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Tracie K. Lindeman  
Clerk of Supreme Court

## In the Supreme Court of the State of Nevada

JOHN ILIESCU, JR., individually; John  
Iliescu Jr. and Sonnia Santee Iliescu,  
as trustees of the JOHN ILIESCU, JR. AND  
SONNIA ILIESCU 1992 FAMILY TRUST  
AGREEMENT,

Appellants,

vs.

MARK B. STEPPAN,

Respondent.

Appeal No. 68346

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## Respondent's Appendix Volume 2, Part 6

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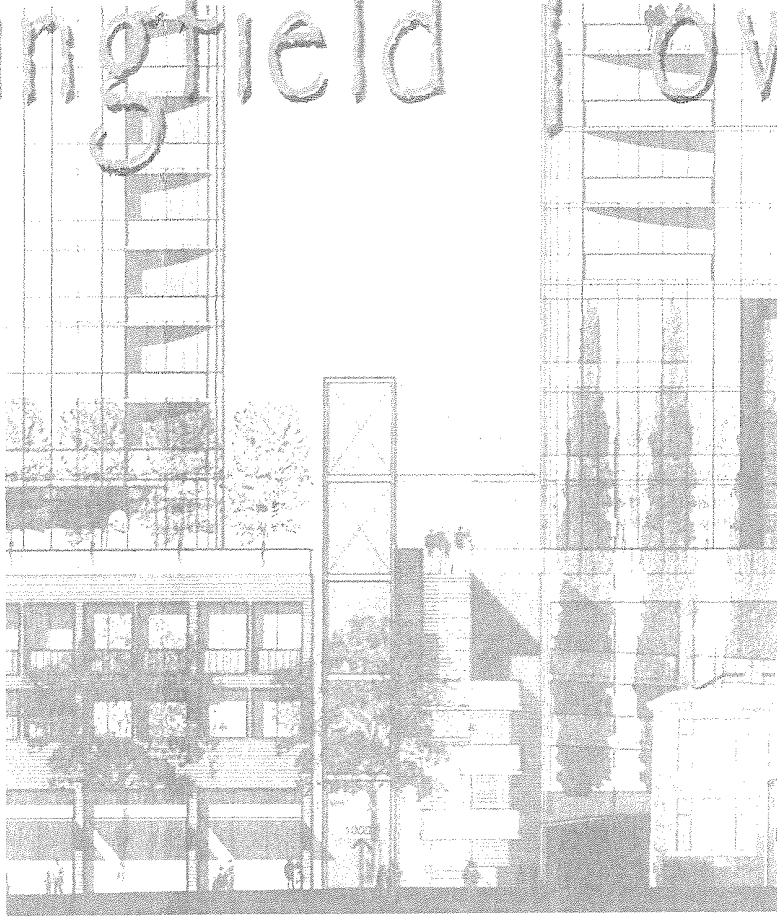
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# Trial Exhibit 37

CURRENT 5/07  
CITY COUNCIL  
PLANNING | APPROVED

# Wingfield Towers



## Tentative Map & Special Use Permit Application

Prepared for:

**Consolidated Pacific Development**  
932 Parker Street  
Berkley, CA 94710

Prepared by:



**WOOD RODGERS**  
DEVELOPING INNOVATIVE DESIGN SOLUTIONS  
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February 7, 2006

STEPPAN 2100

RS - 452

**TAB 1 Applications**

- Development Application
- Owner Affidavit
- Applicant Affidavit
- Tentative Map Application
- Tentative Map Checklist
- Special Use Permit Application
- Preliminary Grading Plan Checklist
- Application Checklist

**TAB 2 Project Description**

Project Location	1
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**Tab 3 Reduced Maps and Building Elevations**

- Colored Building Elevations
- Tentative Map Sheets

**Tab 4 Project Reports**

- Preliminary Sewer Report
- Preliminary Hydrology Report
- Preliminary Traffic Analysis Letter
- Preliminary Geotechnical Analysis

**Tab 5 Supporting Information**

- Surrounding Topographic Graphic
- Slope Analysis Map
- Draft CC&R's
- Preliminary Title Report
- Assessor's Parcel map pages within 750' of Project Site
- NAB Agenda Request Form
- Tax Certifications



## RENO DEVELOPMENT APPLICATION

### ACTION REQUESTED:

- (Please Check)
- ☐ ABANDONMENT
  - ☐ ANNEXATION
  - ☐ BOUNDARY LINE ADJUSTMENT
  - ☐ MASTER PLAN AMENDMENT
  - ☐ MINOR DEVIATION
  - ☐ PARCEL MAP
  - ☐ REVERSION TO ACREAGE
  - ☐ SITE PLAN REVIEW
  - ☒ SPECIAL USE PERMIT
  - ☒ TENTATIVE MP
  - ☐ WITH MAINTENANCE DISTRICT
  - ☐ VARIANCE
  - ☐ ZONING MAP AMENDMENT
  - ☐ COOPERATIVE PLAN AMENDMENT

For Community Development Department Use Only:

CASE NUMBER:

Date Received \_\_\_\_\_

Time Received \_\_\_\_\_

PROJECT NAME: Wingfield Towers

PROJECT DESCRIPTION: A mixed-use residential development.

PROJECT ADDRESS: 260 Island Drive & 223 Court Street (2 additional parcels included, one on Island Drive and one on Court Street (address unavailable))

PROPERTY SIZE: 1.36± acres

ASSESSOR'S PARCEL NO(S): 011-112-03, 06, 07 & 12

### ATTACH LEGAL DESCRIPTION OF PROPERTY.

ZONING-EXISTING: CB

PROPOSED: CB

MASTER PLAN-EXISTING: TC

PROPOSED: TC

EXISTING LAND USE: Vacant

### PROPERTY OWNER(S)

NAME: John and Sonnia Iliescu

ADDRESS: 219 Court Street  
Reno, Nevada 89501

PHONE:

### APPLICANT/DEVELOPER (S)

NAME: Consolidated Pacific Development E-MAIL ADDRESS: Nathan@fisherfriedman.com

ATTN:

ADDRESS: 932 Parker Street  
Berkley, CA 94710

PHONE: (510) 548-6093

### PERSON TO CONTACT

REGARDING APPLICATION:

NAME: Fisher Friedman Associates.

CONTACT: Nathan Ogle, AIA

ADDRESS: 1485 Park Avenue, Suite 103  
Emeryville, CA 94608

PHONE: (510) 420-1666

FAX NO: (510) 420-0599

ALL PRINCIPALS IN THE FIRM SHALL BE IDENTIFIED.

# OWNER AFFIDAVIT

I am an owner of property/authorized agent involved in this petition and that I authorize Samuel Joseph, Jr. 004720 Page 16 to request development related applications on my property. I declare under penalty of perjury that the foregoing is true and correct.

Executed on Jan 31, 2006, in Reno, Nevada.  
(date) (City)

Name:

Title:

Signed:

## OWNER AFFIDAVIT

I am an owner of property/authorized agent involved in this petition and that I authorize San Gabriel Development, Inc. DEVR to request development related applications on my property. I declare under penalty of perjury that the foregoing is true and correct.

