



Community Development

"Dedicated to Excellence in Public Service"

Adrian P. Freund, AICP, Community Development Director



Agenda Item No: **6** (2/6/2007)

Staff Recommendation: **MODIFIED APPROVAL**

**WASHOE COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT
STAFF REPORT**

To: Washoe County Planning Commission

Re: Comprehensive Plan Amendment Case No. CP06-019

Date: January 26, 2007

Prepared By: Roger Pelham, Senior Planner

GENERAL INFORMATION SUMMARY

Applicant: Hidden Hills, LLC.

Requested Action: To consider a request to amend the Southeast Truckee Meadows Area Plan, being a part of the Washoe County Comprehensive Plan. The amendment request would change the land use designation on eight parcels and result in land use designations of approximately 87.8 acres of Medium Density Suburban (MDS), 49.6 acres of Medium Density Rural (MDR) and 258 acres of Open Space (OS). The request would result in the ability to construct up to 184 dwellings, the current land use designation allows 9. The Planning Commission may consider other appropriate land use designations such as Public and Semi-Public Facilities (PSP) and Low Density Suburban (LDS), and may reduce the acreage of certain land use designations to reduce the amount of dwellings approved, if appropriate. All eight of the subject parcels are currently designated General Rural (GR). The properties are located approximately 2 miles east of the intersection of McCarran Boulevard and Pembroke Drive and approximately ¼ mile north of the intersection of Pembroke and Man Of War Drive. Clean Water Way borders the northwestern corner of the project. Portions of the parcels are within the Truckee Meadows Service Area, and within the area of interest of the City of Sparks, as identified by the 2002 Truckee Meadows Regional Plan. The parcels are located within Section 23, T19N, R20E, MDM, Washoe County, Nevada. The property is within the Washoe County Commission District No. 2 and within the Southeast Truckee Meadows Citizen Advisory Board boundary. (APNs: 021-030-07 & 051-010-04, 05, 06, 07, 09, 10, & 11).

To reflect changes requested within this application and to maintain currency of general area plan data, administrative changes to the area plan are proposed. These administrative changes include: a revised map series with updated parcel base and revised table of land uses.

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RECOMMENDATION / FINDINGS

Based upon the staff analysis, comments received, and the site inspection, staff recommends a modified approval of the request and offers the following motion for your consideration:

I move that the Washoe County Planning Commission

- approves proposal alternative one as recommended by staff for Comprehensive Plan Amendment Case No. CP06-019 (APNs: 021-030-07 & 051-010-04, 05, 06, 07, 09, 10, & 11) for Hillside Holdings, LLC. which will allow a maximum of 164 dwelling units to be constructed,

OR

- approves proposal alternative two as recommended by staff for Comprehensive Plan Amendment Case No. CP06-019 (APNs: 021-030-07 & 051-010-04, 05, 06, 07, 09, 10, & 11) for Hillside Holdings, LLC. which will allow a maximum of 151 dwelling units to be constructed,

having made one or more of the following findings in accordance with Washoe County Development Code Section 110.810.30:

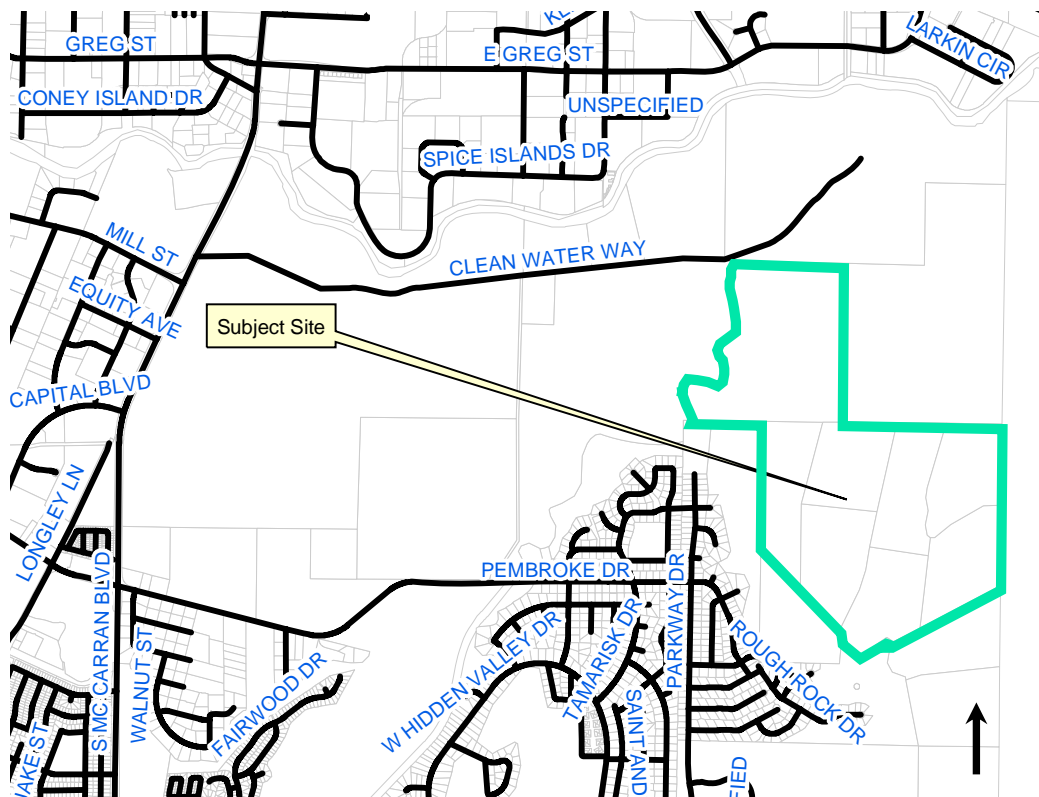
1. The proposed amendments to the Southeast Truckee Meadows Area Plan are in substantial compliance with the policies and action programs of the Washoe County Comprehensive Plan.
2. The proposed amendments to the Southeast Truckee Meadows Area Plan will provide for land uses compatible with existing and planned adjacent land uses and will not adversely impact the public health, safety or welfare.
3. The proposed amendments to the Southeast Truckee Meadows Area Plan will not adversely affect the implementation of the policies and action programs of the Conservation Element, the Population Element and/or the Housing Element of the Washoe County Comprehensive Plan.
4. The proposed amendments to the Southeast Truckee Meadows Area Plan will promote the desired pattern for the physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.
5. The proposed amendment to the Southeast Truckee Meadows Area Plan is the first amendment to the Southeast Truckee Meadows Area Plan in 2007, and therefore does not exceed the three permitted amendments as specified in Section 110.820.05 of the Washoe County Development Code.
6. The Washoe County Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing.

