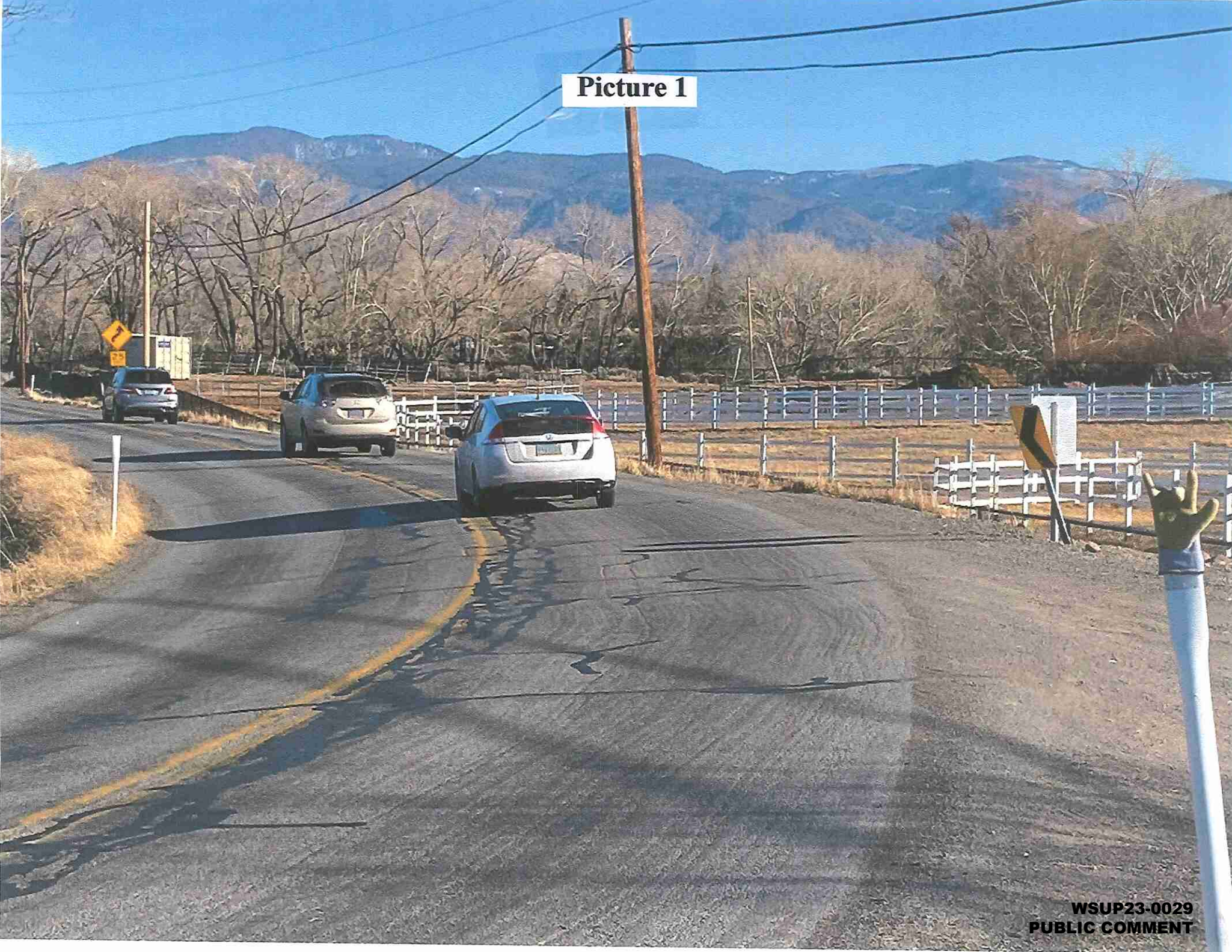
Richard Trachok
8500 Dieringer Ln.
Reno, NV 89511
APN 040-401-05
And 0 Dieringer
APN 040-401-17

Jo and Bill Vanderbeek
8771 Lakeside Dr.
Reno, NV 89511
APN 041-130-54

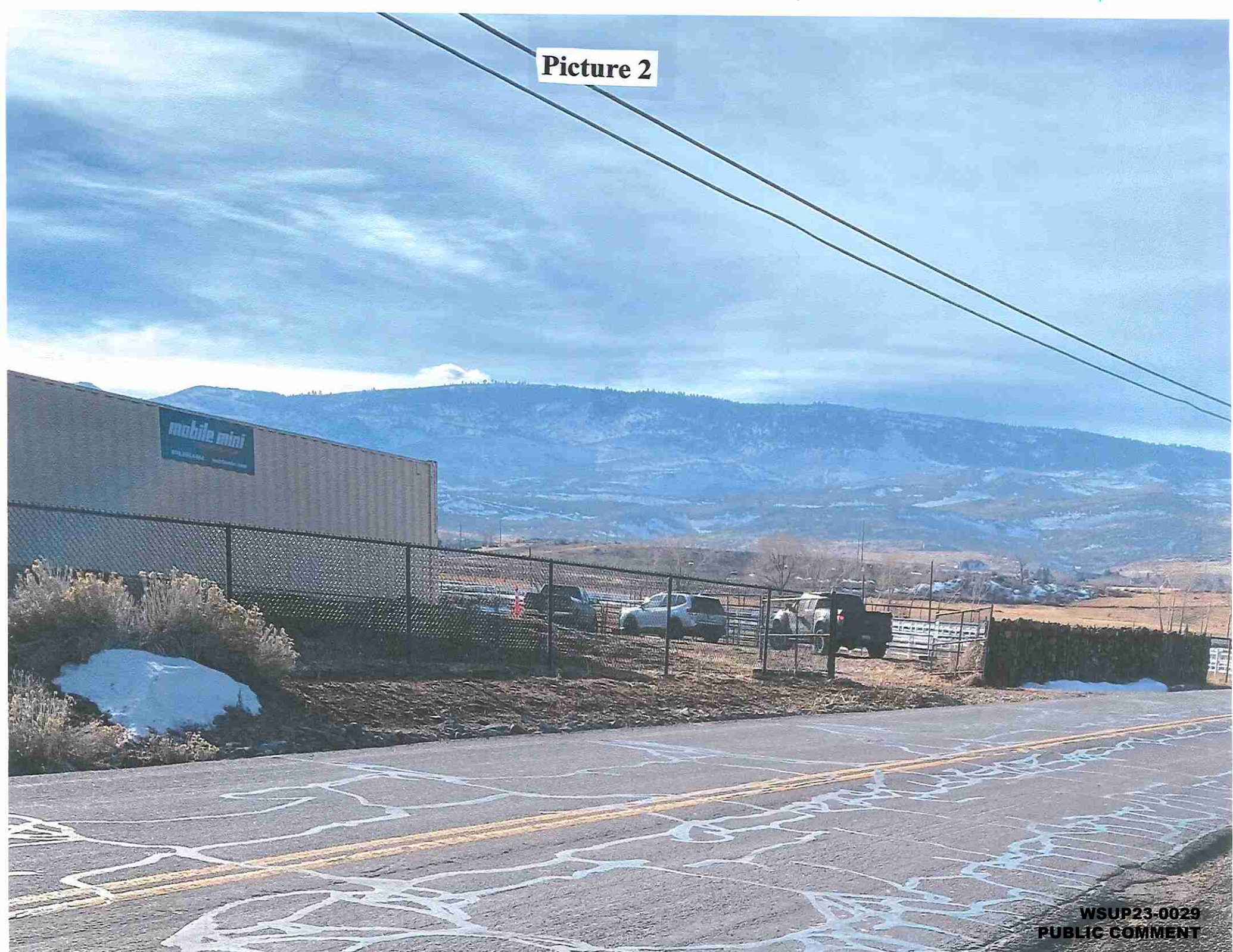
Dan and Vickie Vradenburg
2358 Diamond J Place
Reno, NV
APN 230-032-06

Joanne Zuppan
8801 Lakeside Dr.
Reno, NV 89511
APN 041-130-54

Picture 1



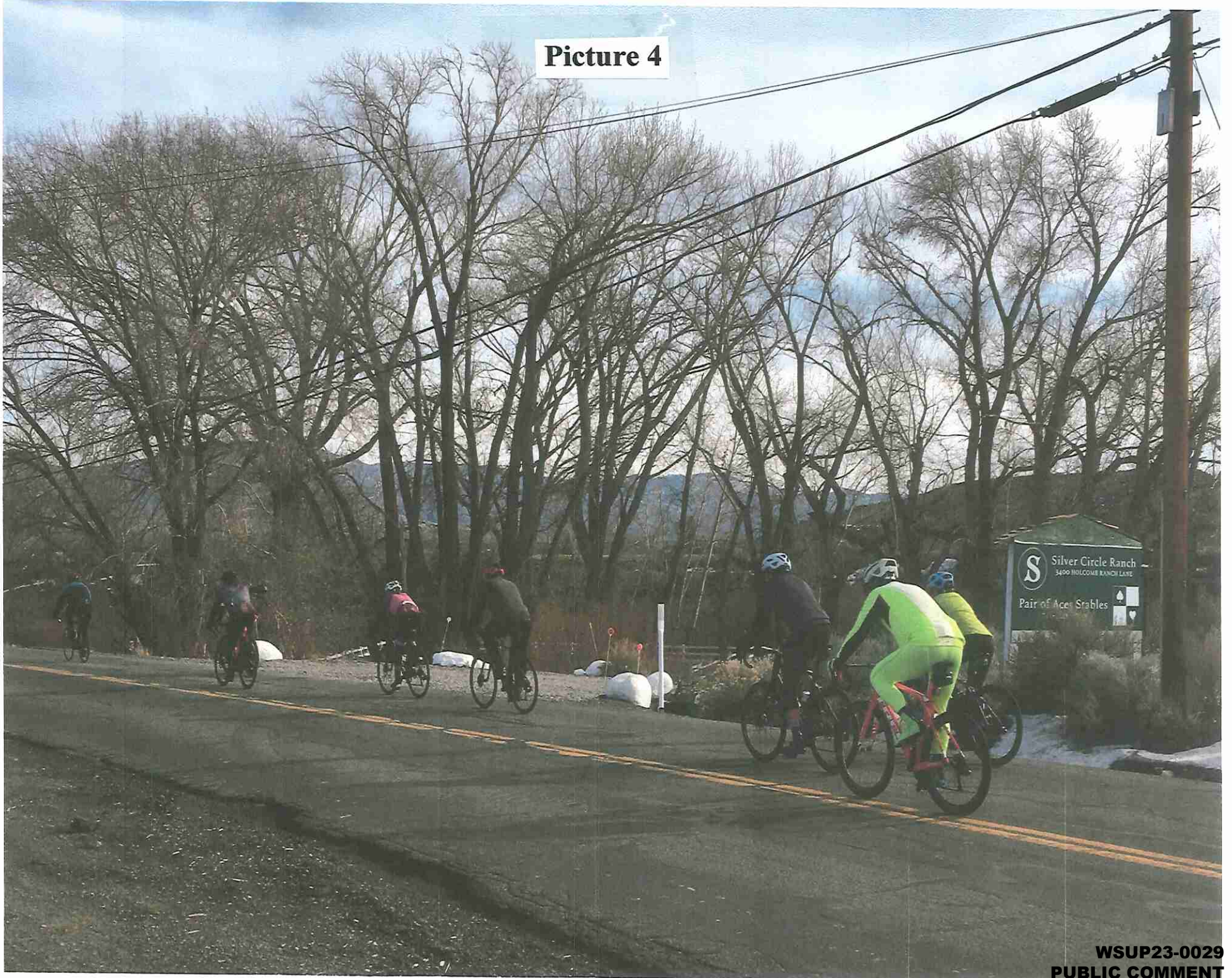
Picture 2



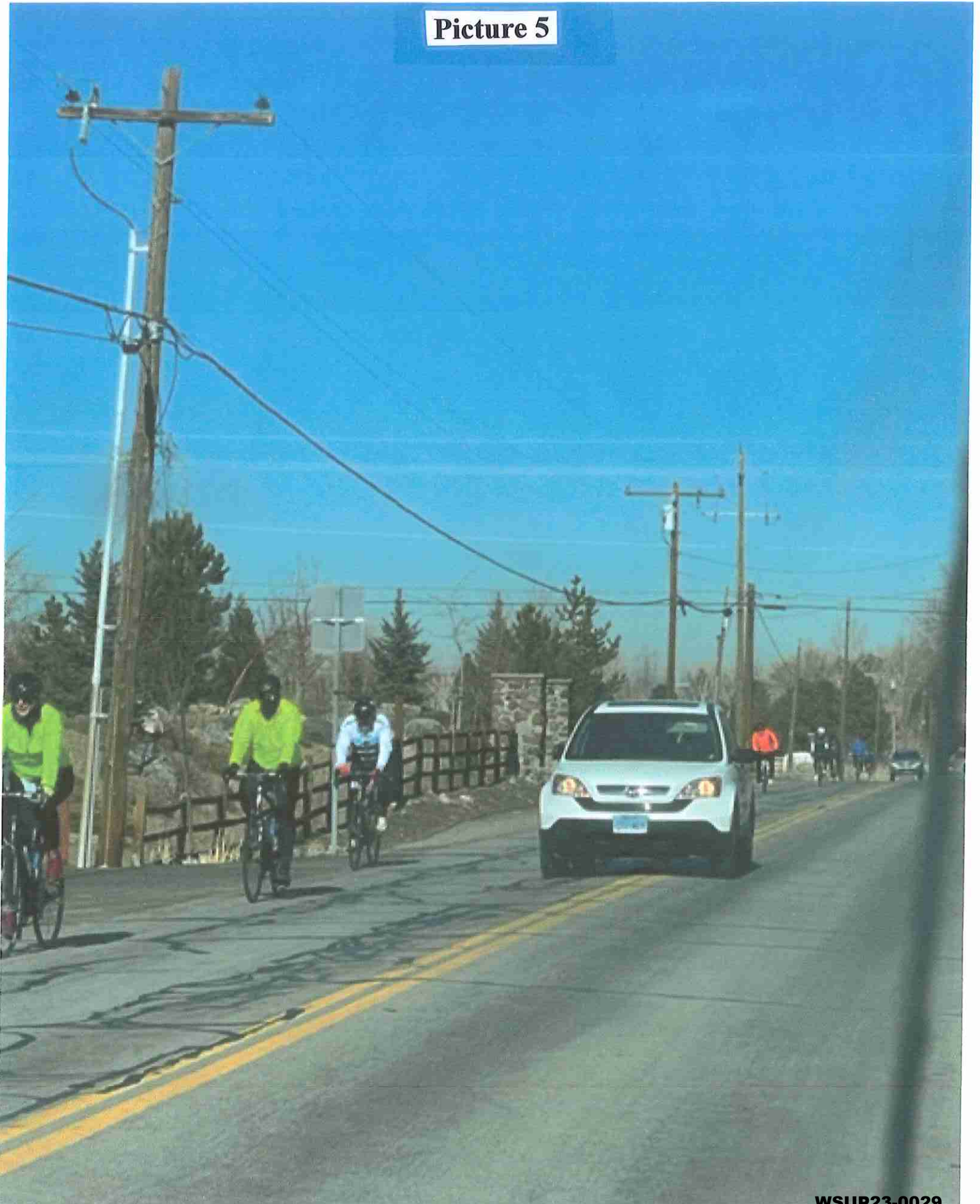
Picture 3



Picture 4



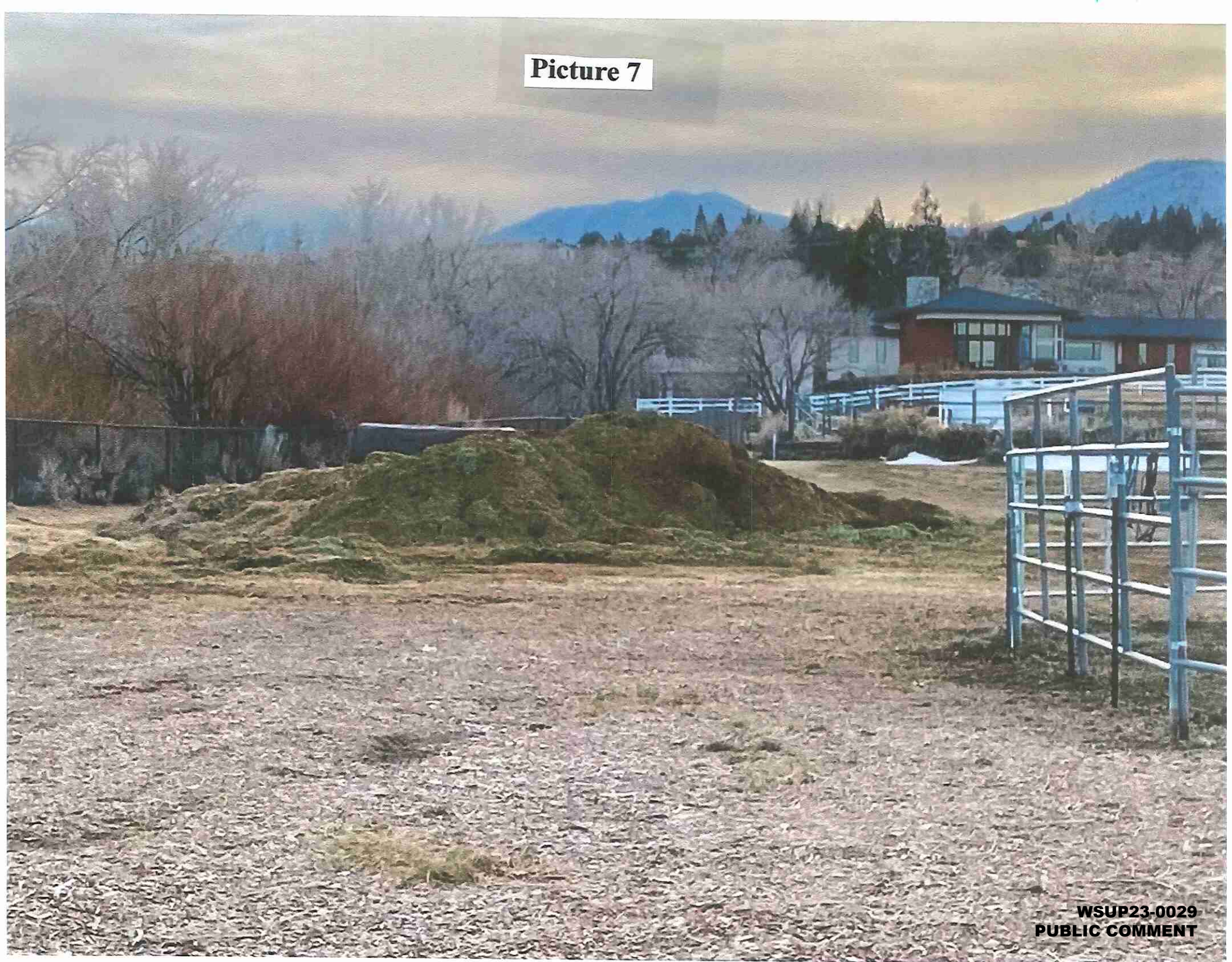
Picture 5



Picture 6



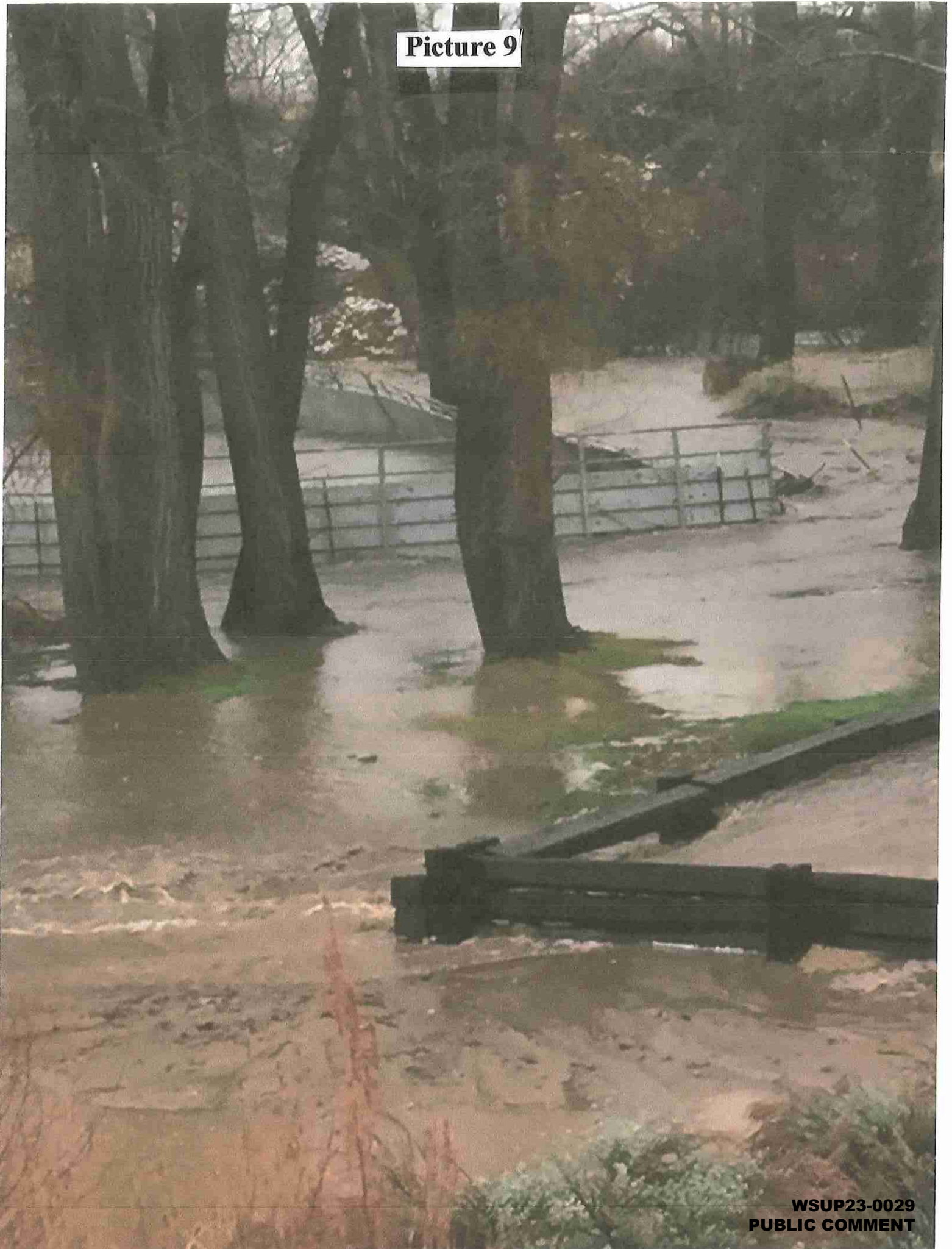
Picture 7

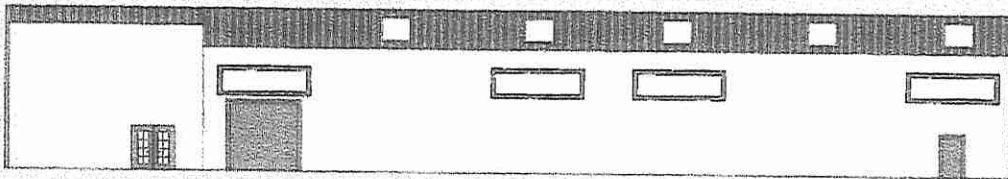


Picture 8



Picture 9

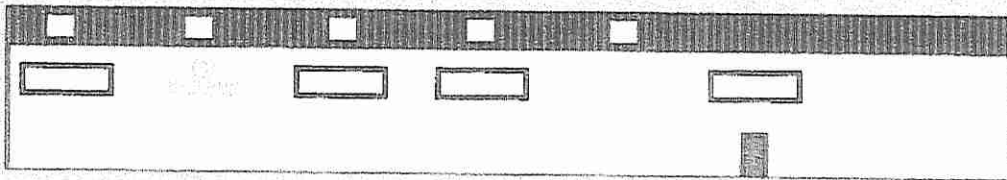




SOUTHEAST VIEW



NORTHEAST VIEW



NORTHWEST VIEW



SOUTHWEST VIEW

SCALE: 1"=10'

Picture 10

WSUP21-0036
/ WADMIN21-0016

WSUP23-0029
PUBLIC COMMENT

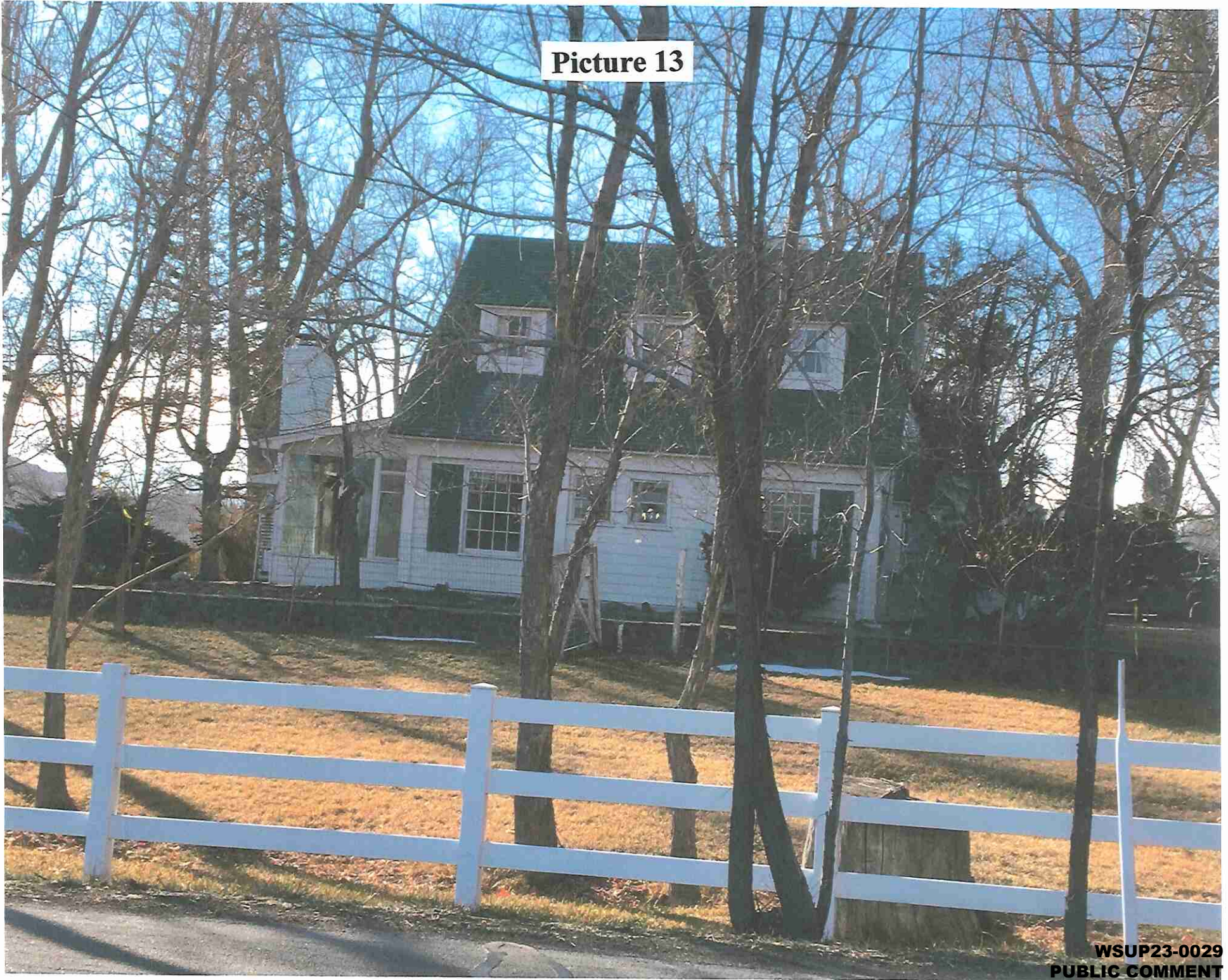
Picture 11



Picture 12



Picture 13



Picture 14



Picture 15



EXHIBIT “4”

EXHIBIT “4”



From: Gary Owens <garylownes@yahoo.com>
 Sent: Tuesday, February 1, 2022 11:44 PM
 To: Washoe311 <Washoe311@washoeconomy.gov>
 Subject: re: Washoe County Board of Adjustment meeting Thursday Feb 03, 2022

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

re: Special Use Permit Case Number WSUP21-0036/ Administrative Permit Case
 WADMIN21-0016 (Silver Circle Ranch)

(1) Dangerous (existing) road conditions.

On the North side of Holcomb Ranch Ln, there is an area of bare gravel/dirt, caused by large vehicles/trailers pulling onto Holcomb Ranch Ln heading West. Because of the tight turning radius of the existing driveway, particularly with a trailer, they pull across the pavement onto the unpaved area before turning back onto the pavement. As the pass over the pavement onto the unpaved area, they often break off chunks of the asphalt, leaving a sharp drop-off edge. The edge is then eroded during water runoff and vehicle traffic, deepening the drop-off. Also, some of the chunks intrude into the road, creating an un-even road edge. This creates a dangerous condition for bicyclists, motorcyclists, and even small cars; as well as damaging the pavement. In the light of even more traffic at this site, I propose a condition whereby this turnout area is paved, with appropriate stormwater runoff measures, to eliminate this hazard.

see notes in red on attached marked version of overlaid photo from Exhibit F.

One can see the chunks out of the road in Google maps street view.

This situation really ought to be addressed regardless of any building on the site.

(2) Some of the county staff comments seem misleading/confused on page 9 of the file:
https://www.washoeconomy.gov/csd/planning_and_development/board_commission/board_of_adjustment/2022/Files/WSUP21-0036%20-%20WADMIN21-0016%20SILVER%20CIRCLE%20RANCH%20Staff%20Report

under item 3., the last sentence of the staff comment is:
 "The construction of an indoor riding arena will enclose one of the existing outdoor arenas."

however the submitted proposal is to relocate one of the existing outdoor arenas and add a new indoor arena in the old footprint.

WSUP23-0029
PUBLIC COMMENT

The same confusion is also in SW.2.4 where the staff comment has:

"... The indoor arena will replace an outdoor arena, ... "

The relocation of one of the outdoor arenas is problematic from the standpoint of floodplain encroachment and excess tree loss.

(3) in light of the issues with flooding, and the removal of many trees, and the impact on creek biodiversity, I suggest consideration of an alternate location, as indicated in blue on my attachment.

By leaving the lower level existing outdoor area in place, encroachment into floodplain of the creek is eliminated. Also, the large healthy trees down there are spared, in favor of sacrificing the smaller/shabbier trees on the slope. The bigger tree near the end of the stables might be savable under this alternate plan.

By cutting into the hill, the new location would still be down in the hollow, so its large mass wouldn't be visually intrusive.

If the Westerly side is supported directly by a concrete retaining wall, the earth contact would serve to temper the interior from the extremes of temperature. Even if just nearby, it would help buffer weather extremes somewhat.

Replanting some trees on the Westerly and Southerly sides would further temper the hot sun in summer, and add to the visual aesthetics.

A cut into a hillside will be more stable support for a building than fill within a creek floodplain.

Rainwater capture tank(s) could be integrated into the retaining wall.

(4) I have concerns about rainwater/meltwater runoff, and cannot find any mention of it in the proposal aside from raising structures above the FEMA flood level. I've seen too many instances of handwaving away flood issues that later turned out to cause problems to feel good about this proposal without a documented study of these issues. This is a large area of impermeable cover being added right beside a creek. There's an irrigation ditch crossing under Holcomb Ranch Ln right there, as well a culvert for the creek that seems a bit on the small side, considering all the housing going in further upstream. I suggest more study of the flood/runoff issue, including accounting for probable climate change effects before approval. This area has seen road closures due to flooding in the past.

Sincerely,
Gary Owens

From: [Art O'Connor](#)
To: [Olander, Julee](#)
Subject: Re: Silver Circle planner approves the special use permit
Date: Thursday, January 27, 2022 2:39:46 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[art.vcf](#)

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Julee,

I plan on attending the meeting and speaking. If they are going to stuff this abomination in my neighborhood, they can, at the very least, take care of the traffic problems they are going to create. A 40 ft. horse trailer with a pickup is over 60 feet long. They need a left turn lane coming from the east that can accommodate 3 of these assemblies - that's 200 feet long. They absolutely need to fix the right turn problem by widening the driveway to two lanes and installing a NDOT commercial driveway entrance. NDOT dropped the ball on this! I had to put one of those in for a small retail establishment on McCarran in Reno last year. Why not these guys?

How would you like it if, on a Saturday and Sunday, you have 50 horse trailers driving by your home? Just about every weekend! Why are you failing to protect us? That is your job. Not helping a developer rape a nice neighborhood!

On 1/27/2022 14:13, Olander, Julee wrote:

I will forward your email to the Board of Adjustment.



Please tell us how we did by taking a quick [survey](#)

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: Art O'Connor <art@oceng.com>

Sent: Thursday, January 27, 2022 2:02 PM

To: msehnert@verizon.net; jillbrandin@gmail.com; cbond@dicksonrealty.com; mhemmi5463@aol.com; chus1992@gmail.com; julianehsu@gmail.com; calmab4791@gmail.com; vadravadra@gmail.com; cindy13333@sbcglobal.net; rc11000@charter.net; rgp35@att.net; hjp@pappasenterprises.com; durpingree@gmail.com; msbondreno@msn.com; BHS777@hofertholly.com; jov@vander-bend.com; zuppanjoanne@gmail.com

Subject: Re: Silver Circle planner approves the special use permit

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

Y'all,

Staff (Julee) is recommending approval with, essentially, no conditions. All the "Conditions" in the Staff Report are normally required for any project. There are errors in the Report. First, Julee took the weekly traffic impact and divided it by 7 to get a daily count (page 6). That is not real life. Most of the activities at

this commercial establishment will occur on the weekends. So, that is 50 or more trips per day. These clients will not be driving Priuses. They will be driving pickups and Suburbans towing 40 ft. trailers. The existing driveway is a single lane and so narrow that, as Jill pointed out at our meeting, clients coming from the north (Lakeside) actually have to swerve into the other lane in order to make the turn, blocking the entire road. There is absolutely nothing in the proposal to remedy this situation. When they are holding an event, Holcomb will be impassible.

The very first sentence of Julee's report states:

"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."

But Julee never even discusses any harmful impacts, much less having any conditions to "mitigate or eliminate" *any* "adverse impacts".

The Pony people are so sure they will be approved they have already bought the building! So, you can expect them to appeal to the County Commission if they loose here. If they loose at Commission, they will probably file a law suit. That building was not free! We need to protect our neighborhood. Why people buy property in a nice neighborhood and then try to rape, pillage and plunder the neighborhood is against my core values. The County is suppose to protect us from this type, but, as you can see from Julee's report, they don't. Their department name should be Developer Services because they do nothing to protect the existing Community!

On 1/26/2022 12:59, msehnert@verizon.net wrote:

I have not read this in detail but the document pertains to permits relating to Nevada state highways. Most of the is in association with work on, over, and under roads but Article VI talks about approaches to highways and the requirements. A permit is clearly needed and the design has to be approved by a state engineer. It would be helpful to know if a permit has been filed with the state.

Mark Sehnert
562 201 0213

-----Original Message-----

From: Jill Brandin <jillbrandin@gmail.com>

To: Carol Bond <cbond@dicksonrealty.com>; George & Mary Hemminger <mhemmi5463@aol.com>; Chris Hsu <chus1992@gmail.com>; Julie Hsu <julianehsu@gmail.com>; Calvin lida <calmab4791@gmail.com>; Steve & Dona Kirby <vadravadra@gmail.com>; Cindy & Pete Lazetich <cindy13333@sbcglobal.net>; Rich Lorson <rcl1000@charter.net>; Art O'Connor <art@oceng.com>; Ron & Sharon Palmer <rgp35@att.net>; Harry & Stella Pappas <hjp@pappasenterprises.com>; Durian Pingree <durpingree@gmail.com>; Sheldon Schenk <mrsbondreno@msn.com>; Bart Scott <BHS777@hofertholly.com>; Mark Sehnert <msehnert@verizon.net>; Jo & Bill Vanderbeek <joy@vander-bend.com>; Joanne Zuppan <zuppanjoanne@gmail.com>

Sent: Tue, Jan 25, 2022 9:17 pm

Subject: Silver Circle planner approves the special use permit

Hi everyone -

Discouraging news. Have tried to hire lawyers, but they all said we needed planners. Have tried to hire 2 planning firms - CFA (who is doing the 8900 Lakeside development) and Wood Rogers. Both only will represent developers. One of the people will help me by phone anonymously over the next few days. I know I was born at the right time — I can appreciate "Deep Throat".....

I was not aware that Julee (staff planner) had submitted her report. My "source" sent me this so at least we have her report to refute.

We need as many people as possible to speak to cover different aspects and I will draft some talking points for you, but please volunteer?

https://www.washoecounty.gov/csd/planning_and_development/board_commission/board_of_adjustment/2022/Files/WSUP21-

[0036_WADMIN21-0016 SILVER CIRCLE RANCH Staff Report](#)

I will be out of pocket most of tomorrow having some medical tests - nothing serious.
Hope to have more information for you all by Friday.
We have great support among us so DON'T GIVE UP.


Jill Brandin
775-846-3273

--
Art O'Connor
775-851-7335
art@oceng.com

--
Art O'Connor
775-851-7335
art@oceng.com

EXHIBIT “5”

EXHIBIT “5”



Say NO to the Pony!

Conversion of Silver Circle Ranch to Commercial Use

Two Components

01

EXPANSION OF
OCCASIONAL EQUESTRIAN
TRAINING TO 100 SESSIONS
PER WEEK

02

EVENTS CENTER WITH AT
LEAST FOUR TWO DAY
EVENTS PER YEAR. NO
ACTUAL LIMITATION IN
APPLICATION OR STAFF
REPORT

Development Code Categories

(a) Allowed Uses.

- (1) Boarding Stables. The boarding, keeping or raising of up to three (3) horses, mules, donkeys, or ponies per acre as an accessory use to an established residential or agricultural use on the property (excluding horses used primarily for agricultural operations which are classified under animal production). Typical associated uses and activities could include, but are not limited to: riding instruction, roping practice, barrel racing practice, dressage practice and jumping practice for the boarders of said horses.

(b) Uses Requiring a Board of Adjustment Approved Special Use Permit Subject to the Provisions of Article 810, Special Use Permits.

- (1) Commercial Stables. The commercial boarding, keeping or raising of more than three (3) horses, mules donkeys, or ponies per acre (excluding horses used primarily for agricultural operations which are classified under animal production). Typical uses and activities could include, but are not limited to, commercial riding stables open to the public, riding clubs, and riding instruction facilities.
- (2) Equestrian Facilities. Commercial (public or private) horse, mule, donkey, or pony facilities, to include at a minimum or any part thereof: riding schools/academies, exhibition facilities (for shows or other competitive events including, but not limited to, riding, roping, barrel racing, jumping events, dressage, bull riding), boarding facilities, and all other ancillary or accessory structures and uses typical and/or incidental to such facilities.

[Added by Ord. 1513, provisions eff. 7/12/13.]

Section 110.226.20 Industrial Development. Within the Warm Springs planning area, new industrial development shall be limited to light industrial use types and shall be located only within areas designated with the Industrial Regulatory Zone as of May 1, 1991.

[Amended by Ord. 875, provisions eff. 8/3/93.]

Section 110.226.25 Road Access Permits. Prior to final approval of any development proposed within the boundaries of the Palomino Valley General Improvement District, the applicant shall obtain any needed road access permit from the appropriate entity.

[Amended by Ord. 875, provisions eff. 8/3/93.]

Section 110.226.30 Ornamental Water Features. The use of groundwater for new ornamental surface water features such as ponds and fountains is prohibited.

Section 110.226.35 Disposal of Sludge. The disposal of sludge shall be restricted to land application for agricultural purposes only. Sludge shall not be disposed of as landfill material.

Allowed Uses

Table 110.302.05.3

TABLE OF USES (Commercial Use Types)
(See Sections 110.302.10 and 110.302.15 for explanation)

Commercial Use Types (Section 110.304.26)	LDR	MDR	HDR	LDS/ LDS 2	MDS/ MDS 4	HDS	LDU	MDU	HDU	GC	NC	TC	I	PSP	PR	OB	GR	GRA
Administrative Offices	--	--	--	--	--	--	P	P	P	A	A	A	A	A	P	--	--	--
Adult Characterized Business (see Chapter 25, Washoe County Code)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Animal Sales and Services																		
Commercial Kennels	S ₂	S ₂	S ₂	S ₂	--	--	--	--	--	S ₂	--	--	S ₂	--	--	--	S ₂	S ₂
Commercial Stables	S ₂	S ₂	S ₂	S ₂	--	--	--	--	--	--	--	S ₂	--	--	S ₂	--	S ₂	S ₂
																		Article 226 for Warm Springs parcels.
Dog Training Services (see Article 330)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Grooming and Pet Stores	--	--	--	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	A	A	A	--	--	--	--	--	--
Pet Cemeteries	P	P	P	--	--	--	--	--	--	S ₂	--	--	--	A	--	--	P	--
Veterinary Services, Agricultural	P	P	P	--	--	--	--	--	--	S ₂	--	--	--	--	--	--	--	S ₂
Veterinary Services, Pets	--	--	--	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	A	A	--	P	--	--	--	--	S ₂
Automotive and Equipment																		
Automotive Repair	--	--	--	--	--	--	--	--	--	P	--	--	A	--	--	--	--	--
Automotive Sales and Rentals	--	--	--	--	--	--	--	--	S ₂	A	A	A	A	--	--	--	--	--
Cleaning	--	--	--	--	--	--	S ₂	S ₂	S ₂	A	A	A	A	--	--	--	--	--
Commercial Parking	--	--	--	--	--	--	P	P	P	A	A	A	A	P	--	--	--	--
Equipment Repair and Sales	--	--	--	--	--	--	--	--	--	S ₂	--	--	A	--	--	--	--	--
Fabricated Housing Sales	--	--	--	--	--	--	--	--	--	A	--	--	A	--	--	--	--	--
Storage of Operable Vehicles	--	--	--	--	--	--	--	--	--	S ₂	--	--	A	--	--	--	--	--
Truck Stops	--	--	--	--	--	--	--	--	--	S ₂	--	S ₂	S ₂	--	--	--	--	--
Building Maintenance Services	--	--	--	--	--	--	--	--	--	A	A	--	A	--	--	--	--	--
Commercial Centers																		
Neighborhood Centers	--	--	--	S ₂	S ₂	S ₂	P	P	P	A	A	A	A	--	--	--	--	--
Community Centers	--	--	--	--	--	--	--	--	--	S ₂	S ₂	S ₂	--	--	--	--	--	--
Regional Centers	--	--	--	--	--	--	--	--	--	S ₂	--	S ₂	--	--	--	--	--	--
Commercial Educational Services	--	--	--	--	--	--	P	P	P	A	A	--	A	--	--	--	--	--
Commercial Recreation																		
Commercial Campground Facilities/RV Park	--	--	--	--	--	--	--	--	--	--	--	S ₂	--	--	S ₂	--	S ₂	S ₂
Destination Resorts	--	--	--	--	--	--	--	--	--	--	--	S ₂	--	--	S ₂	--	S ₂	S ₂
Indoor Entertainment	--	--	--	--	--	--	--	--	--	A	P	A	--	P	--	--	--	--
Indoor Sports and Recreation	--	--	--	--	--	--	--	--	--	S ₂	S ₂	P	S ₂	P	P	--	--	--

Key: -- = Not allowed; A = Allowed; P = Administrative Permit; PR = Park Commission Approval pursuant to Section 110.104.40(c); S₁ = Planning Commission Special Use Permit; S₂ = Board of Adjustment Special Use Permit
* The provisions listed in Table 110.302.05.3 requiring a special use permit for Commercial Stables (as defined in Section 110.304.25(c)(2)) in GR and GRA are hereby modified to be consistent with Article 226, Warm Springs Area.