Executed on Jan 31, 2006, in  Reno , Nevada.  
(date) (City)

Name:

Donna Thesid

Title:

Wife

Signed:

Donna Thesid



## APPLICANT AFFIDAVIT

I am the applicant involved in this petition and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true and correct to the best of my knowledge and belief. I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 24, 2002, in RENO, Nevada.  
(date) (City)

Name:

James William Patrick Thompson  
James Thompson

Title:

PRESIDENT

Signed:

James Thompson

The owner of the property herein described or his duly authorized agent hereby requests the Planning Commission and the City Council of the City of Reno to approve a tentative subdivision for the project described herein.

**PROJECT DESCRIPTION:** Two mixed use towers containing Retail, Office, Health Club and 499 units of residential space

IS AN APPLICATION FOR A ZONE CHANGE NOW BEING PROCESSED?

(If yes, proposed zoning): \_\_\_\_\_

IS AN APPLICATION FOR A SPECIAL USE PERMIT NOW BEING PROCESSED? \_\_\_\_\_

(If so, describe the project for which the permit is sought): A special use permit is being sought for (1) hillside development and (2) Cuts in excess of 20-feet.

DENSITY OF PROJECT: Net Acreage : 1.36± AC NetDensity: 366.9du/AC

Gross Acreage: 1.36± AC      Gross Density: 366.7/AC

ESTIMATED PRICE OF UNITS/LOTS: N/A PER LOT: N/A

STUDIO Starting at \$208,000±      2 BEDROOM Starting at \$607,000±

1 BEDROOM Starting at \$398,000±      3 BEDROOM Starting at \$1.1± million

IDENTIFY THE TOTAL NUMBER OF FINAL MAPS INTENDED TO RECORD THE ENTIRE PROJECT (Include the number of lots or units in each map and the proposed sequence of recording): **Up to Three Final Maps**

GRADING AND ENVIRONMENT:

GRADING:

- 1) Is the subject property within an area of potential hazard, including but not limited to earthquake faults, earth slide areas, or otherwise hazardous slopes? No

(If so, explain the impact of the hazard on the proposed development and describe proposed mitigating measures. Such hazardous areas must be shown on the subdivision map.)

- 2) Will grading for the project require cuts in excess of 20 feet and/or fills in excess of 10 feet? Yes

ENVIRONMENT:

- 1) Is the project situated on steep or severe terrain (15.1% or greater) and/or does this application trigger a Special Use Permit for Hillside Development? Yes

- 2) Will the project disturb areas within or adjacent to wetlands, stream environments, major drainageways, or significant hydrologic resources? Yes

(If so, explain the impact(s) and describe proposed mitigating measures. Such environmentally sensitive areas must be shown on the subdivision map.)

The project lies within the flood AE and Shaded Zone X of the Truckee River. The proposed uses within the structure that will be located within the flood zone areas are limited to the parking garage, associated with the proposed development.

- 3) Describe the methods for stabilization and/or revegetation of exposed and disturbed soils due to proposed grading activities:

Areas disturbed due to grading activities will be mitigated through public space in the Pedestrian Plaza, landscaping and groundcover.

UTILITIES:

WATER:

IS A CONCEPTUAL WATER SUPPLY AND CONVEYANCE STUDY INLCUED WITH THIS APPLICATION? No

(If no, provide an explanation): Appropriate plans necessary for submission to TMWA were not available until the preparation of this application, Submittal to TMWA will follow the submittal schedule of this application.

- 1) Indicate the type and extent of water rights appurtenant to the property to be developed and identify entities holding title to said water rights: Truckee Meadows Water Authority will serve the project.
- 2) Provide a "will serve" letter from the water purveyor for this development indicating a commitment to provide sufficient water to the proposed project or in lieu thereof provide a statement indicating a willingness to dedicate to the City of Reno water rights of a sufficient yield to meet project water demand.  
The applicant/developer is willing to dedicate to the City of Reno water rights of a sufficient yield to meet project water demand.
- 3) Provide a complete explanation of any agreement providing for the transfer of water rights from projects previously granted a "will serve" letter to the proposed subdivision:  
N/A

SEWER:

IS A PRELIMINARY SEWER REPORT INCLUDED WITH THIS APPLICATION? Yes  
(If no, provide an explanation):     

- 1) Indicate which entity and facility will provide sewer collection and treatment and provide an estimate of the project generated sewage contribution:  
TMWRF The project is anticipated to generate 263,000± g.p.d.
- 2) Provide a description of the size, location, and ownership of existing and proposed sewer lines connecting to sewer lines of the sewage treatment provider: A 36" Regional Transmission main located in Island Drive will be connected to for service of the site with a 10" service main.

ALL OTHER UTILITIES:

ARE POWER LINE RELOCATIONS PROPOSED FOR THIS PROJECT? Yes

(If yes, provide an explanation): An overhead line exists, crossing the site from east to west, providing service to an existing structure located on APN 011-112-02 (at 260 Island Drive). This line will be undergrounded with the proposed development and service to the structure at 260 Island Drive will be perpetuated through this undergrounded line.

Provide a description of the type and ownership of existing and proposed public and quasi public utilities proposed to serve the project: Other than the utility providers

identified above, Sierra Pacific Power, Charter Communications and SBC are anticipated to provide services to the BSC Mixed Use Residential Towers

TRAFFIC:

IS A PRELIMINARY TRAFFIC STUDY INCLUDED WITH THIS APPLICATION? Yes  
(If no, provide an explanation):     

- 1) Provide peak hour and average daily traffic volume generation estimates for the proposed project.

AM Peak – 255, PM Peak – 391, ADT – 3,471±

- 2) Identify potential impacts to existing and proposed streets, intersections, and major transportation corridors affected by the project and describe mitigating measures proposed:

This question will be addressed through an expanded traffic analysis, recently scoped with the City of Reno. This traffic report will be provided directly to all necessary agencies (as deemed by the City of Reno) for additional review and consideration in association with the project.

PUBLIC AND EMERGENCY SERVICES: Public and emergency services are currently available within adjacent neighborhoods and are served by Reno Police, Reno Fire and REMSA. As this project is an infill development in the urban core of the community, the impacts upon police, fire and emergency services are seen to be minimal as they were or should have been expected. Garbage service will be provided by Reno Disposal. The nearest emergency medical service facility is Saint Mary's Medical Center approximately 5 city blocks north of the site.

Provide the location and source of garbage disposal, police, fire and emergency medical service providers and describe potential impacts the project may have upon the capacity of these service providers:

IS SUBJECT PROPERTY WITHIN THE AIRPORT NOISE IMPACT AREA (65 Ldn noise level)? The subject property is NOT within the airport noise impact area.

(If so, explain the impact of the hazard on the proposed development and describe proposed mitigating measures. Such areas must be shown on the subdivision map.)