ANALYSIS

Background:

The applicant, Hillside Holdings, LLC. has submitted a Comprehensive Plan Amendment application to change the land use designation on several parcels from General Rural (GR) to a combination of Medium Density Suburban (MDS), Medium Density Rural (MDR) and Open Space (OS). The request submitted by the applicant is based roughly upon the topography of the parcels. In simple terms the request would re-designate those areas with slopes up to 15% to the land use designation of Medium Density Suburban, areas with slopes above 15% but less than 30% to High Density Rural (HDR) and those areas with slopes of 30% or greater or within areas prone to flooding to Open Space (OS). The requested changes would result in a substantial increase in the development potential of the subject site. The land use designations requested by the applicant would result in approximately 87.8 acres of MDS (2 dwellings per acre in the Southeast Truckee Meadows Area Plan), 49.6 acres of MDR (one dwelling per 5 acres) and 258 acres of Open Space, which has no residential density. Existing land use designations would allow approximately 9 dwelling units to be constructed. If the requested change is granted, a total of 184 dwelling units would be permitted.

The property is located approximately 2 miles east of the intersection of McCarran Boulevard and Pembroke Drive and approximately ¼ mile north of the intersection of Pembroke and Man Of War Drive. Clean Water Way borders the northwestern corner of the project area, as seen in the vicinity map below.

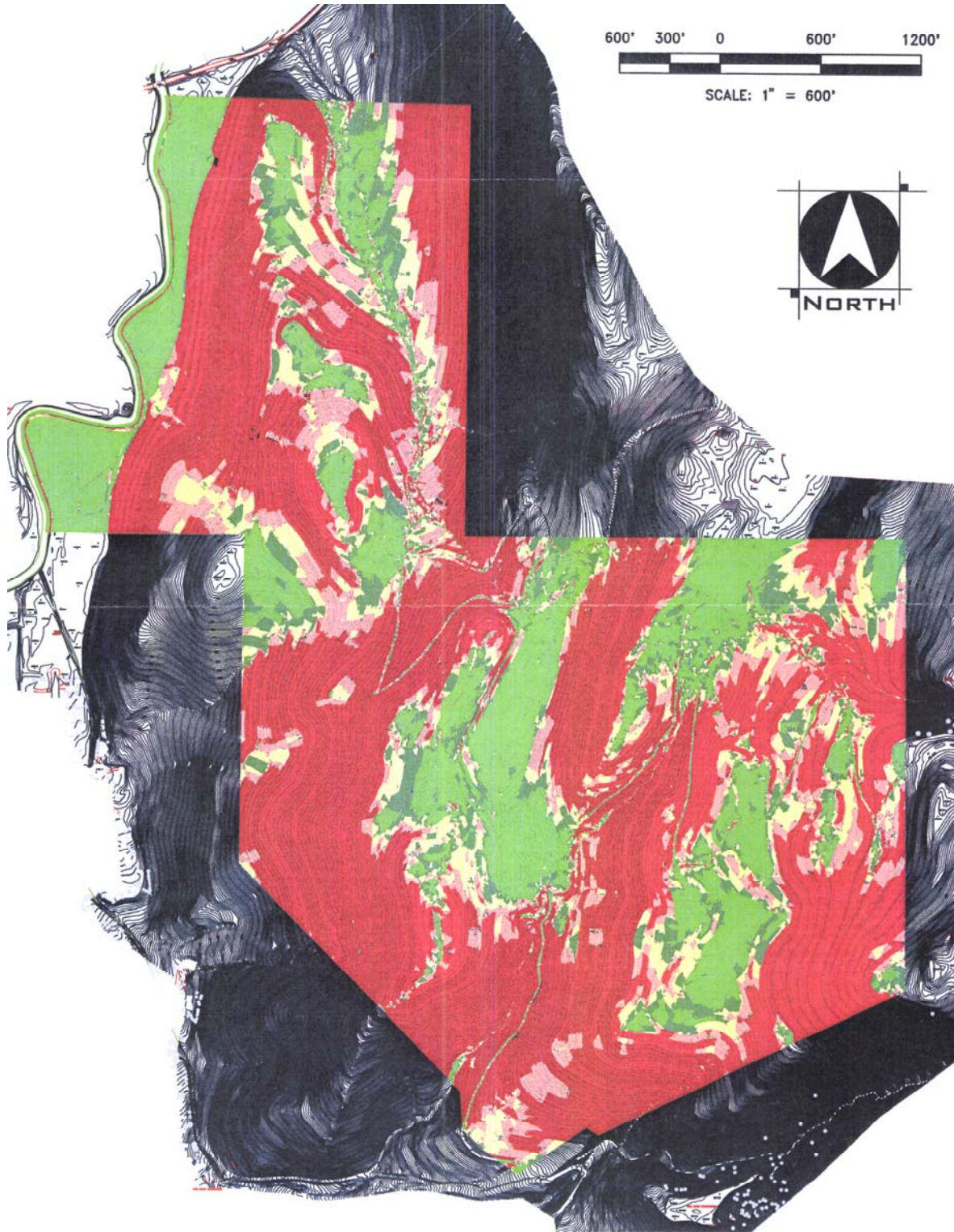


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The analysis of this request is complicated by the fact that there are small areas of potentially developable areas surrounded by large areas of very steep slopes. Staff has proposed alternate land uses that closely match the site topography based upon the slope percentage. This has reduced the number of dwelling units that may be constructed if the staff recommendation is approved. Staff has also recommended that a land use designation of Public and Semi-Public Facilities be included on that portion of the project site upon which a water tank has already been approved. That area, being encumbered by the water tank has no residential development potential and should not be designated in that manner. To be found in conformance with the 2002 Truckee Meadows Regional Plan, proposed land use designations on the subject site have been based precisely upon the suitability of the land in respect to the slope. Areas that are relatively flat (unconstrained) are proposed to be developed at two dwelling units per acre. Areas with somewhat steeper slopes (managed) areas are proposed to be developed at densities of one dwelling unit per five acres. All areas that are defined as constrained by the Regional Plan have been proposed for Open Space designation.