Indoor Sports Use

Indoor Entertainment	--	-	--	-	-	--	-	-	-	-	A	P	A	-	P	--	-	--	-
Indoor Sports and Recreation	--	-	--	-	-	--	-	-	-	-	S ₂	S ₂	P	S ₂	P	P	-	-	-

Key: - = Not allowed; A = Allowed; P = Administrative Permit; PR = Park Commission Approval pursuant to Section 110.104.40(c); S₁ = Planning Commission Special Use Permit; S₂ = Board of Adjustment Special Use Permit

* The provisions listed in Table 110.302.05.3 requiring a special use permit for Commercial Stables [as defined in Section 110.304.25(c)(2)] in GR and GRA are hereby modified to be consistent with Article 226, Warm Springs Area.

Application Consultant's Report

As alluded to above, one of the main uses and functions of the facility is equestrian training for jumping and dressage basics. Pair of Aces Stables (Liz Reader) runs and operates the instructional program. The trainer currently provides up to 70 training lessons per week to 35 students, each averaging 2-1-hour sessions per week, with up to 5 riders per session. The desire is to increase to 100 lessons on the proposed lesson horses plus training to the boarded horses/owners. In addition to her training, the trainer desires to hold up to 4 clinics per year. Clinics are generally limited to her students and are given by a "guest" horsemanship trainer. Likewise, the trainer desires to hold up to 4 competitions per year for the local horse community. Competition events are 1 or 2 days during the weekend and are limited to 50 or fewer riders. Attendance at events is non-ticketed and attended by family.

Actual Traffic

- ◇ 100 training sessions per week over 5 working days is 20 trips per day
- ◇ Events will have 50 RIDERS for each day of the event
- ◇ Riders need horses
- ◇ Horses are transported in trailers
- ◇ Trailers can be 40 feet long, towed by 20 ft. pickup
- ◇ Total ensemble length = 60 feet

Staff Report Traffic?

Traffic

The applicant indicates that the traffic from the site will increase by 50-70 trips per week or 10 to 12 trips per day. This would be 2 peak hour trips per day and due to the minimal increase in traffic that will be generated by this request, no traffic study is required.

- Used the consultant's maximum event traffic of 70 trips for each day of the event and divided by 7.
- Ignored the 20 trips per day just for training.

Holcomb Ranch Lane at facility



Existing and Proposed driveway



Pony driveway



Pony driveway width



Existing Holcomb commercial



Bartley Ranch Park entrance



Findings

- ◆ Intensive increase in use
- ◆ Significant traffic impacts
- ◆ No mitigation proposed by Pony or required by staff report
- ◆ Staff report conditions are normal general conditions
- ◆ No special conditions that reflect this project
- ◆ Events center not allowed in ANY residential area, period

Save Our Neighborhood

- ◆ Please keep our rural RESIDENTIAL neighborhood rural and residential
- ◆ This intensive use is not “grandfathered”
- ◆ Do not let Pony create a NEW intensive commercial use
- ◆ Existing roads cannot handle this vastly increased traffic
- ◆ Vastly increased long vehicle ensembles

EXHIBIT “6”

EXHIBIT “6”



Board of Adjustment Staff Report

Meeting Date: February 03, 2022

Agenda Item: 8E

SPECIAL USE PERMIT /

WSUP21-0036 & WADMIN21-0016

ADMINISTRATIVE PERMIT CASE NUMBER:

(Silver Circle Ranch)

BRIEF SUMMARY OF REQUEST:

To allow the use of a commercial horse boarding stable and indoor riding arena structure that is larger than the existing main residence

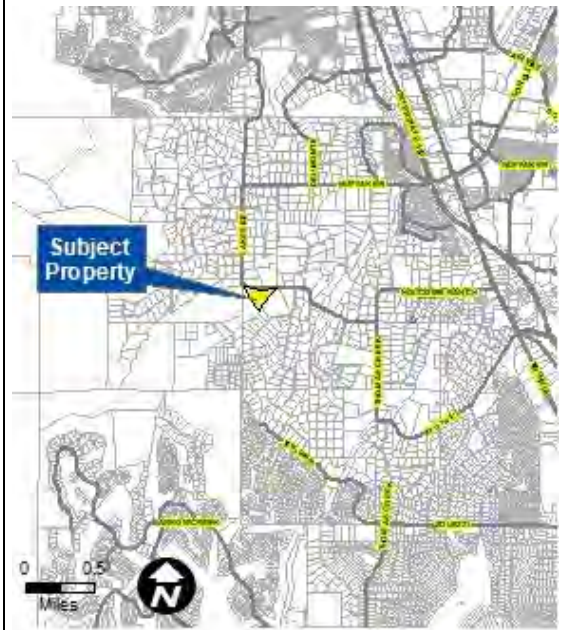
STAFF PLANNER:

Julee Olander, Planner
Phone Number: 775. 328. 3627
Email: jolander@washoecounty.gov

CASE DESCRIPTION

For hearing, discussion, and possible action to approve a special use permit for a commercial horse boarding stable for 25 horses and for grading of 6,000 cubic yards for an indoor riding arena; an administrative permit for an 11,580 SF indoor riding arena structure that is larger than the existing 1,120 SF main residence. The applicant is also requesting modifications of paved surfaces to allow non-paved surface, reduction of landscape standards for a commercial use and waive screening requirements for commercial properties adjacent to residential properties.

Applicant/Property Owner: Pro Pony LLC
 Location: 3400 Holcomb Ranch Ln.
 APN: 040-670-12
 Parcel Size: ±12.56 acres
 Master Plan: Rural Residential (RR)
 Regulatory Zone: 93% High Density Rural (HDR) & 7% General Rural (GR)
 Area Plan: Southwest
 Development Code: Authorized in in Article 302, Allowed Uses; Article 306, Accessory Uses and Structures; Article 438, Grading; and Article 810, Special Use Permits
 Commission District: 2 – Commissioner Lucey



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 WSUP21-0036 and Administrative Permit Case Number WADMIN21-0016 for Pro Pony LLC, 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 and 110.808.25

(Motion with Findings on Page 10)

Staff Report Contents

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Administrative Permit Definition 3

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Conditions of Approval Exhibit A

Agency Comments Exhibit B

Public Comments Exhibit C

Public Notice Map Exhibit D

Neighborhood Meeting Information Exhibit E

Project Application Exhibit F

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 WSUP21-0036 are attached to this staff report and will be included with the action order.

The subject property is designated as High Density Rural (HDR) and General Rural (GR) regulatory zoning. The proposed use horse boarding stable which is classified as commercial stables is permitted in HDR and GR with a special use permit per WCC 110.302.05.3. 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
Required paved parking, driveways and maneuvering areas	110.410.25 (e)
Landscaping Requirement for Civic and Commercial Use Types	110.412.40
Building Placement Standards Industrial Standards for Residential Adjacency	110.406.12(b)
Landscaping Requirement for Civic and Commercial Use Types	110.412.40(d)

Administrative Permit Definition

The purpose of an administrative permit is to provide a method of review for a proposed use which possess characteristics that requires a thorough appraisal in order to determine if the use has the potential to adversely affect other land uses, transportation or facilities in the vicinity. The Board of Adjustment or the Hearing Examiner may require conditions of approval necessary to eliminate, mitigate, or minimize to an acceptable level any potentially adverse effects of a use, or to specify the terms under which commencement and operation of the use must comply. Prior to approving an application for an administrative permit, the Board of Adjustment must find that all of the required findings, if applicable, are true.

The subject property is designated as High Density Rural (HDR) and General Rural (GR) in the Southwest Truckee Meadows Area Plan. Accessory structures that are larger than the main residence are permitted within the HDR and GR regulatory zone subject to approval of an administrative permit per Washoe County Code 110.306.10(d).

The conditions of approval for Administrative Permit Case Number WADMIN21-0016 is attached to this staff report and will be included with the action order.

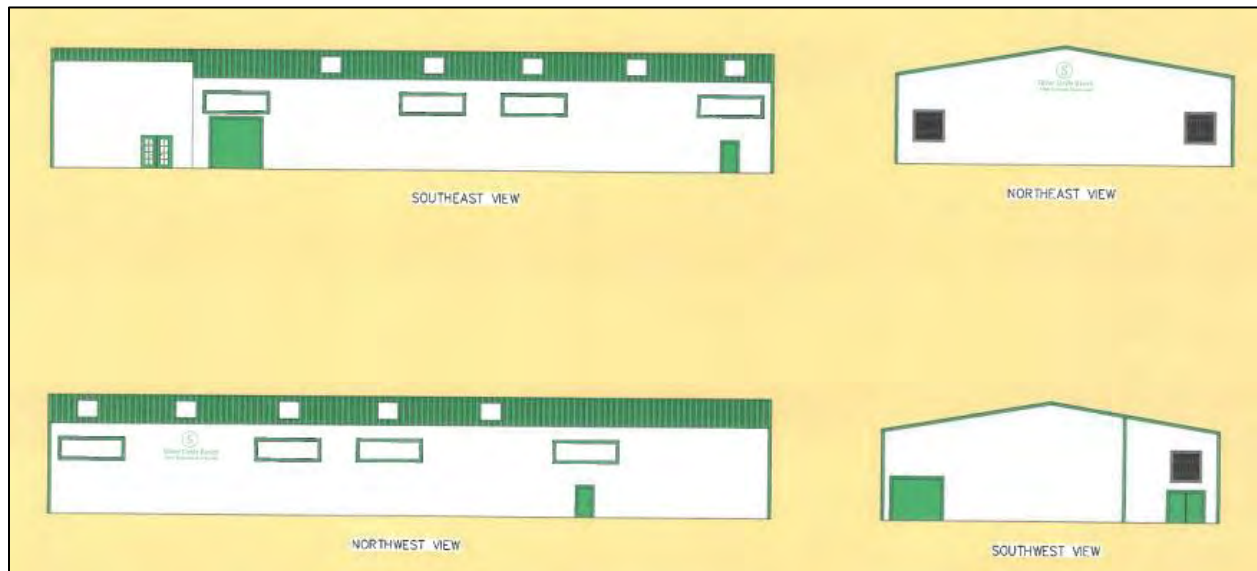


Site Plan

Project Evaluation

The applicant is requesting approval of a special use permit (SUP) to allow for the operation of a commercial stable use type. The subject parcel has had a barn and stable on the property since the early 1970s. The site has a current business license to board 23 horses; however, the request is to increase the number of horses to 25. The SUP will also, establish the site as a permitted commercial stable. The site has a current business license for a commercial stable, however, according to the applicant the SUP was not required for the site when the stables were established. The current SUP application will remedy that status. The SUP request is also for grading for a new indoor riding arena. There are two existing outdoor arenas, the one closest to Holcomb Ranch Lane is the location where the proposed new 11,580 SF indoor riding arena structure is to be constructed. The new arena will include a 2,000 SF storage area and restrooms. A mezzanine is proposed over the storage area to provide a viewing deck for observers of the riding arena. All structures and buildings will require a building permit.

The applicant is also requesting an administrative permit per Washoe County code 110.306.10(d) to allow the 11,580 SF indoor riding arena structure, which is larger than the existing 1,400 SF residences that are located in the barn.



Indoor Riding Arena Elevations

The applicant indicates that there will be 70 training lessons per week, with potential to increase to 100 lessons per week. Currently, there are 35 students, averaging 1-2 hour sessions per week, with up to 5 riders per session. Riding lessons will be between 7AM and 9PM, Tuesday through Saturday.

The site will host horse clinics and shows through the year. The applicant indicates up to 4 clinics per year will be held generally for the trainer’s students. Up to 4 shows will be held per year, 1 or 2 days during the weekend and will be limited to 50 or fewer riders. The events will be non-ticketed and attended primarily by staff and participants as well as family and friends.

The parcel has a regulatory zone of 93% High Density Rural (HDR) and 7% General Rural (GR). The parcel is a triangle shape and the GR portion is located at the southern part of the parcel. The parcels to the north, west and east have a regulatory zone of HDR; to the south the parcel is GR and the parcels to the southeast has a regulatory zone of Low Density Suburban (LDS). The master plan designation for the parcel is Rural Residential (RR) as are the parcels to the north,

south, west and east. The parcels to the southeast are designated Suburban Residential (SR). The parcel is in the Southwest Truckee Meadows Area Plan and is within the Lakeside/Holcomb Suburban Character Management Area.

Parking

The applicant indicates that there will be 31 parking spaces on the site, with 15 existing spaces and 16 new spaces to be added. The applicant indicates that the upper pasture area can be used for any overflow parking needs. Per Washoe County code 0.25 parking space is required for every horse at full design capacity, along with one parking space per employee during peak employment shift. The one bedroom unit requires 1.6 spaces along with an enclosed garage or carport. The facility is proposing to board 25 horses, which needs 7 spaces and 5 spaces will be for the employees. The total requirement for spaces is 15 spaces and the proposal is for 31 spaces. Additionally, the applicant states trailer turning around is available around the existing barn. Two new paved ADA parking spaces adjacent to the existing barn are planned. The driveway, parking areas and trailer turn around area will be constructed with compact gravel. The applicant is requesting to waive the paving requirement as further explained in the Modification section below

Traffic

The applicant indicates that the traffic from the site will increase by 50-70 trips per week or 10 to 12 trips per day. This would be 2 peak hour trips per day and due to the minimal increase in traffic that will be generated by this request, no traffic study is required.

Modifications

The applicant is asking to waive the following:

1. 110.410.25 (e) - Paved parking, driveways and maneuvering areas requirement and allow for non-paved surfaces in these areas for the safety of horses and riders. The applicant will improve the drive and parking areas with compacted, maintained gravel surfacing.

Staff comment: Staff supports the waiver of the paving requirements for the safety of horses and riders.

2. 110.412.40 - Landscape requirement of 20% for commercial use is requested to be waived. The area has existing vegetation along with pastures throughout the site.

Staff comment: Staff supports the waiver of the landscaping requirements, the site has large trees and vegetation and is located in a rural environment with natural vegetation.

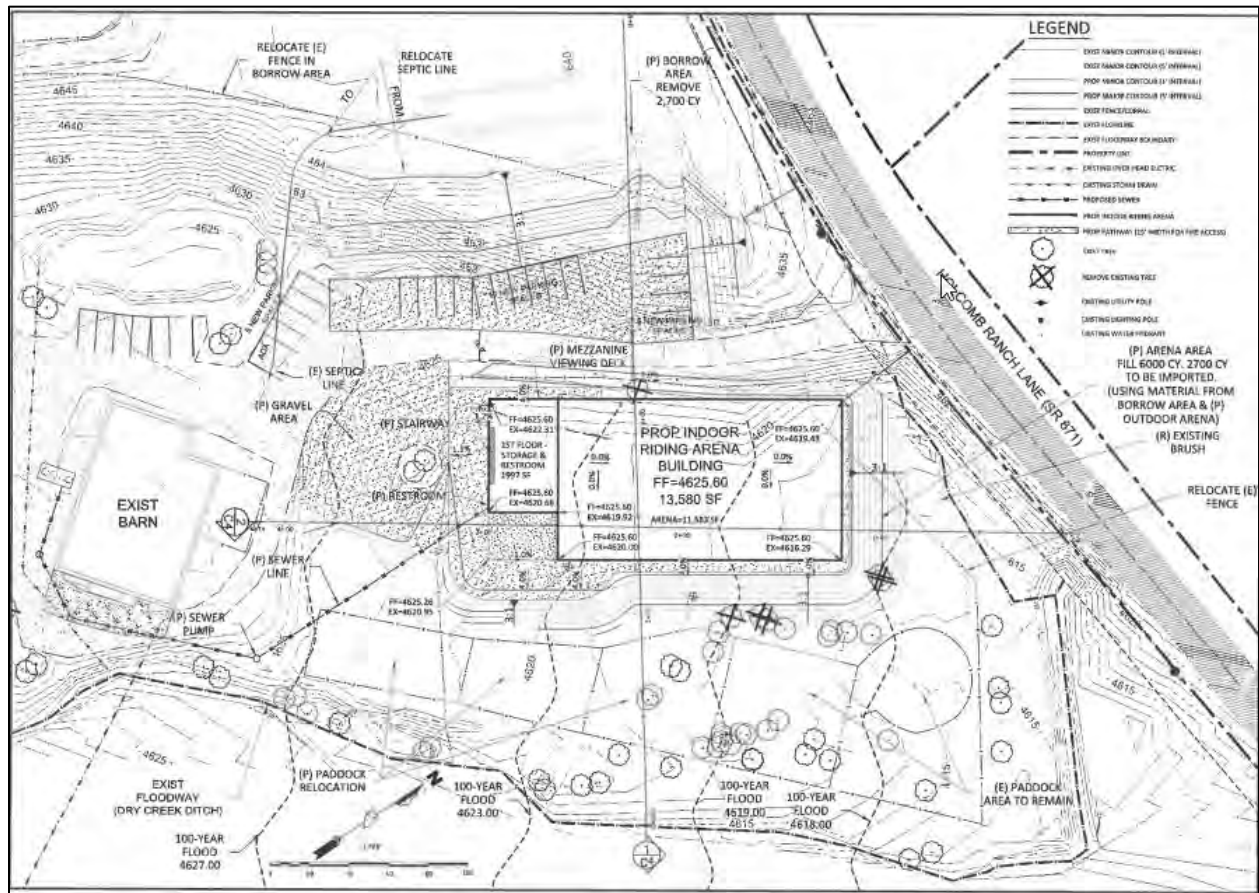
3. 110.406.12(b) and 110.412.40(d) - Screening is required of an "eight (8) foot screening element", "when a civic or commercial use adjoins a residential use". The need for screening of the site is not needed according to the applicant because of the location and size of the parcel.

Staff comment: Staff supports the waiver of the screening requirements, the site is large and fairly isolated from neighboring properties and is downhill from the roadway. There are properties in the area with horses and the need to screen the stable is not necessary in at this location.

Grading

Grading of the site is required to construct the building pad for the proposed indoor riding arena. The grading is primarily needed for the north side of the arena. Approximately 3,300 cy of material will be exported from the site which will include approximately 2,500 cy of exported material from the parking area and another 800 cy of exported material from the other outdoor riding arena area. Another 2,700 cy will be imported from off-site, for a total of 6,000 cy of grading will be used to construct the arena. A total of 1.72 acres of surface area will be disturbed. The grading will increase the height of the northeast corner of the arena by approximately 10 feet, which will

ensure drainage to the natural drainage system. This corner is lower on the site and will help alleviate water accumulating in the area. All disturbed areas will be revegetated in compliance with Washoe County code.



Grading Map

Southwest Truckee Meadows Area Plan Evaluation

The subject parcel is located within the Southwest Area Plan. The Southwest Area Plan speaks to residents owning horses. The following is a pertinent policy from the Area Plan:

Relevant Area Plan Policies Reviewed

Policy	Brief Policy Description	Complies	Condition of Approval
SW.2.1	Minimize cuts and fills	Yes	
SW.2.2	A plan for the control of noxious weeds	Yes	Yes
SW.2.3	Present their items to the Citizen Advisory Board (CAB)	NA	CABs are no longer reviewing development applications
SW.2.5	Current best practice "dark-sky" standards	Yes	
SW.2.10	Impact of development on adjacent land uses will be mitigated	Yes	
SW.2.12	A Public Health Impact Review (PHIR)	Yes	Yes
SW.2.14	Character statement can be adequately conserved	Yes	
SW.5.2	Grading will have minimal visual impact	Yes	

SW.5.3	Finished and fill slopes will not exceed a 3:1	Yes	
SW.10.3	No significant degradation of air quality will occur	Yes	

Reviewing Agencies

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

Agency	Sent to Review	Responded	Provided Conditions	Contact
Washoe County Parks & Open Spaces	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sophia Kirschenman, skirschenman@washoecounty.gov
Washoe County Water Rights	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Vahid Behmaram; VBehmaram@washoecounty.gov
Washoe County Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Rob Wimer, rwimer@washoecounty.gov
Washoe County Sherriff	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
WCHD – Air Quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
WCHD – Environment Health	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	David Kelly, dakelly@washoecounty.gov
WCHD- EMS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Jackie Lawson, Jlawson@washeocounty.gov
Truckee Meadows Fire Protection District	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Brittany Lemon, blemon@tmfpd.us
RTC Washoe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Washoe Storey Conservation District	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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

Neighborhood Meeting

The applicant held a neighborhood meeting at Silver Circle Ranch on December 5, 2021. The applicant sent notices to surrounding neighbors and clients (see Exhibit E). Between 80-100 people attended the meeting. The applicant had renderings of the proposed indoor arena on display, answered questions regarding the proposal and pointed out actual physical location of the different structures and amenities.

Staff Comment on Required Findings

WCC Section 110.810.30, Article 810, *Special Use Permits* and WCC 110.808.25, Article 808, *Administrative Permit*, 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.

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Southwest Area Plan.

***Staff Comment:** There are no policies or action programs within the Southwest Area Plan that prohibit the proposed commercial stable. The Area Plan acknowledges that residents own horses and, “ the area still possesses a rural quality that pays homage to its Western heritage. ”*

2. **Improvements.** That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven.

***Staff Comment:** Based on agency review comments received and the proposed conditions of approval, there are adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities are either available or have been provided. This approval will require compliance with all applicable codes and requirements should any have not been previously met.*

3. **Site Suitability.** That the site is physically suitable for commercial stables and for the intensity of such a development.

***Staff Comment:** The site is physically suitable for the type of development. The site has been used as commercial stable for many years with outdoor riding arenas. The construction of an indoor riding arena will enclose one of the existing outdoor arenas.*

4. **Issuance Not Detrimental.** That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area.

***Staff Comment:** The commercial stable is existing with two outdoor riding arenas on the site. The conditions of approval will further provide requirements for the facility to operate without significant negative impact upon the surrounding area and will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area.*

5. **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 required noticing distance for this application. Therefore, there is no effect on a military installation.*

Southwest Area Plan Findings

- SW.2.4 During review of tentative maps and other development proposals, the Planning Commission will review the adequacy of the minimum standards established under Goal 2; and upon a finding that a standard is inadequate to implement these goals, may impose other similar standards as necessary to implement the relevant goal. Said similar standards may include but are not limited to, perimeter parcel matching and alternative construction materials.

***Staff Comment:** The Goal 2 speaks to the community character commonly found in Southwest Truckee Meadows planning area. The applicant is proposing to establish a commercial stable and construct an indoor arena. The site has been used as a commercial stables since the 1970's and livestock are found throughout the neighboring properties. The indoor arena will replace an outdoor arena, which is located in an area that is adjacent to the roadway.*

- SW.2.14 The approval of all special use permits and administrative permits must include a finding that the community character as described in the character statement can be adequately

conserved through mitigation of any identified potential negative impacts. Mitigation measures shall be reviewed by the Washoe County Planning Commission as well as by the relevant Citizen Advisory Board.

Staff Comment: The applicant is proposing to establish a commercial stable and construct an indoor arena. The establishment of a commercial stables will conserve the community character of the Lakeside/Holcomb Suburban Character Management Area. This area has a mixture of older ranches and newer residential homes. This site has had a commercial stables since the 1970's and it is a well-known establishment in the area and is part of the character of the area.

SW.10.3 The granting of special use permits in the SWTM planning area must be accompanied by a finding that no significant degradation of air quality will occur as a result of the permit. As necessary, conditions may be placed on special use permits to ensure no significant degradation of air quality will occur. The Department of Community Development will seek the advice and input of the Air Quality Division of the Department of Health in the implementation of this policy.

Staff Comment: This application was sent to Air Quality and no comments or conditions were received. The indoor arena should have less impact to the air quality and then the outdoor arena.

Recommendation

After a thorough analysis and review, Special Use Permit Case Number WSUP21-0036 and Administrative Permit Case Number WADMIN21-0016 are 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 WSUP21-0036 and Administrative Permit Case Number WADMIN21-0016 for Pro Pony LLC, 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 and 110.808.25:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Southwest Area Plan;
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;
3. Site Suitability. That the site is physically suitable for commercial horse boarding stable and for the intensity of such a development;
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
5. 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/Owner: Pro Pony, LLC
Email: witmers2@gmail.com

Developer: Clint Thiesse
Email: clint@summitnv.com

EXHIBIT “7”

EXHIBIT “7”



Conditions of Approval

Special Use Permit Case Number WSUP21-0036 & WADMIN21-0016

The project approved under Special Use Permit Case Number WSUP21-0036 and Administrative Permit WADMIN21-0016 shall be carried out in accordance with the conditions of approval granted by the Board of Adjustment on February 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.

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

- **The DISTRICT BOARD OF HEALTH, through the Washoe County Health District, has jurisdiction over all public health matters in the Health District. Any conditions set by the Health District must be appealed to the District Board of Health.**

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

Washoe County Planning and Building Division

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

Contact Name – Julee Olander, Planner, 775.3627, 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. The Planning and Building Division shall determine compliance with this condition.
- c. The applicant shall submit construction plans, with all information necessary for comprehensive review by Washoe County, and initial building permits shall be issued within two years from the date of approval by Washoe County. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Planning and Building Division.
- d. A note shall be placed on all construction drawings and grading plans stating:

NOTE

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

- d. The business license will be obtained to for the new use.
- e. An onsite noxious weeds management plan needs to be developed to ensure weed seeds do not impact other areas. All native seed mixes shall be certified noxious weed free prior to its dispersal on the site.
- f. Any imported earthen materials shall be “certified weed free” in order to prevent the spread of noxious weeds within the county.
- g. Construction work hours will be limited to 7am to 7pm Monday to Saturday.
- h. The following **Operational Conditions** shall be required for the life of the business:
 - i. This special use permit shall remain in effect until or unless it is revoked or is inactive for one year.
 - ii. Failure to comply with any of the conditions of approval shall render this approval out of conformance and subject to revocation.
 - iii. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the administrative permit to meet with Planning and Building to review conditions of approval prior to the final sale of the site and/or the administrative permit. Any subsequent purchaser/operator of the site and/or the administrative permit shall notify Planning and Building of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.

- iv. This special use permit shall remain in effect as long as the business is in operation and maintains a valid business license.

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 – Rob 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.
- g. The FEMA 100-year floodplain, floodway and/or shaded X boundaries with associated flood elevations shall appear on the site plan to the satisfaction of the County Engineer. Building permits for structures and fill in these areas shall be in conformance with the Washoe County Code Article 416.
- h. The following note shall be added to the construction drawings; "All properties, regardless if they are located within or outside of a FEMA designated flood zone, may be subject to flooding. The property owner is required to maintain all drainage easements and natural drainages and not perform or allow unpermitted and unapproved modifications to the property that may have detrimental impacts to surrounding properties."

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 – Brittany Lemon, Fire Captain, 775.326.6079, blemon@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. The riding arena is over 5,000 square feet and will require sprinklers. Access around the riding arena will also be required in compliance with the IFC (20 feet wide, all-weather surface, capable of supporting 75,000 pounds).

Washoe County Health District

4. The following condition is a requirement of the Washoe County Health District, which shall be responsible for determining compliance with this condition.

Contact Name – David Kelly, EHS Supervisor, 775.328.2434, dakelly@washoecounty.gov

- a. Business license applications and renewals associated with this project must be routed for review and approval by EHS.
- b. All Building permits associated with this construction must be routed for review and approval by EHS.
- c. The existing septic system was permitted as a residential septic system. In order to utilize for commercial use, approval from State of Nevada Bureau of Water Pollution Control is required and will be a condition of any Building permit approval by EHS. Submittals for the BWPC permit must include all facilities, including the apartments, trainer's restroom and public restroom in the indoor riding arena.
- d. The proposed commercial stable activities will be required to be a permitted public water system through State of Nevada Bureau of Safe Drinking Water. Application for permitting will be submitted through EHS; contact us for requirements. Becoming a permitted water system will be a condition of any Building permit approval by EHS.

*** End of Conditions ***

EXHIBIT “8”

EXHIBIT “8”



WASHOE COUNTY

COMMUNITY SERVICES DEPARTMENT

Engineering and Capital Projects

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

Date: December 22, 2021

To: Julee Olander, Planner

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

Re: Special Use Permit for **Silver Circle Ranch WSUP21-0036**
Administrative Permit for **Silver Circle Ranch WADMINSUP21-0016**
APN 040-670-12

GENERAL PROJECT DISCUSSION

Washoe County Engineering staff has reviewed the above referenced application. The Special Use Permit and Administrative Permit is for the grading of building area for an indoor horse arena, minor grading associated with a relocated outdoor arena, and grading associated borrow area and is located on approximately 12.56 acres in on the south side of Holcomb Ranch Ln, and at the end of Lakeside Dr. 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 Summit Engineering Corporation. The County Engineer shall determine compliance with the following conditions of approval.

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

GENERAL CONDITIONS

Contact Information: Rob 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.



INTEGRITY



EFFECTIVE
COMMUNICATION



QUALITY
PUBLIC SERVICE

Subject: **Silver Circle Ranch WSUP21-0036**
Date: December 22, 2021
Page: 2

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.

DRAINAGE (COUNTY CODE 110.416, 110.420, and 110.421)

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

1. The FEMA 100-year floodplain, floodway and/or shaded X boundaries with associated flood elevations shall appear on the site plan to the satisfaction of the County Engineer. Building permits for structures and fill in these areas shall be in conformance with the Washoe County Code Article 416.
2. The following note shall be added to the construction drawings; "All properties, regardless if they are located within or outside of a FEMA designated flood zone, may be subject to flooding. The property owner is required to maintain all drainage easements and natural drainages and not perform or allow unpermitted and unapproved modifications to the property that may have detrimental impacts to surrounding properties."

TRAFFIC AND ROADWAY (COUNTY CODE 110.436)

Contact Information: Mitch Fink, (775) 328-2050

No traffic related comments.

UTILITIES (County Code 422 & Sewer Ordinance)

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

No utilities related comments.

From: [Lemon, Brittany](#)
To: [Olander, Julee](#)
Cc: [Way, Dale](#)
Subject: WSUP21-0036 and WADMIN21-0016 (Silver Circle Ranch) Conditions of Approval
Date: Monday, December 20, 2021 3:05:23 PM
Attachments: [image001.png](#)

Hi Julee,

“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/>.

The riding arena is over 5,000 square feet and will require sprinklers. Access around the riding arena will also be required in compliance with the IFC (20 feet wide, all-weather surface, capable of supporting 75,000 pounds).

Thank you!

Brittany Lemon

Fire Captain - Fire Prevention | Truckee Meadows Fire & Rescue

blemon@tmfpd.us | Office: 775.326.6079 | Cell: 775.379.0584

3663 Barron Way, Reno, NV 89511



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

WASHOE COUNTY HEALTH DISTRICT

ENHANCING QUALITY OF LIFE

December 17, 2021

Washoe County Community Services
Planning and Development Division
PO Box 11130
Reno, NV 89520-0027

RE: 3400 Holcomb Ranch; 040-670-12
Special Use and Administrative Permit; WSUP21-0036, WADMIN21-0016

Dear Washoe County Staff:

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

Contact Name – David Kelly

1. Business license applications and renewals associated with this project must be routed for review and approval by EHS.
2. All Building permits associated with this construction must be routed for review and approval by EHS.
3. The existing septic system was permitted as a residential septic system. In order to utilize for commercial use, approval from State of Nevada Bureau of Water Pollution Control is required and will be a condition of any Building permit approval by EHS. Submittals for the BWPC permit must include all facilities, including the apartments, trainer's restroom and public restroom in the indoor riding arena.
4. The proposed commercial stable activities will be required to be a permitted public water system through State of Nevada Bureau of Safe Drinking Water. Application for permitting will be submitted through EHS; contact us for requirements. Becoming a permitted water system will be a condition of any Building permit approval by EHS.

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

Sincerely,



Dave Kelly, REHS
EHS Supervisor
Environmental Health
Washoe County Health District



From: [Program, EMS](#)
To: [Olander, Julee](#)
Cc: [Program, EMS](#); [Aaron Abbott](#); [Kammann, Joseph R](#)
Subject: FW: December Agency Review Memo I
Date: Tuesday, December 28, 2021 10:57:40 AM
Attachments: [December Agency Review Memo I.pdf](#)
[image001.png](#)

Good morning,

Sorry this is late.

The EMS Program has reviewed December Agency Review Memo I for Special Use and Administrative Permit Case Numbers WSUP21-0036 & WADMIN21-0016 (Silver Circle Ranch) and has no concerns based on the information provided.

REMSA and TMFR are cc'd on this email for informational purposes.

Thank you,

Jackie Lawson

Office Support Specialist | Division of Epidemiology & Public Health Preparedness | [Washoe County Health District](#)
Jlawson@washoecounty.gov | O: (775) 326-6051 | 1001 E. Ninth St., Bldg B, Reno, NV 89512



Please take our customer satisfaction survey by clicking [here](#)

From: Fagan, Donna <DFagan@washoecounty.gov>
Sent: Tuesday, December 14, 2021 3:08 PM
To: Rosa, Genine <GRosa@washoecounty.gov>; Restori, Joshua <JRestori@washoecounty.gov>; English, James <JEnglish@washoecounty.gov>; Rubio, Wesley S <WRubio@washoecounty.gov>; Kelly, David A <DAKelly@washoecounty.gov>; Program, EMS <EMSProgram@washoecounty.gov>
Cc: EHS Plan Review <EHSPlanReview@washoecounty.gov>
Subject: December Agency Review Memo I

Genine, Josh, Jim, Wes, David, and EMS,

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

You've each been asked to review the items as indicated below. Click on the highlighted item

description for a link to the application.

Genine/Josh: Items #1, #2, and #3

Jim/Wes/David: Items #1 thru #4

EMS: Items #1 thru #4

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

Thank you,
Donna



Donna Fagan

Account Clerk II

Finance | Community Services Department

dfagan@washoecounty.gov | Office: 775.328.3616

1001 E. 9th Street, Reno, NV 89512-2845


From: [Kirschenman, Sophia](#)
To: [Olander, Julee](#)
Subject: Parks Comments Re: Silver Circle
Date: Wednesday, December 29, 2021 10:50:57 AM
Attachments: [Outlook-arprxftw.png](#)
[Outlook-tnocuxqh.png](#)
[Outlook-mgob3dkr.png](#)
[Outlook-rphkr15j.png](#)
[Outlook-yfe3eain.png](#)

Hi Julee,

I've reviewed WSUP21-0036 and WADMIN21-0016 (Silver Circle Ranch) on behalf of Washoe County Regional Parks and Open Space and have no comments or conditions.

Thank you,



[Sophia Kirschenman](#)
Park Planner | Community Services Department
775.328.3623 | 1001 E. 9th Street, Reno, NV 89512


Please consider the environment before printing this e-mail.



WASHOE COUNTY
COMMUNITY SERVICES
INTEGRITY COMMUNICATION SERVICE

P.O. Box 11130
Reno, Nevada 89520-0027
Phone: (775) 328-3600
Fax: (775) 328-3699

December 16, 2021

TO: Julee Olander, Planner, CSD, Planning & Development Division
FROM: Vahid Behmaram, Water Rights & Water Resources Consultant, CSD
SUBJECT: Special Use Permit and Administrative Permit Case Numbers WSUP21-0036 & WADMIN21-0016- (Silver Circle Ranch)

Project description:

For hearing, discussion and possible action to approve a special use permit for a commercial horse boarding stable for 25 horses and for grading of 6,000 cubic yards for an indoor riding arena; and an administrative permit for an 11,580 SF indoor riding arena structure that is larger than the existing 1,120 SF main residence.

Location: 3400 Holcomb Ranch Lane, Assessor's Parcel Number: 040-670-12.

The Community Services Department (CSD) recommends approval of this project with the following Water Rights comments and/or conditions:

Comments:

The parcel of land in this application has 43.34 acre-feet of Decreed Truckee River water rights (DTR 69) appurtenant to it. Furthermore, an additional 2.00 acre-feet of Commercial Ground Water rights (Permit # 89783) permitted on September 22, 2020 are now appurtenant to the same parcel of land. All water rights and the subject parcel are in the ownership of Pro Pony LLC. Previous inquiry by Washoe County determined that "Pro Pony LLC" and Silver Circle Ranch are owned by the same individuals and are authorized to use of subject water rights.

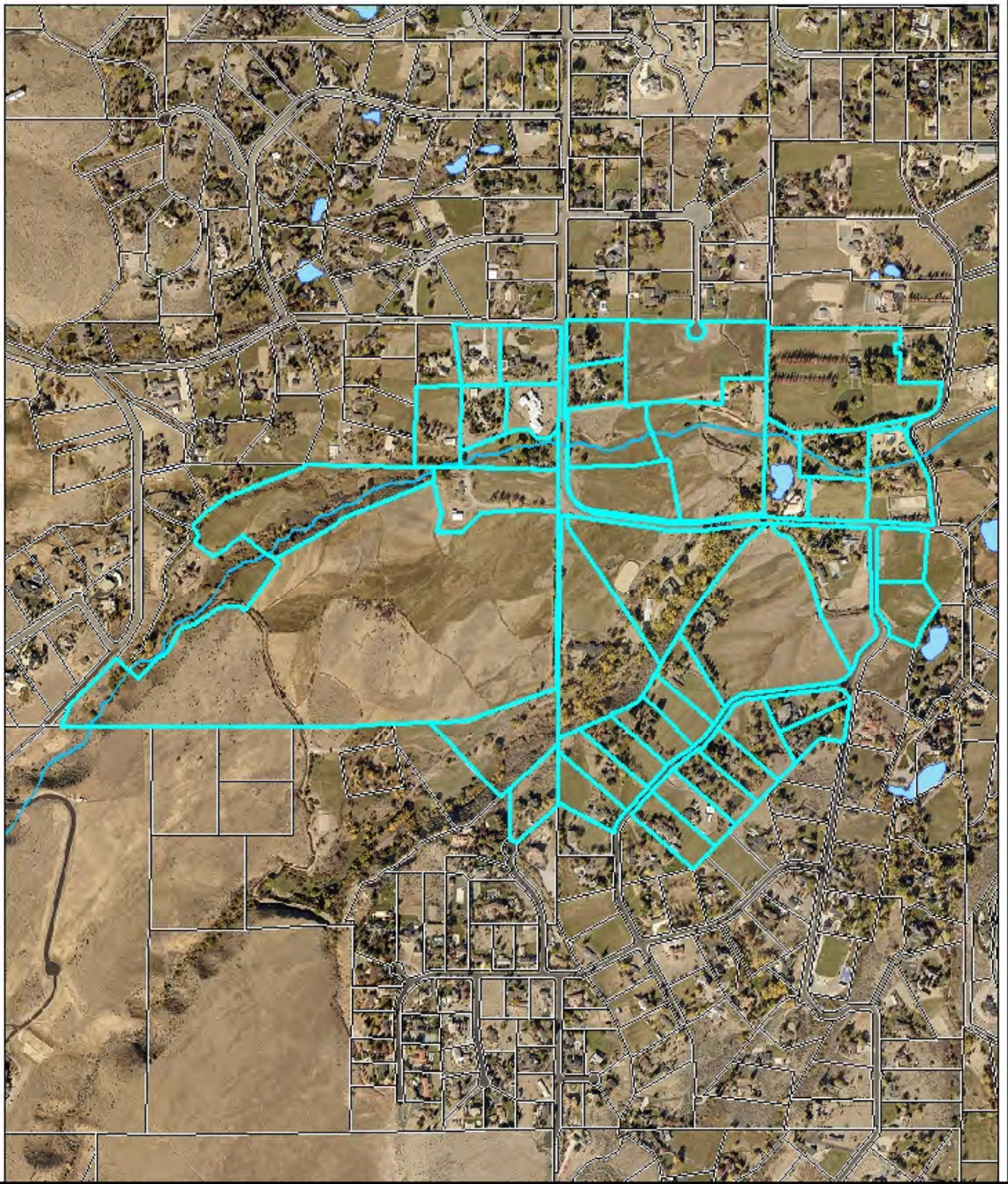
Conditions:

The conditions of Approval are met and therefore there are no conditions of approval for this SUP or ADMIN permits.

WSUP21-0036
/ WADMIN21-0016
EXHIBIT B

EXHIBIT “9”

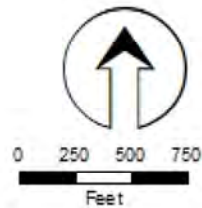
EXHIBIT “9”



WSUP21-0036 & WADMIN21-0016
Silver Circle Ranch

Noticing Map- 1,000 feet

WSUP21-0036
/ WADMIN21-0016
EXHIBIT D



Community Services
Department



1001 E. Ninth
Reno, NV 89402
WSUP23-0029
PUBLIC COMMENT

EXHIBIT “10”

EXHIBIT “10”



Silver Circle Ranch



You're invited, as a valued neighbor of Silver Circle Ranch, to our Open House, on Sunday, December 5th, from 1-3pm. Please join us for farm tours, catered food, and festive music.

"We hope to meet you! We would love to share our plans for continued Horsemanship, heritage, and outreach."

Landess Witmer, property owner (775) 560-4242
Liz Reader, Pair of Aces Stables (775) 220-2270



Pair of Aces Stables (located at Silver Circle Ranch)

3400 Holcomb Ranch Lane
Reno, NV 89511

| pairofacesstables.com

EXHIBIT “11”

EXHIBIT “11”

**Silver Circle Ranch
3400 Holcomb Ranch Lane, Reno, NV**

Application to Washoe County for a:

Special Use Permit

**For an Existing Stable and Grading
Associated with an Accessory Indoor Riding Arena**



Prepared by:



Clinton Thiesse, P.E.
Executive Vice President
Summit Engineering Corp.
5405 Mae Anne Avenue
Reno, NV 89523
(775) 787-4364
clint@summitnv.com

Prepared for Owner:

Pro Pony LLC
Landess and Bruce Witmer
1605 Del Monte Lane
Reno, NV 89511
(775)-560-4242

December 8th, 2021

**WSUP23-0038
PUBLIC COMMENTS
EXHIBIT F**

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Introduction

This application includes the following requests:

- A Special Use Permit to allow for grading of building area for an indoor horse arena, minor grading associated with a relocated outdoor arena, and grading associated borrow area.
- A Special Use Permit for a Commercial Stable in an HDR zone.

Project Location

The project site (APN # 040-670-12) consists 12.56 acres located at 3400 Holcomb Ranch Lane. More specifically the subject parcel is located on the south side of Holcomb Ranch Ln, and at the end of Lakeside Dr. See Figure 1 below.



Figure 1 – Vicinity Map. Project Parcel outlined in blue.

Existing Conditions

The subject property is within the Southwest Planning Area and zoned High Density Rural (HDR) with a small piece of General Rural (GR) on the Southeast corner within the Dry Creek drainage. The project site contains a Barn and Stable that have been present on the site since the 1970's.



Figure 2 – Layout of existing site showing where new buildings and layouts will go.



Figure 3 – Area proposed for new Indoor Arena.

Project Request

The proposed new indoor riding arena is being proposed in a location within the AE flood zone, outside the Dry Creek floodway. The location was chosen due to its proximity to the existing stable and barn, plus the location is well screened, with the site elevations, and trees, from adjacent areas of the property. However, fill will be required to raise the building pad above the flood elevation. In addition, the owner is looking to grade a surface for a relocated Outdoor Training Arena.

A SUP is needed for the grandfathered horse stable operation, grading associated with the Indoor Arena building pad, grading the Outdoor Arena, grading the proposed on-site borrow area.

Grading Special Use Permit Description

The grading to provide a building pad for the proposed indoor arena on the north side of the project requires a Special Use Permit, under Washoe County regulations. Specifically, per section 110.438.35 of the Washoe County Development Code, an SUP is triggered based on the overall pad height at the northeast corner.

With the current existing conditions and to alleviate the amount of material needed for import, some material on site will be used for fill material. The area labeled as “Borrow Area” (Sheet C-2) has around 2700 cubic yards of material that will be used for the proposed Indoor Riding Arena Building pad. Total amount needed for the pad of this building will be around 6000 cubic yards of material total. Slopes for the Borrow area will be cut to a 3:1 slope and will be vegetated as needed.

Material from the proposed Outdoor Arena will total roughly 800 cubic yards of cut material to ensure adequate drainage on site. The Outdoor Arena will be slanted at a 2% slope towards the North-East to ensure drainage to the natural drainage system. Cottonwood trees impacting the proposed areas will be removed as needed (See C-3). The Outdoor Arena will be bordered using wood curbing that will be relocated from another existing outdoor arena as to ensure that surface material used for the outdoor arena stays within the arena and does not mix with native soils.