\_\_\_\_\_  
\_\_\_\_\_

### Summary of Proposed Development

The project site consists of 1.36± acres of land located between Island Drive and Court Street in Downtown Reno, just east of Arlington Avenue. The Wingfield Towers will consist of two architecturally matching towers (one of 40 stories and one of 28 stories). The following uses are included in the proposed towers:

- 499 residential (condominium) units
- 824 parking spaces, entirely contained within a parking structure
- 28,300± SF of Public Plaza Space at the Podium Level
- 40,500± SF of Office and Retail Space
- A winter garden with a 75-foot lap pool, situated on top of the 28-story tower

A copy of the tentative map exhibits is provided in reduced size in Tab 3 and in full size attached to this application package. Architectural elevations have also been provided in this application.

Zoning Designation	CB
Master Plan Designation	Tourist Commercial
Proposed lots/Units	499 Condominium Units ranging in size from 378± SF to 7,014± SF and an average unit size of 1,243± s.f.
Setbacks & Lot Sizes	The CB zone allows for 0-foot setbacks on all sides of the property. The project incorporates 0-foot setbacks for the subterranean structural portion of the building containing the Parking Garage and some retail space, which is exposed on the downhill/river side of the property. The setbacks to property line for the two towers range from just over 20-feet to over 80-feet.
Pedestrian Access	Pedestrian access will be provided into and through the property grounds through a public plaza.
Parking:	A total of 824 parking spaces are provided in the parking structure at the base of the building. Depending upon the calculation method used, between 407 and 679 parking spaces are required to meet the minimum Code Standards. The excess parking is intended for use and benefit by others in the areas. Please see the Parking Section of this Project Description for additional details regarding the provision of and required parking spaces
Project Signage:	Project Signage is proposed on both the Court Street and Island Drive entrances/accesses to the project and will conform to the CB standards.

**Project Height and Architecture:**

The proposed Wingfield Towers area Please refer to the colored building elevations provided in Tab 3 to view the proposed architectural character.

**Project Maintenance:**

Common Area within for the Wingfield Towers is proposed to be maintained through an association, or other acceptable vehicle.

**Requests of the City**

Three requests are sought with this application.

- (1) A tentative map for a 499 unit high-rise condominium development containing 11 units of retail and office space.
- (2) A special use permit for hillside development
- (3) A special use permit for cuts and fills.

**Tentative Map Request**

As noted previously, the Wingfield Towers proposes 499 residential condominium units. An addition 11 units are proposed to contain retail and office space.

**Building Unit and Non-residential Areas**

Unit or Use Type	Number of Units or Square Footage
Studio Units	71 Units
1 Bedroom Units	263 Units
2 Bedroom Units	144 Units
3 bedroom Units	17 Units
Penthouses	4 Units
Total Residential Units	499 Units
Office & Retail Space	40,500± SF

**Amenities**

The amenities included in the Wingfield Towers include a health club or wellness center, 75-foot long lap pool and 28,300± SF of Public Plaza area at the podium level. It has yet to be determined whether the health club/wellness center will be a commercial venture or if it will be open only to the residents of the Wingfield Towersproject.

**Vehicular and Pedestrian Access**

Access to the parking garage area will be accommodated through Court Street and Island Drive. Pedestrian access will be serves similarly off both of these streets through stairways and elevators. Access to the Public Plaza at the podium level of the Wingfield Tower project will be available from both Court Street and Island Drive.

## Parking

Parking will be provided in a parking garage beneath the proposed towers. The parking garage area will be subterranean when viewed from Court Street and six stories in height when on the Island Drive side of the site. Access to the garage will be provided from Court Street and Island Drive.

The total number of parking space provided in the garage is 824. The parking requirements for the project range from 407 spaces to 679 spaces, depending upon whether code allowed reductions are used in the project. The area in which the project is located does have some parking issues, without this project, it is for this reason that the parking provided within the proposed Wingfield Tower garage is more than ample to meet the demand of the proposed Towers and to provide possible additional parking for adjacent, deficient uses (such as the Park Tower Condominiums) or for special events at Wingfield Park (such as the Truckee River Festival, Artown, etc.). The variance in required spaces is based upon the general code provisions for off-street parking in transit corridor areas.

RMC Section 18.08.405(c)(4)(b) allows for buildings over 65 feet in height to reduce the overall parking requirement by 40%. Residential uses may take the 40% reduction or provide one space per dwelling unit, whichever is less.

The following tables show the various parking requirement calculations, allowed by Code. The first table calculates the Standard Downtown Parking Requirement, also showing the TOD allowed (40%) reduced parking requirement. The second table (Alternative 2) calculates the TOD parking requirement if 1 parking space per unit is provided, rather than using the Standard Downtown Parking Requirement.

### Alternative 1 - Standard Downtown Code and TOD Reduced Parking Requirements (40% Reduction)

Use	Units or SF	Multiplier	Parking Required
Studio Units	71	0.9 per unit	64 Spaces
1 Bedroom Units	263	1 per unit	263 Spaces
2 Bedroom Units	144	1.5 per unit	216 Spaces
3 bedroom Units	17	1.5 per unit	26 Spaces
Penthouses	4	1.5 per unit	6 Spaces
Guest		1/10 units	50 Spaces
Office	20,603± sf	1/385 SF	54 Spaces
Retail	19,817± sf	none	0 Spaces
<b>Downtown Code Required Parking</b>			<b>679 Spaces</b>
<b>TOD Allowed - 40% Reduction</b>			<b>271.6 Spaces</b>
<b>TOD Reduced Parking Requirement</b>			<b>407 Spaces</b>



**Alternative 2 -- TOD Parking Requirement (1 Parking Space Per Unit Calculation)**

Use	Units or SF	Multiplier	Parking Required
Studio Units	71	1 per unit	71 Spaces
1 Bedroom Units	263	1 per unit	263 Spaces
2 Bedroom Units	144	1 per unit	144 Spaces
3 bedroom Units	17	1 per unit	17 Spaces
Penthouses	4	1 per unit	4 Spaces
Guest		1/10 units	50 Spaces
Office	20,603± sf	1/385 SF	54 Spaces
Retail	19,817± sf	none	0 Spaces
<b>Total</b>			<b>603 Spaces</b>

Parking reductions have been allowed in the downtown and TOD areas to encourage the use of alternative transportation modes. Unfortunately, a viable, dependable mass transit system does not currently exist in Reno. While it is applauded that appropriate planning is taking place through the Regional Center and TOD plans, it is foreseen that viable mass transit is still a number of years away. As such, the applicant is proposing parking in excess of the Code requirements. It should be understood that excess parking is allowed as long as it is contained within a parking structure – Section 18.08.405(c)(4)(c.) states that “Parking in excess of code minimums may only be provided in parking structures or within the envelope of the building.” The community benefit from this excess parking could help to address some of the existing parking issues in the area, such as at the Park Tower Condominiums. Appropriate agreements for use of the spaces would need to be executed, but it is the intent of the applicant that, if additional parking can be provided that it benefit the existing area and residents. Possible additional benefit uses for the excess parking could be the ever-growing and successful special events held in Wingfield Park (Rollin on the River Concert Series, The Truckee River Festival and Arttown to name a few).

**Accessible Parking**

Accessible parking is required at a rate of 9 spaces for 401-500 required spaces. The parking garage provides 17 total accessible spaces while only 9 spaces are required. As such, the requirement for accessible parking spaces is met.