Analysis of this application is further complicated by the fact that the Planning Commission adopted a comprehensive update of the Southeast Truckee Meadows Area Plan on January 16, 2007, just three weeks ago. That comprehensive update showed the subject area retaining a land use designation of General Rural (GR). In preparation for this report staff consulted with the planner facilitating the comprehensive update process, who indicated that this applicant was aware of that process, but chose to initiate this amendment as a separate process. The applicant stated at the Citizen Advisory Board meeting that a separate process allowed greater scrutiny of the individual land uses requested.

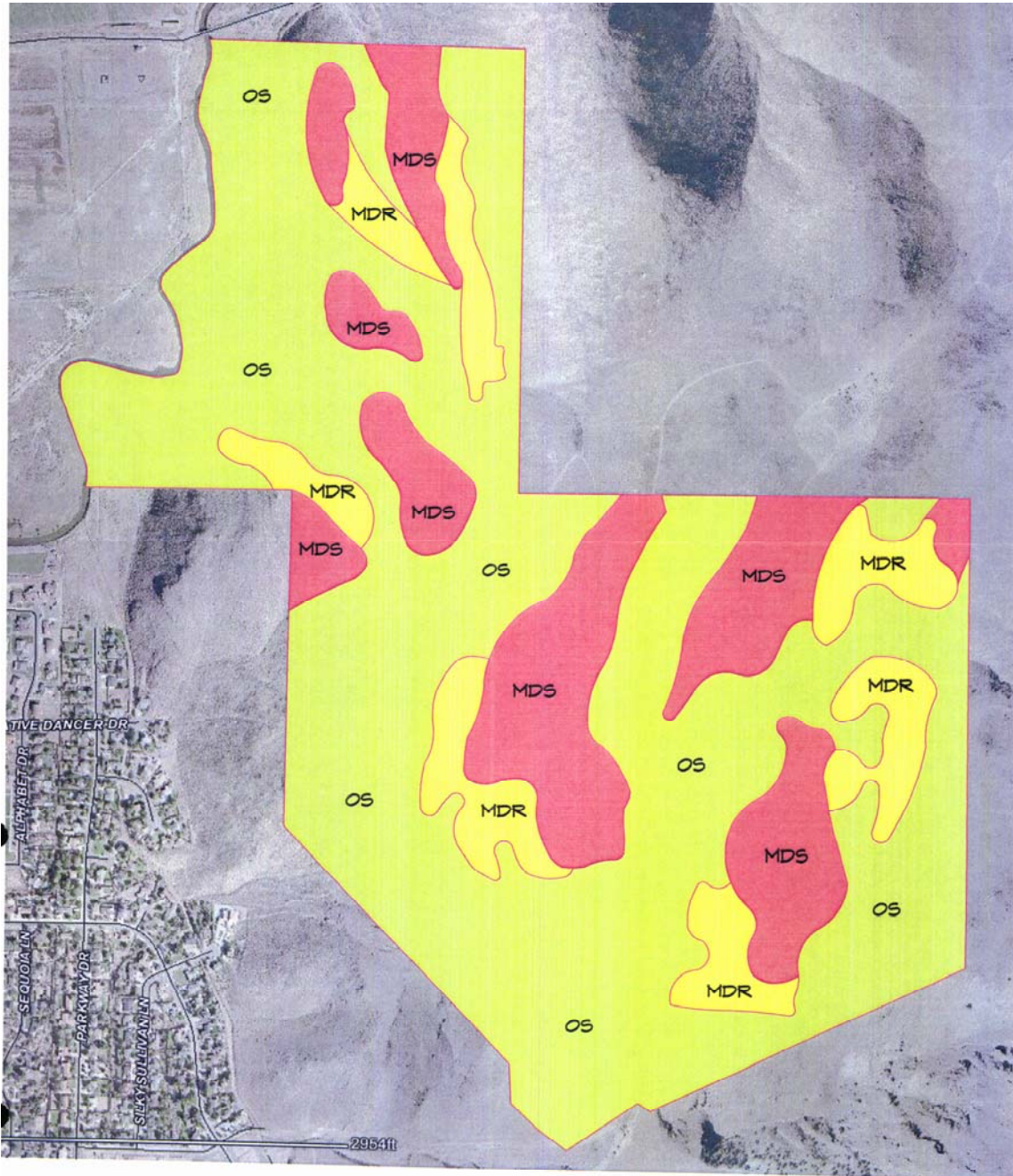
The map on the next page is a slope analysis provided by the applicant. The green areas are slopes up to 15%, the dark green, yellow and pink areas are slopes between 15 and 30%, the red areas are slopes greater than 30%.



HIDDEN HILLS				
Range Beg. (%)	Range End (%)	Percent (%)	Area (AC)	Color
0.00	15.00	19.9	79.8	Green
15.10	20.00	7.6	30.9	Light Green
20.10	25.00	9.0	36.5	Yellow
25.10	30.00	10.7	43.6	Pink
>30.00		52.8	214.5	Red

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The map below is a representation of the land use designations requested by the applicant.