Material for the proposed Indoor Arena will be a mix of material from the Borrow area, cut material from the proposed Outdoor Arena, and imported from a permitted material source. The proposed Indoor Arena is around 13,580 square feet and will be located on the South-East side of the driveway on the property. Slopes around the South-East side of the building will be graded to a 3:1 slope. The maximum building pad height above existing ground is about 10 feet at the northeast corner. Existing Cottonwood trees within the graded boundary will be removed, as well as existing fence, and brush (See C-2).

Disturbed and created slopes associated with this project will be revegetated in compliance with County Code. All revegetation will be in accordance with Best Management Practices established by Washoe County and will include native plant species. With the implementation of revegetation and Washoe County grading standards, no negative impacts are anticipated to result from this request.

The following table provides an overall summary of the grading proposed at the Silver Circle Property:

Fill Quantity	6000 CY
Cut Quantity	3500 CY
Import Quantity	2500 CY
Total Disturbed Area	1.72 Acres (+/- 0.2 Ac.)

Commercial Stable Special Use Permit Description

The owners of the property want to establish a permitted commercial stable use on property which requires the approval of an SUP. This permit is to bring a non-complying grandfathered use into compliance with current code. The barn and stable facilities were constructed in the 1970’s by the previous owner, the Warren Nelson family. It has been operated as a commercial stable since that time and has a current business license to operate a commercial stable in the name of Pro Pony, LLC.

Currently 23 horses are stabled on the property of which the property owner owns 1; the trainer owns 2 personal horses and 5 lesson horses; and the assistant trainer owns 2 personal horses. The remaining 13 horses boarded are owned by riding instruction students. The owner and trainer desire to increase the total number of permitted horses to 25, as well as to increase the lesson horse total to 10 sometime in the future which would reduce the student boarded horses to 10.

The proposed new arena structure is being addressed as an accessory use, and an Administrative Permit request is included. The new structure contains an 11,580 sqft indoor riding arena with a 2000 sqft access and equipment storage area and will include a restroom. A mezzanine level is proposed over the storage to provide a viewing deck for parents to observe the training lessons. The restroom would be plumbed to the existing 2000-gal septic tank via a pump system.

Existing access and parking areas are improved with compacted, maintained gravel surfacing. It is the owners and trainers desire to continue the use of gravel in lieu of asphalt. Space will be provided to accommodate up to 31 vehicles on the lower level of the site. During a competition, the unused portion of the upper pasture area can be used for trailer parking. The lower level can accommodate trailer turning around the barn and the fire access turn around in front of the new proposed indoor arena.

All new lighting is proposed to be building mounted directed at the ground in the local area. An existing “Silver Circle Ranch” entry sign exists and is proposed to remain. The owner desires to have “Silver Circle Ranch” painted on the north end, and the westside near the north end of the new arena in hunter green lettering to match the trim on the white wall.

HDR Zoning Requirements

The current site resides in a majority High Density Rural (HDR) regulatory zone, with a small area in the Dry Creek channel designated General Rural (GR) within the Southwest Planning Area. With proposed and current buildings for the site, under 20% of the parcel square footage is used for buildings (Proposed and Existing), totaling 0.61 ac. of building on the 12.56 ac. site. This follows a requirement in section 110.306.10 that requires building use on the site to be below 20% of the site. With the proposed outdoor arena as well as current buildings, setback dimensions for an HDR zone are sufficient. Current distances laid out are more than 30 ft or grandfathered in per section 110.406.05.1. An administrative

Permit will be filed along with the Special Use Permit due to the proposed accessory structure of the new indoor arena.

Traffic Impacts

Moderate traffic is anticipated and will increase by 50-70 trips per week or 10 to 12 trips per day on lesson days to accommodate the proposed new lessons. This would equate to less than 2 peak hour trips per day. The lower level can accommodate trailer turning around the barn and fire access turning in front of the new proposed indoor arena.

Parking

Space will be provided to accommodate up to 31 vehicles on the lower level of the site. 15 of these parking spots being existing, while adding 16 new parking spots. A total of 17 are required by code for the site, 7 for the number of boarded horses, 5 for employees, and 5 for the apartments. During a competition, the unused portion of the upper pasture area can be used for trailer parking. Parking spaces will be designated by use of small placards on wood posts (currently in use) with 2 designated as ADA.

Landscaping

The existing site has numerous mature trees and turf pasture, and as such no new landscaping is proposed. Cut and fill slopes will be revegetated.

Irrigation

The upper area of the site is irrigated via flood irrigation from the local ditch system. The lower area requiring irrigation is hand watered to maintain the beautiful ranch setting.

Fencing

The existing perimeter fencing is a black powder coated chain link fence. The upper area corrals, lower area paddocks, and main entry are fenced with a semi-permanent white plastic split rail. The owner desires to maintain the current fencing scheme in lieu of block walls or other screen fencing.

Signage

An existing “Silver Circle Ranch” entry sign exists and is proposed to remain. The owner desires to have “Silver Circle Ranch” painted on the north end and westside near the north end of the new arena in hunter green lettering to match the trim on the white wall.

Lighting

All new lighting is proposed to be building above doorways and at eave line mounted directed at the ground in the local area.

Code Enforcement

In order to accommodate buildings on the premises, the current Barn and Stable on site were built prior to the need for a Special Use Permit. No special use permit will be needed for these structures since there will be no modifications, other than interior and exterior moveable panel relocations of the horse stalls, to either of the buildings during the duration of the project. The addition of an Indoor Arena as previously noted requires an Administrative Permit. An Administrative Permit will be filed along with this Special Use Permit. A Geotechnical Investigation has also been submitted with the Administrative Permit which will require an update prior to building permit request.

Special Use Permit Findings

In order to approve a Special Use Permit, the following findings must be made. Responses are provided in **Bold**.

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

The proposed use and grading are permitted within the High-Density Rural zone (with an SUP). This SUP request provides for consistency with Article 214 Southwest Truckee Meadows Area. The application of development Code standards further ensures consistency with all applicable policies and practices.

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

The property is well suited for the type of use proposed. The site is already constructed and includes the necessary infrastructure to provide the site with water and sanitation service. The proposed grading is consistent with Washoe County standards for slopes, drainage, etc. ensuring compliance with this finding. The commercial stable use will generate very moderate traffic impacts.

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

The site is large and easily accommodates the proposed use and the grading needed for the project. These proposed uses are compatible with the area and with the site. The use and development of this property is consistent with other properties in the area. All grading impacts will be mitigated through proper slope transitions, revegetation, and implementation of standards included within the Washoe County Development Code.

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

No negative impacts are anticipated with the granting of this SUP request. All potential impacts will be properly mitigated, and the development proposed is directly consistent with surrounding parcels and uses. It is also consistent with the types of uses and development intended for the General Rural and High Density Rural zoning district.

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: Silver Circle Ranch Special Use Permit			
Project Description: A Special Use Permit request for Grading, New Outdoor Arena, and Existing Stable			
Project Address: 3400 Holcomb Ranch Lane, Reno, NV, 89511			
Project Area (acres or square feet): 12.56			
Project Location (with point of reference to major cross streets AND area locator): 3400 Holcomb Ranch Ln, East to Lakeside Dr and Lombardi Rd			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
040-670-12	12.56		
Indicate any previous Washoe County approvals associated with this application: Case No.(s).			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name: Pro Pony, LLC		Name: Summit Engineering Corporation	
Address: 1605 Del Monte Lane		Address: 5405 Mae Anne Avenue	
Reno, NV	Zip: 89511	Reno, NV	Zip: 89523
Phone: (775) 560-4242	Fax:	Phone: (775) 787-4364	Fax: 747-8559
Email: witmers2@gmail.com		Email: clint@summitnv.com	
Cell: (775) 560-4242	Other:	Cell: (775) 745-3849	Other:
Contact Person: Landess Witmer		Contact Person: Clinton Thiesse, PE	
Applicant/Developer:		Other Persons to be Contacted:	
Name:		Name: Pair of Aces Stables	
Address:		Address: 10427 Chadwell Dr.	
	Zip:	Reno, NV	Zip: 89521
Phone:	Fax:	Phone: 775-220-2270	Fax:
Email:		Email: paiofacesstables@yahoo.com	
Cell:	Other:	Cell:	Other:
Contact Person:		Contact Person: Liz Reader	
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

1. What is the project being requested?

To acquire a permit for the already present horse stable, grading associated with the Indoor Arena, Outdoor Arena, and the proposed borrow area. A complimentary Administrative Permit is being requested for construction of the new Indoor Arena Facility.

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.)

See attached plans.

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

1 phase within 1 year of final plan acceptance and contract execution with a general contractor.

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

The site is large and well separated from other buildings on the premises. This gives ample room to keep accommodation for the current Barn and Stable on site, as well as the proposed Indoor and relocated Outdoor arena areas.

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

First and foremost, the project provides a climatically pleasing environment for riding during periods of extreme summer heat, winter cold, precipitation, and wind. It maintains the property as a rural, pasture equestrian use in a rural area of Reno suburbia.

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

There are no anticipated impacts on adjacent properties.

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.

The existing site has numerous mature trees and turf pasture, and as such no new landscaping is proposed. Cut and fill slopes will be revegetated. Existing access and parking areas are improved with compacted, maintained gravel surfacing. It is the owner's and trainer's desire to continue the use of gravel in lieu of asphalt. Space will be provided to accommodate up to 31 vehicles on the lower level of the site. 16 of these parking spots being existing, while adding 15 new parking spots. A total of 17 are

Silver Circle Ranch – Special Use Permit

required by code for the site, 7 for the number of boarded horses, 5 for employees, and 5 for the apartments. During a competition, the unused portion of the upper pasture area can be used for trailer parking. The lower level can accommodate trailer turning around the barn and fire access turning in front of the new proposed indoor arena. All new lighting is proposed to be building mounted directed at the ground in the local area. An existing “Silver Circle Ranch” entry sign exists and is proposed to remain. The owner desires to have “Silver Circle Ranch” painted on the north end and on the westside near the north end of the new arena in hunter green lettering to match the trim on the white wall.

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.)

No.

9. Utilities:

a. Sewer Service	Septic - 2000 gal tank
b. Electrical Service	NV Energy
c. Telephone Service	Cell Phone
d. LPG or Natural Gas Service	NONE
e. Solid Waste Disposal Service	Waste Management
f. Cable Television Service	NONE
g. Water Service	Well - 20 gpm

10. Community Services (provided and nearest facility):

a. Fire Station	Truckee Meadows Fire & Rescue Station 33
b. Health Care Facility	Renown South Meadows Emergency
c. Elementary School	Marvin Picollo Elementary School
d. Middle School	Depoali Middle School
e. High School	Bishop Manogue Catholic High School
f. Parks	Crystal Lake Park
g. Library	Sierra View Library
h. Citifare Bus Stop	South Virginia Street and Holcomb Ranch Lane

**Special Use Permit Application
for Grading
Supplemental Information**

1. What is the purpose of the grading?

Grading throughout the project is for the purpose of creating a building pad above the 100-year flood elevation for a proposed indoor arena, as well as minor grading for a proposed relocated outdoor arena. The proposed borrow area is for generation of material for construction of the arena pad.

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

3500 cubic yards of material to be excavated and used for fill material for the Proposed Indoor Arena.

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

75,000 sqft of surface 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?

The new indoor arena requires 6000 CY of fill material. 2700 CY from proposed borrow area will be used as well as 800 CY of cut material from proposed outdoor arena area. 2500 CY of material will need to be imported.

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

No. The existing FEMA AE flood zone requires the quantity and height of the building pad while maintaining a location with minimal impact on the neighborhood.

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.)

None.

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

Yes.

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

Yes. From both directions of Holcomb Ranch Lane.

- 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)?**

No.

- 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?**

3:1. Straw Wattles, Silt fencing, revegetation, or other BMPs.

- 11. Are you planning any berms?**

No.

- 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)?**

No.

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

Cut/fill areas are to be revegetated. Fill areas will be graded to have a natural appearance.

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

Grading will require the removal of 14 cottonwood trees varying in size around 30ft to 50ft tall.

- 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?**

Revegetation will conform to county standards.

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

Existing irrigation on-site is accomplished via hose and surface sprinklers as needed to maintain the well-groomed site. The new disturbed areas will be maintained in a similar manner.

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

Have not met with the Washoe Storey Conservation District. Only vegetation to be done will be for erosion control on future slopes.

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

No.

Special Use Permit Application for Stables Supplemental Information

1. What is the maximum number of horses to be boarded, both within stables and pastured?

A total of 23 horses are currently housed in the existing stable. The owner and trainer desire to have the future total increased to 25 horses (2 additional). Only the onsite housed horses utilize the pasture areas.

2. What is the maximum number of horses owned/maintained by the owner/operator of the project, both within stables and pastured?

Of the current 23 horses, the property owner owns 1; the trainer owns 2 personal horses and 5 lesson horses; and the assistant trainer owns 2 personal horses. The remaining 13 horses boarded are owned by riding instruction students. The trainer desires to increase the lesson horse total to 10 sometime in the future which would reduce the student boarded horses to a maximum of 10 horses.

3. List any ancillary or additional uses proposed (e.g., tack and saddle sales, feed sales, veterinary services, etc.). Only those items that are requested may be permitted.

This Property will not be engaging in any ancillary uses. Uses will be limited to the housing and boarding of horses, equestrian training, and the existing minor residential use. If any future sales or veterinary services are desired, a separate permit will be requested.

4. If additional activities are proposed, including training, events, competition, trail rides, fox hunts, breaking, roping, etc., only those items that are requested may be permitted. Clearly describe the number of each of the above activities which may occur, how many times per year and the number of expected participants for each activity.

As alluded to above, one of the main uses and functions of the facility is equestrian training for jumping and dressage basics. Pair of Aces Stables (Liz Reader) runs and operates the instructional program. The trainer currently provides up to 70 training lessons per week to 35 students, each averaging 2-1-hour sessions per week, with up to 5 riders per session. The desire is to increase to 100 lessons on the proposed lesson horses plus training to the boarded horses/owners. In addition to her training, the trainer desires to hold up to 4 clinics per year. Clinics are generally limited to her students and are given by a "guest" horsemanship trainer. Likewise, the trainer desires to hold up to 4 competitions per year for the local horse community. Competition events are 1 or 2 days during the weekend and are limited to 50 or fewer riders. Attendance at events is non-ticketed and attended by family.

5. What currently developed portions of the property or existing structures are going to be used with this permit?

This permit is to bring a non-complying grandfathered use into compliance with current code. The barn and stable facilities were constructed in the 1970's by the previous owner, the Warren Nelson family. It has been operated as a commercial stable since that time and has a current business license to operate a commercial stable in the name of Pro Pony, LLC.

- 6. To what uses (e.g., restrooms, offices, managers living quarters, stable area, feed storage, etc.) will the barn be put, and will the entire structure be allocated to those uses? (Provide floor plans with dimensions).**

The existing stable only houses horses, feed, and tack. The existing barn has 3 upstairs apartments each with a full bathroom. The lower level of the barn has an equipment storage area with a restroom and the trainers office which includes a restroom and shower for the trainers use.

- 7. Where are the living quarters for the operators of the stables and where will employees reside?**

All owners, operators and employees live off-site.

- 8. How many improved parking spaces, both on-site and off-site, are available or will be provided? (Please indicate on site plan.) Have you provided for horse trailer turnarounds?**

Existing access and parking areas are improved with compacted, maintained gravel surfacing. It is the owners and trainers desire to continue the use of gravel in lieu of asphalt. Space will be provided to accommodate up to 31 vehicles on the lower level of the site. 15 of these parking spots being existing, while adding 16 new parking spots. A total of 17 are required by code for the site, 7 for the number of boarded horses, 5 for employees, and 5 for the apartments. During a competition, the unused portion of the upper pasture area can be used for trailer parking. The lower level can accommodate trailer turning around the barn and fire access turning in front of the new proposed indoor arena.

- 9. What are the planned hours of operation?**

Boarders are requested to maintain their site visits to between 7AM and 7PM daily; however, they do have access to their horses at any time. Lessons are given Tuesday through Saturday between 7AM to 9PM at scheduled times between the trainer and students to avoid conflicts, such as school.

- 10. What improvements (e.g. new structures including the square footage, roadway/driveway improvements, utilities, sanitation, water supply, drainage, parking, signs, etc.) will have to be constructed or installed and what is the projected time frame for the completion of each?**

The proposed new structure is being addressed as an accessory use, and an Administrative Permit request is included. The new structure contains an 11,580 sqft indoor riding arena with a 2000 sqft access and equipment storage area and will include a restroom. A mezzanine level is proposed over the storage to provide a viewing deck for parents to observe the training lessons. The restroom would be plumbed to the existing 2000-gal septic tank via a pump system.

- 11. What is the intended phasing schedule for the construction and completion of the project?**

Phasing is not anticipated and completion within 2022.

- 12. 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 property has been utilized as a commercial stable for over 40 years. The new structure is being located in the lowest area of the property to minimize visual impacts of the new roof line. We are constrained in lowering the structure due to the existing flood plain of Dry Creek. Dry Creek flood way is not impacted by our construction.

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

First and foremost, the project provides a climatically pleasing environment for riding during periods of extreme summer heat, winter cold, precipitation, and wind. It maintains the property as a rural, pasture equestrian use in a rural area of Reno suburbia.

14. What are the adverse impacts upon the surrounding community (including traffic, noise, odors, dust, groundwater contamination, flies, rats, mice, etc.) and what will you do to minimize the anticipated negative impacts or effects your project will have on adjacent properties?

Horse population will barely change so no new impacts should be created regarding noise, odors, dust, groundwater contamination or varmints. Traffic is anticipated to increase by 50-70 trips per week or 10 to 12 trips per day on lesson days to accommodate the proposed new lessons.

15. Please describe operational parameters and/or voluntary conditions of approval to be imposed on the administrative permit to address community impacts.

We do not anticipate any to be necessary but will certainly entertain any during the review and hearing process. The owner held a neighborhood open house on Dec. 5th to inform the neighborhood, with positive feedback.

16. What types of landscaping (e.g. shrubs, trees, fencing, painting scheme, etc.) are proposed? (Please indicate location on site plan.)

The existing site has numerous mature trees and turf pasture, and as such no new landscaping is proposed. Cut and fill slopes will be revegetated. The site perimeter is fenced with a black powder coated chain link fence and white split rail corrals, paddocks, and entry which are proposed to remain. Minor on site fence relocation will be required to accommodate the new improvements.

17. What type of signs and lighting will be provided? On a separate sheet, show a depiction (height, width, construction materials, colors, illumination methods, lighting intensity, base landscaping, etc.) of each sign and the typical lighting standards. (Please indicate location of signs and lights on site plan.)

All new lighting is proposed to be building mounted directed at the ground in the local area. An existing "Silver Circle Ranch" entry sign exists and is proposed to remain. The owner desires to have "Silver Circle Ranch" painted on the north end and the west side near the north end of the new arena in hunter green lettering to match the trim on the white wall.

18. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that apply to the area subject to the administrative permit request? (If so, please attach a copy.)

None.

19. Community Sewer

Septic permitted through Washoe County Health. The existing tank has a 2000 gal capacity. Upgrades to this system, including application to NDEP for the septic, will be made if necessary.

20. Community Water

Currently on a domestic well system with a 20 gpm pumping capacity and pressure tank. Upgrades to this system will be made if necessary.

SPECIAL USE PERMIT PLANS FOR SILVER CIRCLE RANCH APN 040-670-12 WASHOE CO. NEVADA

OWNER/DEVELOPER

PRO PONY LLC
1605 DE WASHOE LANE
RENO, NV 89511
(775) 560-4242



ENGINEER

BASIS OF BEARINGS

NORTH AMERICAN DATUM OF 1983 AS BASED ON FEDERAL BASE NETWORK/COOPERATIVE BASE NETWORK OBSERVATIONS IN 1994 (AKA NAD83/94), NEVADA STATE PLANE COORDINATE SYSTEM, WEST ZONE AND HOLDING THE WASHOE COUNTY PUBLISHED LATITUDE AND LONGITUDE OF 39°26' 57.80785" NORTH AND 119° 48' 49.11945" WEST FOR REGIONAL GPS CORP'S "NWMM". A COMBINED GRID-TO-GROUND SCALE FACTOR OF 1.000197889 IS USED TO SCALE THE STATE PLANE GRID COORDINATES TO GROUND.

BASIS OF ELEVATION

ELEVATIONS FOR THE PROJECT DESIGN ARE APPROXIMATELY 0.69 FEET LOWER THAN NORTH AMERICAN VERTICAL DATUM OF 1989 (NAD89) PER CITY OF RENO BENCHMARKS 1586 AND 2307 LOCATED ON THE WEST SIDE OF SOUTH VIRGINIA STREET. DESIGN ELEVATIONS WILL BE 0.57' LOWER THAN ELEVATIONS OBSERVED HOLDING THE WASHOE COUNTY PUBLISHED ELLIPSOID HEIGHT OF 4445.128 FEET FOR REGIONAL GPS CORP'S "NWMM" AND USING GEOID 99 TO DERIVE THE ORTHOMETRIC ELEVATION ABOVE MEAN SEA LEVEL.

ABBREVIATIONS

- AC ASPHALT CONCRETE
- AD ADJUSTMENT
- BS BENCHMARK
- CC CONCRETE
- CB CONCRETE BASE
- CD CONCRETE DRAIN
- CE CONCRETE EDGE
- CG CONCRETE GUTTER
- CH CONCRETE HATCH
- CI CONCRETE INTERLOCK
- CL CONCRETE LANDING
- CM CONCRETE MASONRY
- CP CONCRETE PAVEMENT
- CS CONCRETE SURFACE
- CT CONCRETE TYPING
- CU CONCRETE UNDERLAYMENT
- CV CONCRETE VENT
- DC DRAINAGE CHANNEL
- DE DRAINAGE ELEVATION
- DF DRAINAGE FLOW
- DI DRAINAGE INLET
- DL DRAINAGE LANE
- DM DRAINAGE MANHOLE
- DN DRAINAGE NETWORK
- DO DRAINAGE OUTLET
- DP DRAINAGE POINT
- DR DRAINAGE RUN
- DS DRAINAGE SYSTEM
- DT DRAINAGE TRENCH
- DU DRAINAGE UNDERPASS
- DV DRAINAGE VALVE
- EW ELEVATION
- EX EXISTING
- FC FINISH CURB
- FD FINISH DRIVE
- FE FINISH ELEVATION
- FF FINISH FLOOR
- FG FINISH GRADE
- FI FINISH INTERIOR
- FL FINISH LEVEL
- FM FINISH MASONRY
- FN FINISH NAIL
- FO FINISH OUTLET
- FP FINISH POINT
- FR FINISH RUN
- FS FINISH SURFACE
- FT FINISH TYPING
- FW FINISH WALL
- FX FINISH EXTERIOR
- FZ FINISH ZONE
- GA GRASS AREA
- GB GRASS BANK
- GC GRASS CURB
- GD GRASS DRAIN
- GE GRASS EDGE
- GF GRASS GUTTER
- GH GRASS HATCH
- GI GRASS INTERLOCK
- GL GRASS LANDING
- GM GRASS MASONRY
- GN GRASS NETWORK
- GO GRASS OUTLET
- GP GRASS POINT
- GR GRASS RUN
- GS GRASS SYSTEM
- GT GRASS TRENCH
- GU GRASS UNDERPASS
- GV GRASS VALVE
- HW HIGHWAY
- IX INTERSECTION
- JY JOINT
- KZ KICKER
- LA LANDSCAPE
- LB LANDSCAPE BANK
- LC LANDSCAPE CURB
- LD LANDSCAPE DRAIN
- LE LANDSCAPE EDGE
- LF LANDSCAPE FLOW
- LG LANDSCAPE GUTTER
- LH LANDSCAPE HATCH
- LI LANDSCAPE INTERLOCK
- LJ LANDSCAPE JUNCTION
- LK LANDSCAPE LANDING
- LM LANDSCAPE MASONRY
- LN LANDSCAPE NETWORK
- LO LANDSCAPE OUTLET
- LP LANDSCAPE POINT
- LR LANDSCAPE RUN
- LS LANDSCAPE SYSTEM
- LT LANDSCAPE TRENCH
- LU LANDSCAPE UNDERPASS
- LV LANDSCAPE VALVE
- WV WALKWAY
- WY WALKWAY YIELD
- XZ EXISTING ZONE
- YV YIELD VALVE
- ZV ZONE VALVE



VICINITY MAP

SITE DATA

APN: 040-670-12
 ADDRESS: 3420 HOLCOMB RANCH LANE RENO, NV 89511
 ZONING: 93% HIGH DENSITY RURAL (HDR) 7% GENERAL RURAL (GR)
 MASTER PLAN: RURAL RESIDENTIAL/RURAL
 AREA PLAN: SOUTHWEST TRUCKEE MEADOWS

SHEET INDEX

- T-1.....TITLE SHEET
- C-1.....EXISTING CONDITIONS
- C-2.....SITE AND GRADING PLAN
- C-3.....SITE AND GRADING PLAN
- C-4.....GRADING PROFILES

SPECIFICATIONS

ALL CONSTRUCTION SHALL CONFORM TO THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, SPONSORED AND DISTRIBUTED BY THE STATE OF NEVADA, WASHOE COUNTY, AS WELL AS TO THE RECOMMENDATIONS ESTABLISHED BY THE SOILS INVESTIGATION OF THIS SITE DATED JUNE 18, 2020.

ENGINEER'S STATEMENT

THESE PLANS HAVE BEEN PREPARED IN ACCORDANCE WITH ACCEPTED ENGINEERING PROCEDURES AND GUIDELINES, AND ARE IN SUBSTANTIAL COMPLIANCE WITH APPLICABLE STATUTES, LOCAL ORDINANCES, AND STATE AND LOCAL CODES. IN THE EVENT OF CONFLICT BETWEEN ANY PORTIONS OF THESE PLANS AND APPLICABLE CODES, THE CODES SHALL PREVAIL.

CLINTON G. THIESSE P.E. #08169

SPECIAL USE PERMIT PLANS FOR
SILVER CIRCLE RANCH
TITLE SHEET

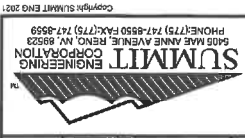
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CHECKED BY: CGT
SCALE
HORIZ: N/A
VERT: N/A
JOB NO: 31027

SHEET 1-1 OF 5



REV.	DATE	DESCRIPTION	BY	APP'D

WASHOE COUNTY
NEVADA

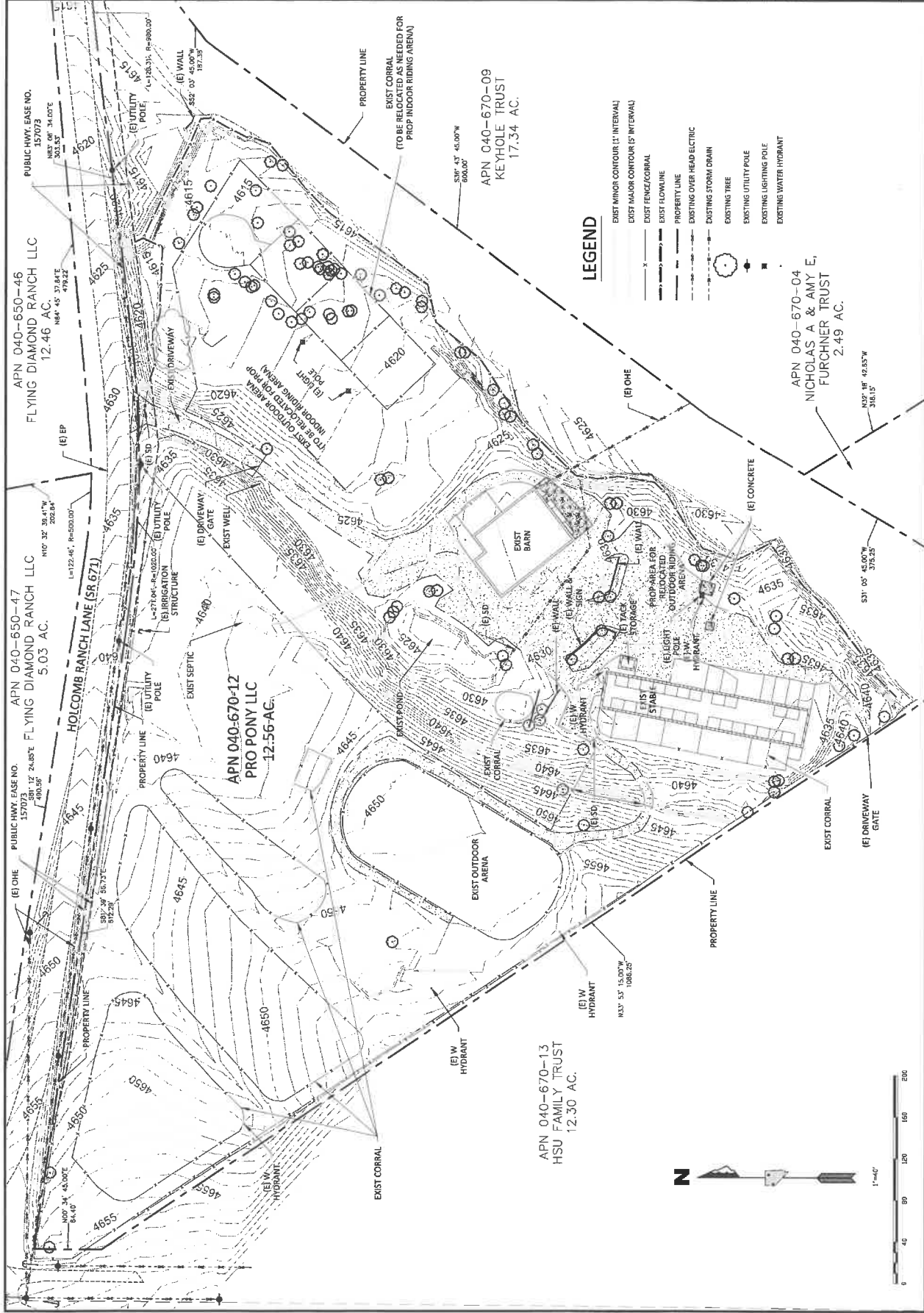


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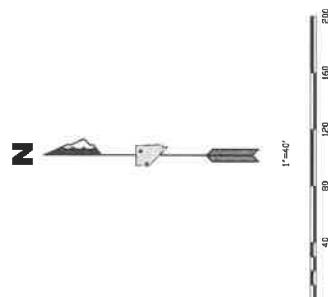
NEVADA
 SPECIAL USE PERMIT PLANS FOR
 SILVER CIRCLE RANCH
 EXISTING SITE CONDITIONS

DESIGNED BY: NRP
 CHECKED BY: CST
 SCALE
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 VERT: N/A
 JOB NO: 31027

SHEET C-1 OF 5



- LEGEND**
- EXIST MINOR CONTOUR (1' INTERVAL)
 - EXIST MAJOR CONTOUR (5' INTERVAL)
 - EXIST FENCE/CORRAL
 - EXIST FLOWLINE
 - PROPERTY LINE
 - EXISTING OVER HEAD ELECTRIC
 - EXISTING STORM DRAIN
 - EXISTING TREE
 - EXISTING UTILITY POLE
 - EXISTING LIGHTING POLE
 - EXISTING WATER HYDRANT



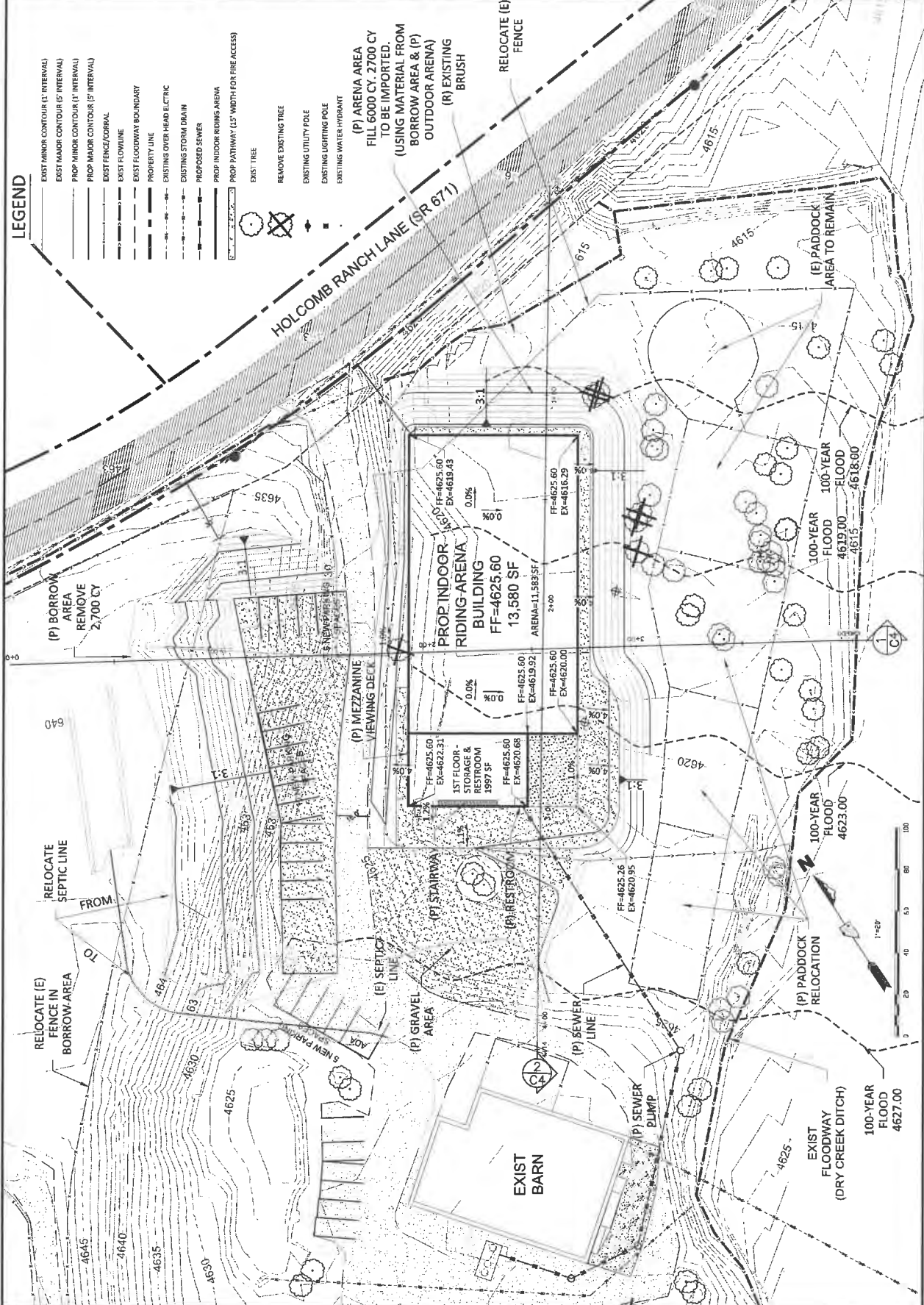


5406 ANN ANNE AVENUE
RENO, NV 88230
PHONE: (775) 747-8500 FAX: (775) 747-8599

REV.	DATE	DESCRIPTION	BY	APP'D

NEVADA
**SPECIAL USE PERMIT PLANS FOR
 SILVER CIRCLE RANCH
 INDOOR ARENA GRADING/SITE**

WASHOE COUNTY
 DESIGNED BY: NRP
 CHECKED BY: GGT
 SCALE: 1"=20'
 HORIZ: 1"=20'
 VERT: N/A
 JOB NO: 31027



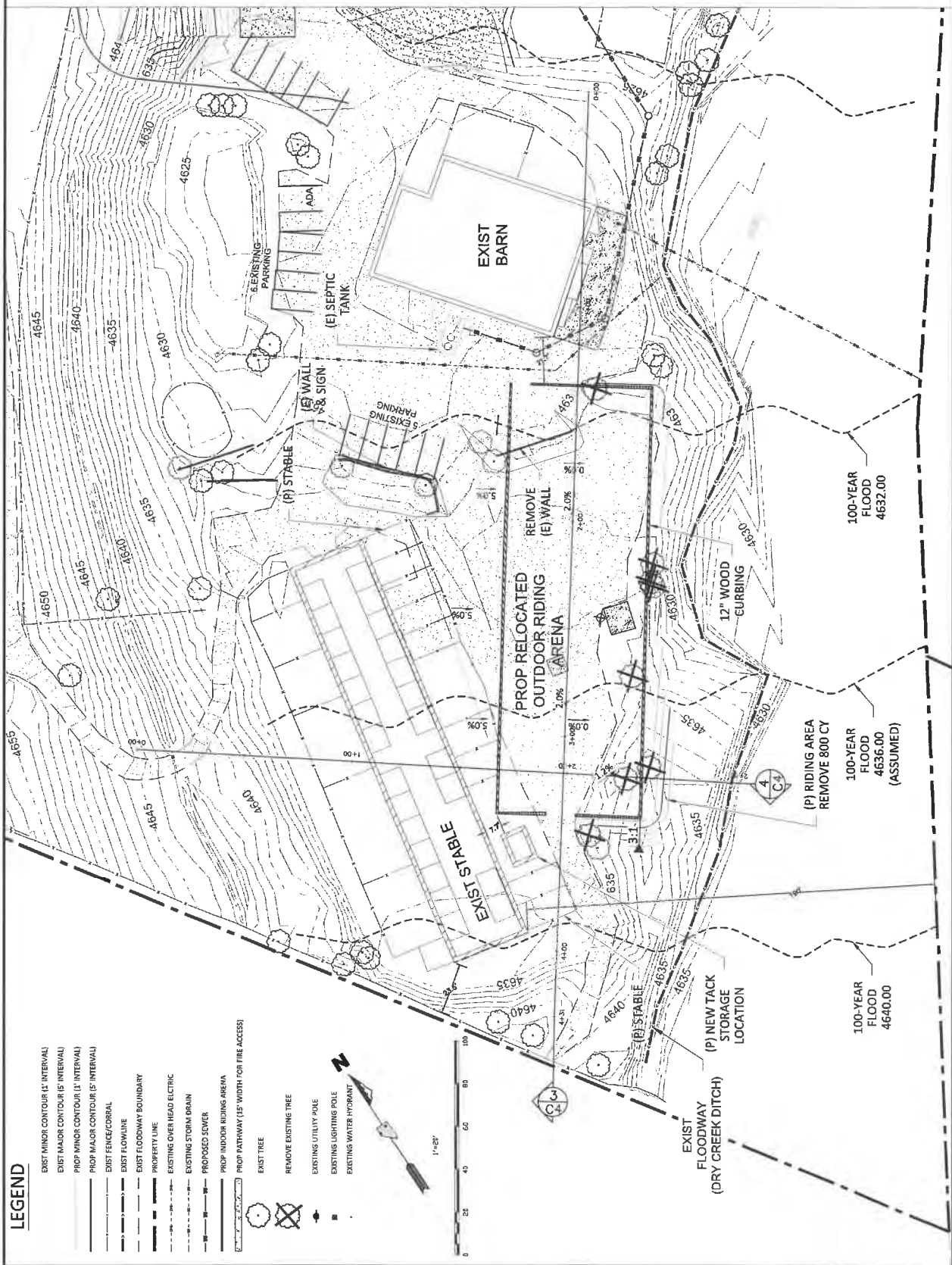


REV.	DATE	DESCRIPTION	BY	APP'D

NEVADA
 SPECIAL USE PERMIT PLANS FOR
 SILVER CIRCLE RANCH
 WASHOE COUNTY
 WASHINGTON COUNTY

DESIGNED BY: NRP
 CHECKED BY: CGT
 SCALE
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 VERT: N/A
 JOB NO: 31027

SHEET
C-3 OF
5



LEGEND

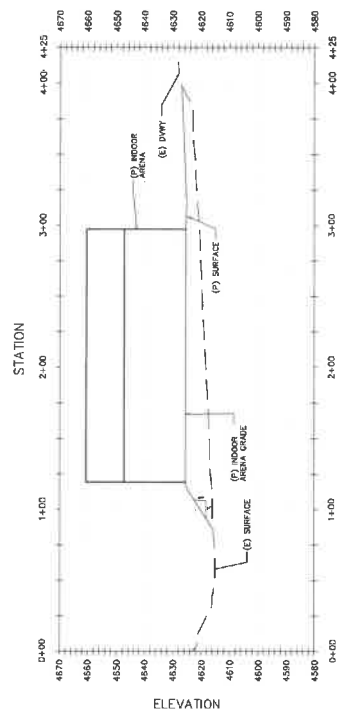
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- EXIST FENCE/CORRAL
- EXIST FLOWLINE
- EXIST FLOODWAY BOUNDARY
- PROPERTY LINE
- EXISTING OVERHEAD ELECTRIC
- EXISTING STORM DRAIN
- PROPOSED SEWER
- PROP INDOOR RIDING ARENA
- PROP PATHWAY (15' WIDTH FOR FIRE ACCESS)
- EXIST TREE
- REMOVE EXISTING TREE
- EXISTING UTILITY POLE
- EXISTING LIGHTING POLE
- EXISTING WATER HYDRANT



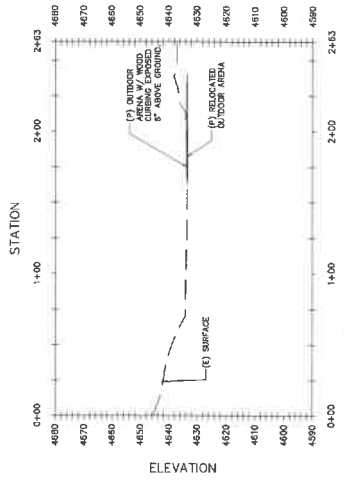
REV.	DATE	DESCRIPTION	BY	APP'D

SPECIAL USE PERMIT PLANS FOR
SILVER CIRCLE RANCH
ARENA PROFILES
WASHOE COUNTY
NEVADA

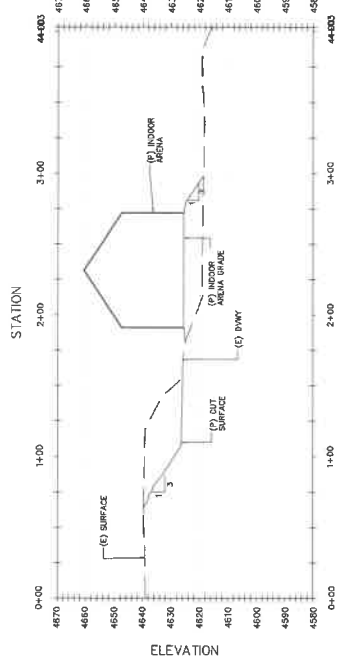
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VERT. AS LABELED
JOB NO: 31027



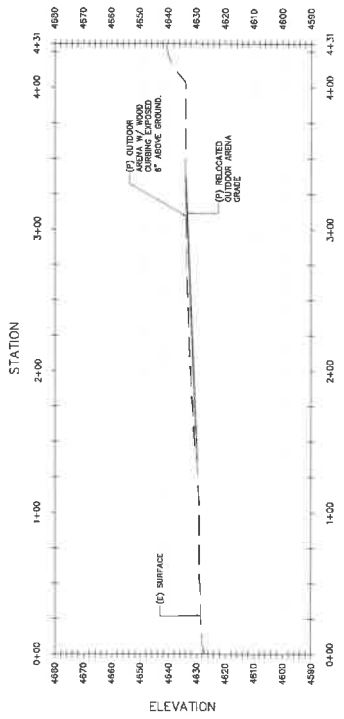
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HOR. SCALE: 1"=20'



2 PROFILE ALIGNMENT
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HOR. SCALE: 1"=20'



3 PROFILE ALIGNMENT
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HOR. SCALE: 1"=20'



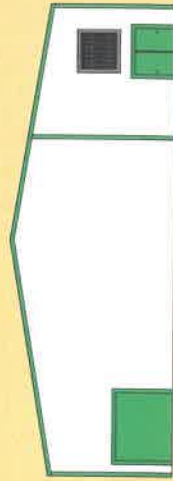
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HOR. SCALE: 1"=20'