**Special Use Permit Request**

Requested with this application are two special use permits:

- (1) Hillside Development and;
- (2) Cuts in excess of 20 feet.

**Hillside Development Special Use Permit**

The subject property, due to existing slopes, requires a special use permit for Hillside Development. Approximately 26% of the total site area contains slopes over 15%.

Wood Rodgers has analyzed the proposed Wingfield Towers project with respect to the existing Hillside Ordinance. The subject property has a Central Business (CB) zoning designation and no maximum density requirements; therefore the subject property is not subject to the Hillside Development Density Reduction

requirements. A table identifying Required Open Space has been prepared. It should be noted that the proposed development conforms to open space requirements within the ordinance

**REQUIRED OPEN SPACE IN HILLSIDE DEVELOPMENTS**

Slope Range	Column A: Minimum Open Space (%)	Column B: Square Feet Within Slope Range	Column C: Required Open Space Within Each Slope Range (Square Feet)
0-15%	0	44,009.01	0
15.1-20%	25%	6,279.32	1,524.6
20.1-25%	50%	4,535.91	2,178
25.1-30%	75%	2,887.87	2,286.9
Greater than 30%	100%	1,586.35	1,742.4
<b>Total Required Common Area Open Space</b>			<b>7,731.9</b>

The results of this table show that a minimum of 7,732± square feet of common area open space is required based on the slopes on the project site. The total amount of Public Plaza area provided on the podium level of the development is 28,330± square feet. This amount of open space is in excess of the amount required per the Hillside Ordinance.

A copy of the slope analysis for this project with the site layout overlaid on the colorized slope map is provided in Tab 5 of this application package.

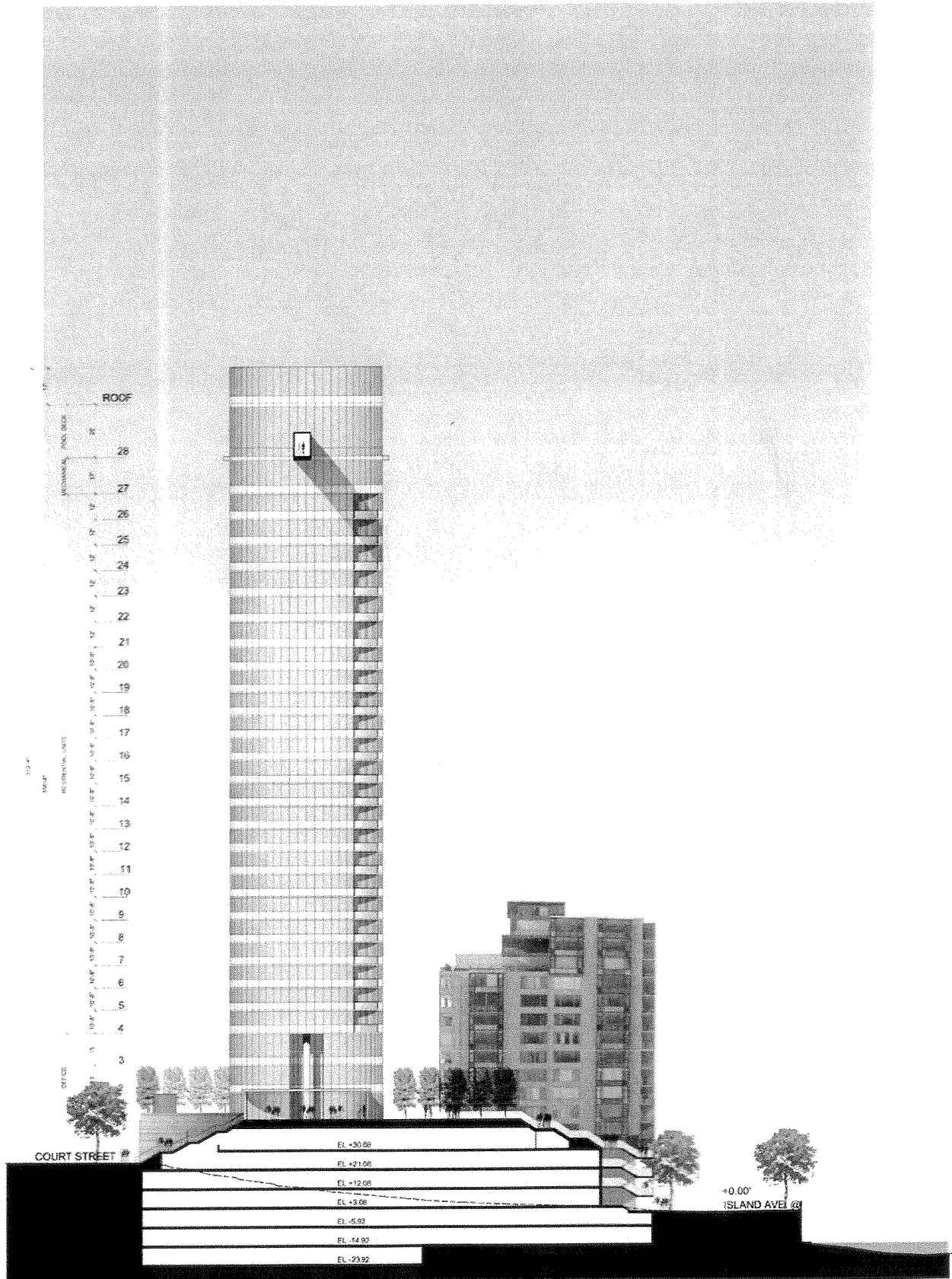
**Cuts and Fill Special Use Permit**

The application requests a special use permit for cut in excess of 20 feet. It should be noted that the cut areas on the site will be filled in with the base of the proposed buildings. This base area will house six stories of parking garage, as well as some residential and retail space.

### Development Statistics

Total Site Area	1.36± Acres
Number of Towers	2 towers
East Tower	40 stories
West Tower	28 stories
Total Residential Units	499 Units
Residential Units East Tower	334 Units
Residential Units West Tower	161 Units
Residential Units (Accessed from Garage)	4 Units
Additional Units ( Retail and Office)	11 Units
Retail Units	8 Units
Office Units	3 Units
Building coverage	53,420± SF
Residential Area (includes private terraces at levels 18, 31 and 38)	558,048± SF
Office and Retail Area	40,420± SF
Mechanical Room Area	32,951± SF
Gross Density	399.9 DU/Acre
Average Lot Size	1,243 ± SF
Minimum Lot Size	378± SF
Maximum Lot Size	7,014± SF
Parking	
Parking Spaces Required	407 Spaces
Parking Spaces Provided	824 Spaces
Accessible Parking Required	9 Spaces
Accessible Parking Provided	17 Spaces