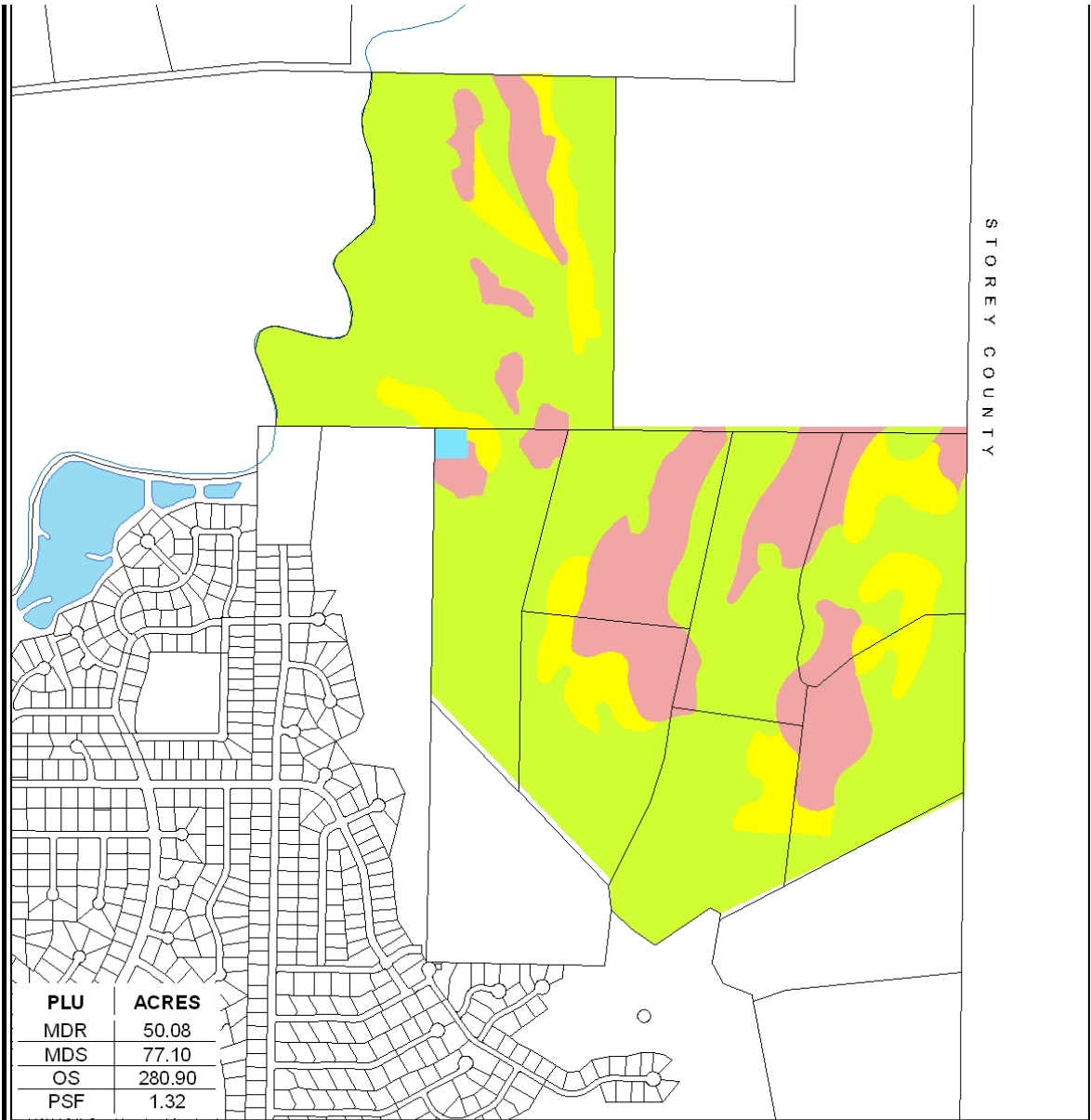

WOOD RODGERS
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575 Double Eagle Court Reno, NV. 89521
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It is difficult to imagine the proposed land use designations superimposed upon the topography of the site. Staff, however, had the benefit of a large format map and a transparency of the proposed land use designations. Staff also had the benefit of electronic mapping software (GIS) that was also used to superimpose the requested land use designations with the slope analysis. Utilizing these tools staff was able to determine that several areas including slopes greater than 15% were proposed for designation as MDS and that some areas included slopes greater than 30%. Conversely, however there are some areas in which very small, generally isolated, areas with slopes below 30% and 15% are included in the Open Space. The land use designations shown on the map on the next page of this report, constitute the first proposal recommended by staff. The land use designations on this map match the topography very closely, and take into consideration the water tank that has been previously approved on the project site.

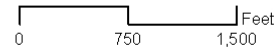
Traffic generated by development potential created by intensification of land use designations is always a concern to surrounding property owners. A traffic study included with the application was predicated upon 165 dwelling units. The applicants proposal would allow 184 dwellings, staff "proposal alternative one" would allow 164. The traffic study provided by the applicant indicates that the intensification in land use would result in 1,648 additional daily car trips and 125 AM peak hour trips and 168 PM peak hour trips. According to that study one portion of Pembroke Drive exceeds current County standards of 2000 ADT for roadways having direct driveway access. All additional traffic generated by this development would utilize Pembroke drive and would exacerbate that situation. All other intersections and street segments are stated to "operate within adopted regional level of service standards."

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PLU	ACRES
MDR	50.08
MDS	77.10
OS	280.90
PSF	1.32

Comprehensive Plan Amendment Case No. CP06-019
 HIDDEN HILLS
 STAFF PROPOSAL ALTERNATIVE ONE



- MEDIUM DENSITY RURAL (MDR)
- MEDIUM DENSITY SUBURBAN (MDS)
- PUBLIC AND SEMI-PUBLIC FACILITIES (PSP)
- OPEN SPACE (OS)
- WATER BODIES