SILVER CIRCLE RANCH
NEW INDOOR RIDING ARENA
& SITE IMPROVEMENTS

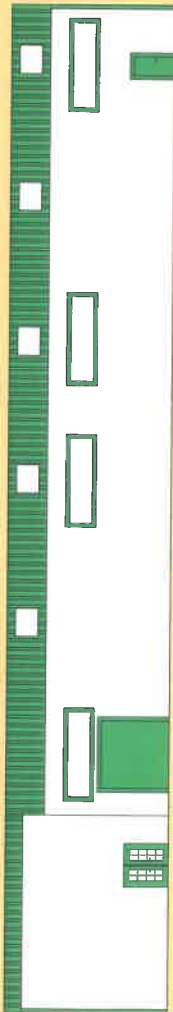


NORTHEAST VIEW

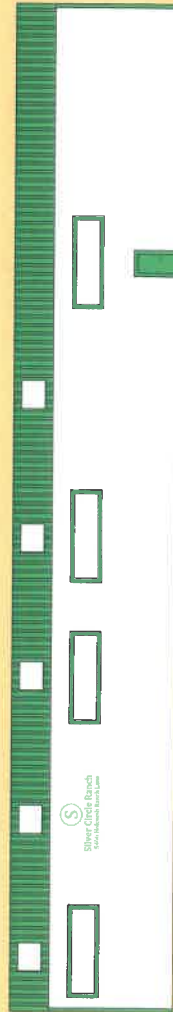


SOUTHWEST VIEW

SCALE: 1"=10'

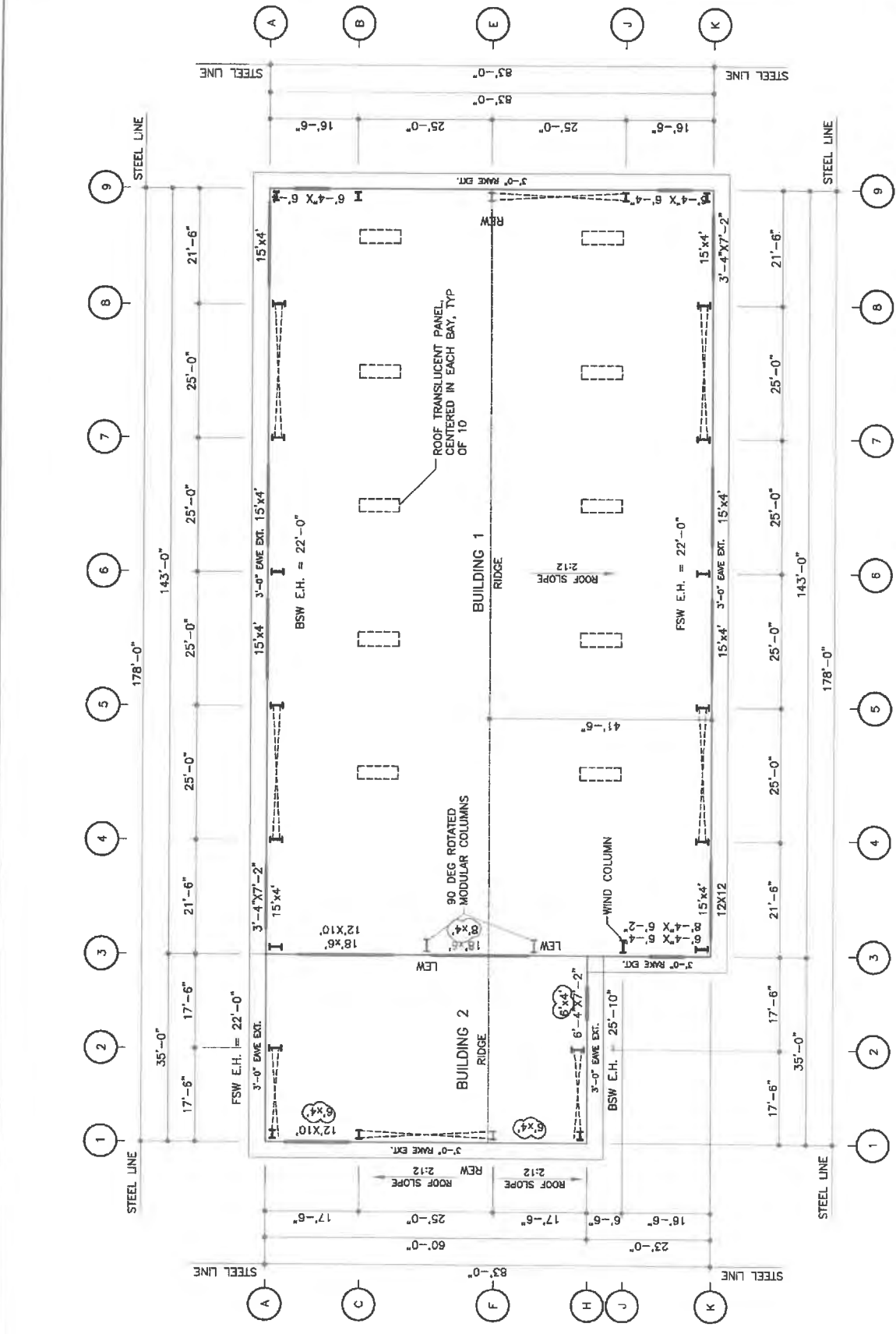


SOUTHEAST VIEW



NORTHWEST VIEW

DO NOT USE FOR FINAL CONSTRUCTION



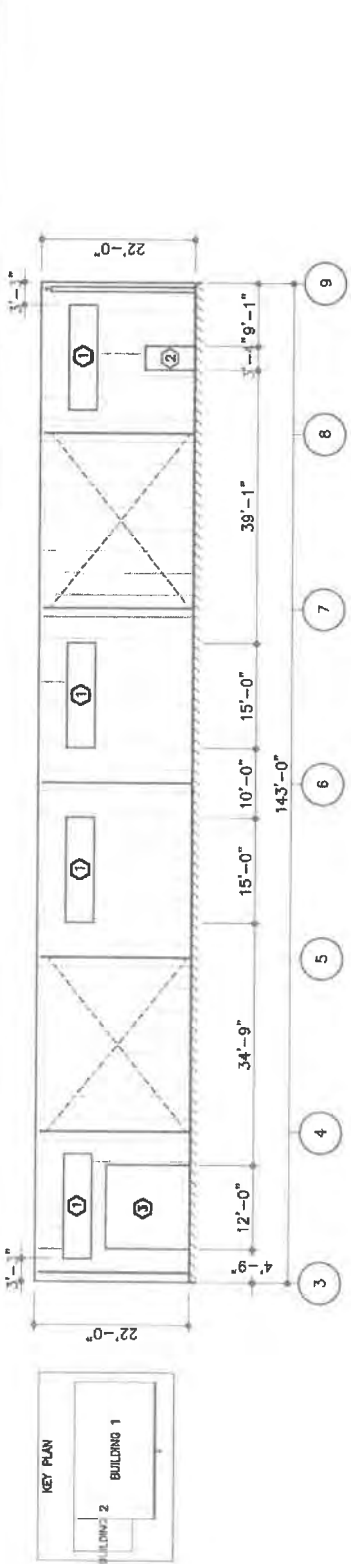
REVISED TO INCLUDE CO#1&2

SOFFIT PANELS @ RAKE/EAVE EXTENSIONS:
 - - RUN PERPENDICULAR TO SIDEWALLS
 - - RUN PARALLEL W/ ENDWALLS

REVISED TO
INCLUDE CO.#1&2

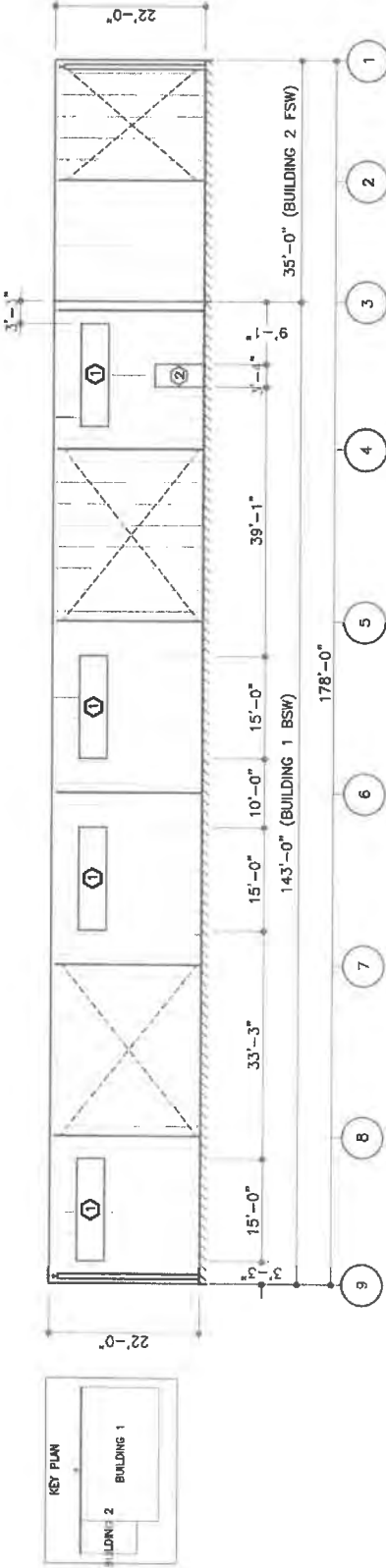
DO NOT USE FOR FINAL CONSTRUCTION
REVISIONS
PRELIMINARY SHEETING ELEVATIONS
SHEET NUMBER: SK2
QUOTE NUMBER: N21J0794A

PROJECT MAKE: HOLCOMB RIDING ARENA NEW
RENO, NV
CUSTOMER NAME: AMERICAN INNOVATIVE STRUCTURES, LLC
RENO, NV



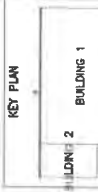
FRAMED OPENING SCHEDULE

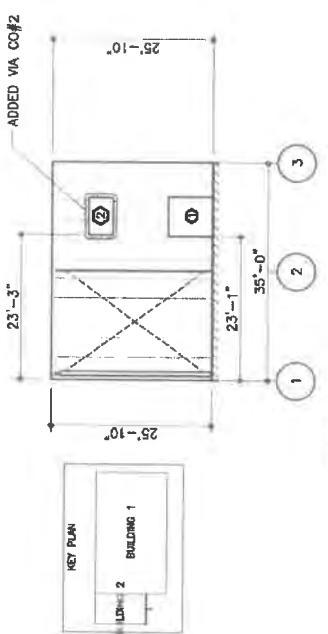
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2	15'-0"	7'-2"	0'-0"	FACTORY
3	12'-0"	12'-0"	0'-0"	FACTORY



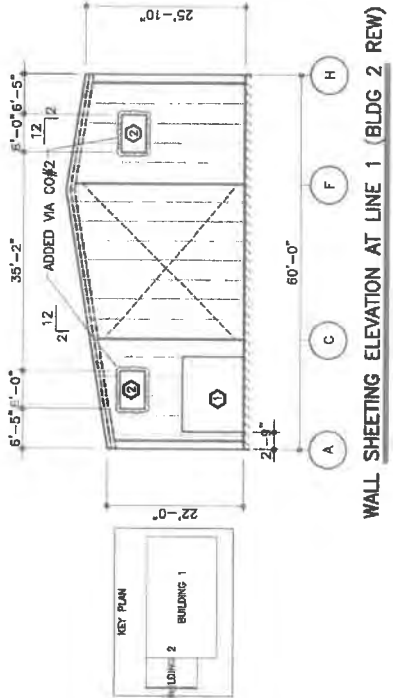
FRAMED OPENING SCHEDULE

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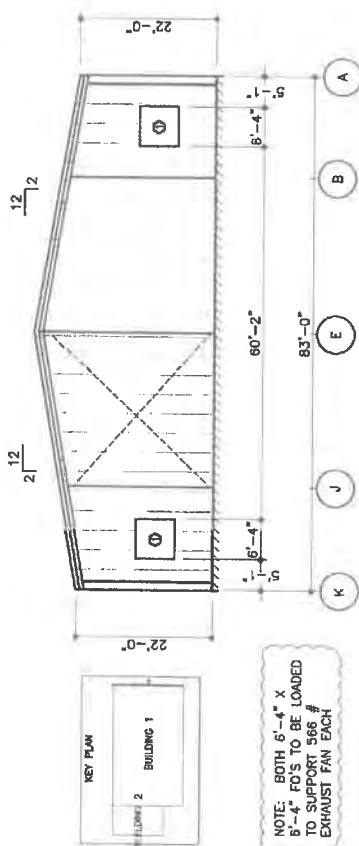




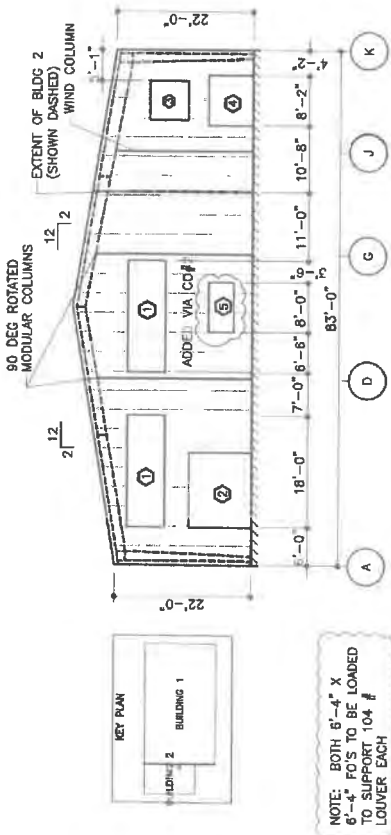
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FRAMED OPENING SCHEDULE			
QTY	WIDTH	HEIGHT	LOCATED
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2	6'-0"	4'-0"	FACTORY



FRAMED OPENING SCHEDULE			
QTY	WIDTH	HEIGHT	LOCATED
1	6'-4"	6'-0"	FACTORY
2	6'-4"	6'-0"	FACTORY



FRAMED OPENING SCHEDULE			
QTY	WIDTH	HEIGHT	LOCATED
1	18'-0"	14'-0"	FACTORY
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3	6'-4"	10'-4"	FACTORY
4	6'-4"	0'-0"	FACTORY
5	6'-4"	3'-0"	FACTORY

NOTE: BOTH 6'-4" X 6'-4" FO'S TO BE LOADED TO SUPPORT 566 # EXHAUST FAN EACH

NOTE: BOTH 6'-4" X 6'-4" FO'S TO BE LOADED TO SUPPORT 104 # LOUVER EACH

REVISED TO INCLUDE CO#1&2

EXHIBIT “12”

EXHIBIT “12”

COUNTY COMMISSIONERS
Chair, Vaughn Hartung, District 4
Vice-Chair, Alexis Hill, District 1
Bob Lucey, District 2
Kitty Jung, District 3
Jeanne Herman, District 5



COUNTY MANAGER
Eric P. Brown

NOTICE OF MEETING AND AGENDA

ASSISTANT DISTRICT ATTORNEY
Nathan Edwards

WASHOE COUNTY BOARD OF COUNTY COMMISSIONERS

- 1001 E. 9th Street, Reno, Nevada 89512

COUNTY CLERK
Janis Galassini

April 12, 2022
10:00 a.m.

NOTE: Items on the agenda may be taken out of order; combined with other items; removed from the agenda; moved to the agenda of another meeting; moved to or from the Consent section; or may be voted on in a block. Items voted on in a block are considered a single item for purposes of public comment on action items as provided below in the description of the parameters for "Public Comment" section, so that there will be only one period of public comment on the block vote; any public comment made during that period may pertain to any of the items being voted on in the block, but there will not be separate public comment periods for each item within the block. Items with a specific time designation will not be heard prior to the stated time, but may be heard later. The Consent is a single agenda item and is considered as a block and will not be read aloud. The Board of County Commissioners may take breaks approximately every 90 minutes.

Accessibility. In compliance with the Americans with Disabilities Act, the Washoe County Commission Chambers are accessible and those requiring accommodation for this meeting should notify the Office of the County Manager at (775) 328-2000, 24 hours prior to the meeting.

Public Transportation. Public transportation is available to this meeting site: RTC Routes 2, 5 and 15 serve this location. For eligible RTC ACCESS reservations call (775) 348-5438.

Public Comment. Members of the public may also submit comments by mail, email to Washoe311@washoecounty.gov, or voice message at: (775) 328-2003. The County will make reasonable efforts to include all comments received by 4:00pm on April 11, 2022 by email and voicemail into the record. Comments are limited to 3 minutes per person and will be entered into the record only. Voicemails will no longer be played for broadcast and emails will not be read by the Clerk.

Time Limits. Public comments are welcomed during the Public Comment periods for all matters, whether listed on the agenda or not, and are limited to three minutes per person. Additionally, public comment of three minutes per person will be heard during individually numbered items designated as "for possible action" on the agenda. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Commission meeting. Persons may not allocate unused time to other speakers.

Forum Restrictions and Orderly Conduct of Business. The Board of County Commissioners conducts the business of Washoe County and its citizens during its meetings. The presiding officer may order the removal of any person whose statement or other conduct disrupts the orderly, efficient or safe conduct of the meeting. Warnings against disruptive comments or behavior may or may not be given prior to removal. The viewpoint of a speaker will not be restricted, but reasonable restrictions may be imposed upon the time, place and manner of speech. Irrelevant and unduly repetitious statements and personal attacks which antagonize or incite others are examples of speech that may be reasonably limited.

Responses to Public Comments. The County Commission can deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. During the public comment period, speakers may address matters listed or not listed on the published agenda. The Open Meeting Law does not expressly prohibit responses to public comments by the Commission. However, responses from Commissioners to unlisted public comment topics could become deliberation on a matter without notice to the public. On the advice of legal counsel and to ensure the public has notice of all matters the Commission will consider, Commissioners may choose not to respond to public comments, except to correct factual inaccuracies, ask for County staff action or to ask that a matter be listed on a future agenda. The Commission may do this either during the public comment item or during the following item "Commissioners'/County Manager's announcements, reports and updates, requested for information or topics for future agendas."

**WSUP23-0029
PUBLIC COMMENT**

Pursuant to NRS 241.020, the Agenda for the Board of County Commissioners has been posted at the following locations: Washoe County Administration Building (1001 E. 9th Street, Bldg. A), Washoe County Courthouse-Second Judicial District Court (75 Court Street), Reno City Hall - Clerk's Office (1 E. 1st Street); Sparks Justice Court (1675 East Prater Way); www.washoecounty.gov/bcc/board_committees/ and <https://notice.nv.gov>.

Although no longer required under NRS 241.020, the agenda has been physically posted at the following locations: Washoe County Courthouse-Second Judicial District Court (75 Court Street), Reno City Hall - Clerk's Office (1 E. 1st Street), Sparks Justice Court (1675 East Prater Way).

Support documentation for the items on the agenda, provided to the Washoe County Board of Commissioners is available to members of the public at the County Manager's Office (1001 E. 9th Street, Bldg. A, 2nd Floor, Reno, Nevada) Erick Willrich, Assistant to the County Manager, (775) 328-2000 and on Washoe County's website www.washoecounty.gov/bcc <<http://www.washoecounty.gov/bcc>>

10:00 a.m.

1. Salute to the flag.
2. Roll call.
3. Recommendation to acknowledge presentation and possible direction to staff on the Washoe County Financial Outlook for Fiscal Year 2023 and Budget. The overview includes a review of the General Fund's financial results for Fiscal Year 2021, a Mid-Year 2022 review, and economic, revenue and expense trends, Board of County Commissioners strategic goals, known cost increases, and a general outlook for Fiscal Year 2023 and Budget. Manager's Office. (All Commission Districts.)
FOR DISCUSSION ONLY

Attachments: [Staff Report_4-12-22_FY23 Financial Outlook Presentation](#)

4. Public Comment. Comment heard under this item will be limited to three minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to three minutes per person. Comments are to be made to the Commission as a whole.
5. Recommendation to acknowledge presentation regarding the construction and development of Nevada Cares Campus, the region's centralized campus for services and shelter for the homeless, located at 1800 Threlkel St, Reno, NV, 89512; and possible direction to staff to proceed with bringing forward, at a future board meeting in accordance with NRS 244.275 and any other applicable legal provisions, a purchase agreement with the Reno Housing Authority for the property located at 1775 E 4th St, Reno, NV, 89512, APN 008-211-50 (estimated purchase price of \$5 million). FOR POSSIBLE ACTION

6. Commissioners’/County Manager’s announcements, reports and updates to include boards and commissions updates, requests for information or topics for future agendas. (No discussion among Commissioners will take place on this item.)

7. Donations. (FOR POSSIBLE ACTION)

- 7.A.1. Recommendation to approve a Gift Deed to accept a land donation of 22.59 acres of undeveloped land identified as Assessor’s Parcel Number (APN) 164-022-01, located on Alexander Lake Road and adjacent to the Huffaker Effluent Storage Reservoir in the South Truckee Meadows [at the appraised value of \$35,000.00], from Don Roger Norman, Trustee for the Don Roger Norman Trust, dated August 8, 1975, and authorize the Chair to execute all documents necessary to accomplish the acceptance of this land donation. Community Services. (Commission District 2.) FOR POSSIBLE ACTION

Attachments: [BCC 04-12-22 - Staff Report - Property Donation - R Norman](#)
[BCC 04-12-22 - Attachment 1 - APN 164 220 021 Gift Deed](#)

8. Consent Items. (FOR POSSIBLE ACTION)

- 8.A.1 Recommendation to approve, on the recommendation of the Chair, the reappointments of Mojra Hauenstein and Chadwick L. Giesinger to serve as Hearing Examiners pursuant to Washoe County Code Section 110.912.15 to fill terms beginning on April 12, 2022, and ending on April 11, 2026. Hearing Examiners are empowered by State Law and County Code to conduct public hearings and make decisions on certain variance, special use permit, and administrative permit applications. Community Services. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [BCC 4-12-22 - Staff Report- Reappoint Hearing Examiners](#)

- 8.A.2. Recommendation to approve a Grant of Sanitary Sewer and Reclaim Facilities Easement between 40 Zircon LLC (Grantor) and Washoe County (Grantee) on a portion of Assessor’s Parcel Number (APN) 017-301-30 [at the appraised value of \$15,000.00] for right-of-way, ingress and egress to construct, alter, maintain, inspect, repair, reconstruct, and operate sanitary sewer and reclaimed facilities. The easement is necessary for the construction and operation of the Pleasant Valley Sanitary Sewer Interceptor Reach 3 Project located in the South Truckee Meadows. Community Services. (Commission District 2.) FOR POSSIBLE ACTION

Attachments: [BCC 04-12-22 - Staff Report - Zircon Easement](#)
[BCC 04-12-22 - Sanitary Sewer and Reclaim facilities Easement - 40 Zircon LLC APN 017-301-30](#)

- 8.A.3. Recommendation to award a bid and approve the Agreement to the lowest responsive, responsible bidder for the 2022/2023 Encroachment/Excavation Repair Project for Incline Village for the period of April 12, 2022 through December 31, 2023 to perform street cut pavement repairs as needed in Incline Village pursuant to Washoe County's Street Cut Ordinance at Washoe County Code (WCC) 85.058, et. seq., [staff recommends Sierra Nevada Construction, in the amount of \$131,007.00]. Community Services. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [BCC 04-12-22 - Staff Report for EE Repair Incline Village](#)
[BCC 04-12-22 - Incline Village - Construction Agreement 22-23 EE](#)

- 8.A.4. Recommendation to approve Resolution R22-49 calling a public hearing (to be set for May 10, 2022) on the amendment of the boundaries of District No. 24 (Groundwater Remediation/Central Truckee Meadows Remediation District) in Washoe County, Nevada; providing for a notice of hearing and for other matters properly related thereto. Community Services. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [BCC 04-12-22 - Staff Report - CTMRD Boundary Resolution](#)
[BCC 04-12-22 - Attach 1 - CTMRD Boundary Amend Resolution](#)
[BCC 04-12-22 - Attach 2 - CTMRD District Boundary 2022](#)

- 8.A.5. Recommendation to approve a Quitclaim Deed between Washoe County and the Steamboat Commerce Center, LCC to quitclaim an existing 50-foot-wide Temporary Construction Easement and a 20-foot-wide Sanitary Sewer Easement, located on Assessor's Parcel Number (APN) 017-011-02, which were originally granted to Washoe County in 2007 for a sanitary sewer interceptor. Community Services. (Commission District 5.) FOR POSSIBLE ACTION

Attachments: [BCC 04-12-22 - Staff Report - Steamboat Quitclaim APN 017-011-02](#)
[BCC 04-12-22 - Quitclaim APN 017-011-02](#)

- 8.A.6. Recommendation to approve a Quitclaim Deed between Steamboat Commerce Center, LLC and Washoe County, to transfer Assessor's Parcel Number (APN) 017-011-30 to Washoe County for use in the planned Pleasant Valley Interceptor Reach 3 Project for location of a Sanitary Sewer Lift Station [no cost to Washoe County]. Community Services. (Commission District 2.) FOR POSSIBLE ACTION

Attachments: [BCC 04-12-22 - Staff Report - Steamboat Comm Quitclaim](#)
[BCC 04-12-22 - Quitclaim Deed - APN017-011-30](#)

- 8.A.7. Recommendation to: 1) approve a Termination of Sewage Service Agreement between Washoe County and Steamboat by Vintage, LP that recognizes the full satisfaction of a 1985 agreement for the reservation of sanitary sewer treatment capacity and associated monthly service fees in the South Truckee Meadows; and 2) to direct and authorize staff to write-off accounts receivable from April 2020 to present [in the approximate amount of \$85,000.00] for monthly service fees under the terms of the 1985 Sewage Service Agreement. Community Services. (Commission District 2.) FOR POSSIBLE ACTION

Attachments: [BCC 04-12-22 - Staff Report Steamboat Vintage Termination Sewer Credit Agreement](#)
[BCC 04-12-22 - Termination Sewer Agreement.doc](#)

- 8.B.1. Acknowledge the following position changes for District Court and direct Washoe County Human Resources to process the following updates to reflect current classification terminology utilized within District Court: 1) reclassification of Assistant Clerk of Court job class 60016725 to Assistant District Court Administrator job class 60001162; 2) create a new job classification Filing Office Manager and eliminate the past classification/job title of Unit Manager; 3) create a new job classification of Specialty Court Coordinator and eliminate the past classification job/title of Specialty Court Officer; 4) revise job classification from District Court Deputy Clerk II to new classification District Court Deputy Clerk and eliminate job classification/title of District Court Deputy Clerk I; 5) reclassification of a Pre-Trial Services Program Manager position 70000619 to a Pre-Trial Services Officer III; 6) reclassification of a Pre-Trial Services Officer II position 70000646 to a Pre-Trial Services Officer III; 7) reclassification of an Integrated Case Services Manager position 70009302 to a Case Compliance Specialist; 8) Position alignment within court salary range for Director of Human Resources and Organizational Development position 70006125 to the same pay grade level of other District Court executive level positions, pay grade 462. No additional General Fund budget appropriations are being requested. Net changes result in an estimated annual [savings of \$8,000]. District Court. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [BCC 4-12-2022 Staff Report-Notification of mid year position changes -District Court](#)

8.C.1. Recommendation to approve the reclassification of an Office Assistant III, pay grade G, to an Office Support Specialist, pay grade H (Assessor's Office); reclassification of a Deputy County Recorder, pay grade G, to an Office Assistant II, pay grade E (Recorder's Office); reclassification of an Administrative Secretary Supervisor, pay grade K, to an Administrative Assistant II, pay grade L (Alternative Sentencing) retroactive to February 28, 2022; reclassification of a Division Director Finance and Administration - Human Services, pay grade T, to Division Director - Human Services, pay grade V (Human Services Agency); as reviewed and evaluated by the Job Evaluation Committee (JEC) and Korn Ferry; and authorize Human Resources to make the necessary changes. [Total fiscal impact \$22,597; net fiscal impact \$-0-] Human Resources. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [Staff Report - JEC Reclassifications](#)

8.D.1. Recommendation to approve, pursuant to NRS 244.1505, Commission District Special Fund disbursement in the amount of [\$5,000.00] for Fiscal Year 2021-2022; District 4 Commissioner Vaughn Hartung recommends a [\$5,000.00] grant to Our Story, Inc. --a non-profit organization organized for charitable, educational, or religious purposes -- to support organizational capacity, advance on-going preservation, increase leadership personnel/activity, docent training (programming and interpretation), and marketing surrounding the creation of Northern Nevada African American Firefighter Museum; approve Resolution necessary for same; and direct the Comptroller's Office to make the necessary disbursement of funds. Manager's Office. (Commission District 4.) FOR POSSIBLE ACTION

Attachments: [Staff Report - Hartung - Our Story](#)
[Resolution - Hartung - Our Story](#)

8.D.2. Recommendation to approve, pursuant to NRS 244.1505, Commission District Special Fund disbursement in the amount of [\$5,000.00] for Fiscal Year 2021-2022; District 1 Commissioner Alexis Hill recommends an additional [\$5,000.00] grant to Tahoe Prosperity Center --a non-profit organization that it is organized for charitable, religious, or educational purposes-- to continue to support the Washoe Tahoe Housing Needs Assessment by which to identify strategies to add more local housing options for the areas of Incline Village and Crystal Bay; approve Resolution necessary for same; and direct the Comptroller's Office to make the necessary disbursement of funds. Manager's Office. (Commission District 1.) FOR POSSIBLE ACTION

Attachments: [04.12.22 BCC Staff Report - Tahoe Prosperity Center](#)
[04.12.22 BCC Resolution - Tahoe Prosperity Center](#)

- 8.E.1. Recommendation to retroactively approve food purchases, and future food purchases by approving FY22 budget adjustments moving [\$4,200.00] into the food purchases item budget in Fund 223 - Homelessness (net impact to Homelessness Fund is zero), moving [\$50.95] into the food purchases line item budget in Fund 221 - Indigent Assistance (net impact to Indigent Assistance Fund is zero), and moving [\$5,600.00] into the food purchases line item budget in Fund 228 - Child Protective Services (net impact to Child Protective Services Fund is zero); and direct the Comptroller's Office to make the necessary budget adjustments. Human Services Agency. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [BCC 04-12-22 TMP5973 Food Purchases Budget Authority](#)

- 8.E.2. Recommendation to accept a Federal Title IV-B Subpart 2 Supplemental grant award from the State of Nevada, Division of Child and Family Services in the amount of [\$75,000.00; no county match] for Family Reunification services, retroactive to February 1, 2022, through September 30, 2022; authorize the Director of the Human Services Agency to execute the sub-grant award; and direct the Comptroller's Office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [BCC 04-12-22 TMP5990 FY22 Title IVB-2 Family Reunification Supplemental \[\\$75,000.00; \\$0 county match\]](#)
[93556-21-410 WCHSA FR NOSA](#)

- 8.E.3. Recommendation to accept a Federal Title IV-B Subpart 2 Supplemental grant award from the State of Nevada, Division of Child and Family Services in the amount of [\$75,000.00; no county match] for Family Preservation services, retroactive to February 1, 2022, through September 30, 2022; authorize the Director of the Human Services Agency to execute the sub-grant award; and direct the Comptroller's Office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [BCC 04-12-22 TMP5991 FY22 Title IVB-2 Family Preservation Supplemental \[\\$75,000.00; \\$0 county match\]](#)
[93556-21-411 WCHSA FP NOSA](#)

- 8.E.4. Recommendation to accept a Federal Title IV-B Subpart 2 Supplemental grant award from the State of Nevada, Division of Child and Family Services in the amount of [\$150,000.00; no County match] for Adoption Promotion and Support services, retroactive to February 1, 2022 through September 30, 2022; authorize the Director of the Human Services Agency to execute the sub-grant award; and direct the Comptroller's Office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [BCC 04-12-22 TMP5992 FY22 Title IVB-2 Adoption Supplemental \[\\$150,000.00; \\$0 county match\]](#)
[93556-21-412 WCHSA APS NOSA](#)

- 8.E.5. Recommendation to accept the FY22 Federal Title IV-B Subpart 2 Caseworker Visits subaward from the State of Nevada, Division of Child and Family Services to support caseworker visits in the amount of [\$38,859.00; \$13,653.00 county match] retroactive to October 1, 2021, through September 30, 2022; authorize the Director of the Human Services Agency to retroactively execute the grant award and related documents; and direct the Comptroller's Office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [BCC 04-12-22 TMP5993 Accept FY22 Title IVB Subpart 2 CWV grant \[\\$38,859; county match \\$13,653\]](#)
[93556-21-103 WCHSA IVB CW NOSA](#)

- 8.F.1. Recommendation to accept Treasurer's status report for the period ending March 31, 2022, of payment of refunds and interest since last update in the amount of \$1,556,472.51, on certain property tax overpayments for residential properties at Incline Village/Crystal Bay, in compliance with the October 21, 2019 Order issued by the District Court in Village League to Save Incline Assets, Inc., et.al. vs. State of Nevada, et.al., Case No. CV03-06922, as modified and clarified by the settlement agreement regarding the processing of refunds. Treasurer. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [Staff Report - Treasurer's status report for the period ending 3.31.2022](#)
[MARCH 31 2022 REPORT OF CLAIMS PAID](#)

End of Consent Items

9. Recommendation to approve the use of General Fund Contingency in the amount of [\$428,000.00] to increase expenditure authority for pooled drug screener positions [\$244,000.00]; overtime for staffing shortages and officer responses [\$7,000.00]; professional services for electronic monitoring and fire suppression monitoring [\$93,000.00]; contracted/temp services for pooled screener coverage [\$20,000.00]; chemical supplies for drug testing reagents [\$40,000.00]; operating supplies for gloves, collection cup seals, laptop [\$18,000.00]; and office supplies [\$6,000.00] to support reasonable and necessary costs to support the Alternative Sentencing Department, in accordance with Nevada Revised Statute (NRS) 354.598005; and direct the Comptroller to make the appropriate budget amendments. [Total fiscal year 2022 impact \$428,000.00; net fiscal impact \$-0-]. Alternative Sentencing. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [4-12-22 -Contingency Alt Sentencing Service Levels](#)

10. Introduction and first reading of an Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207 adopting a development agreement between Washoe County and LANSING - ARCUS LLC for Prado Ranch North, a residential subdivision originally approved in 2018 (WTM18-002), to extend the recording of the first final map from September 11, 2022 to September 11, 2024. The approved subdivision is a 490-lot, single-family residential, common open space subdivision as authorized in Article 408 of the Washoe County Development Code.
- The location is adjacent to Lemmon Valley Drive, north of Nectar Street and adjacent to Chickadee Drive and Sand Pit Road and is comprised of 6 parcels that total approximately 154.65 acres. The parcels are located within the North Valleys Area Plan within Washoe County Commission District No. 5. (Assessor's Parcel Numbers (APN) 080-723-01, 080-723-02, 080-723-03, 080-721-03, 080-721-04, & 080-721-05).

If approved, schedule a public hearing, second reading and possible adoption of the ordinance for May 10, 2022, further authorize the Chair to execute the final Development Agreement. Community Services. (Commission District 5.) FOR POSSIBLE ACTION

Attachments: [BCC 4-12-22 - Staff Report - 1st Reading Prado Ranch](#)
[BCC 4-12-22 - Attachments A & A-1](#)
[BCC 4-12-22 PublicHearingPresentation-staff](#)

11. Introduce and conduct a first reading of an ordinance amending the Washoe County Code at Chapter 110 (Development Code), Article 324, by repealing sections 110.324.50(e)(11) and 110.324.50(f)(9) related to placement standards for new monopole antennas and lattice towers regulating emergency service communication facilities which are owned and operated by governmental agencies; and by adding a new section governing Emergency Service Communication Facilities which shall be permitted in all regulatory zones with an approved special use permit, and which addresses requirements for: a. General; b. Application; c. Exemptions; d. Findings; e. Right-of-Way; f. Height and Standards; g. Fencing; and h. Antenna Types; and all matters necessarily connected therewith and pertaining thereto.

If supported, set the public hearing for second reading and possible adoption of the Ordinance for April 26, 2022. Community Services. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [BCC 4-12-22 - Staff Report - 1st Reading WDCA21-0004 Article 324](#)
[BCC 4-12-22 - Attachment A - Draft Ordinance](#)
[BCC 4-12-22 - Attachment B - PC Resolution](#)
[BCC 4-12-22 - Attachment C - PC Staff Report](#)
[BCC 4-12-22 - Attachment D - PC Draft Minutes for 3-1-22 Meeting](#)
[BCC 4-12-22 - Attachment E - Ordinance Clean Copy](#)
[BCC 4-12-22 WDCA21-0004 Staff Presentation](#)

12. Introduce and conduct a first reading of an ordinance amending Washoe County Code Chapter 110 (Development Code), Article 319, Short Term Rentals (STRs) by amending various sections in order to: (1) change the requirements for processing a tier 3 STR application (an STR application that allows over 20 persons in one residence) from an administrative permit approved by the Board of Adjustment to a special use permit approved by the Planning Commission; (2) exclude overflow parking spaces in condominium or multi-family complexes in the calculation of required parking spaces; (3) require the STR property owner(s)' notarized certification to include an attestation that the subject STR property is covered by insurance that provides for a minimum of \$500,000 liability coverage per occurrence; (4) repeal the requirement to submit a certificate of insurance; (5) provide that a bear box is required in the Incline Village General Improvement District's service territory following two confirmed trash violations; (6) modify the maximum occupancy calculation from one occupant for every 200 square feet of habitable space to two (2) occupants for each legally permitted bedroom, with the remainder of the home (excluding bedrooms) calculated as one occupant for every 200 square feet of habitable space; and all matters necessarily connected therewith and pertaining thereto.

If supported, set the public hearing for second reading and possible adoption of the Ordinance for May 10, 2022. Community Services. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [BCC 4-12-22 - Staff Report - 1st Reading WDCA22-0001 STRs](#)
[BCC 4-12-22 - Attachment A - Working Copy of Proposed Ordinance](#)
[BCC 4-12-22 - Attachment B - Clean Copy of Ordinance](#)
[BCC 4-12-22 - Attachment C - Planning Commission Resolution No. 22-05](#)
[BCC 4-12-22 - Attachment D - Planning Commission Staff Report for WDCA22-0001](#)
[BCC 4-12-22 - Attachment E - PC Draft Minutes from 3-1-22 Meeting](#)
[BCC 4-12-22 - WDCA22-0001 STRs Staff Presentation](#)

13. Recommendation to approve an Agreement for Professional Consulting Services between Washoe County and Jacobs Engineering Group, effective April 12, 2022 to April 12, 2024, to provide consulting engineering services for the South Truckee Meadows Water Reclamation Facility Reclaimed Water System Expansion Plan Project within the South Truckee Meadows Water Reclamation Facility service territory in the amount of [\$347,500.00] to provide an updated analysis for the future expansion of the County reclaim water system to maximize the use of reclaimed water while preserving potable water resources. Community Services. (Commission District 2.) FOR POSSIBLE ACTION

Attachments: [BCC 04-12-22 - Staff Report for Reclaim Water Expansion Plan](#)
[BCC 04-12-22 - Prof Svcs Agreement - Jacobs STMWRF Reclaim Water Expansion](#)

14. Recommendation to approve Amendment No. 1 to an Agreement for Professional Consulting Services between Washoe County and Stantec Consulting Services Inc., effective April 12, 2022 through December 23, 2023, to provide final design engineering services for the Steamboat Lift Station Improvements project within the South Truckee Meadows Water Reclamation Facility service territory [in an additional amount of \$67,587.00 for a total contract amount of \$1,244,982.00] to provide additional site analyses, additional geotechnical investigations, a boundary line adjustment and the preparation of County wide Supervisory Control and Data Acquisition (SCADA) guidance document preparation services. Community Services. (Commission District 2.) FOR POSSIBLE ACTION

Attachments: [BCC 04-12-22 - Staff Report - Amendment No 1 - Stantec](#)
[BCC 04-12-22 - Amendment No 1 to Professional Services Agreement - Stantec](#)

15. Recommendation to award a bid and approve the Agreement to the lowest responsive, responsible bidder for the 2022/2023 Encroachment/Excavation Repair Project for Truckee Meadows for the period of April 12, 2022 through December 31, 2023, to perform street cut pavement repairs as needed in the Truckee Meadows pursuant to Washoe County's Street Cut Ordinance at Washoe County Code (WCC) 85.058, et. seq., [staff recommends West Coast Paving, in the amount of \$273,000.00]. Community Services. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [BCC 04-12-22 - Staff Report for EE Repair Truckee Meadows](#)
[BCC 04-12-22 - Truckee Meadows Construction Agreement for 22-23 EE](#)

16. Recommendation to approve an Agreement for Professional Services between Washoe County and Nichols Consulting Engineers (NCE), effective April 12, 2022 through March 31, 2023, to provide design services for shoulder stabilization, new storm drain, drainage pattern impacts, and infiltration storm drain for portions of the Lower Wood Creek Phase II Water Quality Improvement Project in the amount of [\$178,780.00], and to support the Lake Tahoe Maximum Daily Load requirements to reduce the pollutant load in stormwater runoff. Community Services. (Commission District 1.) FOR POSSIBLE ACTION

Attachments: [BCC 04-12-22 - Staff Report for NCE Prof Svcs Agreement - Lower Wood Creek Phase 2](#)
[BCC 04-12-22 - NCE Prof Svcs Agreement - Lower Wood Creek Phase 2](#)

17. Recommendation to reject the single bid from Facilities Management, Inc. for the construction of certain facilities and infrastructure to support the Safe Camp Capital Improvement Project pursuant to NRS 338.1385(6)(d). The single bid is being rejected due to the inclusion of standard preferential bidder language in the bidding documents, which is not allowed in direct federally funded projects, and that may prevent the use of grant funding previously secured for the Project. Community Services. (Commission District 3.) FOR POSSIBLE ACTION

Attachments: [BCC 04-12-22 - Staff Report Reject Bid Safe Camp](#)

18. Recommendation to: 1) award a bid and approve the Agreement to the lowest responsive, responsible bidder for the Safe Camp Facility Project for Reno, Sparks and Washoe County to provide a sanctioned camping location to reduce the negative impacts of unsheltered people being forcibly removed from a location [staff recommends, Facilities Management, Inc. in the amount of \$3,279,000.00]; 2) approve bid alternate #1 CMU Block Main Building [in the amount of \$368,000.00]; and 3) approve and authorize the use of a separate contingency [in the amount of \$150,000.00] for a total project cost of [\$3,797,000.00]. Community Services. (Commission District 3.) FOR POSSIBLE ACTION

Attachments: [BCC 04-12-22 - Staff Report - Safe Camp - ReBid](#)
[BCC 04-12-22 - Construction Agreement for Safe Camp Facility](#)

19. Recommendation to retroactively approve purchases not to exceed [\$5,000,000.00] through the period ending June 30, 2022 from My Next Career Path temporary staffing in support of the COVID-19 response efforts and the COVID-19 vaccination events. Health District. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [BCC Staff Report FY22 My Next Career Path 04-12-22 COVID.docx.doc](#)

20. Possible Closed Session for the purpose of discussing labor negotiations with Washoe County and/or Truckee Meadows Fire Protection District per NRS 288.220. FOR POSSIBLE ACTION
21. Recommendation to accept Subaward Amendment #1 for the Temporary Assistance to Needy Families (TANF) Emergency Assistance Program from the State of Nevada, Department of Health and Human Services, Division of Welfare and Supportive Services to increase the award amount to [\$2,979,394.00; no county match] and extend the award period retroactively from April 1, 2021 through June 30, 2022; retroactively authorize the Director of the Human Services Agency to execute the subgrant award documents; and direct the Comptroller's office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [BCC 04-12-22 TMP5870 Accept TANF Am#1 \[\\$2,979,394.00; no county match\]](#)
[Amend 1 - WCHSA TANF EA Subaward Packet](#)
[Exhibit A - Original WCHSA - FY21-22 TANF EA - Subaward Packet](#)

22. Recommendation to approve Amendment #5 to the contract currently awarded to Alta Vista Mental Health, LLC. (awarded Request for Proposal (RFP) #3087-19) for Operator of Women's and Families Supportive Community on and off of the campus of Northern Nevada Adult Mental Health Services (NNAMHS) to: (a) authorize an increase in the amount of [\$28,878.45] to support increased staffing needs, for a total payment amount of [\$664,790.65] retroactive March 1, 2022 through June 30, 2022; (b) authorizes an increase in the amount of [\$86,635.37] to support increased staffing needs, for a total payment amount of [\$722,547.57] to the remaining two (2) renewal periods; and if approved authorize the Purchasing and Contracts Manager to execute the Amendment and revise the Purchase Order. Human Services Agency. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [BCC 04-12-22 TMP5981 Approve Alta Vista Mental Health Am5 \[\\$86,635.37\]](#)
[FY22 Alta Vista Women Community Am#5 \(2\)](#)

23. Recommendation to approve an Agreement for Professional Services between Washoe County and Aramark Services to provide laundry services including bedding, towels, mops and laundry carts as needed for the Nevada Cares Campus for an initial fourteen (14) month term [not to exceed \$350,000.00]; authorize the Purchasing & Contracts Manager to execute the agreement beginning May 1, 2022, through June 30, 2023 with the option to renew for three (3) one-year periods thereafter up to \$300,000.00 annually. Manager's Office. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [20220412 Staff Report PSA Cares Campus Laundry Services](#)
[20220412 Aramark Services Cares Laundry PSA](#)

24. Recommendation to approve a Cooperative Agreement between Washoe County, a political subdivision of the State of Nevada, and the Pyramid Lake Paiute Tribe of Nevada, a sovereign, federally recognized Indian Tribe to provide emergency response services to the Gerlach area of Washoe County effective April 13, 2022, for an initial term of five-years, with two-year extensions upon agreement of the parties. [Approximate annual cost \$547,048.09.] Community Services. (Commission District 5.) FOR POSSIBLE ACTION

Attachments: [BCC 04-12-22 - Staff Report - Gerlach fire proposal](#)
[BCC 04-12-22 - Gerlach CAB EMS letter to WC](#)
[BCC 04-12-22 - Cooperative Agreement for Gerlach EMS](#)

25. Recommendation to approve the reimbursement of costs incurred by the City of Reno, the City of Sparks, Truckee Meadows Fire and Rescue, the Washoe County Department of Alternative Sentencing, and the Washoe County Sheriff's Office for expenses related to and in support of the Enhanced 911 Emergency Response System and portable event recording devices, as recommended by the 911 Emergency Response Advisory Committee on February 10, 2022, in an amount not to exceed [\$653,400.72] as specified within the adopted Enhanced 911 Fund's operating budget. Technology Services. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [BCC 04-12-22 - Staff Report - 911 Reimbursements](#)
[BCC 04-12-22 - 02-10-22 E-911 Agenda and Draft Minutes](#)

26. Recommendation to approve the acceptance of the State General Fund appropriation referenced in Assembly Bill (AB) 321, from the Secretary of State, Governor’s Office of Finance in the amounts of [\$690,237.52] for postage, ballot stock and postcards; [\$71,257.50] for ballot drop boxes, fire suppression kits and envelope sorters; [\$159,000.00] for ballot sorters for the purpose of carrying out the provisions of AB 321. No match required. The award period is retroactive from March 2022 through June 30, 2022. Any remaining balance of the appropriation must not be committed for expenditure after June 30, 2022 and any remaining funds not spent in accordance with AB 321 must be reverted back to the State General Fund on or before December 31, 2022. If approved, direct the Comptroller’s Department to make the necessary budget amendments. Registrar of Voters. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [AB321 staff report](#)
[FW AB321 Funds](#)
[Reimbursement Request for AB321 Expenses \(003\)](#)
[AB321 funds \(002\)](#)

Public Hearing. (Note: Due to public testimony and discussion, time expended on the items in this category can vary.)