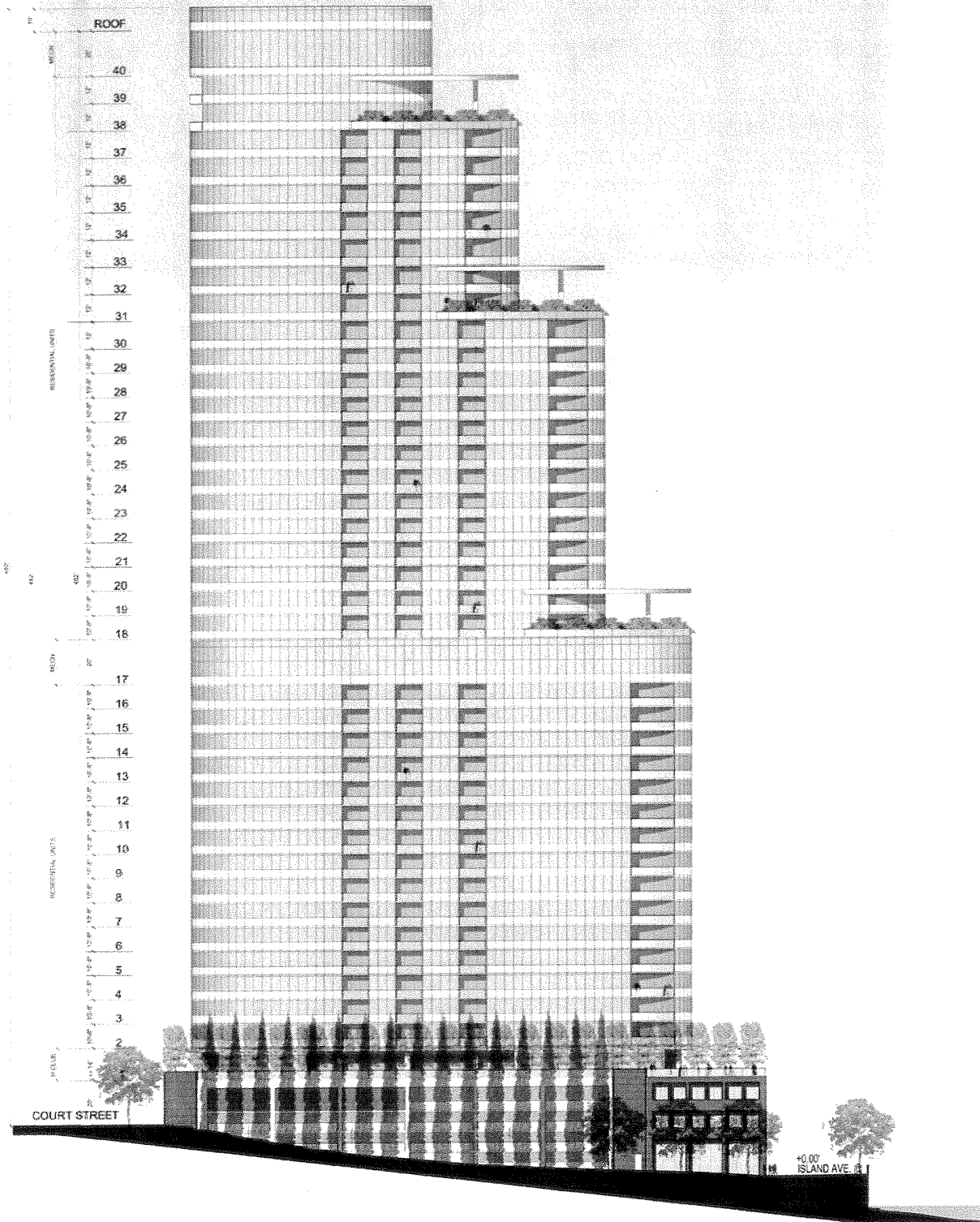
## EAST ELEVATION/ SECTION

01-06-2006  
1"=20'-0"

MARK B. STEPPAN, AIA, CSI, NCARB  
ARCHITECT  
FISHER FRIEDMAN ASSOCIATES  
DESIGN CONSULTANT

STEPPAN 2134

RS - 470



18' 20' 30' 30' 30' 30' 30' 30' 30' 30'

A B C D E F G H I J K

## EAST ELEVATION

01-06-2006  
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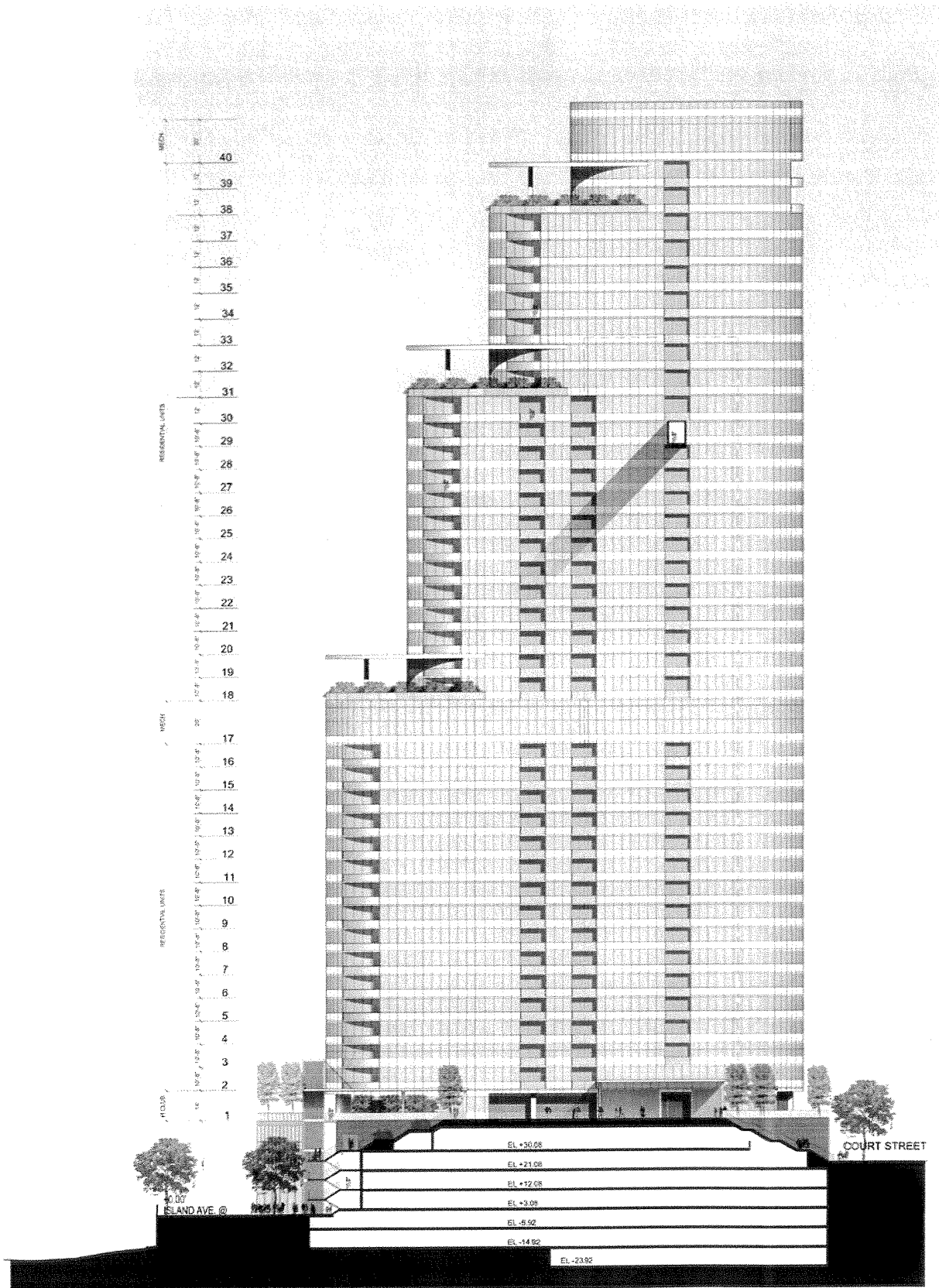
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ARCHITECT