Department of Community Development

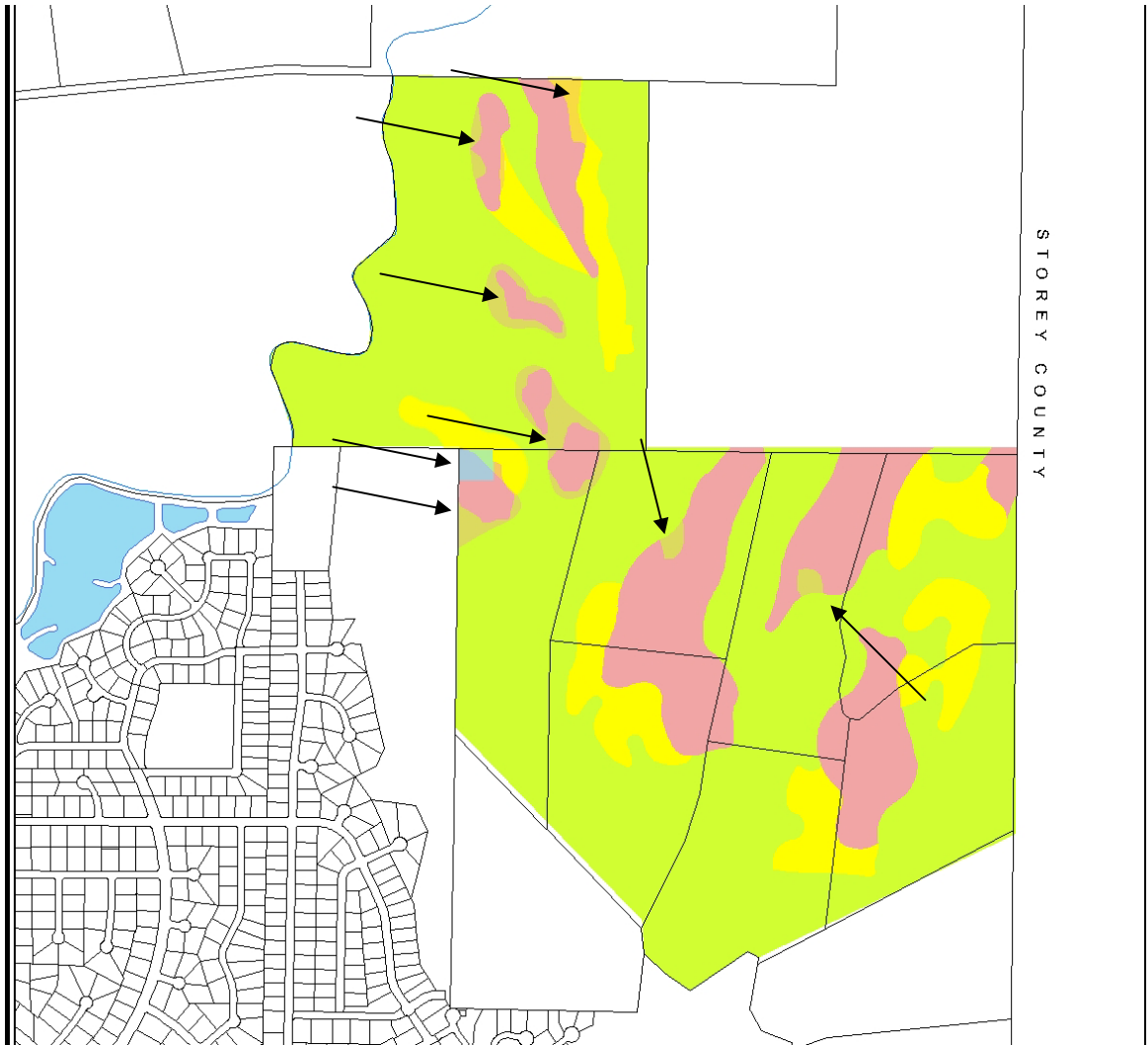
WASHOE COUNTY NEVADA

Post Office Box 11130
 Reno, Nevada 89520
 (775) 328-3600

SOURCE: Community Services

Date: January 8, 2007

The following map shows a comparison between the land use designations requested by the applicant and those that are proposed by staff as "proposal alternative one." Arrows indicate areas of difference between the two proposals.



Of additional concern to staff is the applicants proposal for MDS zoning on the top of the ridgeline on the northern portion of the project site. This will create the ability for the applicant to construct homes on the ridgeline that, while they would not "sky-light" as the mountain range to the east is higher in elevation than the ridgeline, development on the ridgeline would create a substantial visual impact upon the surrounding area.

Attached to this report is a photograph depicting the land use designations recommended by staff proposal option one, as it would appear from a point above the Hidden Valley area.

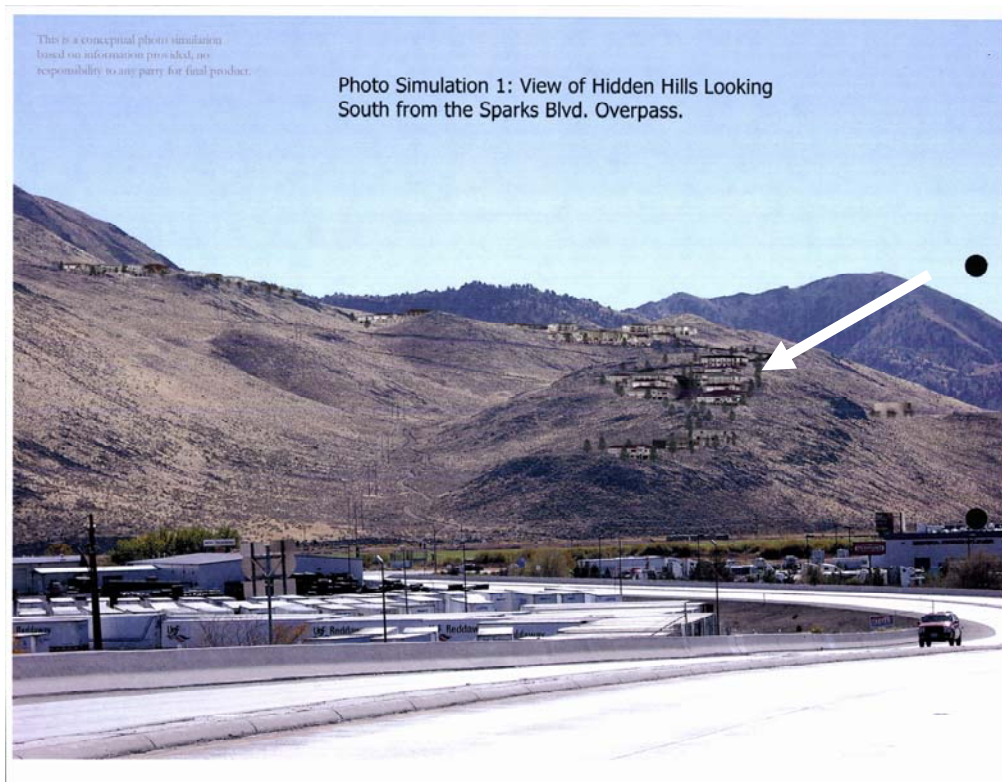
Staff believes that the in the case of the more intense land use designation on the top of the ridgeline that the Planning Commission may not be able to make the finding that, "The proposed amendments to the Southeast Truckee Meadows Area Plan will provide for land uses compatible with existing and planned adjacent land uses and will not adversely impact the public health, safety or welfare". This may be particularly true of the public