(Note: Items 27., 28., 29., 30., and 31. listed under this heading will be heard on or after 1:00pm. In no case will these items be heard before the stated time.)

27. Public Hearing: Appeal of the Washoe County Board of Adjustment's denial of Variance Case Number WPVAR21-0004 (Birta Front Yard Setback Reduction) which sought a variance to reduce the required front yard setback from 15 feet to 8 feet to facilitate the addition of a two-car garage and a one-car carport at ground level and a new master bedroom suite on the floor above.

The applicants are Robert and Diana Birta, the project is located at 919 Jennifer Street, at its intersection with Bridger Court in Incline Village. The Assessor's Parcel Number is 125-361-12. The parcel of land is approximately 0.32 acres in size with a master plan designation and regulatory zone of Incline Village #5, within the Tahoe Area Plan. Variances are authorized in Article 804 of the Washoe County Development Code. Community Services. (Commission District 1.) FOR POSSIBLE ACTION

Attachments: [BCC 4-12-22 - Staff Report - Appeal WPVAR21-0004 Birta Front Yard Setback Reduction](#)
[BCC 4-12-22 - Attachment A - WPVAR21-0004 BOA Action Order](#)
[BCC 4-12-22 - Attachment B - WPVAR21-0004 BOA Staff Report](#)
[BCC 4-12-22 - Attachment C - BOA Partial Minutes 2-3-22](#)
[BCC 4-12-22 - Attachment D - WPVAR21-0004 Possible Conditions](#)
[BCC 4-12-22 - Attachment E - WPVAR21-0004 Appeal Application](#)
[BCC 4-12-22 - Attachment F - Video Recording of BOA Meeting](#)
[BCC 4-12-22 - Attachment G - WPVAR21-0004 Staff Presentation 2-3-22 BOA](#)
[BCC 4-12-22 - Attachment H - Robert Angres Letter Jan 28, 2022](#)
[BCC 4-12-22 - Attachment I - Documents from Applicant Revised 3-15-22](#)
[BCC 4-12-22 - Attachment J - Appeal Brief to Washoe County Commission Submitted by Robert Angres 3-10-22](#)
[BCC 4-12-22 - Staff Presentation - WPVAR21-0004 Birta Appeal](#)
[BCC 4-12-22 - Appellant Presentation1 BIRTA APPEAL \(04.06.22\) \(First\) 1 - 11](#)
[BCC 4-12-22 - Appellant Presentation2 BIRTA APPEAL \(04.06.22\) \(Second\) 12 - 22](#)
[BCC 4-12-22 - Appellant Presentation3 BIRTA APPEAL \(04.06.22\)](#)

28. Public hearing: Appeal of the Washoe County Board of Adjustment's denial of:
1. Special Use Permit Case Number WSUP21-0036 (Silver Circle Ranch) to allow for a commercial horse boarding stable for 25 horses and for grading of 6,000 cubic yards for an indoor riding arena; and
 2. Administrative Permit Case Number WADMIN21-0016 (Silver Circle Ranch) for an 11,580 SF indoor riding arena structure that is larger than the existing 1,120 SF main residence

The applicant for the special use permit and administrative permit is Pro Pony LLC, owner of 3400 Holcomb Ranch Lane (APN: 040-670-12).

There are two appellants: (1) the applicant Pro Pony, LLC, and (2) Michael Cabrera on behalf of Jill Brandin.

The Board of County Commissioners (Board) may affirm, reverse or modify the decision of the Board of Adjustment. If the Board modifies or reverses, it may remand the matter back to the Board of Adjustment with instructions. Community Services. (Commission District 2.) FOR POSSIBLE ACTION

Attachments: [BCC 4-12-22 Staff Report - Appeal WSUP21-0036 & WADMIN21-0016 Silver Circle Ranch](#)
[BCC 4-12-22 - Attachment A - Appeals](#)
[BCC 4-12-22 - Attachment B - BOA Action Order](#)
[BCC 4-12-22 - Attachment C - BOA Staff Report](#)
[BCC 4-12-22 - Attachment D - BOA Minutes 2-3-22](#)
[BCC 4-12-22 - Attachment E - Public Comment](#)
[BCC 4-12-22 - Attachment F - BOA Staff and Applicant Presentations](#)
[BCC 4-12-22 - Attachment G - Video Recording of BOA Meeting](#)
[BCC 4-12-22 - Attachment H - Memorandum on Standing for WSUP21-0036 and WADMIN21-0016](#)
[BCC 4-12-22 - Letter from Alex](#)
[Velto 2022.4.4.LetterReBrandinStanding.FINAL](#)
[BCC 4-12-22 - Staff Presentation Silver Circle Ranch Appeal 4.12.22 CountyPresentationFinal](#)

29. Public Hearing: Master Plan Amendment Case Number WMPA21-0008 & Regulatory Zone Amendment Case Number WRZA21-0005 (Highland Village Phase II).

Recommendation to:

(1) Amend the Washoe County Master Plan, Sun Valley Area Plan Appendix C - Maps, to reconfigure the boundaries of the Suburban Residential master plan designation, decreasing that designation from 16.7 to 14.7 acres; and reconfigure the boundaries of the Rural master plan designation, increasing that designation from 1.67 to 3.68 acres on three adjacent parcels (APN's 508-020-04, -42 & -44). If adopted, the master plan amendment will take effect after a determination of conformance with the Truckee Meadows Regional Plan by the Truckee Meadows Regional Planning Commission; and

(2) Approve, subject to final approval of the associated master plan amendment and a favorable conformance review by the Truckee Meadows Regional Planning Commission, a regulatory zone amendment to the Sun Valley Regulatory Zone Map to change the regulatory zone on 3 parcels from 16.706 acres of Low Density Suburban (LDS) and 1.676 acres of General Rural (GR) to 14.702 acres of High Density Suburban (HDS) and 3.68 acres of GR on 18.382 acres, and reconfigure the boundaries of the proposed HDS and GR zones on the three adjacent parcels (APN's 508-020-04, -42 & -44).

The Board of County Commissioners may adopt the proposed amendments, may further modify the proposed master plan amendment and refer the matter back to the Planning Commission for its report in accordance with NRS 278.220(4) or the proposed regulatory zone amendment, or may deny the proposed amendments after the public hearing.

If approved, the Board must authorize the chair to sign the resolution(s) to this effect. Community Services. (Commission District 5.) FOR POSSIBLE ACTION

Attachments: [BCC 4-12-22 - Staff Report - WMPA21-0008 WRZA21-0005 Highland Village Phase II](#)
[BCC 4-12-22 - Attachment A - WMPA21-0008 Resolution](#)
[BCC 4-12-22 - Attachment B - WRZA21-0005 Resolution](#)
[BCC 4-12-22 - Attachment C - PC MPA Resolution](#)
[BCC 4-12-22 - Attachment D - PC RZA Resolution](#)
[BCC 4-12-22 - Attachment E - PC Staff Report](#)
[BCC 4-12-22 - Attachment F - PC Minutes](#)
[BCC 4-12-22 - WMPA21-0008 & WRZA21-0005 Staff Presentation](#)

30. Public hearing pursuant to NRS 277.050, to consider any objections to Resolution of Intent R22-47 to execute the following right-of-way acquisition deeds and easement deeds between Washoe County and the Regional Transportation Commission to support the Sky Vista Widening Project: a right-of-way acquisition totaling ±18 square feet and a temporary construction easement totaling ±445 square feet on APN 550-020-19; a temporary construction easement totaling ±48,364 square feet, a drainage easement totaling ±2,553 square feet, and a public use easement totaling ±276 square feet on APN 550-020-21; a right-of-way acquisition totaling ±14,458 square feet, a temporary construction easement totaling ±22,549 square feet, a drainage easement totaling ±10,770 square feet, and a public use easement totaling ±2,737 square feet on APN 550-020-22, part of North Valleys Regional Park [at the appraised value of \$38,980.00 or through a transfer of land valued equal to or greater than the appraised value that meets Land and Water Conservation Fund grant criteria and is approved by Community Services Department staff]; possible approval of said easement and acquisition deeds; and, if approved, authorize the Chair to execute the deeds to that effect. Community Services. (Commission District 5.) FOR POSSIBLE ACTION

Attachments: [BCC 04-12-22 - Staff Report - Sky Vista Easements and ROW Acquisitions](#)
[BCC 04-12-22 - Partial Acquisition GBS Deed 550-020-19 FINAL](#)
[BCC 04-12-22 - Temporary Easement Deed - 550-020-19 FINAL](#)
[BCC 04-12-22 - Temporary Easement Deed - 550-020-21 FINAL](#)
[BCC 04-12-22 - Permanent Easement - Drainage 550-020-21 FINAL](#)
[BCC 04-12-22 - Public Use Easement 550-020-21 FINAL](#)
[BCC 04-12-22 - Partial Acquisition GBS Deed 550-020-22 FINAL](#)
[BCC 04-12-22 - Temporary Easement Deed - 550-020-22 FINAL](#)
[BCC 04-12-22 - Permanent Easement - Drainage 550-020-22 FINAL](#)
[BCC 04-12-22 - Public Use Easement 550-020-22 FINAL](#)

31. Public Hearing: Adoption and second reading of an ordinance amending Washoe County Code Chapter 5- Administration and Personnel, Chapter 490, Office of the Public Guardian- Retention of Attorney, authorizing the Washoe County Public Guardian to obtain the assistance of the Washoe County District Attorney's Office for the proper administration of guardianship cases. Approval shall not be construed to authorize the Washoe County District Attorney's Office to represent protected persons directly, including but not limited to any ancillary matters of a private nature such as divorce, trust or estate administration, bankruptcy, criminal defense, civil suits such as breach of contract or tort, or otherwise. Approval shall apply retroactively to any representation heretofore provided by the Washoe County District Attorney's Office to the Washoe County Public Guardian, and for other matters necessarily connected therewith and pertaining thereto. Manager's Office. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [DA PG Ordinance 2022 adoption](#)
[chapter 5 ordinance standing authority in guardianship cases](#)
[Formatted PG Proposed Ordinance](#)

End Of Scheduled Public Hearings

32. Public Comment. Comment heard under this item will be limited to three minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to three minutes per person. Comments are to be made to the Commission as a whole.
33. Commissioners'/County Manager's announcements, reports and updates to include boards and commissions updates, requests for information or topics for future agendas. (No discussion among Commissioners will take place on this item.)

Adjournment

Various boards/commissions the Washoe County Commissioners may be a member of or liaison to:

Chair Hartung

Community Homelessness Advisory Board (alternate)
EDAWN (Economic Development Authority of Western Nevada)
Nevada Association of Counties Board of Directors (NACO)
Regional Transportation Commission
Truckee Meadows Regional Planning Agency Governing Board
Truckee Meadows Water Authority Board
Truckee River Flood Management Authority
Washoe County Stadium Authority
Washoe County Investment Committee
Western Regional Water Commission

Vice-Chair Hill

Community Homelessness Advisory Board
Downtown Reno Business Improvement District
EDAWN (Economic Development Authority of Western Nevada) (alternate)
Nevada Tahoe Conservation District Board of Supervisors
Regional Transportation Commission (alternate)
Tahoe Prosperity Center Board of Directors
Tahoe Regional Planning Agency Governing Board
Tahoe Transportation District Board of Directors
Tahoe Transportation Commission
Truckee Meadows Regional Planning Agency Governing Board
Truckee Meadows Water Authority Board
Truckee River Flood Management Authority
Washoe County Internal Audit Committee (alternate)
Washoe County Investment Committee
Washoe County Legislative Liaison
Washoe County Stadium Authority

Commissioner Lucey

Community Homelessness Advisory Board
Nevada Association of Counties Board of Directors (NACO)
Regional Transportation Commission
Reno-Sparks Convention & Visitors Authority
Tahoe Regional Planning Agency Governing Board (alternate)
Tahoe Transportation District Board of Directors (alternate)
Tahoe Transportation Commission (alternate)
Truckee Meadows Water Authority Board (alternate)
Truckee River Flood Management Authority (alternate)
Washoe County Criminal Justice Advisory Committee
Washoe County District Board of Health
Washoe County Legislative Liaison
Washoe County School District Capital Funding Protection Committee
Washoe County School District Oversight Panel
Washoe County Stadium Authority (alternate)
Western Nevada Development District (WNDD) (alternate)
Western Regional Water Commission

Commissioner Jung

Washoe County Animal Services Advisory Board
Downtown Reno Business Improvement District (alternate)
Nevada Tahoe Conservation District Board of Supervisors (alternate)
Nevadaworks (alternate)
Regional Transportation Commission (alternate)
Truckee Meadows Water Authority Board (alternate)
Truckee River Flood Management Authority (alternate)
Washoe County Open Space and Regional Parks Commission Liaison
Washoe County Senior Services Advisory Board Liaison
Washoe County Stadium Authority (alternate)

Commissioner Herman

Nevada Association of Counties Board of Directors (alternate)
Nevadaworks
Regional Transportation Commission (alternate)
State Land Use Planning Advisory Council (SLUPAC)
Truckee Meadows Regional Planning Agency Governing Board
Truckee Meadows Water Authority Board (alternate)
Truckee River Flood Management Authority (alternate)
Verdi Television District (Liaison)
Vya Conservation District (Diane Stobiecki—alternate)
Washoe County Debt Management Commission
Washoe County Internal Audit Committee
Washoe County Senior Services Advisory Board Liaison (alternate)
Washoe County School District Capital Funding Protection Committee
Washoe County School District Oversight Panel
Washoe County Stadium Authority (alternate)
Washoe-Storey Conservation District (alternate)
Western Nevada Development District (WNDD)

EXHIBIT “13”

EXHIBIT “13”



WASHOE COUNTY

Integrity Communication Service

www.washoecounty.gov

STAFF REPORT

BOARD MEETING DATE: April 12, 2022

DATE: March 11, 2022
TO: Board of County Commissioners
FROM: Julee Olander, Planner, Planning and Building Division, Community Services Department, 328-3627, jolander@washoecounty.gov
THROUGH: Mojra Hauenstein, Arch., Planner, Division Director, Planning & Building Division, Community Services Department, 328-3619, mhauenstein@washoecounty.gov

SUBJECT: Public hearing: Appeal of the Washoe County Board of Adjustment's denial of:

1. Special Use Permit Case Number WSUP21-0036 (Silver Circle Ranch) to allow for a commercial horse boarding stable for 25 horses and for grading of 6,000 cubic yards for an indoor riding arena; and
2. Administrative Permit Case Number WADMIN21-0016 (Silver Circle Ranch) for an 11,580 SF indoor riding arena structure that is larger than the existing 1,120 SF main residence

The applicant for the special use permit and administrative permit is Pro Pony LLC, owner of 3400 Holcomb Ranch Lane (APN: 040-670-12).

There are two appellants: (1) the applicant Pro Pony, LLC, and (2) Michael Cabrera on behalf of Jill Brandin.

The Board of County Commissioners (Board) may affirm, reverse or modify the decision of the Board of Adjustment. If the Board modifies or reverses, it may remand the matter back to the Board of Adjustment with instructions. (Commission District 2.)

SUMMARY

Washoe County received two appeals to the denial decision of the Board of Adjustment of special use permit application WSUP21-0036:

1. Pro Pony, LLC, the applicant. Pro Pony is seeking to overturn the Washoe County Board of Adjustment's denial on February 3, 2022, of WSUP21-0036 and WADMIN21-0016. Pro Pony, LLC contends that the Board of Adjustment's denial on the basis that the application did not meet Finding #4. The applicant does not agree that the proposal will be detrimental to the surrounding area; and
2. Michael Cabrera on behalf of Jill Brandin, a neighboring property owner. Mr. Cabrera is seeking to preserve future rights pursuant to NRS 278.3195(4), citing Nevada Supreme Court cases *Kay v. Nunez*, 122 Nev. 1100, 1104, 146 P.3d 801, 804 (2006) (holding that in order to have standing to challenge a land-use decision under NRS

278.3195(4), a petitioner must have appealed the decision of the planning commission to the governing body.), and *Holt-Still v. Washoe County Bd. of County Commissioners*, 466 P.3d 937 (2020) (unpublished decision) (affirming *Kay* and indicating that participation in appeal to governing board does not suffice for standing purposes).

Washoe County Strategic Objective supported by this item: Safe, Secure and Healthy Communities

PREVIOUS ACTION

On February 3, 2022, the special use permit and administrative permit were considered, in a public hearing, before the Board of Adjustment. The Board of Adjustment denied the special use permit and administrative permit and were not able to make Finding #4, Issuance Not Detrimental, with four members voting to deny and one in opposition.

On, December 5, 2021, the applicant held a neighborhood meeting at Silver Circle Ranch. The applicant sent notices to surrounding neighbors and clients. Between 80-100 people attended the meeting. The applicant had renderings of the proposed indoor arena on display, answered questions regarding the proposal and pointed out actual physical location of the different structures and amenities.

BACKGROUND

The Board has two appeals before it for consideration. The appeal from Pro Pony, LLC, provides the following comments to the findings they wish to contest:

1. The special use permit will bring an existing commercial stable into compliance with current code;
2. The administrative permit will allow an indoor riding arena for the safety and welfare of the kids and students receiving riding instruction by providing a climate controlled facility; and
3. The grading will facilitate the construction of the riding arena.

The appeal from Michael Cabrera on behalf of Jill Brandin, states that their appeal is submitted to preserve future rights pursuant to NRS 278.3195(4). See *Kay v. Nunez*, 122 Nev. 1100, 146 P.3d 801 (2006).

Both appeal applications are included in Attachment A, and include further information about Pro Pony, LLC and Michael Cabrera on behalf of Jill Brandin's respective appeals.

Pro Pony LLC Appeal:

The appeal filed on behalf of Pro Pony, LLC. (original applicant) is an appeal of the denial decision of the Board of Adjustment for a special use permit (SUP) to allow for the operation of a commercial stable use type. The subject parcel has had a barn and stable on the property since the early 1970s. The site has a current business license to board 23 horses; however, the request is to increase the number of horses to 25. The SUP will establish the site as a permitted commercial stable. The site has a current business license for a commercial stables; however, according to the applicant the SUP was not required

for the site when the stables were established. A SUP was not required until 1993, when Washoe County Zoning Code was updated to the Development Code. The current SUP application will remedy that status. The SUP request is also for grading associated with a new indoor riding arena. Approximately 3,300 cy of material will be exported from the site which will include approximately 2,500 cy of exported material from the parking area and another 800 cy of exported material from the other outdoor riding arena area. Another 2,700 cy will be imported from off-site, for a total of 6,000 cy. A total of 1.72 acres of surface area will be disturbed.

The applicant also requested an administrative permit per Washoe County code 110.306.10(d) to allow a 11,580 SF indoor riding arena structure, which is larger than the existing 1,120 SF residences that are located in the barn. There are two existing outdoor arenas, the one closest to Holcomb Ranch Lane is the location where the proposed new 11,580 SF indoor riding arena structure is to be constructed. The new arena will include a 2,000 SF storage area, restrooms and a mezzanine is proposed over the storage area to provide a viewing deck for observers of the riding arena.

As part of the SUP application, the applicant also requests to vary the code requirements per Article 410, Parking and Article 412, Landscaping in order to waive the following code provisions:

1. 110.410.25 (e) - Paved parking, driveways and maneuvering areas requirement and allow for non-paved surfaces in these areas for the safety of horses and riders. The applicant will improve the drive and parking areas with compacted, maintained gravel surfacing.
2. 110.412.40 - Landscape requirement of 20% for commercial use is requested to be waived. The area has existing vegetation along with pastures throughout the site.
3. 110.406.12(b) and 110.412.40(d) - Screening is required of an “eight (8) foot screening element”, “when a civic or commercial use adjoins a residential use”. The need for screening of the site is not needed according to the applicant because of the location and size of the parcel.

After hearing this item, the Board of Adjustment denied the applicant’s requests for a special use permit and administrative permit, finding that the following finding as required by WCC 110.810.25, and 110.810.30 was not met:

4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area

Please see the Board of Adjustment Staff Report (Attachment C) for a discussion of these items and the Board of Adjustment Signed Action Order (Attachment B).

Michael Cabrera Appeal:

Michael Cabrera filed an appeal on behalf of Jill Brandin, a neighboring property owner, to preserve future rights pursuant to NRS 278.3195(4), citing Nevada Supreme Court cases *Kay v. Nunez*, 122 Nev. 1100, 1104, 146 P.3d 801, 804 (2006) (holding that in order to have standing to challenge a land-use decision under NRS 278.3195(4), a petitioner must have appealed the decision of the planning commission to the governing body.), and

Holt-Still v. Washoe County Bd. of County Commissioners, 466 P.3d 937 (2020) (unpublished decision) (affirming *Kay* and indicating that participation in appeal to governing board does not suffice for standing purposes). No action by the board has been requested by this appellant.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

There are two appeals for the Board to address, however, Michael Cabrera on behalf of Jill Brandin's appeal has only been filed to preserve their future rights pursuant to NRS 278.3195(4). With that understanding, it is recommended that the Board of County Commissioners review the record and take one or more of the following actions:

1. Affirm the decision of the Board of Adjustment and deny Special Use Permit Case Number WSUP21-0036 (Sliver Circle Ranch) and Administrative Permit Case Number WADMIN21-0016 (Sliver Circle Ranch); or
2. Reverse the decision of the Board of Adjustment and approve Special Use Permit Case Number WSUP21-0036 (Sliver Circle Ranch) and Administrative Permit Case Number WADMIN21-0016 (Sliver Circle Ranch).

POSSIBLE MOTIONS

Special Use Permit and Administrative Permit:

Should the Board agree with the Board of Adjustment's denial of Special Use Permit Case Number WSUP21-0036 (Sliver Circle Ranch) and Administrative Permit Case Number WADMIN21-0016 (Sliver Circle Ranch), staff offers the following motion:

"Move to deny Pro Pony, LLC's appeal and affirm the decision of the Board of Adjustment's denial of Special Use Permit Case Number WSUP21-0036 (Sliver Circle Ranch) and Administrative Permit Case Number WADMIN21-0016 (Sliver Circle Ranch). The affirmance is based upon the inability to make the findings required by WCC Sections 110.810.30 and 110.808.25, Findings."

or

Should the Board disagree with the Board of Adjustment's denial of Special Use Permit Case Number WSUP21-0036 (Sliver Circle Ranch) and Administrative Permit Case Number WADMIN21-0016 (Sliver Circle Ranch), staff offers the following motion:

"Move to reverse the decision of the Board of Adjustment and approve Special Use Permit Case Number WSUP21-0036 (Sliver Circle Ranch) and Administrative Permit Case Number WADMIN21-0016 (Sliver Circle Ranch). The reversal is based on the Board's ability to make all the findings required by WCC Section 110.810.30 and 110.808.25, Findings."

or

Should the Board modify the Board of Adjustment's denial of Special Use Permit Case Number WSUP21-0036 (Sliver Circle Ranch) and Administrative Permit Case Number WADMIN21-0016 (Sliver Circle Ranch), staff offers the following motion:

“Move to modify the decision of the Board of Adjustment's denial and modify Special Use Permit Case Number WSUP21-0036 (Sliver Circle Ranch) and Administrative Permit Case Number WADMIN21-0016 (Sliver Circle Ranch) in the following manner: [include modifications]. The modification is based on the Board's ability to make all the findings required by WCC Sections 110.810.30 and 110.808.25, Findings.”

All the attachments have been included for the Board's consideration at the request of appellants, constitute the Record on Appeal:

Attachments:

Attachment A: Appeal Applications

Attachment B: Board of Adjustment Signed Action Order

Attachment C: Board of Adjustment Staff Report dated 2/3/22

Attachment D: Board of Adjustment Minutes dated 2/3/22

Attachment E: Public Comments

Attachment F: Board of Adjustment PowerPoints dated 2/3/22- Washoe County Staff & Applicant

Attachment G: Board of Adjustment Meeting Video Recording 2/3/22

Attachment H: Memorandum on Standing for WSUP21-0036 & WADMIN21-0016

cc:

Appellants: Pro Pony, LLC; Email: witmers2@gmail.com

Michael Cabrera for Jill Brandin, Email:
mcabrera@lewisroca.com

Representative: Summit Engineering, Clint Thiesse; Email: clint@summitnv.com

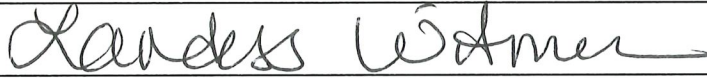
EXHIBIT “14”

EXHIBIT “14”

Washoe County Appeal of Decision to Board of County Commissioners

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.

Appeal of Decision by (Check one)	
Note: Appeals to the Washoe County Board of County Commissioners are governed by WCC Section 110.912.20.	
<input type="checkbox"/> Planning Commission	<input checked="" type="checkbox"/> Board of Adjustment
<input type="checkbox"/> Hearing Examiner	<input type="checkbox"/> Other Deciding Body (specify) _____
Appeal Date Information	
Note: This appeal must be delivered in writing to the offices of the Planning and Building Division (address is on the cover sheet) within 10 calendar days from the date that the decision being appealed is filed with the Commission or Board Secretary (or Director) and mailed to the original applicant.	
Note: The appeal must be accompanied by the appropriate appeal fee (see attached Master Fee Schedule).	
Date of this appeal: <u>Feb. 17, 2022</u>	
Date of action by County: <u>Feb. 3, 2022</u>	
Date Decision filed with Secretary: <u>Feb. 8, 2022</u>	
Appellant Information	
Name: <u>Pro Pony LLC, Landess Witmer, Trustee</u>	Phone: _____
Address: <u>1605 Del Monte Lane</u>	Fax: _____
	Email: <u>witmers2@gmail.com</u>
City: <u>Reno</u> State: <u>NV</u> Zip: <u>89511</u>	Cell: <u>(775) 560-4242</u>
Describe your basis as a person aggrieved by the decision: <u>Landess and Bruce Witmer are Trustees of Pro Pony LLC, the owner of Silver Circle Ranch, 3400 Holcomb Ranch Ln, Reno, NV</u>	
Appealed Decision Information	
Application Number: <u>WSUP21-0036 & WADMIN21-0016</u>	
Project Name: <u>Silver Circle Ranch</u>	
State the specific action(s) and related finding(s) you are appealing: <u>Denial on the basis the Board was unable to make finding #4 that the issuance was "not detrimental".</u>	

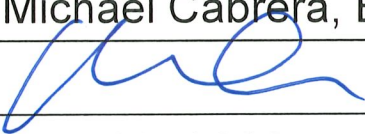
Appealed Decision Information (continued)	
Describe why the decision should or should not have been made: <p>The SUP for Commercial Stable was requested to bring an existing operation and business into compliance with current Code. The site has been used as commercial stables since the 1970's. The Admin Permit for the indoor riding arena was for the safety and welfare of the kids and students receiving riding instruction by providing a climate controlled facility. The SUP for grading is to accommodate the arena & FEMA.</p>	
Cite the specific outcome you are requesting with this appeal: <p>Approval of WSUP21-0036 for Commercial stable, with conditions. Approval of WADMIN21-0016 for the Indoor Arena, with conditions Approval of WSUP21-0036 For Grading</p>	
Did you speak at the public hearing when this item was considered?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Did you submit written comments prior to the action on the item being appealed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Appellant Signature	
Printed Name:	Landess Witmer
Signature:	
Date:	02 / 09 / 2022

Community Services Department
Planning and Building
APPEAL TO BOARD OF COUNTY
COMMISSIONERS (BCC)
APPLICATION



Community Services Department
Planning and Building
1001 E. Ninth St., Bldg. A
Reno, NV 89512-2845

Telephone: 775.328.6100

Appealed Decision Information (continued)	
Describe why the decision should or should not have been made: See attached letter.	
Cite the specific outcome you are requesting with this appeal: Uphold the Board of Adjustment decision to deny this application.	
Did you speak at the public hearing when this item was considered?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Did you submit written comments prior to the action on the item being appealed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Appellant Signature	
Printed Name: Michael Cabrera, Esq., on behalf of Jill Brandin, et. al	
Signature:	
Date: February 18, 2022	

**DEVELOPMENT CODE (Washoe County Code Chapter 110)
 MASTER FEE SCHEDULE
 Applications accepted by CSD, Planning and Building**

APPLICATIONS	COMMUNITY SERVICES DEPARTMENT FEES										HEALTH FEES			
	Planning			Engineering				Parks			Health District			
	PLANNING	NOTICING	RTF	ENGINEERING	UTILITIES	RTF	PARKS	RTF	ENVIRON.	VECTOR	TOTAL			
ABANDONMENT														
Not Tahoe	\$1,111	\$200	\$52.44	\$195	\$26	\$8.84	-	-	\$184	-	\$1,777.28			
Tahoe	\$1,111	\$200	\$52.44	\$195	-	\$7.80	-	-	\$184	-	\$1,750.24			
ADMINISTRATIVE PERMIT														
Not Tahoe	\$1,265	\$200	\$58.60	\$65	\$38	\$4.12	-	-	\$184	\$317	\$2,131.72			
Tahoe	\$1,265	\$200	\$58.60	\$65	-	\$2.60	-	-	\$184	\$317	\$2,092.20			
ADMINISTRATIVE REVIEW PERMIT (See Note 0)														
Not Tahoe	\$1,000	\$200	\$48.00	\$65	\$203	\$10.72	-	-	\$607	-	\$2,133.72			
Tahoe	\$1,000	\$200	\$48.00	\$121	-	\$4.84	-	-	\$607	-	\$1,980.84			
AGRICULTURAL EXEMPTION LAND DIVISION														
AMENDMENT OF CONDITIONS	\$250	-	\$10.00	\$500	-	\$20.00	-	-	\$1,913	-	\$2,693.00			
AMENDMENT OF CONDITIONS	\$700	\$200	\$36.00	\$390	-	\$15.60	-	-	-	-	\$1,341.60			
APPEALS/INITIATION OF REVOCATION														
No Map	\$803	\$200	\$40.12	-	-	-	-	-	-	-	\$1,043.12			
With Map	\$803	\$200	\$40.12	\$390	-	\$15.60	-	-	-	-	\$1,448.72			
Administrative/Code Enforcement Decision	-	-	-	-	-	-	-	-	-	-	\$0.00			
BOUNDARY LINE ADJUSTMENT														
Not Tahoe	\$51	-	\$2.04	\$268	\$38	\$12.24	-	-	\$184	-	\$555.28			
Tahoe	\$51	-	\$2.04	\$268	-	\$10.72	-	-	\$184	-	\$515.76			
COOPERATIVE PLANNING														
Not Tahoe	\$1,230	-	\$49.20	-	-	-	-	-	-	-	\$1,279.20			
DEVELOPMENT AGREEMENT														
Less Than 5 Parcels	\$3,500	\$200	\$148.00	-	-	-	-	-	\$607	\$239	\$4,694.00			
5 or More Parcels (See Note 1)	\$5,000	\$200	\$208.00	-	-	-	-	-	\$607	\$239	\$6,254.00			
DEVELOPMENT CODE AMENDMENT														
Not Tahoe	\$2,242	\$200	\$97.68	\$1,299	-	\$51.96	-	-	-	-	\$3,890.64			
Tahoe	\$338	-	\$13.52	-	-	-	-	-	-	-	\$351.52			
DIRECTOR'S MODIFICATION OF STANDARDS														
Not Tahoe	\$65	-	\$2.60	-	-	-	-	-	\$184	-	\$251.60			
Tahoe	\$252	-	\$10.08	\$416	\$35	\$18.04	-	-	\$47	-	\$778.12			

In accordance with Nevada Revised Statutes, application fees must be deposited the day of receipt. This does not guarantee the application is complete.



O. 775.823.2900
One East Liberty Street
Suite 300
Reno, NV 89501-2128
lewisroca.com

Garrett D. Gordon
Michael W. Cabrera
775.321.3452
GGordon@lewisroca.com
MCabrera@lewisroca.com

February 18, 2022

VIA HAND DELIVERY

Chair Bob Lucey & Honorable Commissioners
Board of County Commissioners
Washoe County
1001 E. Ninth Street, Bldg. A
Reno, Nevada 89512-2845

RE: Appeal of Board of Adjustment decision in Case Nos. WSUP21-0036 & WADMIN21-0016 (Silver Circle Ranch)

Dear Chair Lucey and Honorable Commissioners:

This office represents the group of property owners who live immediately adjacent to and in the area surrounding 3400 Holcomb Ranch Lane (the "Neighboring Owners"), who opposed the above-referenced matter before the Board of Adjustment during the hearing on February 3, 2022.¹ The Neighboring Owners support the Board of Adjustment's decision to deny the application, and file this appeal in order to preserve rights to judicial review. Pursuant to NRS 278.3195(4), an interested party must appeal a lower body decision to the governing board in order to preserve its rights to judicial review. Thus, the purpose of this appeal is to preserve the Neighboring Owners' right to any necessary further appeals pursuant to NRS 278.3195 or any other applicable code, regulation, or statute. This letter sets forth the legal framework for an appeal from a favorable decision of the Board of Adjustment to the Board of County Commissioners. In the event that the County receives an adverse appeal from the Board of Adjustment decision, the Neighboring Owners will oppose that appeal.

The Nevada Supreme Court has consistently held that judicial review of land use actions may only be preserved when the prevailing party at the planning commission level has appealed such favorable decision to the applicable governing body. The statutory language states, as follows:

Any person who:

- (a) Has appealed a decision to the governing body in accordance with an ordinance adopted pursuant to [NRS 278.3195(1)]; and
- (b) Is aggrieved by the decision of the governing body,

¹ The Neighboring Owners submitted a letter to the Board of Adjustment, which sets forth the grounds for their opposition and identifies the neighbors in opposition, which is attached hereto as Exhibit "A".

may appeal that decision to the district court of the proper county by filing a petition for judicial review within 25 days after the date of filing of notice of the decision with the clerk or secretary of the governing body, as set forth in NRS 278.0235.

NRS 278.3195(4). The Court has examined this statute and determined that:

NRS 278.3195(4) is clear and unambiguous, and thus, we follow its plain meaning. A party who has administratively appealed to the [governing body], under the local ordinance, may challenge the [governing body's] decision "by filing a [timely] petition for judicial review."

Kay v. Nunez, 122 Nev. 1100, 1104, 146 P.3d 801, 804-05 (2006) (quoting NRS 278.3195(4); quotation marks in original).

Although statutory and common law in Nevada typically require an appellant to be aggrieved by a decision, the Nevada Supreme Court has explained that the Legislature created additional authority and a *requirement* for parties to appeal favorable land use decisions to the governing body in order to preserve their rights to judicial review. See *Kay*, 122 Nev. at 1106, 146 P.3d at 805-06; *Humboldt River Ranch Ass'n v. Pershing County Bd. Of Com'rs*, 128 Nev. 904, 381 P.3d 622 (2012) (unpublished). In other words, if an applicant has not appealed a favorable decision from the lower body to the governing board, the applicant would not have standing to appeal an adverse governing board decision to district court. See *Kay*, 122 Nev. at 1106, 146 P.3d at 805-06. The Court explained that:

the Legislature has substituted its own definition of "aggrieved" for purposes of local zoning and land use planning decisions" . . . NRS 278.3195(4) governs a party's standing to challenge the Board's decision in the district court; it provides that a person who has appealed an administrative decision to the Board under the local ordinance and is aggrieved by the Board's decision may file a petition for judicial review in the district court.

Id.

Further review by the Court of NRS 278.3195(4) indicates that the prevailing party in initial municipal decisions, such as from the Board of Adjustment, are authorized *and required* to file such appeals to preserve standing for judicial review. See *Holt-Still v. Washoe County Board of County Commissioners*, 466 P.3d 937, 2020 WL 3570377 (2020) (unpublished) ("Had the Legislature meant to extend standing to a party who won at the lower body level and so did not appeal to the governing body, it would not have included a separate subsection expressly requiring a petitioner to "[h]a[ve] appealed" to the governing body."); *Humboldt River Ranch Ass'n*, 128 Nev. 904, 381 P.3d 622.

In *Humboldt River Ranch Ass'n*, the petitioner ("HRRRA") sought judicial review of an adverse zoning decision by the Pershing County Board of County Commissioners ("Pershing County BCC"). Because the Pershing County Planning Commission's decision was favorable to the position taken by HRRRA, it did not appeal the Planning Commission's decision to the Pershing

Chair Bob Lucey & Honorable Commissioners
February 18, 2022
Page 3

County BCC. After the Pershing County BCC reversed the Planning Commission's decision, HARRA sought a petition for judicial review. The district court dismissed the petition for a lack of standing, which dismissal was upheld by the Nevada Supreme Court. The Supreme Court explained:

Pursuant to NRS 278.3195(4), a petition for judicial review can only be filed with the district court by a person who administratively appeals a zoning decision under the applicable ordinance to the governing board and is aggrieved by the board's decision. We recognize that the decision of the Planning Commission was favorable to the position taken by HARRA, however, based on the plain language of NRS 278.3195(4)'s limiting criteria, HARRA was required to file an appeal within the local zoning process in order to pursue a petition for judicial review. See *Kay*, 122 Nev. at 1104, 146 P.3d at 805 (stating that "NRS 278.3195(4) is clear and unambiguous, and thus, we follow its plain meaning"). HARRA did not file such an appeal before filing its petition for judicial review, and we therefore conclude that the district court did not err in dismissing HARRA's petition.

128 Nev. 904, 381 P.3d 622.

Thus, the Neighboring Owners are required to appeal the favorable decision of the Board of Adjustment in order to preserve its right to judicial review in the event of further appeals. During the Board of County Commissioners hearing on this appeal, the Neighboring Owners will therefore request that this honorable body affirm the Board of Adjustment decision, and deny any appeal from the applicant.

Sincerely,

LEWIS ROCA ROTHGERBER CHRISTIE LLP

/s/ Michael W. Cabrera

Garrett D. Gordon
Michael W. Cabrera

cc: Julee Olander, Washoe County

EXHIBIT "A"

**Special Use Permit WSUP21-0036 and WADMIN21-0016 Silver Circle Ranch
Board of Adjustment Hearing date February 3, 2022**

**Holcomb Ranch Community Opposition to
WSUP21-0036 and WADMIN21-0016
Presentation to Board of Adjustment**

Dear Honorable Members of the Board of Adjustment:

We are a group of neighbors who live immediately adjacent to and in the area surrounding 3400 Holcomb Ranch Lane, where a commercial equestrian center has been proposed to be constructed, despite significant flaws which render the scale of this use incompatible with the site and detrimental to the surrounding residential properties. Although we respect the desire of the clients of the applicant, Pro Pony LLC ("Applicant"), to have a recreational facility, most, if not all, of these clients do not live in our neighborhood and may not understand the consequences of a having a large commercial enterprise next door. We neighbors are thankful for this hearing before the Board of Adjustment since Pro Pony has been operating without authorization for its commercial use for 2 years.

We are asking you to consider that the Applicant has not described the full extent of the impacts of its proposed use to the neighborhood. This incompatible use proposal would create a number of significant issues including groundwater contamination, nuisance conditions, fire safety concerns, and direct harm to neighboring uses.

Moreover, the Applicant refers to its request for an SUP as an "grandfathered horse stable operation", which is an incorrect characterization of the allowed use on the property. A commercial stable is only permitted with a special use permit, otherwise the use is prohibited. We understand that a significantly smaller commercial stable operation functioned at this site 12 years ago, but since then has not been a commercial enterprise; instead, it only had stables for private use. Because the commercial stable aspect of this property has not been in effect for many years, it is not grandfathered under Washoe County Code. *See* WCC 110.904.20(a)(2) ("If such a [nonconforming] use ceases for any reason for a period of more than twelve (12) consecutive months, any subsequent use of such land shall conform to the requirements of this Development Code for the regulatory zone in which it is located").

There were never 23 horses on this property. There were no high intensity lights. Amplified public address systems were never used. No clinics, shows, competitions or other events were held inviting horses and riders that were not on-site. No industrial sized 13,580 square foot metal building rising 4 stories above the existing grade ever existed. Thus, this application should not be given any treatment as a "grandfathered" use. We respectfully request that this Board consider all of the significant and adverse impacts that this immense use will have on our small neighborhood.

Comments relating to WSUP21-0036

A commercial operation is not compatible with our neighborhood as it exists today. In order to approve this SUP for new commercial stable 5 findings must be satisfied. These findings cannot be met.