FISHER FRIEDMAN ASSOCIATES  
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STEPPAN 2135

RS - 471

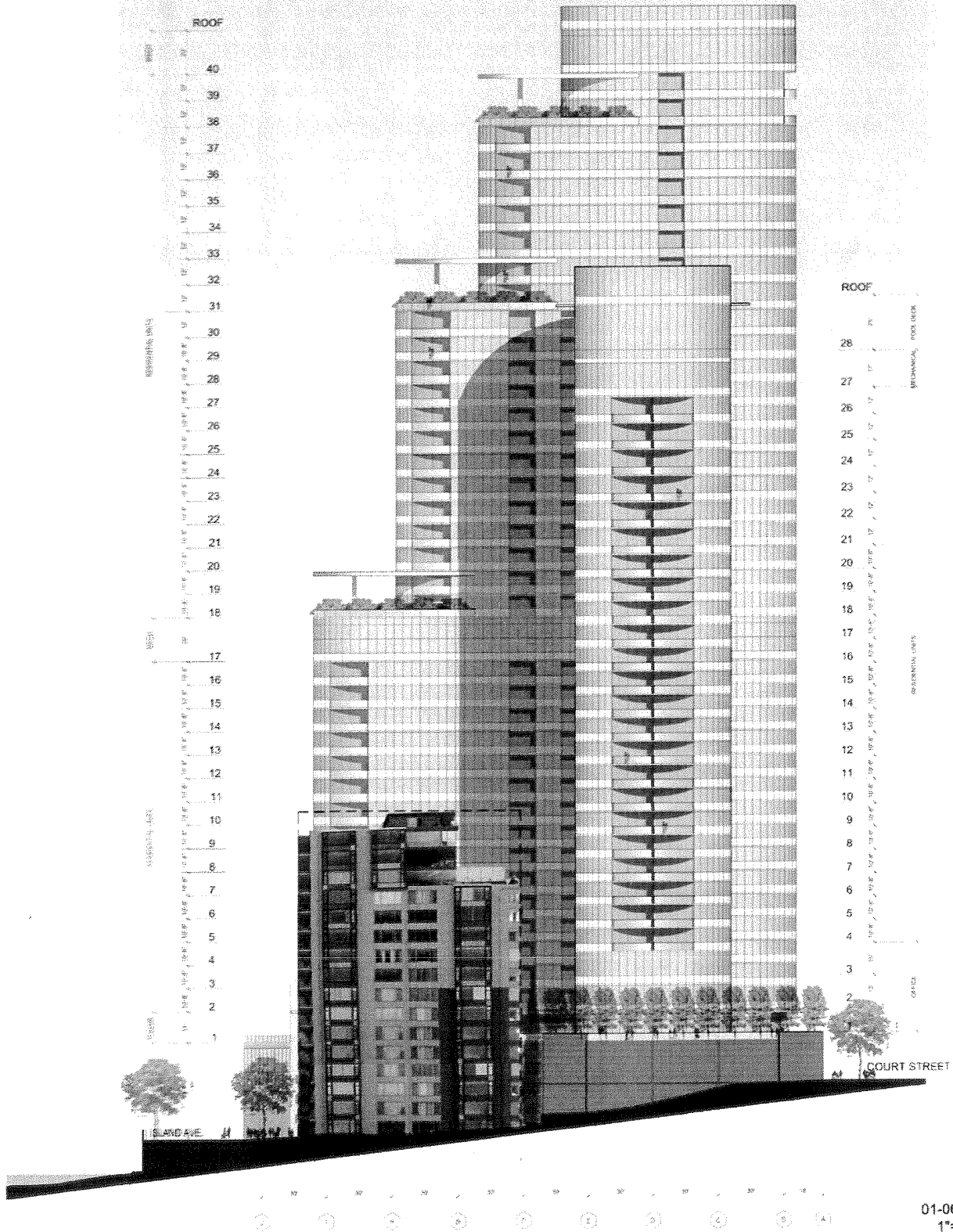


# WEST ELEVATION/ SECTION

01-06-2006  
1"=20'-0"  
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STEPPAN 2136