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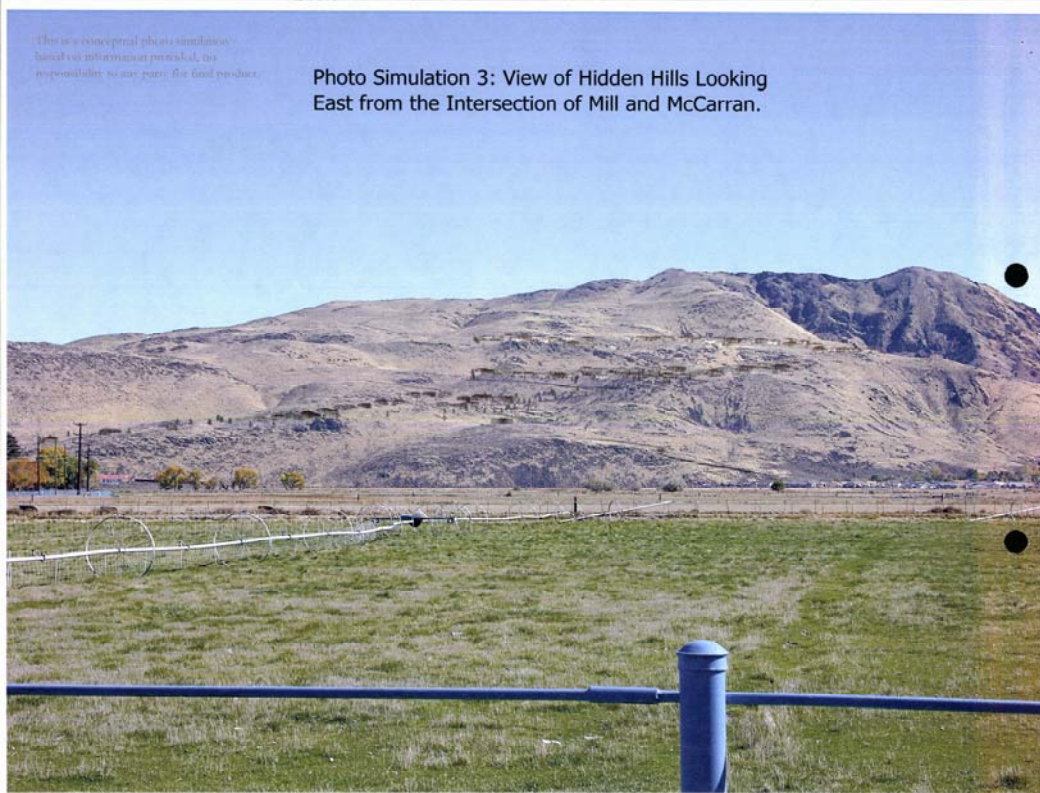
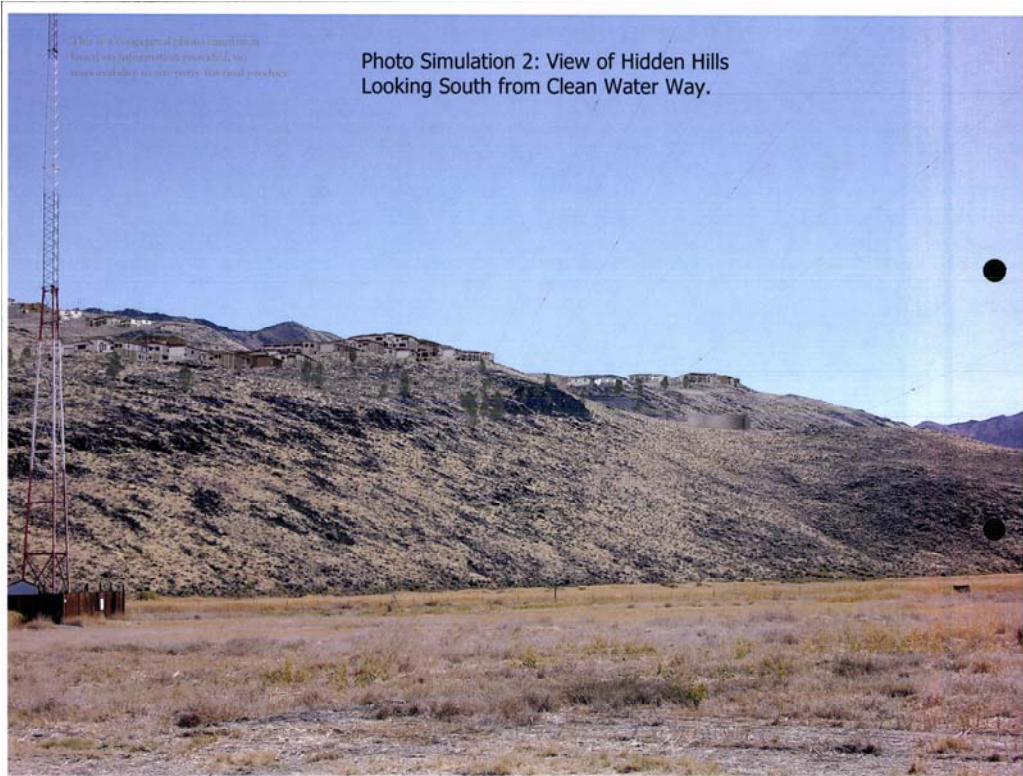
welfare, as a permanent visual impact will be created. The following photo simulations and vicinity map were provided by the applicant.