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

Staff Comment:

“The Area Plan acknowledges that residents own horses and, ‘the area still possesses a rural quality that pays homage to its Western heritage.’ ”

Opposition Comment:

This incompatible use proposal is inconsistent with several policies of the Southwest Truckee Meadows Area Plan, including but not limited to the following:

- Policy SW.2.5: Significant lighting is proposed, but the Area Plan requires lighting be minimized to ensure “dark sky” standards.
- Policy SW.2.10: The impact of new uses on adjacent properties must be mitigated through a community process. The Applicant has only invited its supporters, who are not adjacent property owners, to its community process. The affected community has been left out of this sham process.
- Policy SW.2.13: The proposed use must consider the impacts to the neighborhood, including with respect to traffic, lighting, hours of operation, parking, and safety. The neighbors have been left out of this process and cannot be assured that these impacts have been mitigated.
- Policy SW.2.14: Approval of this SUP must include a finding that the community character will be adequately conserved through mitigation of potential negative impacts. Considering that staff is recommending approval with only standard and de minimis conditions of approval, this finding cannot be met.
- Policy SW.10.3: Approval of this SUP must include a finding that no significant degradation of air quality will occur. The wear on the land from a herd of commercial horses will eliminate any grasses on the meadow. The barren pastureland will allow dust, pollutants, and ground up feces to become airborne and cause further burden to downwind property owners. We are not aware of any demonstration from the Applicant that these conditions will be mitigated.

Furthermore, many of the neighbors own horses and cattle but not as an intensive commercial operation – they are for our own use and enjoyment. There is nothing whatsoever about the boarding of 23 horses with just 3 acres of pasture and the proposed construction of a featureless 13,580 square foot building rising 4 stories above ground level that pays homage to our Western Heritage.

2. Site Suitability. Adequate utilities, roadway improvements, sanitation, water supply drainage, and other necessary facilities have been provided [....]

Staff Comment: “The site is physically suitable for the type of development. The site has been used as commercial stable for many years...”

Opposition Comment:

It is our understanding that commercial horse boarding ceased on or about 2010. Warren Nelson’s horses were kept there after that. When the property was sold to Pro Pony, there were no horses on site and no commercial operation had existed for over a decade. Pro Pony did not take over a grandfathered commercial stable use. They bought land with a stable and a barn on it and now seek to convince this body that the abandoned use should be grandfathered, despite the clear Washoe County Code provisions to the contrary. There has never been as many as 23 horses on site until Pro Pony bought the property. Please see section A below that lists the degradation that has occurred with that level of intensity.

Additionally, there is not adequate sanitation or drainage which exists on the site to serve this intense, incompatible use. We understand that the property runs on septic, and will not have the capability to serve a commercial enterprise with patrons on the premises constantly. The sheer number of the Applicant’s supporters (who are not neighbors) should indicate to this body the amount of additional traffic and sewage usage at this site.

Finally, increasing the number of permitted horses on this site will create significant drainage issues for adjacent neighbors living downstream. Toxins from urine, feed, and other chemicals will pollute adjacent properties and creeks.

3. 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.

Staff Comment: “The commercial stable is existing with two outdoor arenas on site.”

Opposition Comment:

Staff’s comment is demonstrably false. This is an application to establish a new commercial stable operation. It does not exist. There were never outdoor arenas until Pro Pony started operating without having obtained this special use permit. There were 3 acres of irrigated pasture. There was an outdoor riding ring, a rectangular outdoor riding area that could be used for dressage practice and a round pen.

Staff Comment: The conditions of approval will further provide requirements for the facility to operate without significant negative impact upon the surrounding area...”

Opposition Comment:

We cannot find any meaningful operating conditions in the staff report that address issues critical to securing the quiet enjoyment and character of our neighborhood. We believe that a new commercial operation is detrimental to the character of our neighborhood, injurious to adjacent properties and detrimental to the public safety on Holcomb Ranch Lane.

If, however, you decide that the findings required for approving a SUP for a new commercial stable can be made after taking into consideration the public testimony on February 3, 2022, you have the authority to impose operating conditions for the life of the business that should be applied to any new commercial use moving into a high density rural neighborhood.

The following are issues that we feel need to be addressed at a minimum:

1. There should be a maximum of 12 horses allowed.

5 for personal use and 7 for boarding/lessons. When Warren Nelson was alive he lived on site. During that time there were on average 8 to 9 horses. Commercial boarding had been discontinued for over a decade when Pro Pony purchased the property. Their commercial activity that was not authorized by a special use permit has increased the number of horses from 0 to 23. The prior use was residential, not commercial. Now, the owner and the trainers do not live on site.

The correct starting point for analyzing the incremental impacts of this application is from 0, not from 23. In addition, the number of horses is not the whole story. With horses used for personal use only one rider is typical. With a business emphasis on lesson horses the number of riders increases tremendously and the impact on the neighborhood increases along with it.

Pro Pony's current unauthorized operation of a 23 horse commercial stable has already had a significantly detrimental effect on the character of the area as detailed in the following pages.

A. The Site is not Suitable.

Today what once was 3 acres of scenic grass pasture has been divided into a number of paddocks turning into dirt. Today on this turn in the road, manure is visibly piled in front of a residence and an unattractive large metal cargo container is parked. See [Pictures 1, 2 and 3](#).

B. Significant detriment to the Public Safety.

There has already been a significant increase in the traffic caused by the 23 horse operation that has not been authorized by a special use permit. The focus should not be

on the increase in traffic from a 23 to a 25 horse operation, rather the proper focus should be on the increase from 0 to 25 horses. This is an application for a new commercial operation and the full impact of the number of trips that logically result from Pro Pony's needing to request a 31 car parking lot needs to be evaluated. The size of this parking lot would be larger than many strip mall lots on Longley Lane and throughout intense mixed used areas of Washoe County. A truck and trailer coming from the west on Holcomb cannot make a right turn into the driveway without veering into oncoming traffic. What effect does that have on the safety of both vehicles and the bicyclists that use this route constantly? See Pictures 4, 5 and 6.

C. Detrimental to the Adjacent Properties.

The smell of urine from the stable and from the manure pile resulting from the current level of a 23 horse operation is unimaginable. The application does not even mention that an amplified public address system is used and destroys the quiet enjoyment. The application does not disclose that during their unauthorized commercial use operation high intensity lights have been installed on 25 to 30 foot poles that ruin the nights. The use of an amplified public address system and the high intensity lights should be prohibited at all times. There are residences adjacent to the south, east and diagonally west as well as on the rise directly above the site. See Pictures 7 and 8.

D. Detrimental to the Character of the Surrounding Area.

Many horses and cattle are in the area but not as a part of an intense commercial enterprise. Simply put, a commercial enterprise in this neighborhood is not an appropriate use. A 23 horse operation is not compatible with the neighborhood that exists in 2022.

2. All Buildings should meet Commercial Code Standards.

This is a new use that must come into compliance with all applicable building codes. The application is not merely a change to an existing nonconforming use. It does not appear that this new commercial operation meets existing commercial building standards. The barn, the stable, the apartments, the trainers' full bath and the public restroom should be required to comply with current commercial codes relating to, among other things, fire, electrical, plumbing, and Americans with Disabilities Act access.

3. Environmental concerns for Pollution by Animal Waste need to be addressed.

There are Washoe County protection requirements for keeping urine and manure from leaching into the ground water, Dry Creek and Last Chance Ditch which all flow through the property and onto the property that is directly across Holcomb Ranch Lane. If a horse drinks 20 gallons of water per day most of that comes out the "other end" as urine and makes its way into the ground water and adjacent creeks – especially during the times of year when the pasture is flood irrigated.

A horse may produce 50 pounds of manure daily. Add another 60 to 70 pounds of barn waste daily and it is readily apparent that tons of animal and barn waste should be removed offsite by third party contractors and kept in enclosed dumpsters in the interim.

4. Competitions/Clinics/Shows etc. should be expressly prohibited on site.

Competitions, clinics, shows, and other such large gathering events were not held before Pro Pony began their operation without the appropriate use permission from the Board of Adjustment. The applicant has requested competitions, clinics and shows with 50 riders from the “community”. When the addition of parents, other trainers and spectators, horses, trucks and trailers are considered, it is likely that 150 to 200 people will be on site at any given event. These types of events would have a significant impact on the surrounding neighborhood and especially so on the immediately adjacent neighbors, who oppose this application.

Furthermore, allowing such events goes beyond what is permitted for a commercial stable use. Bringing in horses, riders and spectators does not fit the definition of a commercial stable operation. They have been using an amplified public address system. These types of public events should require permits for outdoor entertainment or other extremely intense uses. These type of events might be suitable for properties with 35 to 40 acres, but they are not well suited for properties of this size adjacent to residential homes.

The application provides no analysis of the incremental traffic impact caused by those events. The weekends are probably the times most heavily used by cyclists who would be jeopardized by trucks and horse trailers, especially when driven by people unfamiliar with the area.

The Applicant indicates that the upper pasture area can be used for trailer parking. Only 1 access per parcel is permitted on Holcomb Ranch – that is the driveway. There is no other access to the upper pasture permitted via Holcomb Ranch.

There is one public restroom in the barn and only a 2,000 gallon residential rated septic system– being used by 150-200 people. This is woefully insufficient.

5. Hours of Operation.

Lessons, training, etc. should be limited to the hours between 7 AM to 6 PM, or until sundown, whichever is earlier, Tuesday through Saturday. There are residences all around this site that are affected by this operation. Any other operating hours would significantly injure our quiet enjoyment.

6. Washoe County Health.

We agree with the condition included in the staff report. In addition, County Health and appropriate agencies should monitor how the horse wash stall waste water and high

pressure barn/stable cleaning water is captured by the septic system to avoid polluting ground water and streams running through the property and onto neighbors' property.

Comments relating to WADMIN21-0016

An industrial sized metal building does not honor the history of Warren Nelson and Silver Circle Ranch.

1. Accessory Use.

The proposed 13,580 square foot building that is approximately 29 feet tall is "being addressed as an "accessory use" according to the application. However, the owner and trainers do not live on the site, so the primary use cannot be considered residential. It is clear that this massive building would be a significant part of the primary use. There are 3 apartments in the barn with total square footage of 1,400. This is not appropriate and the Board should reject the idea that the enormous metal building is merely accessory.

2. The Site Is Not Suitable.

The building will sit on about 10 feet of fill because it will be in a FEMA Flood Zone AE. This is a serious concern, as demonstrated in the picture we provide depicting water running through the site in 2017. [See Picture 9.](#)

More importantly, if completed the 13,580 square foot building would be about 39 feet above the existing grade. This site is certainly not suitable for a building of even half that height. The size and footprint of the building would cover an entire lot in a residential area – more than a quarter acre.

3. The Building is Injurious to the Adjacent Properties and Detrimental to the Character of the Surrounding Area.

The narrative of the application fails to mention that the height of this building is 29 feet. If completed it would sit about 39 feet above the existing grade due to the added fill. That is the equivalent of a 4-story high rise in this rural residential neighborhood. The design is featureless and the material is metal. It has an industrial feel and impact that is totally incompatible with the surroundings. [See Picture 10.](#) The proposed building clearly does not blend into the character of the residences adjacent to the south, east and diagonal. [See Pictures 11, 12, 13 and 14.](#)

If approved, Pro Pony will cut down at least 14 cottonwood trees that are 30 to 50 feet tall and replace them with this building. The loss of these 14 mature trees is a significant environmental impact that will be "detrimental to the character of the surrounding area".

By our estimate, the building would be built extremely close to Holcomb Ranch Lane and after adding 10 feet of fill would rise about 21 feet above it. Yet the Applicant has the audacity to request a waiver of commercial landscaping and screening requirements.

Allowing this metal building to take the place of 14 existing mature trees is completely inappropriate for this rural residential neighborhood.

There is nothing whatsoever about the building “that pays homage to [the area’s] Western Heritage” as described by the Southwest Area Plan. This metal building would be about twice as tall as Tom Dolan’s Kia Dealership on South Virginia Street and about twice as tall as Les Schwab Tire on South Virginia Street. Both of those commercial buildings are about 15,500 square feet. This metal building is 13,580 square feet. There is no site on this property that is suitable for such a massive industrial structure in the middle of a residential neighborhood. It would have a disastrous impact on the adjacent properties and on the character of our neighborhood. **See Picture 15.**

4. The “neighborhood meeting” excluded actual adjacent neighbors and did not accurately describe the impacts to the neighborhood.

Flying Diamond Ranch at 8790 Lakeside Dr. (the property adjacent to the north), and The Hsu family 3600 Holcomb Ranch Lane (property adjacent to the southwest) did not receive notices of a meeting. There were only 2 actual neighbors present at the meeting. Those notices were not mailed. They were taped to the outside of the mailbox. It was an invitation for an open house and did not mention the topics of discussion. While the neighbors were present about 35 people were in attendance. There was no indication that a metal building 13,580 square feet and 29 feet tall was going to be delivered to the site on January 17, 2022.

5. Letters in support attached to Staff Report are not from neighbors; supporters live across town and will not be affected; should not be considered by the Board of Adjustment.

For the most part the writers of the support letters do not live in the neighborhood or the nearby vicinity. On average they are about 10 miles distant from the site.

We do not believe that the Board of Adjustment can give reasoned consideration to the information received during the public hearing, and make the five findings required by Washoe County Code. The proposed use is not consistent with the Southwest Area Plan. The site is not suitable. The operation of a 25 horse commercial stable and the erection of a 13,580 square foot metal building that is 29 feet tall are definitely significantly injurious to the property and quiet enjoyment of adjacent properties. The application will be exceedingly detrimental the character of the surrounding area.

Please see the attached list of 27 neighbors of the Holcomb Ranch Community who live in the immediate vicinity of Silver Circle. They represent 41 parcels in the Planning Division District #2. They are opposed to WSUP21-0036 and WADMIN21-0016.

For all of the reasons stated in this letter, the neighboring property owners respectfully request that the Board of Adjustment deny WSUP21-0036 and WADMIN21-0016.

Holcomb Ranch Community

We, the following neighbors,
Support the Attached Presentation
in Opposition to WSUP21-0036 and WADMIN21-0016

Carol Bond
7240 Lakeside Dr.
Reno, NV 89511
APN 040-573-03

Gordon and Suzanne Depaoli
3925 Fairview Rd.
Reno, NV 89511
APN 040-691-04

Thomas Dolan
2400 Holcomb Ranch Lane
APN 230-060-07
2855 Holcomb Ranch Lane
APN 040-412-14
100 & 200 Rillough Road
APNs 230-070-07 & -08

Nancy Flanigan
2750 Holcomb Ranch Lane
Reno, NV 89511
APN 230-070-17

Flying Diamond Ranch LLC
Jill Brandin
8790 Lakeside Dr.
Reno, NV 89511
APNs 040-650-44 and 040-650-46, -47, -48, -49

Bill Glass Family Trust
9300 Timothy Dr.
Reno, NV 89511
APN 040-660-03

Tom Ghidossi
1515 Holcomb Ranch Lane
Reno, NV 89511
APN 043-062-12, -13, -14, and -15

George and Mary Hemminger
9700 Timothy Dr.
APN 040-660-01

Chris and Juliane Hsu
3600 Holcomb Ranch Lane
Reno, NV 89511
APN 040-670-13

Calvin Iida
8690 Lakeside Dr.
Reno, NV 89511
APN 040-650-27

Steve and Dona Kirby
2335 Diamond J Place
APN 230-031-10
and 2347 Diamond J Place
APN 230-031-11
Reno, NV 89511

Pete and Cindy Lazetich
9100 Timothy Dr.
APN 040-640-09
and 0 Lombardi Lane
APN 041-190-08
Reno, NV 89511

Daniel David Loose
2220 Holcomb Ranch Lane
Reno, NV 89511
APN 230-080-03

Rich Lorson
2315 Diamond J Place
Reno, NV 89511
APN 230-031-02

Morze Family Trust
4025 Fairview Rd.
Reno, NV 89511
APN 040-691-05

Sonny Newman Family Trust
9400 Timothy Dr.
Reno, NV 89511
APN 040-660-05

Ron Palmer
9675 Timothy Dr.
APN 040-650-17
And 0 Holcomb Ranch Lane
Reno, NV 89511
APN 040-650-24

Harry and Stella Pappas
8770 Lakeside Dr.
Reno, NV 89511
APN 040-650-28

Durian Pingree
2400 Diamond J Place
Reno, NV 89511
APN 230-032-02

Sheldon Schenk
7240 Lakeside Dr.
Reno, NV 89511
APN 040-573-03

Bart Scott
3945 Lamay Circle
Reno, NV 89511
APN 040-491-41

Mark Sehnert
2371 Diamond J Place
Reno, NV 89511
APN 230-031-03

Rhonda Shafer
8777 Panorama Dr.
Reno, NV 89511
APN 040-401-16

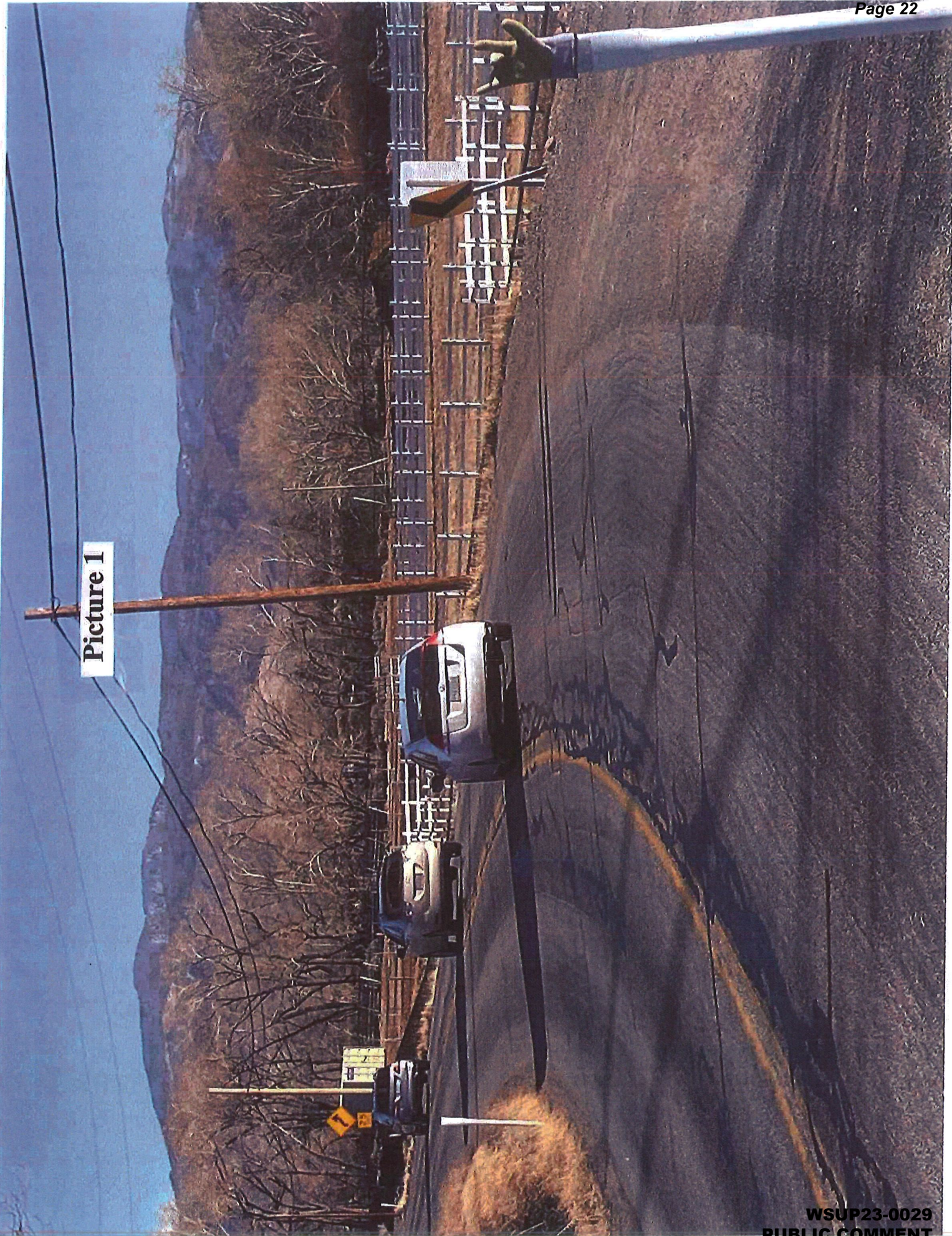
Richard Trachok
8500 Dieringer Ln.
Reno, NV 89511
APN 040-401-05
And 0 Dieringer
APN 040-401-17

Jo and Bill Vanderbeek
8771 Lakeside Dr.
Reno, NV 89511
APN 041-130-54

Dan and Vickie Vradenburg
2358 Diamond J Place
Reno, NV
APN 230-032-06

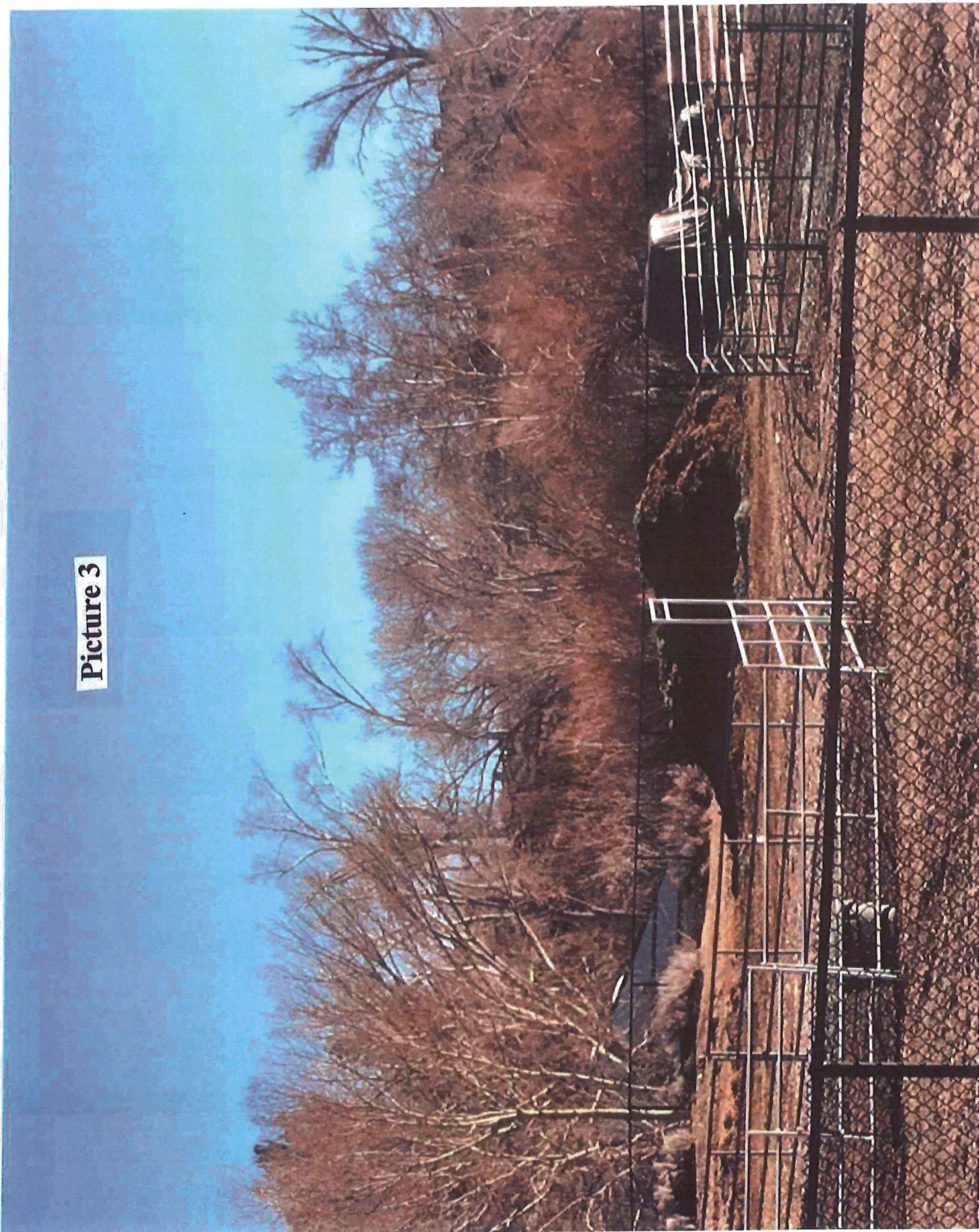
Joanne Zuppan
8801 Lakeside Dr.
Reno, NV 89511
APN 041-130-54

Picture 1

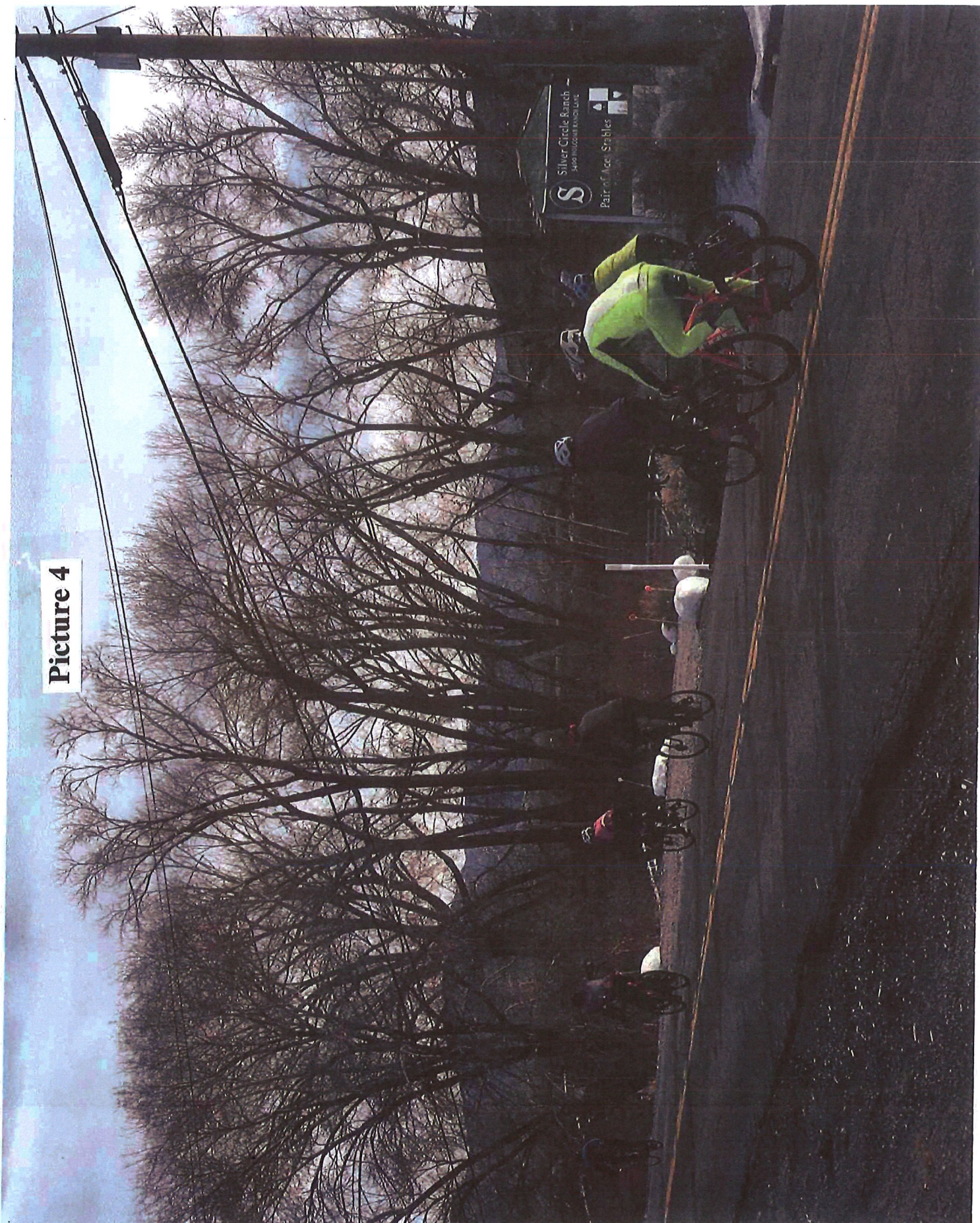


Picture 2



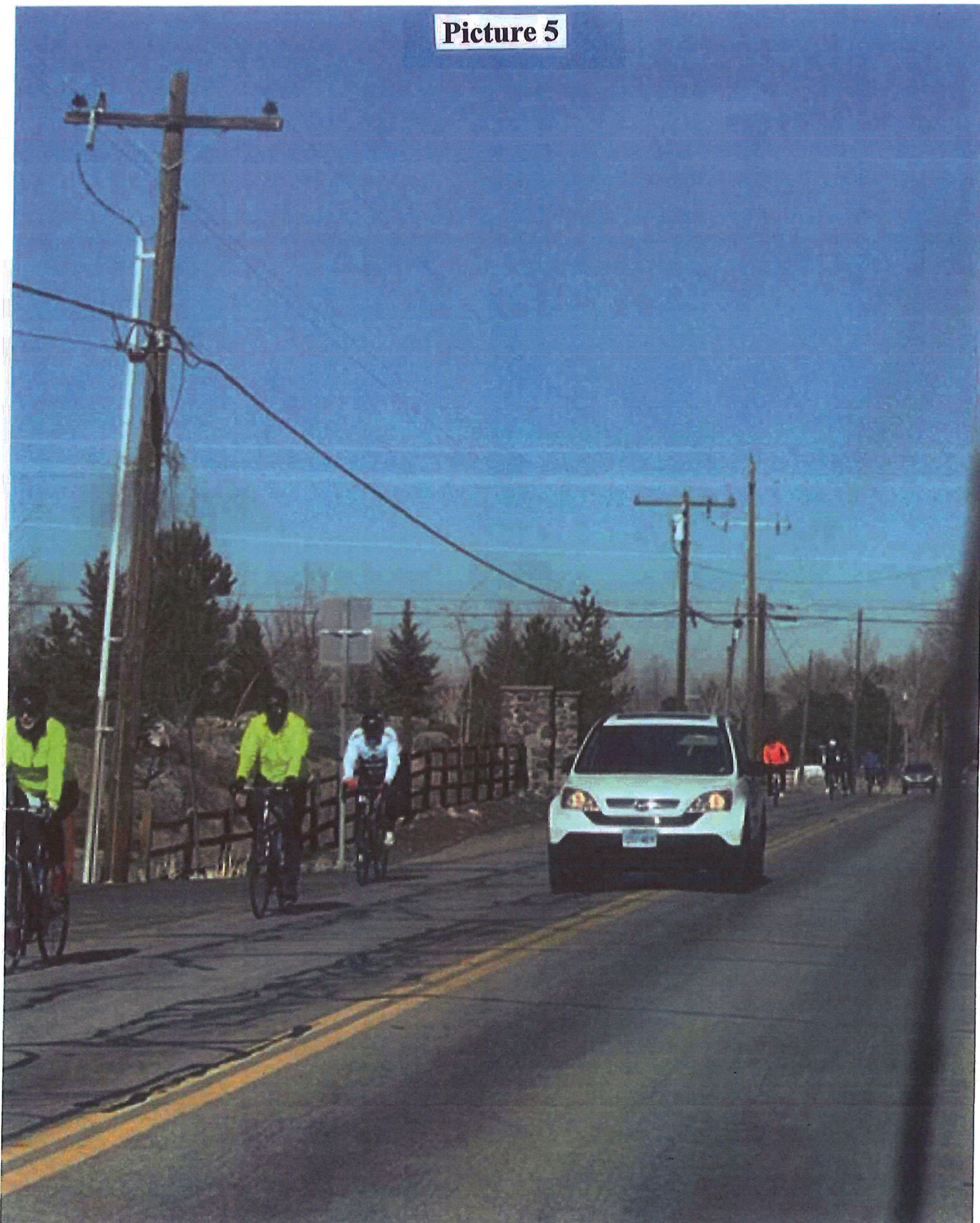


Picture 3



Picture 4

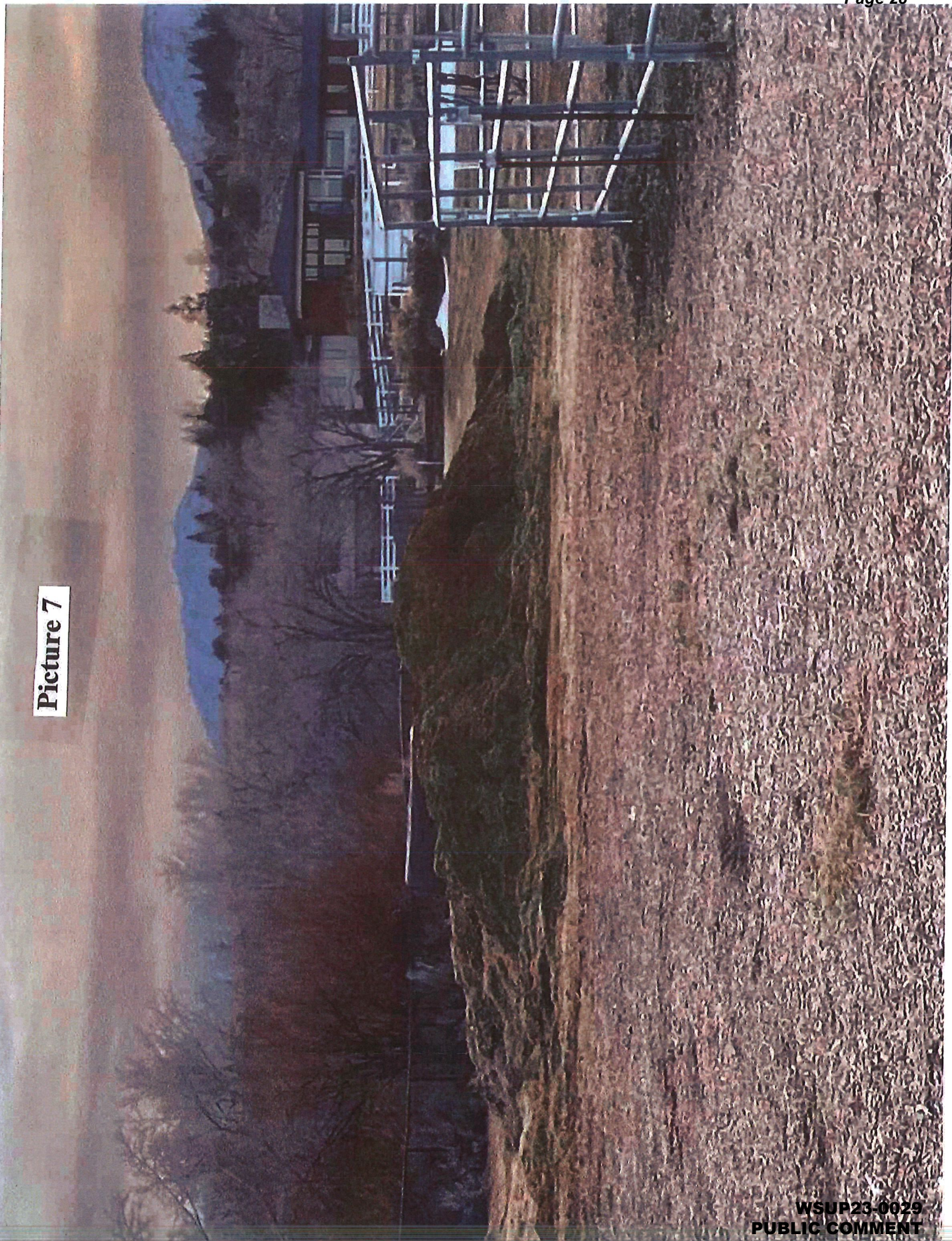
Picture 5



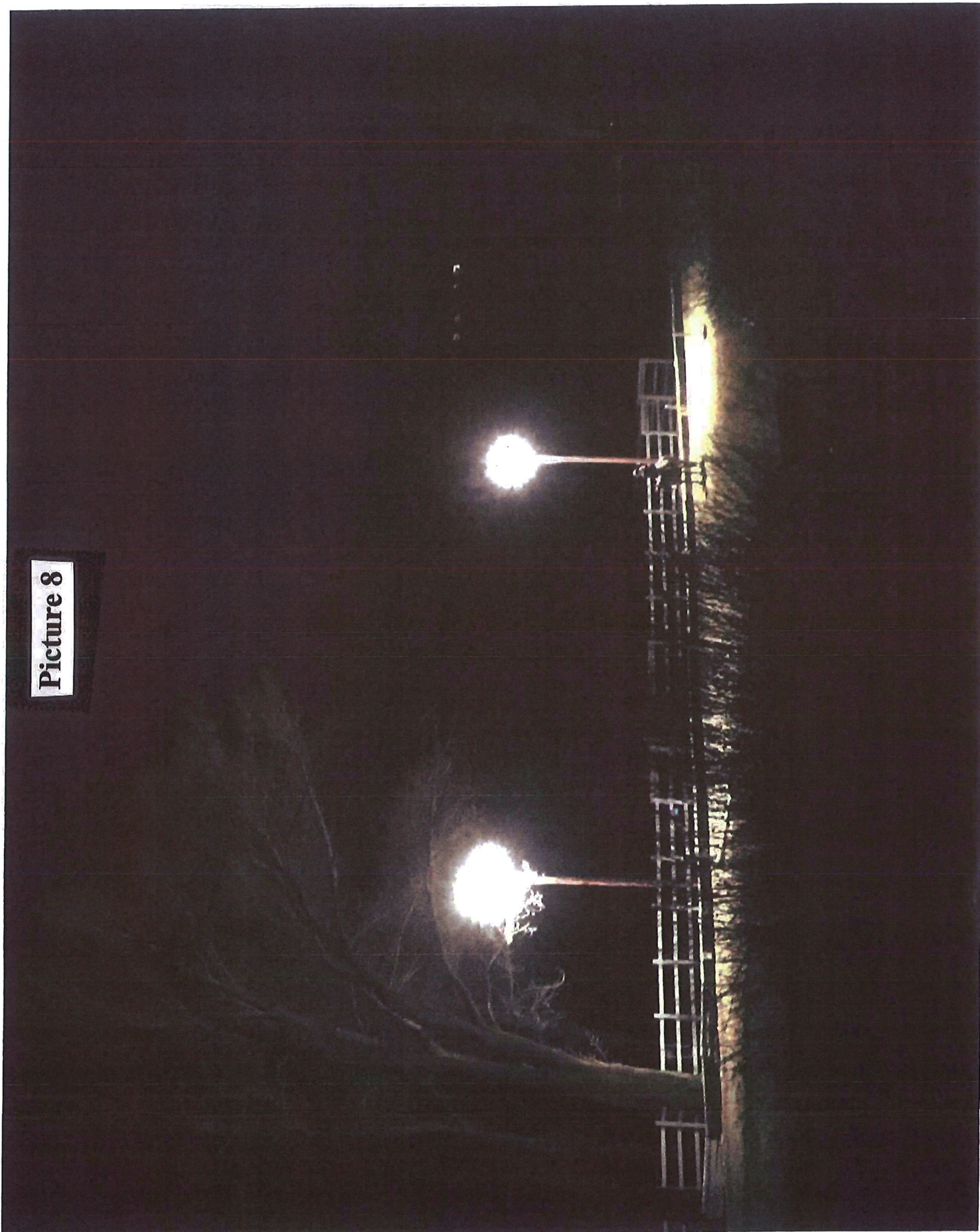
Picture 6



Picture 7



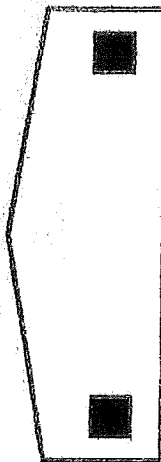
Picture 8



Picture 9



Picture 10

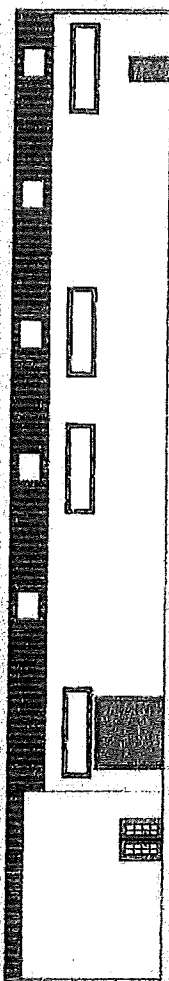


NORTHEAST VIEW



SOUTHWEST VIEW

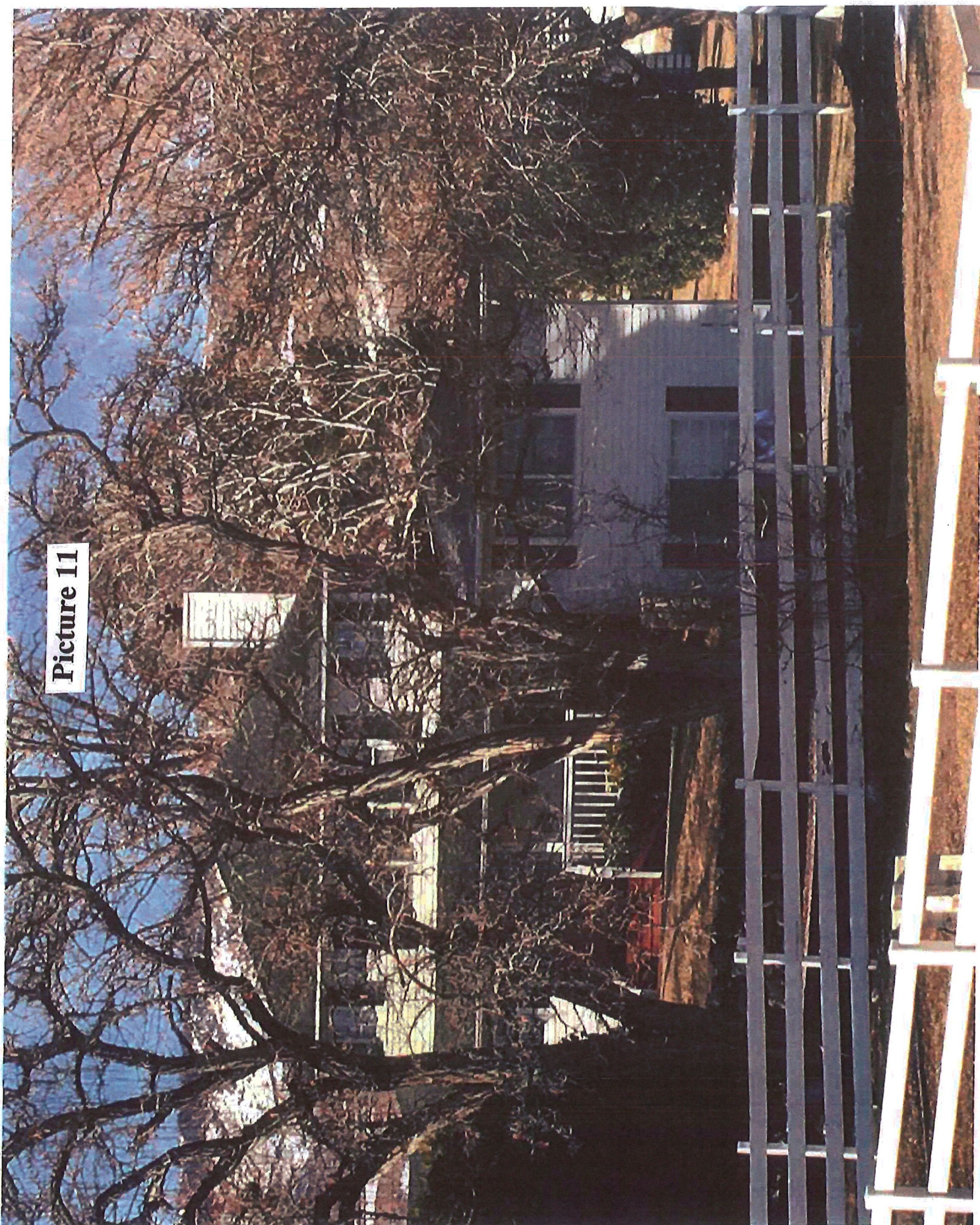
SCALE: 1"=10'