RS - 472



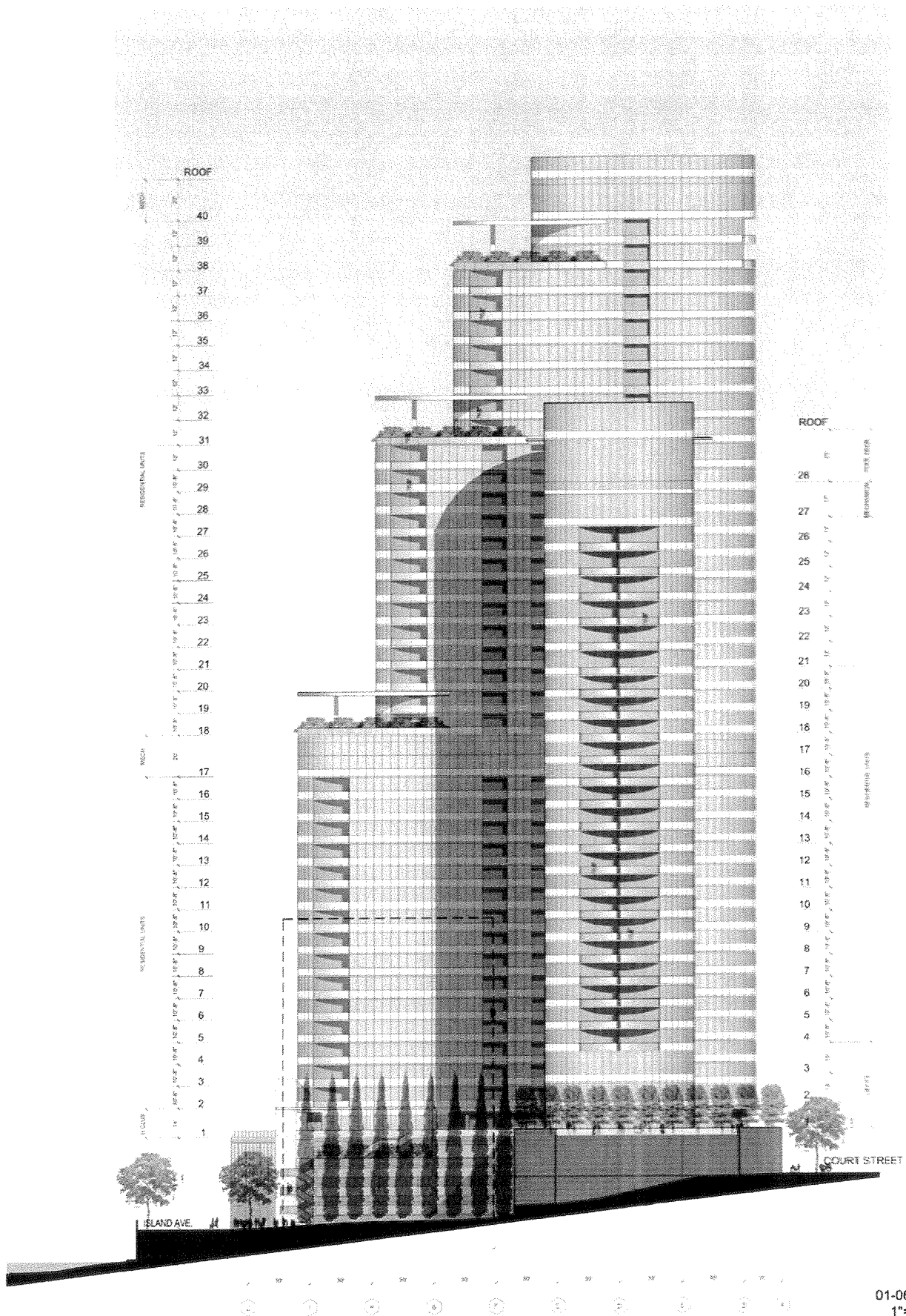
## WEST ELEVATION

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1"=20'-0"  
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DESIGN CONSULTANT