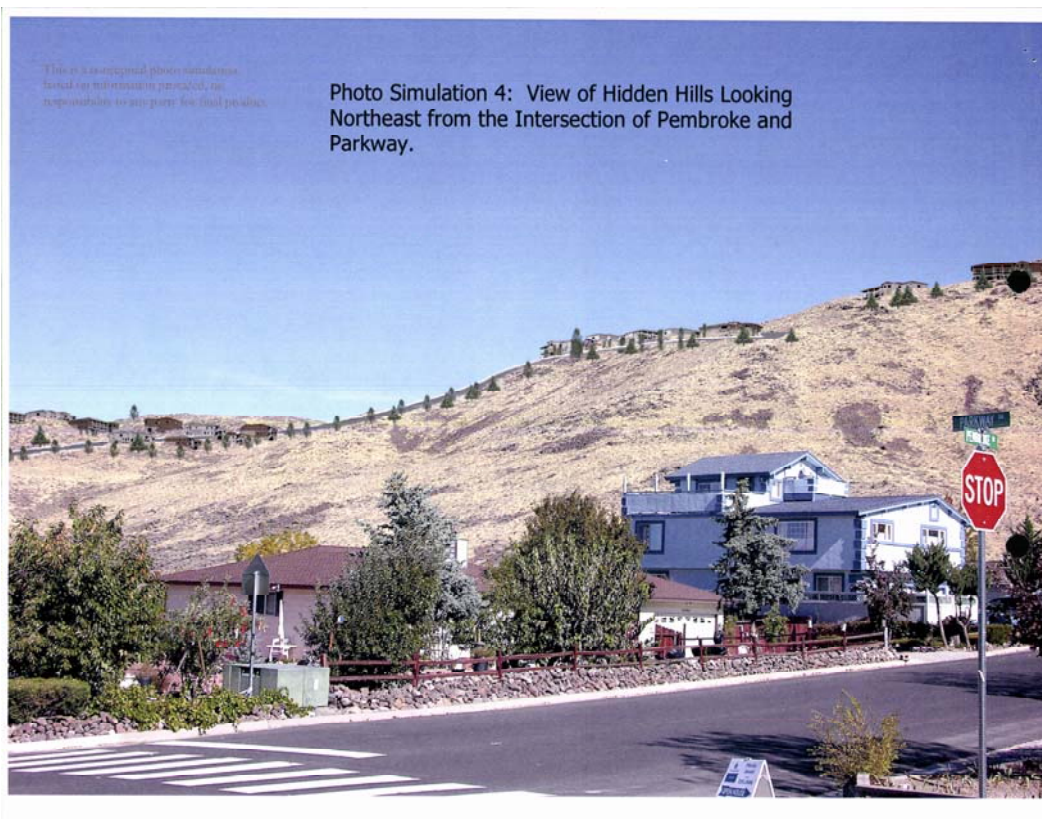
**HIDDEN HILLS PROJECT
VICINITY MAP**



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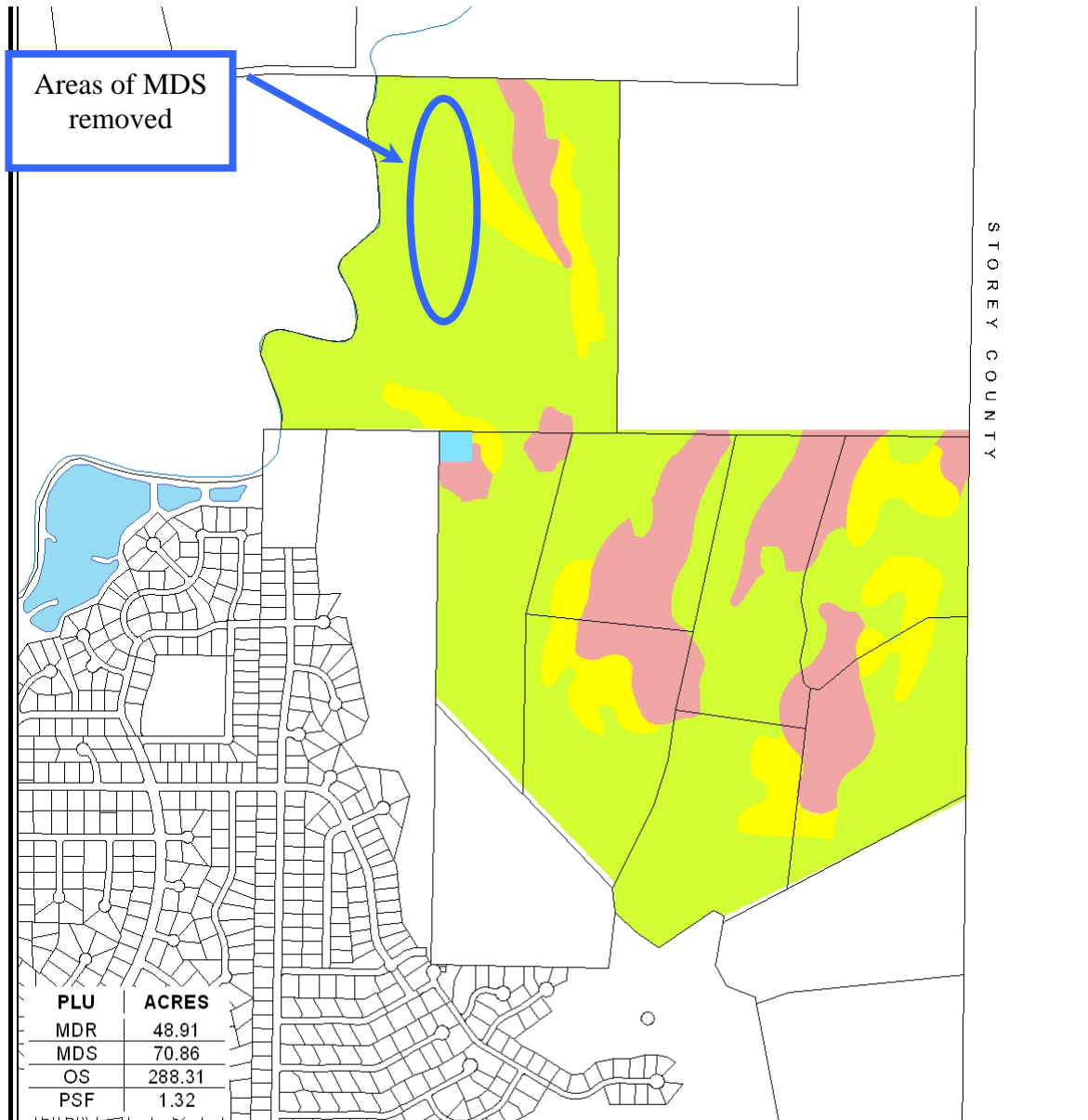