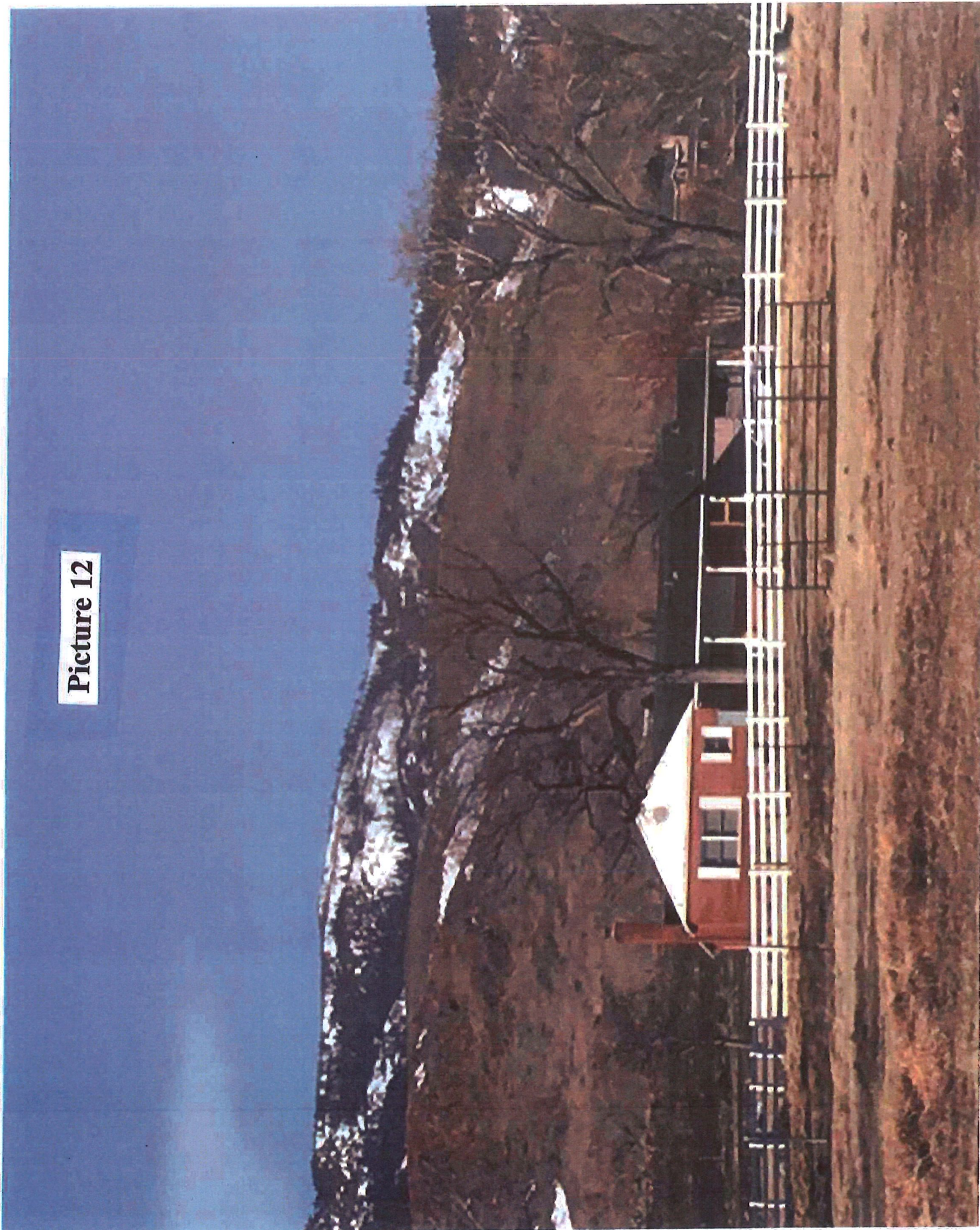
SOUTHEAST VIEW



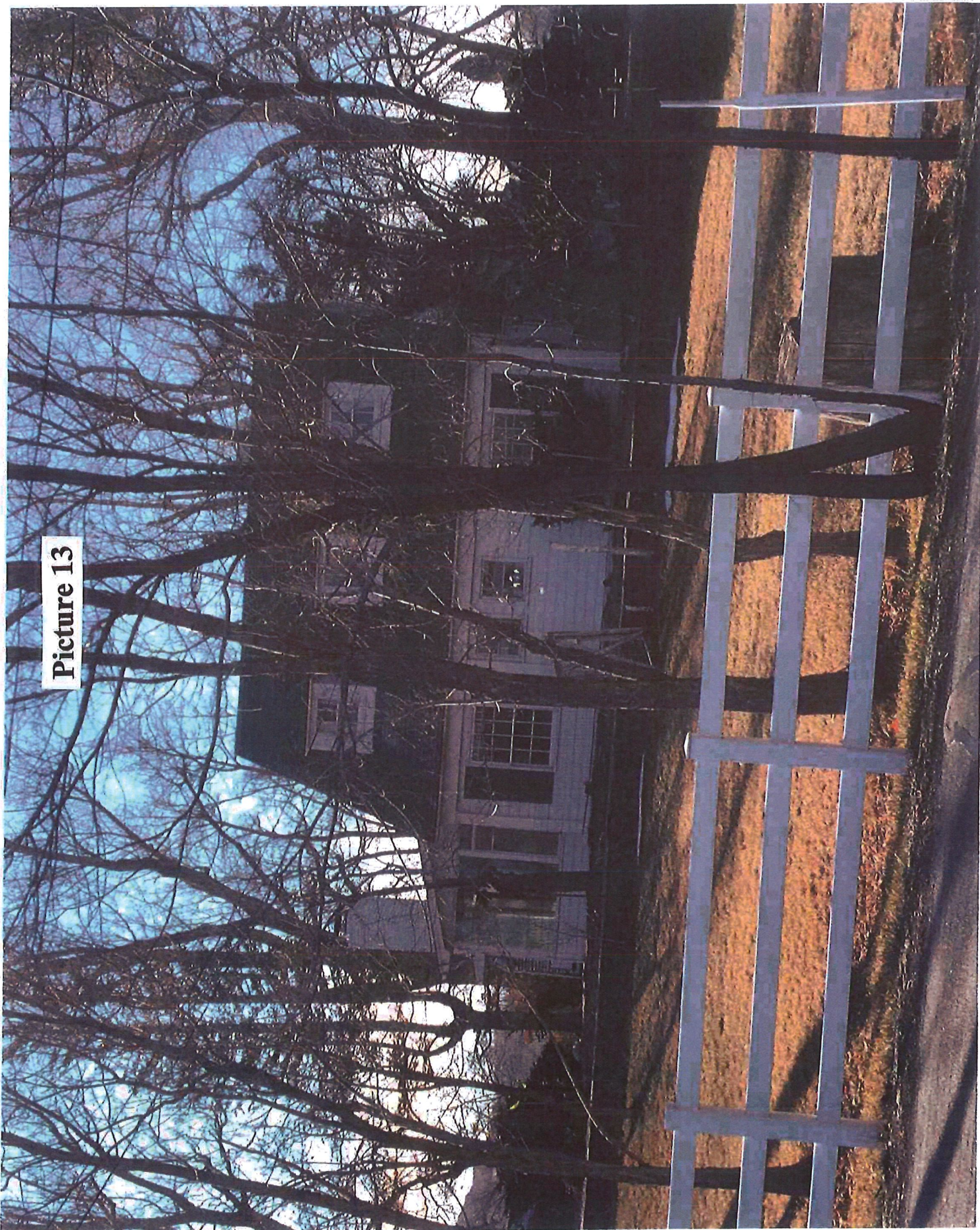
NORTHWEST VIEW



Picture 11

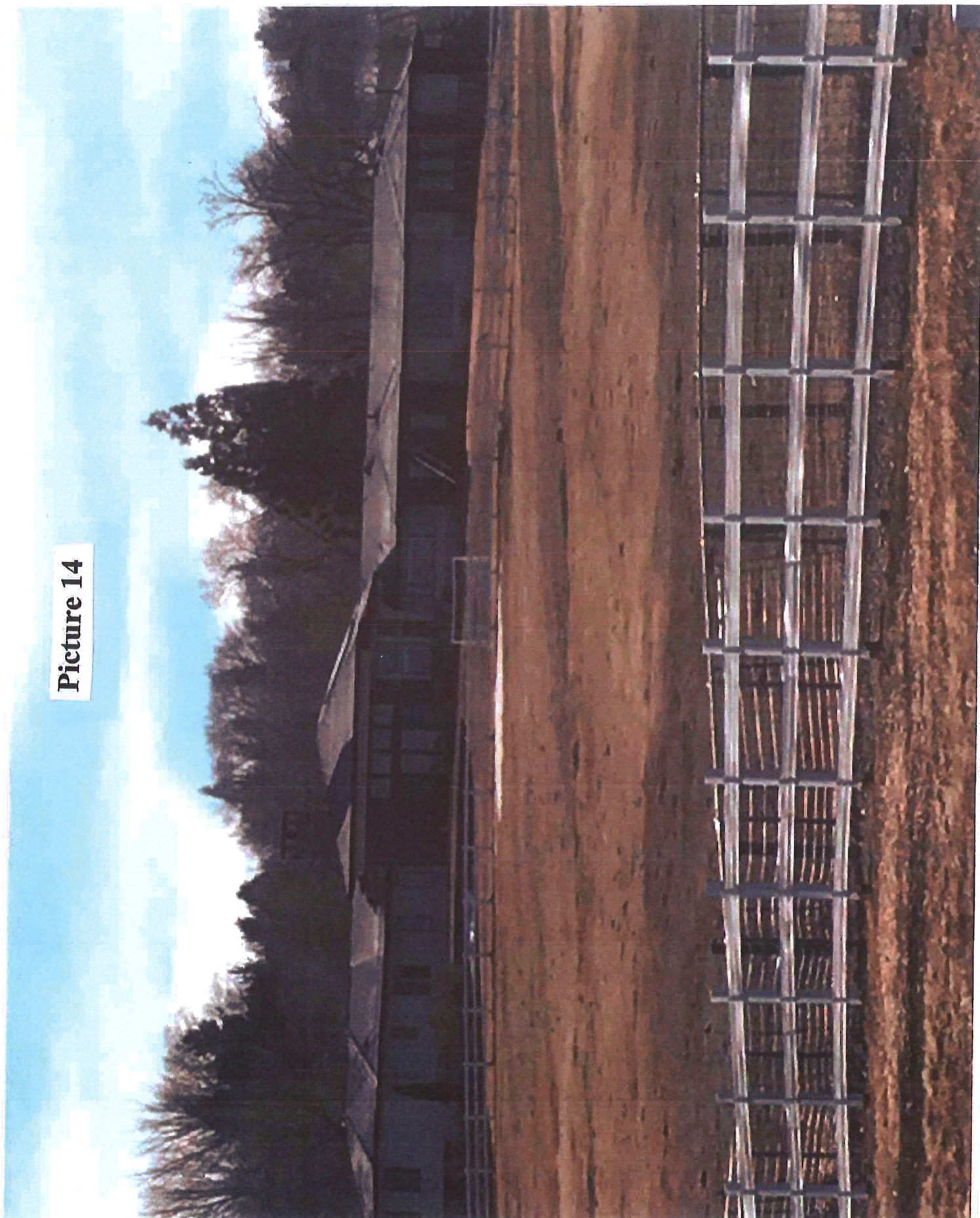


Picture 12



Picture 13

Picture 14



Picture 15



EXHIBIT “15”

EXHIBIT “15”



WASHOE COUNTY
COMMUNITY SERVICES DEPARTMENT
 Planning and Building

Attachment B
Page 1
 1001 EAST 9TH STREET
 RENO, NEVADA 89512-2845
 PHONE (775) 328-6100
 FAX (775) 328.6133

Board of Adjustment Action Order

**Special Use Permit Case Number WSUP21-0036 / Administrative Permit Case WADMIN21-0016
 (Silver Circle Ranch)**

Decision: Denial

Decision Date: February 03, 2022

Mailing/Filing Date: February 08, 2022

Property Owner: Pro Pony LLC

Assigned Planner: Julee Olander, Planner
 Washoe County Community Services Department
 Planning and Building Division
 775.328.3627
jolander@washoecounty.gov

**Special Use Permit Case Number WSUP21-0036 / Administrative Permit Case WADMIN21-0016
 (Silver Circle Ranch)**

– For hearing, discussion, and possible action to approve a special use permit for a commercial horse boarding stable for 25 horses and for grading of 6,000 cubic yards for an indoor riding arena; an administrative permit for an 11,580 SF indoor riding arena structure that is larger than the existing 1,120 SF main residence. The applicant is also requesting modifications of paved surfaces to allow non-paved surface, reduction of landscape standards for a commercial use and waive screening requirements for commercial properties adjacent to residential properties.

- Applicant / Owner: Pro Pony LLC
- Location: 3400 Holcomb Ranch Ln.
- APN: 040-670-12
- Parcel Size: ±12.56 acres
- Master Plan: Rural Residential (RR)
- Regulatory Zone: 93% High Density Rural (HDR) & 7% General Rural (GR)
- Area Plan: Southwest
- Development Code: Authorized in in Article 302, Allowed Uses; Article 306, Accessory Uses and Structures; Article 438, Grading; and Article 810, Special Use Permits
- Commission District: 2 – Commissioner Lucey

Notice is hereby given that the Washoe County Board of Adjustment denied the above referenced case number based on the inability to make finding #4 required by Washoe County Code (WCC) Section 110.810.30. the Board was unable to make finding #4 (Issuance Not Detrimental).

Required Special Use Permit & Administrative Permit Findings (WCC Section 110.808.25 & 110.810.30)

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



INTEGRITY



EFFECTIVE
COMMUNICATION



QUALITY
PUBLIC SERVICE

Memo to: Pro Pony LLC
Subject: Special Use Permit Case Number WSUP21-0036 / Administrative Permit
Case WSUP21-0036 / WADMIN21-0016 (Silver Circle Ranch)
Date: February 08, 2022
Page: 2 of 2

2. 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;
3. Site Suitability. The site is physically suitable for the type of development and for the intensity of development;
4. 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
5. 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.

Anyone wishing to appeal this decision to the Washoe County Board of County Commissioners may do so within 10 calendar days from the Mailing/Filing Date shown on this Action Order. To be informed of the appeal procedure, call the Planning staff at **775.328.6100**. Appeals must be filed in accordance with Section 110.912.20 of the Washoe County Development Code.

Trevor Lloyd

Trevor Lloyd, Planning Manager
Secretary to the Board of Adjustment
Planning and Building Division
Washoe County Community Services Department

TL/JO/AA

Applicant/Owner: Pro Pony, LLC
Email: witmers2@gmail.com

Developer: Clint Thiesse
Email: clint@summitnv.com

Action Order xc: Mike Large, District Attorney's Office; Keirsten Beck, Assessor's Office; Rigo Lopez, Assessor's Office; Walt West / Rob Wimer, Engineering and Capital Projects; Brittany Lemon, Truckee Meadows Fire Protection District; David Kelly, Washoe County District Health



INTEGRITY



EFFECTIVE
COMMUNICATION



QUALITY
PUBLIC SERVICE

EXHIBIT “16”

EXHIBIT “16”

Attachment G

Video recording of Board of Adjustment hearing is available here:

https://washoe-nv.granicus.com/MediaPlayer.php?view_id=6&clip_id=3729

The hearing on WSUP21-0036 begins at approximately 4:23:36 minutes into the recording.

EXHIBIT “17”

EXHIBIT “17”

To: Washoe County Board of County Commissioners
From: Michael W. Large, Deputy District Attorney
RE: Standing to Appeal on WSUP21-0036 & WADMIN21-0016

Two appeals have been filed challenging the denial of the SUP. The first is from the Applicant/Owner of the property Pro Pony LLC. The second is an appeal from Jill Brandin, a neighboring property owner who opposed the project before the Washoe County Board of Adjustment.

The applicant Pro Pony has opposed Ms. Brandin's right to appeal the decision asserting that because she was not "aggrieved" by the decision that she lacks standing to appeal the decision.

NRS Chapter 278 limits appeals of Board of Adjustment decisions to "aggrieved persons." See NRS 278.310, 278.3195 and 278.328. The statutes do not go on to give a detailed definition of "aggrievement" but rather leave it to the local governments to enact ordinances, which can broaden the scope of standing under NRS Chapter 278, but cannot narrow it. See *City of North Las Vegas v. District Court*, 122 Nev. 1197, 147 P.3d 1109 (2006). Like NRS Chapter 278, the Development Code limits standing to "aggrieved persons." WCC 110.910.02 gives useful guidance on the definition of an "aggrieved person." That definition provides in pertinent part as follows:

Aggrieved Person. "Aggrieved person" means a person or entity who has suffered a substantial grievance (not merely a party who is dissatisfied with a decision) in the form of either: Washoe County Commission Meeting of April 24, 2018 Page 4 of 6 (a) The denial of or substantial injury to a personal or property right, or (b) The imposition of an illegal, unjust or inequitable burden or obligation by an enforcement official, the Board of Adjustment or an administrative hearing officer.

In the *North Las Vegas* case cited previously, the Nevada Supreme Court determined there was no standing to appeal the Board of Adjustment's approval of a special use permit for a check cashing business. The Court considered both the distance of the property from the proposed project, as well as the stated basis of the appeal. The appellant lived over 900 feet from the project. North Las Vegas' ordinance apparently presumed standing for property owners within 300 feet but required anyone beyond that distance to make a particularized showing by affidavit of the nature of injury or damage to their property a project would cause. The appellant stated the basis of her appeal as an "oversaturation" of similar businesses in the area. According to the Nevada Supreme Court, this was inadequate to give her standing under the North Las Vegas ordinance or NRS Chapter 278. Her appeal was thus invalid.

Ms. Brandin's property is clearly within the area affected by the SUP and she was noticed for BOA hearing. However, she opposed the approval of the SUP and was presumably successful in her opposition and therefore is arguably not "aggrieved."

However, as stated by Ms. Brandin’s counsel in the letter to the Board, her intent in appealing the decision of the BOA is to preserve her rights to file a petition for judicial review in the district court should this Board reverse the decision of the BOA.

NRS 278.3195(4) confers standing for a petition for judicial review and provides that:

Any person who:

(a) *Has appealed a decision to the governing body* in accordance with an ordinance adopted pursuant to subsection 1; *and*

(b) Is aggrieved by the decision of the governing body,

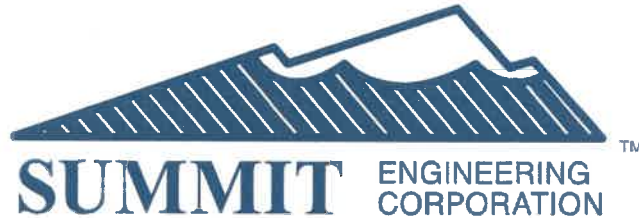
may appeal that decision to the district court of the proper county by filing a petition for judicial review within 25 days after the date of filing of notice of the decision with the clerk or secretary of the governing body, as set forth in NRS 278.0235.

(emphasis added). The Supreme Court of Nevada has held that the plain language of “NRS 278.3195(4) is clear and unambiguous,” and therefore courts must enforce the statute as written. *Kay v. Nunez*, 122 Nev. 1100, 1104, 146 P.3d 801, 805 (2006). This provision requires that to have standing to challenge an administrative body’s decision before a district court, the party must be aggrieved by the decision *and* have filed an appeal from the board of adjustment to the governing body. *Id.*

Ms. Brandin is clearly an interested party in the outcome of the SUP. In deciding the standing issue, the Board may consider the distance of her property from the proposed project. The Board may also consider the type of harm alleged in the appeal itself, as well as its likelihood of occurring based on the evidence. Additionally, the Board may also consider the record before it and before the Board of Adjustment.

EXHIBIT “18”

EXHIBIT “18”



August 16, 2022

Washoe County Commission
1001 East 9th Street
Reno, Nevada 89512

Through Julee Olander, Community Services Department

RE: WSUP21-0036 and WADMIN21-0016-Silver Circle Ranch

Dear Commission:

Please accept this letter as a request to withdraw, without prejudice, the appeal made by the owner/applicant of the Board of Adjustment denial of WSUP21-0036 and WADMIN21-0016 for the Silver Circle Ranch.

After several months of mediation, negotiation and evaluation, we believe it is in the best interest to continue current operations status quo while the business operation and plan are evaluated. At a later date, if it is determined that a viable business model can be achieved, a new application, considering the past conditions, comments and concerns, will be made.

Thank you for the time and efforts put into our applications.

Respectfully,

Clinton G. Thiesse, Executive Vice President
Summit Engineering Corporation

On Behalf of:
Landess and Bruce Witmer, Trustees
Pro Pony, LLC
Owner Applicant

EXHIBIT “19”

EXHIBIT “19”



Robison | Sharp | Sullivan | Brust

August 17, 2022

Kent R. Robison
Thomas L. Belaustegui
(Co-Founder Of Counsel)
F. DeArmond Sharp
Michael E. Sullivan
Clayton P. Brust
Stefanie T. Sharp
Frank C. Gilmore
Michael A. Burke
Hannah E. Winston
Michaela G. Davies
Brett W. Pilling

VIA EMAIL ONLY: OCM_WashoeCounty@washoecounty.gov

Chair Vaughn Hartung & Honorable Commissioners
Board of County Commissioners
c/o Office of the County Manager
Washoe County, Nevada
1001 E. Ninth Street
Reno, Nevada 89512-2845

RE: Appeal of Board of Adjustment Decision in Case Nos. WSUP21-0036 & WADMIN21-0016 (Silver Circle Ranch) (“Application”)

Dear Chair Hartung and Honorable Commissioners:

This office represents Appellant Jill Brandin who appealed the denial decision of the Board of Adjustment regarding the Application. I became aware today that the Applicant Pro Pony LLC (“Applicant”) withdrew its appeal of the denial decision of the Board of Adjustment by letter (“Withdrawal Letter”), a copy of which is attached hereto. Contingent on the Applicant’s withdrawal of its appeal and the representations made in the Withdrawal Letter, Appellant Jill Brandin hereby withdraws her appeal, without prejudice to any other remedy she and her neighbors may have.

I confirmed with Julee Olander, a Washoe County Planner, that the withdrawn Application will not be heard by the Board of County Commissioners. Accordingly, the denial decision of the Board of Adjustment remains binding and effective. Thank you.

Yours very truly,

Michaela G. Davies, Esq.
Robison, Sharp, Sullivan & Brust

Attachment

cc: Client
Julee Olander, Planner, Washoe County Community Services Department
jolander@washoecounty.gov
Erick Willrich, Assistant to the County Manager, Washoe County
ewillrich@washoecounty.gov

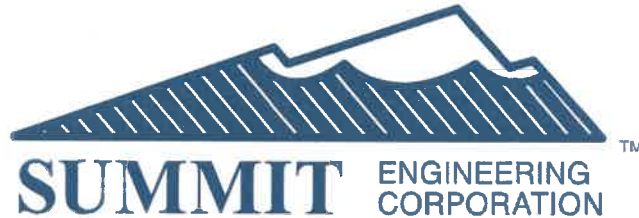
71 Washington St
Reno, Nevada 89503

RSSBLAW.COM

P: 775.329.3151

F: 775.329.7941

**WSUP23-0029
PUBLIC COMMENT**



August 16, 2022

Washoe County Commission
1001 East 9th Street
Reno, Nevada 89512

Through Julee Olander, Community Services Department

RE: WSUP21-0036 and WADMIN21-0016-Silver Circle Ranch

Dear Commission:

Please accept this letter as a request to withdraw, without prejudice, the appeal made by the owner/applicant of the Board of Adjustment denial of WSUP21-0036 and WADMIN21-0016 for the Silver Circle Ranch.

After several months of mediation, negotiation and evaluation, we believe it is in the best interest to continue current operations status quo while the business operation and plan are evaluated. At a later date, if it is determined that a viable business model can be achieved, a new application, considering the past conditions, comments and concerns, will be made.

Thank you for the time and efforts put into our applications.

Respectfully,

Clinton G. Thiesse, Executive Vice President
Summit Engineering Corporation

On Behalf of:
Landess and Bruce Witmer, Trustees
Pro Pony, LLC
Owner Applicant

EXHIBIT “20”

EXHIBIT “20”

VOICES | Opinion *This piece expresses the views of its author(s), separate from those of this publication.*

Horse-boarding stable a bad fit for South Reno residential neighborhood

Suzi Winchester

Published 5:00 p.m. PT June 13, 2022

This opinion column was submitted by Suzi Winchester, a Reno resident.

The Washoe County Board of Adjustment made the correct decision when they recommended against Pro Pony LLC building a commercial horse boarding stable on Holcomb Ranch Lane. Their decision was based on the facts that approval of these permits would be extremely detrimental to our immediate rural neighborhood and would also detrimentally impact the entire nature of our town by residents and visitors alike who frequently jog, bicycle and walk the narrow two-lane country road to enjoy the peaceful, quiet serenity of our neighborhood. Consider the following:

Factor No. 1. Tragic consequences of traffic congestion

I speak, unfortunately, from personal experience that approving this appeal will be extremely detriment to our local area and our entire Reno/Sparks community in ways no one may be able to imagine.

Our son has been injured, unintentionally, on two separate occasions by drivers who failed to pay attention to their driving. His spinal cord was damaged in both accidents and he has been paralyzed since the first incident occurred in 2014. Each accident occurred during daylight hours in well-paved and well-marked bike lanes. His first recovery was long, excruciating and arduous. Accident No. 1 was across from Damonte Ranch High School; accident No. 2 occurred two years later (2016) on Double R. No other vehicles were involved and both incidents occurred under perfect driving conditions.

His immediate family and our entire family and others unknown to me personally carry the trauma of his injuries around to this day. We all know too many drivers who continue to text and drive at this very moment. Are you willing to be a selfish driver's victim?

Factor No. 2: Environmental impact of hazardous waste to our water supply and our environment

We see mountains of horse manure where green pasture used to be. It doesn't appear from our view that timely cleanup and storage that complies with requirements of the EPA are being met for either the manure or the urine from the horses that seeps into Dry Creek. The horses are within 100 to 200 feet of this creek. Urine and feces leach into Dry Creek from the appellant's facility and directly onto our property and directly into our pond and into other homeowners' ponds in the surrounding area. All the immediate neighbors to this facility are inundated by the flies this facility is creating! This facility creates a health hazard to everyone near and far!

Factor No. 3: Jumbo metal structure outside your door

If it weren't so crazy, I would not believe that anyone — especially someone who claims to be enhancing our way of life — would be so greedy as to request approval for a monster-size commercial metal building within a few feet of Holcomb Ranch Lane. This structure is immense and doesn't belong in *any* residential neighborhood!

Who you elect to represent you matters! Do they care about zoning? None of our neighborhood is zoned commercial! This decision maintains tranquility and serenity of Holcomb Ranch Lane and Lakeside Drive!

Sometimes even those of us with the best of intentions must speak the truth to the community at large to be heard! No amount of enforcement efforts can make a monster building disappear from view once constructed! I know that our representative knows my son and he knows the area we're discussing.

Maybe it's time he do what's right for his district instead of what's right for himself. Our representatives are elected to serve their voters, *not themselves!*

Nothing about this appeal meets the criteria or changes (in a positive way) any of the requirements to satisfy the Washoe County Board of Adjustment's decision. *Deny both requests.*

Suzi Winchester is a Reno resident.

Have your say: How to submit an opinion column or letter to the editor

EXHIBIT “21”

EXHIBIT “21”

3:42



LN

Cancel

Lysle & Suzi Winchester >

I left a voice msg on you phone re the flies we have been experiencing in an upstairs (3rd floor) room we have for guests at our home at 3155 Holcomb Ranch Lane (across the street from Pro Pony LLC and Silver Circle Stable.

✓ We NEVER had any flies before the increase of horses being boarded across the street.



EXHIBIT “22”

EXHIBIT “22”

From: msehnert@verizon.net
Subject: Fwd: Opposition to the Pro Pony WSUP21-0036 and WADMIN21-0016 Use Permit Applications
Date: April 9, 2022 at 3:36:26 PM PDT
To: "jillbrandin@gmail.com" <jillbrandin@gmail.com>, "jbrandin@charter.net" <jbrandin@charter.net>
Reply-To: msehnert@verizon.net

-----Original Message-----

From: msehnert@verizon.net
To: vhartung@washoecounty.gov <vhartung@washoecounty.gov>; ahill@washoecounty.gov <ahill@washoecounty.gov>; blucey@washoecounty.us <blucey@washoecounty.us>; kjung@washoecounty.us <kjung@washoecounty.us>; jherman@washoecounty.gov <jherman@washoecounty.gov>
Sent: Sat, Apr 9, 2022 3:35 pm
Subject: Opposition to the Pro Pony WSUP21-0036 and WADMIN21-0016 Use Permit Applications

Mark Sehnert
2317 Diamond J PL
Reno NV 89511
msehnert@verizon.net

April 9, 2022

I am writing this letter indicating my opposition to the Pro Pony WSUP21-0036 and WADMIN21-0016 applications which were previously denied by the Board of Adjustment. I have a number of reasons which I will present as to why I do not believe that the business AS PROPOSED is consistent with the existing neighborhood and in addition will result in certain safety and other nuisance issues.

Recently, the lawyer and neighbor representatives for those of us in opposition, met with the Applicant and their lawyer in an attempt to try to come to some agreement. Unfortunately, the meeting was not very fruitful and in fact the Applicant's lawyer accused us of not being willing to compromise. This could not be further from the truth. From my perspective,

it is difficult to comprise with someone that is continually misleading and misrepresenting the nature of the business being proposed. I will elaborate on this during my discussion. The following are the areas of concern point by point.

Arena Building

The proposed 14,000 sq ft, 29ft tall horse arena is not just large, it is enormous for a residential zoned area. The size similar to a number of single use commercial buildings that exist on Virginia. For example, the Dolan Kia dealership on Virginia is approximately 16,520 sq ft. If we are going to allow structures of this size in our neighborhood, why not a car dealership?



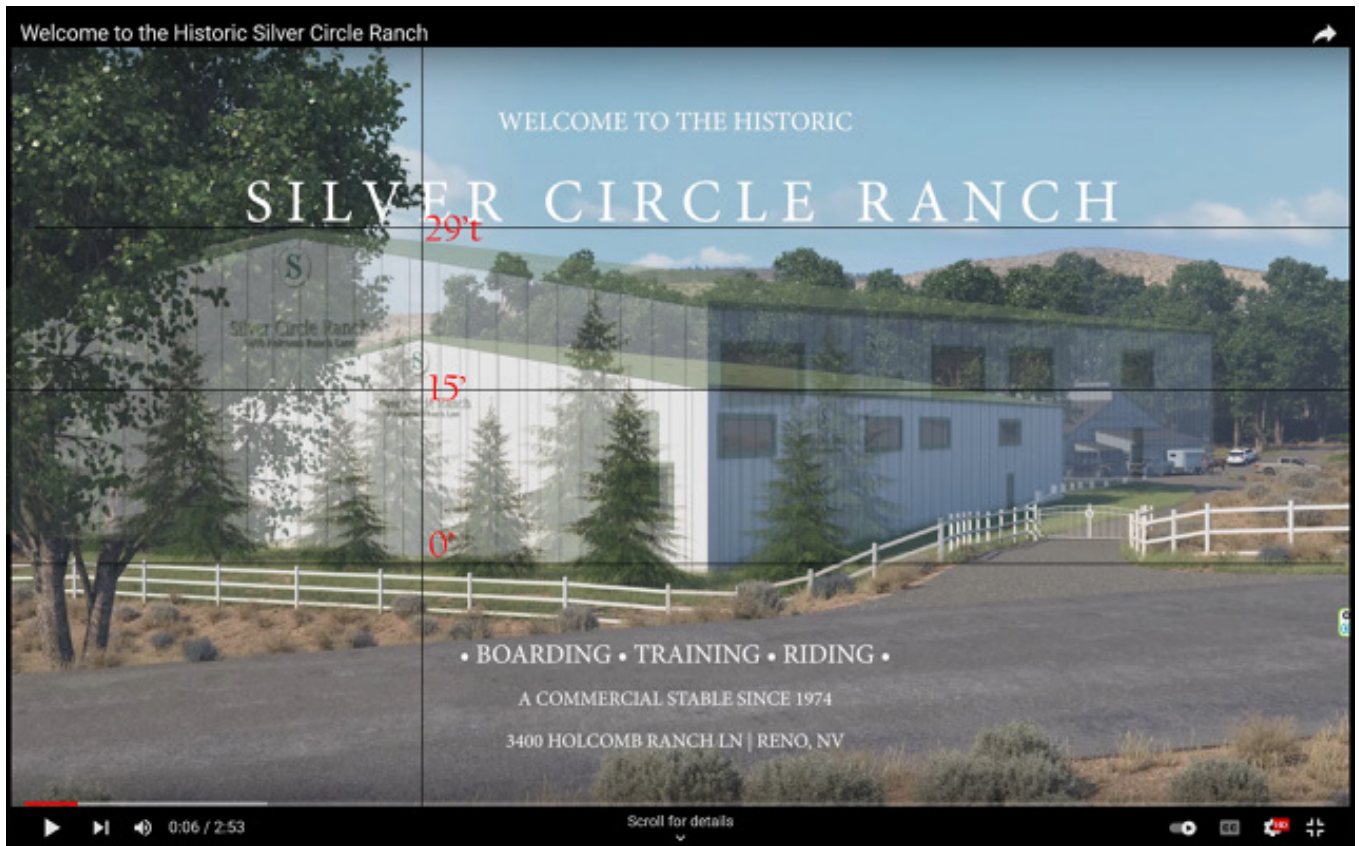
The Applicant has throughout this process misrepresented the height that the building will rise above Holcomb Ranch Lane. At the hearing their consultant indicated that the 29ft building will rise about 15ft above Holcomb Ranch Lane. This is a factual impossibility. The applicant in their original filing indicated that they will be bringing 10 ft of fill dirt into the area on which the arena will be built due to the fact that this area is in a FEMA flood area. The topo map (shown below) that was obtained from the county web site indicates that the existing riding area on which the riding area will be built is at a elevation of minimum elevation 4618 ft and Holcomb Ranch Lane is at an elevation of 4630 ft, or a difference of 12 ft.



With 10 ft of fill, the base of the building will at most be only two to three feet below the level of the road. Thus, the building will rise about 26 to 27 ft above Holcomb Ranch Lane. During our discussion meeting the Applicant admitted this. However, in spite of this, the Applicant has continued to mislead and misrepresent the height of the building above the road. In a recent video that the applicant prepared as a means of getting community support, the first view of the video was the following picture:



On the surface this picture seems reasonable, however it is again a misrepresentation of the reality of the building size. The windows on the side are four feet high as shown in their design drawings. If you ratio these windows to the side of the building, it shows that the side of this building is a little more than 14 feet high with the top of the building at about 17ft. Further, the length of the building is significantly less than the actual length due to the viewers perspective. If you use the ratio of the window size to the actual size of the building, it is represented by the following image (the corrected size is ghosted over the presented size).



Thus you see that the building is significantly larger than what has continually been represented by the Applicant. The board felt that even the size represented by the applicant, was too large for the neighborhood and thus was one of the significant reasons as to why they opposed the issuance of the permit.

There are several arenas and horse buildings in the area which are much smaller and yet serve the same or similar purpose as the proposed building. Kids and Horses Inc. has an approximate 5000 sq ft arena building (see below)



On Thomas Creek there is a private horse building that is again about 5000 sq feet and is about 17ft high. Though metal, it is a beautiful building that no one has taken exception to having been built (see below). In addition, there are many others.



Compromise Position

I have no problem with the Applicant constructing a building that is in harmony with all the other buildings in the area. Limiting the building to a height of 16 to 17 ft (as the applicant has repeatedly tried to visually convince people of) is compatible with the area. The location of the building should be further back from Holcomb Ranch Lane so as to make it less viewable from the road. Trees should be planted in front of the building to further obscure the view of the building. The Applicant has said that the fire road access is why it is so close to the Holcomb Ranch Lane, however that is only a requirement due to the size of the proposed building. If the building is limited to 5000 to 6000 feet, then there is more than adequate area for fire vehicle access with the building move further away from the road.

Vehicular Traffic

The Applicant's original filing with the Planning Dept stated that the average daily traffic into the business is 7 cars per day or 50 cars per week. This again is a misrepresentation by the Applicant. During the board hearing several of the local residents stated that there had already been events with many more than 7 cars. The applicant upon questioning by the Board admitted that they planned to have several events with up to 50 horse trailers and up to 150 visitors. This was never stated in any of their filings. This statement by the Applicant was one of the major concerns of the Board Members in their denial of the permit. One of the Board Members pointed out that a typical horse trailer plus a heavy-duty truck was as wide as the hearing

room. I can't even imagine having 50 horse trailers (plus lots of cars) on the narrow Holcomb Ranch Lane trying to turn into the narrow driveway (discussed in the following section) This level of traffic thru a normally quiet residential neighborhood is unacceptable.

Compromise Position

I personally believe that the number of attendees at any events should be well below 150 people, plus the number of trailers should be limited. Limiting the size of the building will partially achieve this goal, however there should also be a specific limit on the number of vehicles and trailers. (15 trailers and 50 people). Further, the number of events held each year should be limited. Business use is supposed to be incidental in this residential area, Not continuous as in commercial areas.

Business Driveway

At the hearing, the board had several questions regarding the driveway and the ability to move vehicles in and out of the business. The Applicant's consultant stated that he believed that the gate was approximately 20 feet wide. Again this was misleading. One of the neighbors had in fact measured the gate and it is twelve feet wide! This makes it impossible for vehicles to enter and exit at the same time, particularly horse trailers. This will result in significant congestion when there are events.

Compromise Position

Applicant should be required to widen the road on their property in order that vehicles can easily enter and exit the property at the same time. In addition, during any event, (beyond day-to-day operations) there should be a traffic control person to monitor the flow of traffic. This will significantly minimize the likelihood of traffic backup. Finally, it should be a condition of the permit that there be no parking along Holcomb Ranch Lane since the road at this location is narrow with very little shoulder. This is already a problem in other locations of Holcomb Ranch Lane when people park on the street for weddings at properties. Their left tires are actually on the roadway creating a dangerous situation.

Nuisance and Legal Regulations

Though the applicant does not have a use permit for its proposed operations (and at the meeting the Board stated that they were limited to their existing operations of boarding and riding up to 21 horses), the Applicant has prior to the meeting and following the meeting, engaged in activities that would require the use permit which they were denied. Their website includes the following:

April 23rd – 24th SNHSA Show at Pair of Aces Stables (Pro Pony), Reno, NV

This is a blatant disregard for the county regulations as well as the concerns of their neighbors.

As part of the events that have occurred without a permit, there have been night events which have had high intensity lights, and other events that have had outdoor PA systems. These should not be allowed in residential zoned area. If contractors and other businesses cannot perform outside work nor make noise after 7:00PM, and not at all on Sundays, why shouldn't the same rules apply to The Applicant?

Finally, neighbors, based on previous Applicant activities, are concerned that the Applicant has a disregard for the laws and regulations of the County and State. At the board meeting pictures were shown to the Board Members a mound of horse crap visible from the road (about 20 cu yards). When questioned by the Board, the Applicant stated that because of the heavy snow and rains in December, they were not able to remove it. A Board member responded that January was the driest month in years and yet the manure was still there as of the first week in Feb. Leaving manure at the site can contaminate the adjacent irrigation ditch and is illegal.

Similarly, the Applicant has during larger events used two access roads in addition to the main entrance, to move vehicles in and out of the property (due to the narrow main entrance). One of the roads is only for emergency use and the other that is adjacent to the main entrance is not approved by the State of Nevada.

Finally, I am surprised that planning recommended approval of the arena without ADA approved bathrooms and access, particularly in view of the Applicant's plans to have larger events. The applicant is planning on relying on the existing two bathrooms that are at the property in the residences which are not ADA approved. It is a fact that if a handicapped person is at the property and cannot use the facilities, they can sue the owner for non compliance. In addition, I have in my development experience even seen suits against government bodies because they did not require ADA upgrades when permits were issued.

There are other issues as well, however, based on the above, you can appreciate the concerns of the neighbors, including our concern that the applicant seems to not want to comply with regulations. While my desire is that the Commissioners will uphold the Boards decision, if you chose to overturn the denial, the permit should include all of the conditions proposed above as well as the requirement that the Applicant follow all county and state regulations and laws or be subject to losing their use permit. I hope that following your reading of my letter that you agree that we have legitimate concerns regarding this business. I thank you for taking the time to read this letter

Regards

A handwritten signature in black ink, appearing to read 'Mark Sehnert', with a long horizontal flourish extending to the right.

Mark Sehnert

EXHIBIT “23”

EXHIBIT “23”

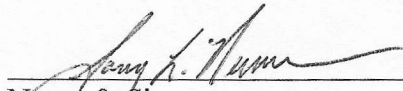
Please KEEP OUR NEIGHBORHOOD RESIDENTIAL!

I oppose the commercial stable and indoor arena at 3400 Holcomb Ranch Lane, Reno, NV 89511 WSUP23-0029.

Manure and barn waste piled on the ground and in an open dumpster are offensive!

A massive industrial indoor arena on Holcomb Ranch Lane would destroy the character of our neighborhood and negatively impact our property values.

Building impervious coverage next to Dry Creek in the FEMA Flood Plain will increase flood damage risks.


Name & Signature

Sonny Newman
9400 TIMOTHY DRIVE

RENO, NV 89511
Address
775-772-4944

Please KEEP OUR NEIGHBORHOOD RESIDENTIAL!


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NV 89511 WSUP23-0029.

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of our neighborhood and negatively impact our property values.

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flood damage risks.

JUDY BENDER


Name & Signature

8450 DIERINGER

RENO, NV

89511
Address

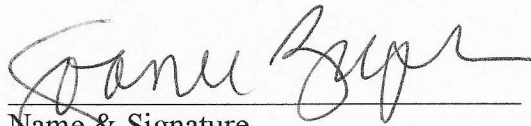
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flood damage risks.


Name & Signature

JOANNE ZUPPAN

8801 LAKESIDE

RENO NV 89511

Address

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Jo Vanderbeek
Name & Signature

Jo Vanderbeek

8771 Lakeside Dr, Reno
Address

EXHIBIT “24”

EXHIBIT “24”



EXHIBIT “25”

EXHIBIT “25”





From: [Ari Krause](#)
To: [Olander, Julee](#)
Subject: Support for Silver Circle Ranch Indoor Arena
Date: Wednesday, November 1, 2023 10:46:55 AM

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

Hello Julee,

I hope all is well.

It was lovely to meet you at the meeting on October 26th. Thank you for making the time to attend in person and for sharing some of Planning's perspective on these issues.

I am writing in support for Silver Circle Ranch's SUP application for their indoor arena. They are meeting all county requirements for the project and for their business. Large metal buildings are not out of character for the area. They have stated that the indoor will not mark an increase in their business activities, it will not mean more horses boarded, more lessons or more events. It will allow them to have consistent activities year round which are vital to the health of the equines there and to the ability of students of all ages who participate to progress in a safe environment.

I am concerned about the tendency in Washoe County to allow a minority of community members to dictate what others can do with their property. It unreasonably removes the property owner's rights to fulfill the intended use of their property. I think it is the county's duty to protect residents from harassment rather than allowing community members to utilize the county's platforms and processes to do the harassing for them.

If neighbors want to see less of the business' activities, doesn't it actually make sense to allow the construction of the indoor arena so that more of the business' activities can move inside and out of public view?

I hope that the county will protect the property rights of a property owner to fulfill the intended use of her property since she is meeting all county requirements and it's a property zoned for horses that has historically been used for boarding horses.

Best,
Ari

From: [Planning Counter](#)
To: [Washoe311](#)
Cc: [Olander, Julee](#)
Subject: RE: Pro Pony Opposition, please review
Date: Wednesday, November 1, 2023 10:30:18 AM
Attachments: [image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)

Washoe311,

Received. The comment is part of the record and the planner, Julee Olander, processing the application has been forwarded the comment.

Regards,



Tim Evans
Planner, Planning & Building Division | Community Services Department
CSD Main Phone: 775-328-3600 Direct Line: 775-328-2314
Visit us first online: www.washoecounty.gov/csd

From: Washoe311 <Washoe311@washoecounty.gov>
Sent: Wednesday, November 1, 2023 9:32 AM
To: Planning Counter <Planning@washoecounty.gov>
Subject: FW: Pro Pony Opposition, please review

Greetings,

Below please find the public comment submitted to Washoe311. Let us know if we can provide additional information.