STEPPAN 2137

RS - 473



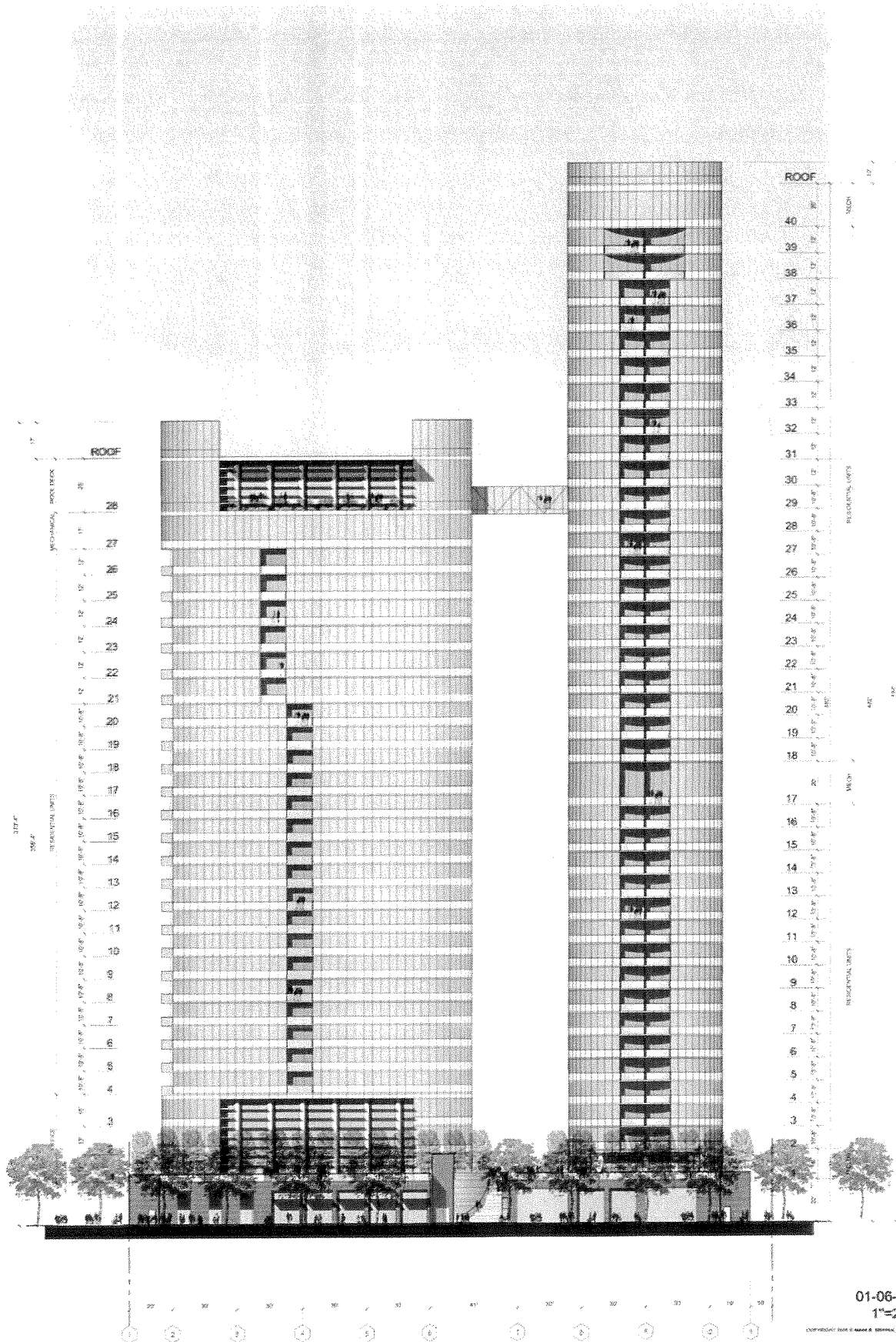


## WEST ELEVATION

01-06-2006  
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STEPPAN 2138

RS - 474

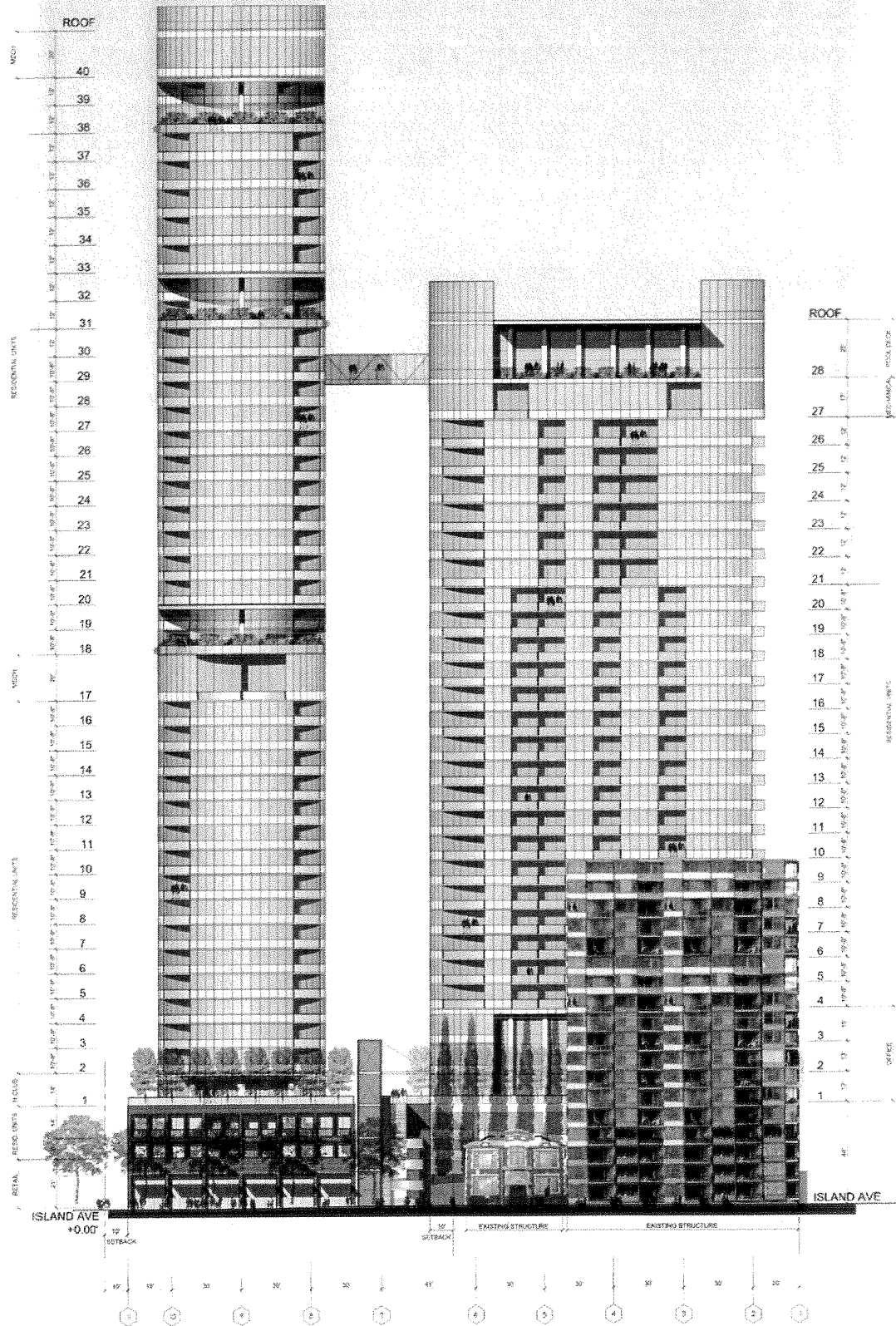


# SOUTH ELEVATION

01-06-2006  
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 CONFIDENTIAL DATE: 01-06-2006 BY: STEPPAN, AIA, CSI, NCARB  
 ARCHITECT  
 FISHER FRIEDMAN ASSOCIATES  
 DESIGN CONSULTANT

STEPPAN 2139

RS - 475

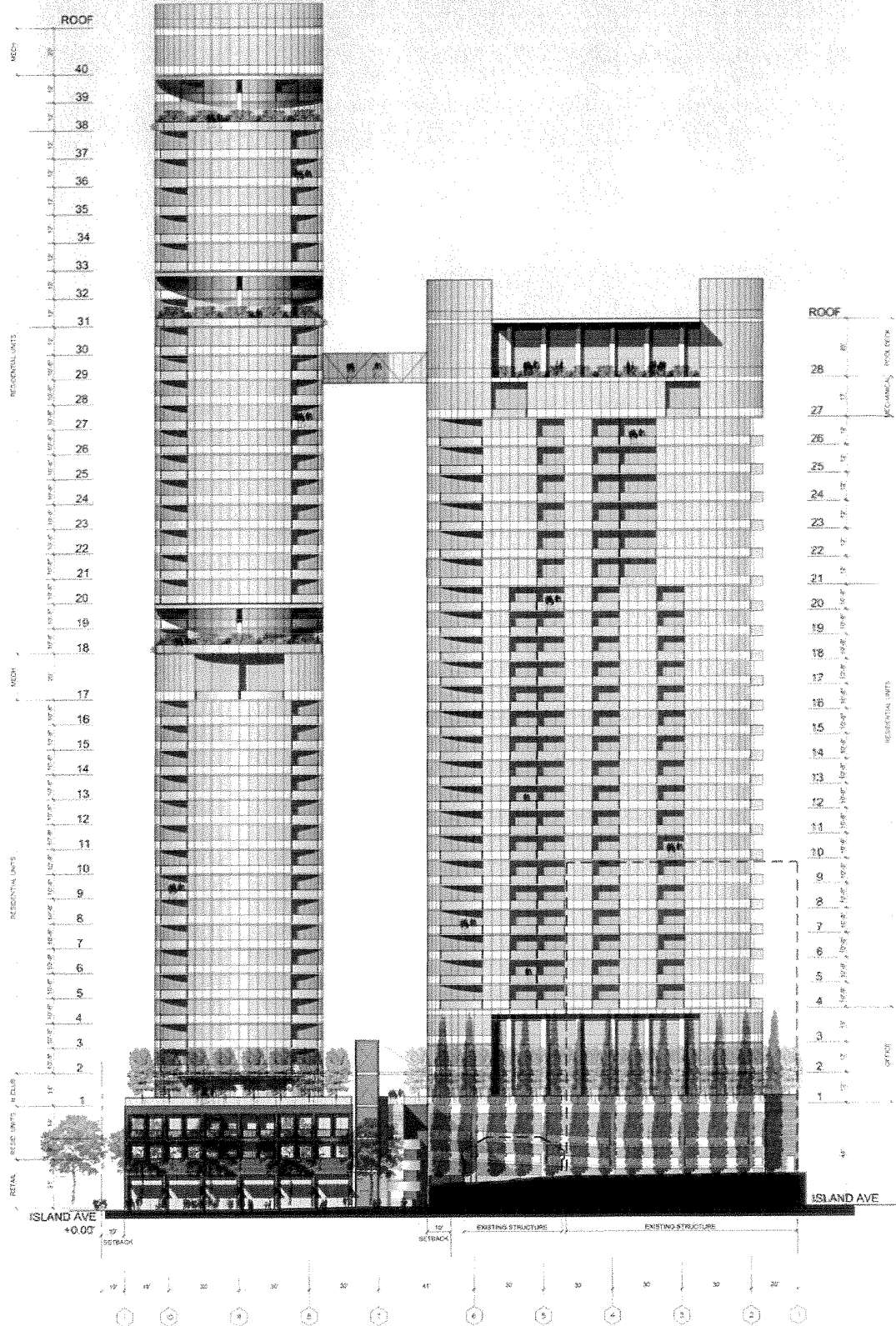


# NORTH ELEVATION

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1"=20'-0"  
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DESIGN CONSULTANT

STEPPAN 2140

RS - 476



# NORTH ELEVATION

01-06-2006  
1"=20'-0"

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MARK B. STEPPAN, AIA, CSI, NCARB  
ARCHITECT

FISHER-FRIEDMAN ASSOCIATES  
DESIGN CONSULTANT

STEPPAN 2141

RS - 477

# Trial Exhibit 40

# WINGFIELD TOWERS

## RENO, NEVADA

OWNER

**BSC FINANCIAL, LLC**

ARCHITECT

**MARK B. STEPPAN, AIA, CSI, NCARB**

DESIGN CONSULTANT

**FISHER-FRIEDMAN ASSOCIATES, AIA**

DESIGN CONSULTANT

**WOOD RODGERS**