Thank you,



Washoe311 Service Center
Communications Division | Office of the County Manager
washoe311@washoecounty.gov | Office: 3-1-1 | 775.328.2003 | Fax: 775.328.2491
1001 E. Ninth St., Bldg A, Reno, NV 89512

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From: Carol Bond <cbond@dicksonrealty.com>
Sent: Tuesday, October 31, 2023 7:31 PM
To: peter@cpnv.com; Julian, Kathie M. <KJulian@washoecounty.gov>; Christensen, Don <DChristensen@washoecounty.gov>; Washoe311 <Washoe311@washoecounty.gov>; Pierce, Rob <RPierce@washoecounty.gov>; Olander, Julee <JOlander@washoecounty.gov>
Subject: Pro Pony Opposition, please review

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

Dear members of the Board of Adjustment,

I am writing regarding the Pro Pony development proposed on Holcomb Ranch Lane. My husband and I live in close proximity to the proposed large commercial development. We are very concerned as there have been no material changes in the facts presented to the board last year, when the development was not rejected.

Clearly - the proposal needs to be rejected again. There is much concern over the contamination of the ground water by the accumulation of urine by the large number of horses proposed for the size of the property. In addition, having the indoor facility approved in a flood zone is a major concern for the neighborhood.

Traffic on Lakeside Drive/Holcomb Rand cannot handle a commercial operation of this size for the safety of the community, and this is absolutely a major concern.

To reiterate, my husband Sheldon Schenk and I are opposed to the development.

Thank you in advance for reviewing carefully.

Sincerely, Carol Bond, and Sheldon Schenk

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**WSUP23-0029
PUBLIC COMMENT**

From: [Kirsten Kos](#)
To: [Olander, Julee](#)
Subject: Silver Circle Ranch
Date: Wednesday, November 1, 2023 2:27:23 PM

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

Hello,

We are neighbors of the Silver Circle Ranch - our house is on Dixon Lane. We are **absolutely in support** of their efforts to build an indoor riding arena. It will not loom over the road, as other structures on Holcomb Ranch Lane do, and it will not increase traffic in the area as it is being built for the riding community that already exists at the Silver Circle Ranch. What it will do is provide children and adults in our community with the opportunity to pursue their passions for riding in a safe, comfortable environment, either when the winter is bitter or when the summer sun is just too strong.

Please vote for permission to be given to Silver Circle Ranch to build the outdoor arena - it will be so good for the horses and riders (who are mostly children and teens) in this community.

Kirsten Kos
Michael Kos

From: [Nikki Landa](#)
To: [Olander, Julee](#)
Subject: In Support
Date: Wednesday, November 1, 2023 12:58:09 PM

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

Good afternoon Ms. Olander and the Washoe County Board of Adjustment,

I am writing to express my strong support for the Silver Circle Project and their proposal to construct an indoor arena. I believe that this facility will enhance the quality of life for so many children and young adults in our community. I have seen first hand the positive effects that this organization provides to so many in our community, and an indoor arena will only increase that. Silver Circle has shown a commitment to working with the community to ensure a positive and harmonious coexistence. As a neighbor, I am in full support of this project and ask for your approval.

Thank you,
Nikki Landa

From: [Greta Mestre](#)
To: [Julian, Kathie M.](#); peter@cpnv.com; [Christensen, Don](#); [Pierce, Rob](#); [Olander, Julee](#); [Washoe311](#)
Cc: [Kent Robison](#); [Michaela Jones](#); [Austin Slaughter](#); [Ashley DeHaven](#); [Jill Brandin](#); [steve mestre](#)
Subject: Opposition to proposed special use permits: WSUP23-0029 (Pro Pony)
Date: Wednesday, November 1, 2023 2:04:56 PM

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

Dear Members of the Board of Adjustments,

My husband Steve and I have lived in our home on Fairview Road, just up the street from the former Nelson Ranch and adjacent to the Silver Circle Ranch for 30 years. I would like to set the record straight regarding the previous usage of the former Nelson properties which included the 12.5-acre Silver Circle Ranch and the 17.3-acre Nelson Residence.

Our company, Mestre's Lawn Service, has maintained the lawns of the former Nelson residence since the early 1990s and continues to do so for the new owner. We have had a presence on the property for 30 years. We know how both parcels were used and the claim that the Silver Circle Ranch was a "Historic" commercial stable is simply not true. The Nelsons kept a handful of their own horses at Silver Circle and grazed those horses on the 14-acre pasture at their residence on Fairview Rd. There were NEVER 35 horses jammed into that 12-acre parcel made up of steep hillsides and a critical flood zone.

Pro Pony claims that the property has been used as it is being used today. That claim is incorrect and it is really frustrating to watch this attempt to install a high-level commercial operation off a very busy and narrow road, in a rural residential neighborhood...all for financial gain.

The traffic on Holcomb Lane is already dangerous for walkers and bike riders due to high levels and ever-increasing traffic. Cars, on a weirdly frequent basis drive off the side of the road into ditches. I am aware of at least two such crashes along the front of the Silver Circle Ranch within the last few months.

The swarms of flies in the summer months since ProPony began operating several years ago have been disgusting and horrendous. The noise and commotion of their weekend events is disruptive and they negatively impact the use and enjoyment of the neighboring properties.

I want to be clear that we love horses, we love livestock, we love the rural environment in which our neighborhood is located. My comments have nothing to do with the joy that horses bring to children and adults. We try to attend the Reno Rodeo every year. Other nearby riding operations have successfully co-existed with the neighbors and continue to be respectful of the impacts their programs make on the neighborhood. Steve and I do not oppose a stable with a few horses and some riding lessons but the massive scale of the building, planned programs, and number of horses kept in a sensitive watershed are just too much! We are opposed to a permitted expansion of this operation.

The operators of Pro Pony and the Silver Circle Ranch have not been good neighbors and this location is not appropriate for what ProPony, LLC is proposing. Please deny the request for a special use permit to board 35 horses, and the construction of a 13,500 SF indoor riding arena structure.

Thank you for your service to our community and for your time!

Respectfully,

Greta Mestre
3801 Fairview Rd
Reno, NV 89511
775-560-7500

WSUP23-0029
PUBLIC COMMENT

From: [Dalynne Moore](#)
To: [Olander, Julee](#)
Subject: Silver Circle Ranch indoor facility
Date: Wednesday, November 1, 2023 1:31:12 PM

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

Dear Ms. Olander,

I am writing you because I cannot attend the meeting tomorrow as I had to fly to Tennessee for a family emergency.

I want to share with you my story about building a covered arena at my home on Timothy Drive. I was sued by some of these same people and spent a lot of money defending my rights and the lies that were spewed about me and my project. Mr Lazetich and his wife were especially difficult to deal with. They were constantly spreading mistruths about the case.

We eventually went to court and I completely prevailed on all counts. The judge stated that equestrian facilities are usual and customary in this area and that a covered arena was therefore approved. She noted that there were several indoor and outdoor arena's already in the area. The judge even ordered them to pay damages but I had signed an agreement that I would not collect damages so I had to deny the order. Some of the things I went through was having the street we lived on blocked by Pete as he spoke at length with someone. When I asked him to move he told me to wait or go around. (The only way around was through a deep ditch.).

When my daughter or I walked our horses down to Mrs. Jorst's property to ride he would honk his horn to startle our horses. Once he did it and my daughter was nearly thrown from her horse. Once we won the case he would flip me off as I drove by him, even with my young great nieces in the car! I could go on and on with examples of what this man did to me, along with his cronies. I felt unsafe in my own neighborhood at times.

When the Silver Circle project sent me their proposal I was thrilled to give my support to them. We need places for people to learn to ride and for those to practice their riding. Now with Ranch Harrah closing their facility it is even more important than ever! We need indoor facilities to allow riders to ride regardless of the weather conditions and/or time of day.

This is a horse community! People all around here have horses and ride wherever they can. Mr. Lazetich has cattle spread all over this area. We don't complain when they get out and eat our plants or block the road. We help to get them back where they belong. That is what this area is about. Silver Circle has been a part of this community for many years, boarding horses and training equestrians. Adding a beautiful indoor arena is going to be a benefit to all those who love to ride. We need places like this!

Thank you for your time I hope this gives you insight into what this small group of people have done to others and are now doing to this wonderful business. If you have any questions I can be reached via my phone 775-848-8612.

Sincerely,

Dalynne Moore
9000 Timothy Dr

From: [Gary Owens](#)
To: [Julian, Kathie M.](#); peter@cpnv.com; thomas.clay67@gmail.com; [Christensen, Don](#); [Pierce, Rob](#)
Cc: [Olander, Julee](#); [Washoe311](#)
Subject: Opposed to WSUP23-0029
Date: Wednesday, November 1, 2023 2:16:56 PM

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

I'm opposed to this commercial business in my neighborhood (I live within sight of the property, fortunately cross-wind of it most times).

Besides the many points in the long opposition document, I wish to point out a few items that seem to be misrepresentations and/or omissions. I find these very concerning, given that Pro Pony's actions seem to indicate a careless approach to following the rules.

Zoning is residential

The neighborhood is zoned residential, with things like stables as accessory uses. Since neither the owner or operator live there, or have plans to live there, seems like this flatly violates the code.

Claimed need for exercise for horses in inclement weather

There are plenty of neighborhood cows and horses that hang out in pastures all winter. How often are the horses at Pro Pony really confined to their stalls? What did the horses at the "historic" Silver Circle ranch do? Maybe they had more room on the actual "historic" (and larger) Silver Circle ranch to frolic in the snow. I don't recall any ice storms per-say in the neighborhood, if there are impervious surfaces with ice problems, there are heating systems for that (one would wish to avoid chemical de-icers so close to the creek and to livestock). And if it's so inhumane to keep horses inside for a day or two, why aren't there legal requirements for indoor exercise arenas for everybody keeping a horse?

And if it's just exercise, is such a large arena required? No, a horse walker enclosure would be a small fraction of 13,500 square feet, and one can get walk/trot models. At the neighborhood meeting, Liz Reader claimed that classroom learning goes on during snow days presently.

Claimed desire to save the neighborhood from greedy developers

item 5. on page 6 of Exhibit "2" - the SUP application: (pg 67 of the comments).
"silver Circle Ranch presents a ripe target for developers..."

Given that it's only 12.56 acres, and HDR is minimum 2.5 acres per lot, that's 5 lots max, even assuming the flood plain is built upon. Further, given the slope bisecting the site, that's not buildable either, so we're really talking 2 or 3 homes. Thus the alarmism about "small lot-sized parcels with homes – all for profit – creating high density growth, considerably more traffic and noise (barking dogs, yelling people, screeching tires, automotive alarms, the background vehicular noise, etc.)." is frankly grasping for straws.

People building million dollar+ homes on 2.5 acre+ lots just don't do that kind of stuff.

And is Pro Pony LLC a non-profit? No indication of that in the NV Secretary of State's entity lookup.

On the proposed (already purchased) pre-fab metal structure.

[A] At the neighborhood meeting, it was represented that the re-design would incorporate free-flooding panels, so that flood water would just flow through the building, allowing it to be lowered, though necessitating the ADA restroom being built somewhere else.
Is this (flood panels) still in the design? I cannot find it.

[B] If there is no more ADA restroom in the arena, and since we were assured (at the neighborhood meeting) that the arena is "just an indoor riding area and NOT an events center" so the spectator viewing area (second floor of bump-out) is not needed, and if the building is designed to flood (so the bump-out isn't really usable for storage), then why have the 35.5 foot long bump-out at the South-West of the arena? These steel buildings can easily be modified.

Removing the bump-out would allow shrinking the footprint and put the building further back from Holcomb Ranch Rd, cut a little off water runoff, and maybe save a few trees in the process.

[C] While I appreciate lowering the building from its original crazy height and saving some trees, a little more judicious site work could shave another foot or two of elevation off the height.

[D] No water retention plans for the building that I can see. Building such a huge structure one really ought to be considerate of downstream neighbors and have something to catch and slow the release of a large precipitation event, more of which are expected due to continued climate change.

signage

Isn't the existing sign enough? Must we have a commercial business logo on a huge building in a residential neighborhood?

We're assured "no increase in traffic", "select group of private patrons", etc. - if the existing customers can find it now, replacement customers ought to be able to.

Please *explicitly forbid* the logo/signage on the building.

On 35 horses:

Setting aside for the moment the issue of whether even 25 horses is too much for this property, the appraisal (exhibit "18", pg 265 of comments) and MLS listing (exhibit "17", pg 260 in the comments) says "existing 28 stall horse barn".

Where are the extra 7 horses (to be) kept?

Did Pro Pony undertake some unauthorized construction?

pg 356 of comments.

item 9. on Elizabeth Reader's statement says "There are 25 horses on the property under my care, and I do not have any plans to increase this number."

So why do we now have this number of 35 horses?

Does Pro Pony/Pair of Aces intend to just do whatever they want, regardless of any of their representation or government rules, permits, etc.? Looks like it.

renewables/sustainability:

With such a huge structure, the carbon footprint of all the steel and big pickups hauling big horse trailers has to be large. How about a fair number of solar panels on the reasonably unshaded portions of the roof?

Gary Owens
8895 Lakeside Drive

From: [WILLIAM SCOTT](#)
To: [Julian, Kathie M.](#); peter@cpnv.com; [Christensen, Don](#); [Pierce, Rob](#); [Olander, Julee](#)
Subject: Opposed to WSUP23-0029
Date: Wednesday, November 1, 2023 2:42:51 PM

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

> Having had horses in this beautiful rural southwest area for 74 years, I am ADAMANTLY OPPOSED to approval of the WSUP23-0029 Pro Pony/Pair of Aces Stable application.

>

> On February 23, 2022 the Board of Adjustment voted 4-1 to deny WSUP21-0036 and WADMIN21-0016. This should have been honored, but no, now here we are again. Not much has changed. They're still in a FEMA Zone AE flood plain. They're still zoned HDR - NOT COMMERCIAL and Pro Pony is still trying to ram their enormous 30' high unnecessary 13,560 sq foot, featureless, steel commercial structure into our area. Now they want to add another 10 horses to their already filled to capacity boarding facility.

>

> This app is WRONG for our area now and for the future. Once a commercial node slips in it's like a cancer and is sure to spread.

From: [Anna Vivian](#)
To: [Olander, Julee](#)
Cc: [Liz Reader](#)
Subject: Outdoor Arena for Pair of Aces Stables
Date: Wednesday, November 1, 2023 11:37:25 AM

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

Hi Julee,

My name is Anna Vivian and I am a mom of a rider at Pair of Aces Stables. I am writing to you in support of the indoor arena being built. My daughter has been riding for about three and a half years and I have first-hand witnessed how much weather conditions play a major role in the sport. In the warmer months, the riders have amazing progress and growth when they are able to consistently ride and train. In the colder months, when the harsh weather does not permit them to ride and train consistently their progress takes a big hit. Having an indoor arena would help solve this for the riders and allow them to fully train year-round so they can grow their skills and perform to the best of their abilities. Also, my daughter's mental health suffers when she can't ride because this sport and horses are her passion.

The horses would also greatly benefit from having an indoor space to exercise throughout the winter. When the weather does not allow them to be ridden regularly their physical and mental health suffers. From what I've seen they get a lot of pent-up energy and when they are finally able to be ridden, they can be a bit wild creating a potentially dangerous situation for themselves and the rider. An indoor arena would allow them to be properly exercised year-round and solve this issue creating a healthy and safe place for everyone (horse and rider) to train.

As for the physical location of the arena it would be tucked away in the lower part of the property and would be surrounded by the beautiful mature trees already there. The area is known for its beautiful ranches and barns. It would not be an eyesore or stand out in the neighborhood, but would add to the beauty of the property and the neighborhood.

Again, I am asking you to please approve this indoor arena for Pair of Aces Stables as it **WOULD GREATLY** benefit so many of us in the community by solving the issues that arise when the weather does permit outdoor riding. Please let me know if you have any questions or there is anything else I can do to help get this approved.

Regards,
Anna Vivian
775-815-2536



October 31, 2023

Luke Busby, Esq.
316 California Street
Reno, NV 89509

**Re: 3400 Holcomb Ranch Lane
Reno, NV
APN: 040-670-12**

--

**SUP App. No. WSUP23-0029
Rebuttal to JUB Engineers,
Inc. Memo dated 9-26-23**

Dear Mr. Busby:

Per your request I reviewed the JUB Engineers memorandum dated 9/26/23. The JUB memorandum highlights several concerns; however, please note that such issues are not uncommon for projects located in similar developmental environments.

Projects with drainage components in Washoe County are governed by the 2009 Truckee Meadows Regional Drainage Manual. Any project in Washoe County containing drainage components must adhere to the standards and guidelines laid out in the 2009 Manual. The primary objective of the Manual is to “ensure consistency in analysis, planning, and design of projects with flood control and drainage components.” The Manual ensures that projects are held to the same rigorous standards, guaranteeing both safety and consistency for all development projects in Washoe County.

The concerns delineated in the JUB memorandum, while they do require attention, are not unique or unprecedented. These types of concerns or issues are routinely encountered and effectively managed all over the world in the civil engineering profession. In Washoe County, these issues are typically addressed and resolved during the building and grading permit application process. Addressing the issues, or concerns, raised in the JUB memorandum is a standardized part of the project development life cycle, ensuring all possible issues are foreseen and managed in a structured manner prior to issuance of permits.

Moreover, those potential impacts downstream of the Subject Project, as identified in the JUB memorandum, are entirely manageable. The owner, in collaboration with her team of experts, has at her disposal a variety of tools and methodologies provided by the Manual. This means that not only are there established protocols for addressing such concerns, but also that there's a wealth of knowledge and precedent guiding the mitigation process.

In conclusion, while the issues raised are certainly noteworthy, they can be effectively navigated using the established guidelines of the 2009 Truckee Meadows Regional Drainage Manual. The project can be executed in compliance, ensuring both its success and adherence to regional standards.

Should you need any more details or wish to dive deeper into any aspect, please don't hesitate to reach out for further discussions or clarification.

Very Truly Yours,

Clark E. Stoner, PE, PLS





Clark Stoner has over 25 years of experience in the civil engineering and land surveying fields. His experience ranges from the design, construction and operation of large scale water and wastewater infrastructure facilities to the design and construction of amusement theme parks, subdivisions and residential, commercial and hospitality projects. He also has extensive experience as technical expert in litigation support matters involving code compliance, construction defect, origin and cause investigation, failure analysis, boundary and easement disputes, and standard of care. He has testified as an expert witness in California and Nevada on a range of issues.

PROFESSIONAL ACCREDITATIONS

Registered Professional Engineer	(Civil)	
State of California	#C64674	2003 – present
State of Nevada	#16551	2004 – present
Registered Professional Land Surveyor		
State of California	#8750	2010 – present
State of Nevada	#16551	2019 – present

EDUCATION

San Diego State University
B.S. Civil and Environmental Engineering, 1996

Graduate Studies in Civil and Environmental Engineering
Enrolled 1996 to 1997.

Courses completed:

- Fluvial Processes in River Engineering
- Advanced Surface Water Hydrology
- Chemistry for Environmental Engineering
- Advanced Topics in Water and Wastewater Engineering

Numerous continuing education seminars and workshops

LITIGATION SUPPORT

Trial and Deposition

Qualified as an expert witness at trial in the following areas:

- Stormwater drainage system design, construction and operation;
- Stormwater detention and retention systems;
- Sanitary sewer system design, construction and operation;
- Wastewater treatment system design and operation;



Clark E. Stoner, PE, PLS
Professional Engineer and Land Surveyor

Bear Flag Engineering, Inc.

- Sanitary and storm drain pumping systems;
- Stormwater flooding origin and cause;
- Watersheds and inter-basin transfer;
- Land use change detection;
- FEMA Floodplains;
- Civil engineering improvement plans;
- Planning and permitting;
- Subdivisions;
- Easements.

Trial and Deposition Experience

Michael Elliott, et al. v. Mark Vanni, et al.

**Santa Cruz County, CA
Case No. 20CV00952**

Mr. Stoner served as expert witness at deposition and trial for plaintiff on matter involving disputed access easement rights. Mr. Stoner testified at deposition and trial to the interpretation and intent of land division and development permit application and final documents and to the question of whether the resultant land division and road construction followed the intent of the original developer and Santa Cruz County's Conditions of Approval and Subdivision and Grading Ordinances.

Johnson, et al. v. City of Reno

**Washoe County, NV
Case No. CV17-01041**

Mr. Stoner served as expert witness for plaintiff in an engineering and land surveying capacity for class action inverse condemnation matter involving numerous parcels of land flooded by inundation of former dry lake by runoff and wastewater effluent produced by nearby urbanization. Mr. Stoner testified at trial and deposition highlighting the mechanical inter-basin transfer of waters from outside the affected 50 square mile basin into the former dry lake, which was shown to have been a proximate cause of the flooding of properties along the lakeshore. The jury unanimously returned a verdict finding that the Defendant had inversely condemned the property of each of the representative Plaintiffs. Plaintiffs awarded \$4.5 million settlement from City of Reno.

John and Melissa Fritz v. Washoe County

**Washoe County, NV
Case No. CV13-00756**

Mr. Stoner served as expert witness at deposition and trial for plaintiff and described technical framework in an engineering and land surveying capacity for physical and regulatory takings case involving mishandling of FEMA floodplain and inappropriate diversions of stormwater across plaintiff's property. Nevada Supreme Court and District Court ruled that in fact a taking had occurred.



Clark E. Stoner, PE, PLS
Professional Engineer and Land Surveyor

Bear Flag Engineering, Inc.

Additional Litigation Support Experience (Partial List)

Wang v. Peletta

**Napa County, CA
Case No. 19CV000342**

Mr. Stoner served as technical expert for defense team against equitable easement and other claims that 17 feet high retaining wall encroaching 30 plus feet onto defendant's property for 20 plus years was stable and within intent of land use and other Napa County Codes and beneficial to surrounding residences. Mr. Stoner pointed to anomalies in the in situ wall that raised concerns about the structural integrity of the wall. Mr. Stoner also provided detailed Napa County Code research which called into question the likelihood that the County would grant permits for the wall in place. The court ordered the wall to be removed and the area restored to its pre-existing state.

Soap Lake Ranch, LLC, et al. v. F&S Farms, et al.

**San Benito County, CA
Case No. CU 20-00025**

Mr. Stoner served as technical expert for defense against claims that 300 acre farm negligently discharged surface runoff onto 2100 acre farm and for trespass for the use and maintenance of a farm road. Mr. Stoner pointed to 1901 deed confirming defendant's right to use farm road, which also called into question plaintiff's alleged ownership of road and the boundary line location between the two properties. Mr. Stoner also refuted negligent discharge claim through use of historical aerial datasets demonstrating that runoff in the area followed a different pattern than that alleged by plaintiff and that plaintiff diverted and invited upland runoff onto their own land. Settlement agreement was reached with right by defendant to use said farm road and no floodplain mitigation or repair costs to be incurred by defendant.

Wind and Niazi v. Shane

**Contra Costa County, CA
Case No. MSC17-01709**

Mr. Stoner served as technical expert representing defendant in dispute over boundary line location and improvements along said line in ancient residential subdivision by performing independent survey and platting of relevant evidence and facts after two previous land surveyors had performed their surveys and presented their findings. Case settled utilizing the findings from the Stoner survey.

**UCSF Benioff Children's Hospital – Central Utility Plant Expansion Project
Oakland, CA**

Mr. Stoner served as technical expert representing general contractor against termination and delay/impact claims involving the construction of the main building at the wrong elevation. Mr. Stoner pointed out that construction surveyor failed at multiple opportunities to disclose that the foundation was being constructed lower than the design elevation. Mr. Stoner's findings aided in a settlement agreement that saved the contractor from continued litigation and expense.



Clark E. Stoner, PE, PLS
Professional Engineer and Land Surveyor

Bear Flag Engineering, Inc.

Richard A. Meese, et al. v. The O'Brien Group, et al.

**Napa County, CA
Case No. 19CV001862**

Mr. Stoner served as technical expert representing defendant real estate developer in case involving origin and cause of landslide and ensuing damages to multiple high end residential properties. Multi-party settlement agreement was reached following Mr. Stoner's determination that inappropriate drainage control created hazardous conditions in the area, which contributed to the landslide, as a result of defective design and construction practices by others taking place years after the developer had completed their project.

Ganz v. Knight, et al.

**Sonoma County, CA
Case No. SCV-264579**

Mr. Stoner represented plaintiff and served as consulting expert for case involving quiet title to and adverse possession of two ancient access roads held in the estate of separate parties who passed away over a hundred years ago. Per judgement said lands and/or rights were awarded to plaintiff.

TRI General Improvement District v. Menezes, et al.

**Storey County
and/or Carson City, NV
Case No. 19RP00006IE**

Mr. Stoner served as technical expert representing defendant in eminent domain matter involving the proposed construction of a 30 mile long wastewater effluent pipeline system from the Truckee Meadows Water Reclamation Facility to the Tahoe Reno Industrial Center, including portions across defendant lands. Settlement was reached following technical review of pipeline system design feasibility and alternatives, analysis regarding interference with defendant's industrial operation logistics, and research, analysis and reporting on potential existence of ancient public thoroughfare over lands along the Truckee River corridor, including those owned by defendant, for negotiation of access easement rights sought by defendant.

**MacArthur Transit Community Partners, LLC v.
Sandis Civil Engineers Surveyors Planners, et al.**

**Alameda County, CA
Case No. HG18899280**

Mr. Stoner served as technical expert representing cross defendant excavation contractor and factually demonstrated that joint trench and gas line encroachment onto private property was not the fault of defendant excavation contractor's installation, but the result of negligent design. Excavation contractor was released from suit and settlement agreement reached with substantial cost savings to defendant.

**Central Park South, LLC v.
Sandis Civil Engineers Surveyors Planners, et al.**

**San Mateo County, CA
Case No. 18CIV04492**

Mr. Stoner served as consulting expert representing plaintiff property owner and factually demonstrated at mediation hearing that multi-level subterranean parking structure basement foundation was constructed two feet above proper contemplated elevation as the result of negligent actions by construction surveyor and design engineer. Settlement agreement reached awarding millions to property owner.



Clark E. Stoner, PE, PLS
Professional Engineer and Land Surveyor

Bear Flag Engineering, Inc.

Fritz v. Washoe County

132 Nev. Adv. Op. 57 (Aug. 4, 2016)

Mr. Stoner served as consulting expert for plaintiff and developed technical framework and report for this physical and regulatory takings case involving mishandling of FEMA floodplain and inappropriate diversions of stormwater across plaintiffs property. Nevada Supreme Court ruled in favor of plaintiff.

Vincent Saccomanno vs PG&E et al.

**San Francisco County, CA
Case No. CGC-11-516420**

Mr. Stoner served as technical expert representing plaintiff on matter involving personal injury resulting from downed overhead power lines. Settlement agreement was reached following Mr. Stoner's discovery that PG&E's overhead power lines were not in compliance with California Public Utilities Commission (CPUC) General Order and that actions causing downed power lines could have been avoided had lines been installed at proper height above ground.

Rittenhouse et al. v. County of Santa Cruz

**Santa Cruz County, CA
Case No. CISCV175832**

Mr. Stoner served as consulting expert for plaintiff and developed technical framework and report for this physical and regulatory takings case involving dispute over the origins and habitat sensitivity of an artificially created stormwater channel, which led to a claim of \$6.3 million in damages. As a result, the regulatory designation of the storm drain channel was expunged.

PROFESSIONAL HISTORY

Bear Flag Engineering, Inc. Sonoma, CA	President	Jan. 2016 -Present
CFS Engineering Capitola & Sonoma, CA	Principal Engineer and Owner	2003-Present
MWH Global Edinburgh, UK San Diego, Ca	Project Engineer	1998-2001
Malcolm Pirnie, Inc. San Diego, Ca	Project Engineer	1996-1998
Hetherington Engineering, Inc. Carlsbad, Ca	Project Engineer Engineering Technician	1998 1993-1996



Clark E. Stoner, PE, PLS
Professional Engineer and Land Surveyor

Bear Flag Engineering, Inc.

REPRESENTATIVE EXPERIENCE

- 25 years practice based experience in the civil engineering and land surveying industries.
- Expert witness testimony at trial and deposition involving complex interweaving of engineering and land surveying professions and disciplines.
- Expert witness and consulting expert tackling complexities of storm drain and sanitary sewer infrastructure design, construction, operation and maintenance.
- Expert witness and consulting expert providing testimony on land divisions, land division applications, conditions of approval, easements, and interpretation of subdivision and grading ordinances.
- Consulting expert focused on formulating and preparing the technical framework for stormwater and floodwater related physical and regulatory inverse condemnation cases.
- Developing watershed history studies to identify potential sources of systemic hydraulic instability and consulting on the causes of instability.
- Developing watershed hydrology studies, floodplain and storm drain system hydraulic studies, and natural and man-made stream and channel stability studies for cases involving nuisance, trespass and inverse condemnation.
- Developing sewershed studies for historical and future sanitary sewer system capacity analysis.
- Successfully simulating flood events to determine how and why damages were caused, to quantify the extent of those damages, and to identify those properties upon which the damages occurred.
- Successfully identifying and pinpointing stormwater intrusion as a proximate cause component with respect to ground deformation and landslides.
- Counseling technical and legal experts at mediation hearings on technical matters involving construction defects and standard of care within the civil engineering and land surveying disciplines.
- Consulting expert focused on developing historic land use studies for cases involving Subdivision Map Act violations, illegal subdivisions, trespass, inverse condemnation, and personal injury.
- Civil engineering.
- Grading and Drainage design.
- Americans with Disabilities Act (ADA) and California Building Code Chapter 11B design and compliance.
- Real property boundary line and easement retracement surveys.
- Quiet title and adverse possession.
- Foundation and/or structural distress investigations.
- Construction and Code defect.
- Forensic surface and subsurface water intrusion investigations.
- Conducting forensic investigations and land surveys to resolve real property boundary and title ambiguities and conflicts.
- Successfully developing the technical and historical land surveying framework for real property cases involving claims against title insurers.
- Conducting surveys for technical consultants and property owners to monitor ground movement and structural deformation and providing detailed reports to summarize results and demonstrate movement/deformation trends.
- Developing successful strategies for pre-construction, interdisciplinary document coordination to identify potential conflicts prior to commencing construction layout control surveys.



Clark E. Stoner, PE, PLS
Professional Engineer and Land Surveyor

Bear Flag Engineering, Inc.

- Performing construction layout control surveys for mass grading operations, multi-rise building construction and amusement park roller coaster construction.
- Performing forensic surveys to answer the how, why and who questions related to the incorrect placement of critical infrastructure improvements and buildings.

AFFILIATIONS

American Society of Civil Engineers
California Land Surveyors Association
Forensic Expert Witness Association (FEWA)
Western Construction Consultants Association (WESTCON)

From: [Antonia Bauerlein Sehnert](#)
To: [Julian, Kathie M.](#); peter@cpnv.com; [Christensen, Don](#); [Pierce, Rob](#); [Olander, Julee](#)
Cc: [Jill Brandin](#)
Subject: Opposed to WSUP23-0029
Date: Wednesday, November 1, 2023 7:15:13 PM

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

Having lived in the Holcomb Ranch area (Diamond J) for almost 8 years, I've had a chance to get to know a number of other property owners. We are all keenly aware of issues pertaining to the water supply, the source where it comes from, who has rights, what the purity levels are, what are long term concerns. Of course there is a major concern over protecting the water. Then there is the grandiosity of what ProPony is proposing, and also what they have already begun to do without appropriate clearances. The government codes are there to protect the area from detrimental influences. The idea that the residents must step up and fight to protect our property, because the governing body won't do it by simply adhering to the rules, is really disturbing. Please protect us from this intrusion upon the health and well being of this wonderful neighborhood.

From: [Nancy Flanigan](#)
To: [Julian, Kathie M.](#); peter@cpnv.com; [Christensen, Don](#); [Pierce, Rob](#); [Olander, Julee](#)
Subject: Opposed to WSUP23-0029
Date: Wednesday, November 1, 2023 3:46:44 PM

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

Dear members of the Board of Adjustment:

I am Nancy Flanigan and live at 2750 Holcomb Ranch Ln.

I have lived here 50 years and knew Warren Nelson.

There is nothing about Pro Pony's commercial business in our residential neighborhood that honors Warren's memory. Warren lived here. The owners of Pro Pony don't live here.

The Nelsons's Silver Circle was a 55 acre ranch with his and a few friends horses.

They did not have night operations disrupting our quiet enjoyment.

They did not have an industrial indoor arena next to Holcomb Ranch Lane - that size and type of building only belongs along South Virginia.

You denied this last year. Please deny it this year as the facts have not changed.

From: [Scott K. Greene, DVM](#)
To: [Olander, Julee](#); witmers2@live.com
Subject: In Support of the proposed Inclement Riding Arena at the Historic Silver Circle Ranch
Date: Wednesday, November 1, 2023 6:32:24 PM

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

Hello Julee,

I am writing in support of the indoor riding arena at the Silver Circle Ranch owned by Landess and Bruce Witmer. I've been a practicing equine veterinarian in the Reno-Sparks area for 35 years. Although I do not provide veterinary services to horses at the Silver Circle ranch, I did work there during the late 1980 thru early 2000s. The ranch was a working boarding and training facility with a consistent population of 20+ horses. The local area is in dire need of more facilities that enable horse owners to have safe riding facilities through out the year. This is especially true during the heat of summer and the winter months when inclement weather is the norm. I have numerous clients and patients that live in this area of Reno, as it has been a mecca for livestock and horse owners since the time the area was developed. It should be noted that there are 3 other comparable buildings (in height and square footage) in the area that function as private indoor riding facilities, hence this proposed structure is not unique to the area. These other buildings are not including the Ranch Harrah indoor arena that has recently closed. The proposed building does not detract from the community, as the owner of Silver Circle have been very conscientious in the design and proposed placement of the structure. I strongly support the approval of the permit for this building, as an additional inclement riding facility is a much needed addition to our community.

Sincerely, Scott

Scott K. Greene, DVM
PO Box 60009
Reno, NV 89506
sgreenedvm@aol.com
ph: 775-826-6233
SensibleHorseDentistry.com

From: [Michaela Jones](#)
To: [Olander, Julee](#)
Cc: [Celeste Hernandez](#); [Ashley DeHaven](#); [Kent Robison](#)
Subject: Opposition to Pro Pony LLC's Special Use Permit Application (WSUP23-0029)
Date: Thursday, November 2, 2023 6:49:57 AM

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

Good morning, Julee,

Please include the correspondence below in the public comment for the above-referenced matter. Thank you very much.



Mitchell Fink

5:36 PM

To: Julane Cc: Janelle >

RE: Pro Pony applicant for SUP

Hi Julane,

We met with the applicant, and they are required to submit a traffic trip generation letter to determine the traffic impact that the Silver Circle Ranch generates. We have not received this trip generation letter yet to make any determinations. It is my understanding that this Special Use Permit Application was submitted to bring the nonconforming historical commercial stable use for High Density Rural zoning

into conformance with the current code requirements and for authorization to build a steel building to cover one of the existing horse areas to protect from inclement weather conditions. Based upon this information, it appears that the Ranch is not expanding, therefore there should not be an increase in traffic beyond what the operation currently generates.

Michaela Gia Jones (Davies), Esq.
ROBISON | SHARP | SULLIVAN | BRUST

From: [Marianne Merriam](#)
To: [Olander, Julee](#)
Cc: [witmers2](#); [Roger Merriam](#)
Subject: Support for Silver Circle Indoor Arena
Date: Wednesday, November 1, 2023 3:57:12 PM

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

To Whom it may concern:

We are very close neighbors, 1/4 mile north on Lakeside Drive, from the Silver Circle Ranch and Riding Academy. We would like you to vote Yes! in favor of their proposal to build a new indoor riding facility.

By approving this indoor arena you will be allowing the ranch and horse riding heritage of this Reno community to continue in a healthy, safe manner. This indoor arena is necessary for the children and adults who board at Silver Circle Ranch to be able to safely continue their equestrian education and exercise in inclement weather and extreme temperatures.

This arena is required for the continued health of the entire Washoe County horse riding community. The rate at which we are losing so many equestrian properties in the region, due to them being subdivided and/or existing barns being torn down, shows how much encouragement our County Officials need to provide to property owners that are willing to build similar facilities. As stewards of this region's heritage, I sincerely urge you to exercise your mandate to protect this heritage, by voting to approve the indoor arena for the Historical Silver Circle Ranch!

Sincerely,
Marianne and Roger Merriam
8600 Lakeside Dr, Reno, NV 89511

4430 Fairview Road
Reno, NV 89511

Washoe County Board of Adjustment
1001 E. Ninth Street
Reno, NV 89512

November 1, 2023

Re: Silver Circle Ranch

Dear Commissioners,

I am opposed to the indoor horse area that is proposed by Silver Circle Ranch (SCR).

SCR is in a residential neighborhood. The horse arena is not for private use, but will operate as a business amenity. Property in this area is inappropriate for use as a business investment and allowing the horse arena sets precedent for infiltration of other businesses.

Also, I advocate for the trees. The area of the proposed arena has at least 25 magnificent, mature trees. Many, if not all these trees would die (i.e., be cut) for the proposed arena. Conservatively guessing, each tree is 50, or more, years old. Cumulatively, the arena could mean the end of over a thousand years of nature's work for the benefit of a few horse owners.

Trees play an important role in carbon sequestration and temperature regulation, support biodiversity, and provide natural, aesthetic pleasure. I surmise that many microenvironments that support numerous organisms will be destroyed if these trees are cut.

I am a proponent of climate mitigation and building efficiency and electrification (BEE). Mankind can no longer afford to do business as usual, without thought to the harms to our environment and effect on our climate. I see no environmental benefit to SCR's proposed horse arena. Destroying the trees on the property harms the environment and I suspect the owners have given little thought or consideration to BEE measures such as solar power for electricity and heat pumps for heating and cooling.

Sincerely,

Robbin Palmer, Ph.D.

From: [Elizabeth Jones](#)
To: [Olander, Julee](#)
Subject: Arena for Pair of Aces stable
Date: Thursday, November 2, 2023 12:38:26 PM

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

Hello,

I wanted to send an email in support of the indoor arena that Silver Circle Ranch has requested to build for the horsemanship program at Pair of Aces stable. I am a local farrier and have been to Pair of Aces stable as well as other horse farms in that neighborhood to trim horses. I moved to Reno from the midwest, and I was pleased to see horse properties so close to town. This area is such a treasure to the Reno community for people who want to board their horses nearby and to have their kids get involved with horses. Without the services in this area, you are probably aware that horse owners and those who take lessons would have to drive much further to access boarding and horsemanship lessons.

Some neighbors may be concerned with the appearance of such a building, but I have seen first hand how well maintained the facilities are at Silver Circle Ranch. I am actually surprised that a facility of this caliber did not already have an indoor arena. Having boarded my own horses, I have experienced how important an indoor arena is to being able to keep my horses trained and in shape during the winter. I visited the stable where I boarded my horses the same days every week, and I could always ride, no matter what the weather is. Parents and children are busier than ever today, and being able to take a lesson no matter what the weather is year round is crucial to the development of future equestrians.

Horses also have a major impact on the local economy, so it is not just something fun for these kids and adults to do. Horses are also a big part of the local culture, not just from the rodeo but also events like the annual Pony Express ride and the other horse communities located around Reno. People who interact with animals regularly also often become more empathic people who have a stake in their communities.

I hope you will help to facilitate the approval for the arena at Silver Circle Ranch.

Elizabeth Jones
Dreamwalker Hoof Care
303-875-9448

From: [Carolyn Junta](#)
To: [Olander, Julie](#)
Subject: Indoor Arena at Silver Circle
Date: Thursday, November 2, 2023 9:45:25 AM

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

Dear Ms. Olander,

I am writing in support of the Indoor Arena at Silver Circle. I believe our Greater Reno community would benefit greatly from this facility. It will allow youth and adults of all ages to learn, compete and grow in knowledge of our unique area and its blessings.

As you are aware, we can have harsh winters, and summers that frequently interrupt our ability to ride and learn and relate to our horses which bless our lives so greatly.

I have learned this first hand as I am older,(77 years young) and only started joining the equine community 2 years ago after a bout with Breast Cancer. Mrs. Witmer, and all the wonderful men and women, as well as the horses have taught me much about relationships, canrig for others and the joys of relating to, caring for and riding horses. We missed many months of these activities last year especially because of the inclement weather. The indoor arena would have made a great difference.

Our youth especially will be able to learn without breaks in this activity. It is a part of the real world that could never be replaced by the "virtual" world and this is especially important during these times.

Thank you for your consideration and work on this project.

Sincerely,

Carolyn Junta, PT

From: [Stella A Pappas](#)
To: [Julian, Kathie M.](#); peter@cpnv.com; [Christensen, Don](#); [Pierce, Rob](#); [Olander, Julee](#)
Subject: opposed to wsup 23-0029
Date: Thursday, November 2, 2023 12:45:31 PM

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

Dear members of the Board of Adjustment,

My name is Stella A. Pappas. My husband, Harry J. Pappas and I live at 8770 Lakeside Dr., just around the curve when Holcomb Ranch Road turns into Lakeside Dr.

We are opposed to ProPony's Special Use Permit application.

We purchased our home because we need the peace and quiet we presently enjoy at our home. ProPony's expanded business will negatively impact our family.

At the recent neighborhood meeting hosted by ProPony we tried to find ADA parking as both my husband and *had to use walking canes at that time. We could not find any such parking.*

*Also, in a handout ProPony claimed "No increase in traffic" from their operations. That is untrue! It defies common sense
And is untrue on its face.*

In 2019 this property was quiet. There were no more than 4 horse at the subject location.

Since ProPony bought their property, they have been operating 14 hours per day. Even nearby Les Schwab Tires closes at 6pm.

The full measure of ProPony's traffic impact must be measured from what was here previously- very little traffic

With 4 boarding horses.

Now with 35 horse, 10 lesson horses and unlimited operating hours 7 day a week, the client trips to that location will be 60-100 trips per day! Few Persons would like their neighbor in a residential area to have that much traffic in and out of their adjacent driveway.

*Holcomb Ranch Lane is a narrow two lane roadway with no adjacent paving and dangerous. Our fence has been crashed into
7-8 times, most recently four weeks ago.*

In addition, ProPony is using an unsafe second access to Holcomb Ranch Lane into their operations. NDOT's safety spacing rule is being violated and this is threatening all of us in the neighborhood.

Also, a proposed industrial/commercial metal indoor arena adjacent to Holcomb Ranch Lane is

totally out of place for our residential neighborhood. It will be unsightly and rather commercial looking!

Please deny this Special Use Permit application. ProPony's business boarding and training 35 plus horses is totally out of place for our residential neighborhood.

Sincerely.

Stella A. Pappas

Sent from [Mail](#) for Windows

From: [DeeDee Desiderio-Schula](#)
To: [Olander, Julee](#)
Subject: Indoor Arena Silver Circle
Date: Thursday, November 2, 2023 10:26:48 AM

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

Hello Julee,

Please consider allowing an indoor area to be built at Silver Circle Ranch. Our area is in need of a facility that is dedicated to the wellbeing and advancement of horsemanship. What a wonderful asset to our neighborhood.

I own a home on Timothy Dr, about a block in a half from Silver Circle Ranch. I would love to be able to ride in an indoor area in the winter. I am in full support of adding this upscale indoor facility to improve our neighborhood.

Thank you for your time and consideration.

Sincerely,

DeeDee Desiderio Schula

General Manager

Sports West Athletic Club and Spa

<https://www.oneworldoneclub.com>

Take the tour of Sports West Athletic Club

<https://bit.ly/3cXCiKj>

Take a tour of Spa West -Luxury Spa

<https://bit.ly/3zvrDYm>

From: [Quinn Young](#)
To: [Olander, Julie](#)
Subject: Indoor Arena for Pair of Aces Stables
Date: Thursday, November 2, 2023 1:22:00 PM

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

Good afternoon:

I am in support of the indoor arena at Pair of Aces Stables. I am a current rider at Pair of Aces and have been for almost 2 years. The barn is a very warm and friendly environment which is contributing to mental health for our community. I interact with different ages of riders and am impressed by the kindness and caring of each other. It brings me great joy to be able to ride there.

The indoor arena would be a great addition to the barn which would allow for riding during inclement weather. Last year's winter prevented riding for most of the winter. Riders still came by for unmounted lessons but the benefits of interacting with the horses, and the lessons from being on horseback, are so valuable. Please consider approving the indoor arena at Pair of Aces.

Thank you,
Quinn Young
quinnyoung26@gmail.com
775-861-6475