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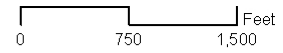
Should the Planning Commission determine that the visual impact resulting from development of the ridgeline will adversely impact the public welfare by means of permanent visual impact, staff would then recommend that the land use designations on the following map be approved (proposal alternative two). This would eliminate the ability to construct homes on the ridgeline and preserve the view as it now exists. This would result in land use designations that would allow 151 dwellings to be constructed.

Further supporting this option is the expressed desire of the residents of the Southeast Truckee Meadows to preserve and protect ridgelines and steep slopes in the Virginia Range (proposed policy SETM.4.2). This information has been expressed to County Staff as part of the Southeast Truckee Meadows Area Plan update. Which, as previously noted, was adopted by the Planning Commission three weeks ago.



PLU	ACRES
MDR	48.91
MDS	70.86
OS	288.31
PSF	1.32

Comprehensive Plan Amendment Case No. CP06-019
 HIDDEN HILLS
 STAFF PROPOSAL ALTERNATIVE TWO



- MEDIUM DENSITY RURAL (MDR)
- MEDIUM DENSITY SUBURBAN (MDS)
- PUBLIC AND SEMI-PUBLIC FACILITIES (PSP)
- OPEN SPACE (OS)
- WATER BODIES



Department of Community Development

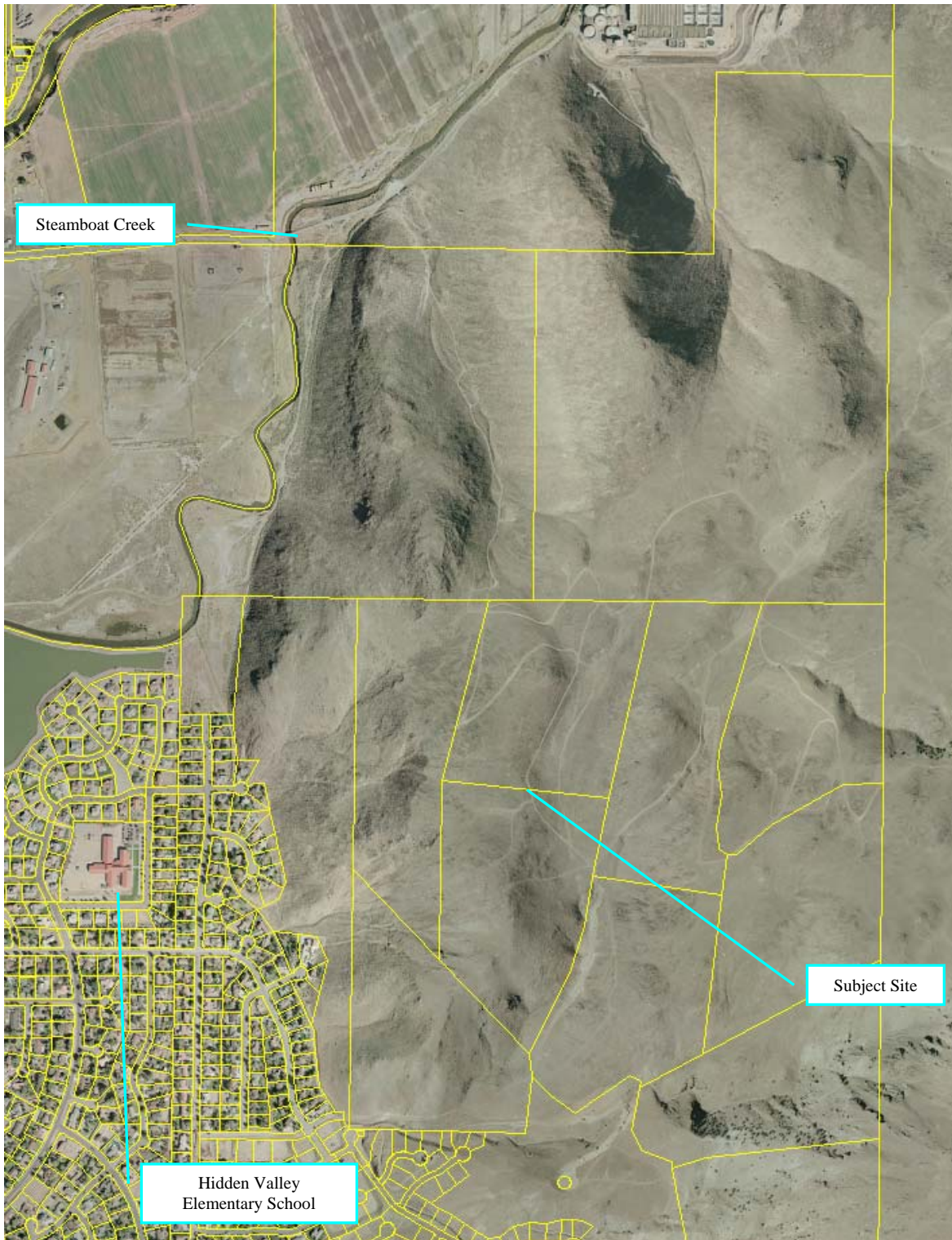
WASHOE COUNTY NEVADA

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SOURCE: Community Services

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The overhead photograph, below shows the parcels proposed for re-designation in relation to the surrounding area.



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The subject parcels are constrained due to steep slopes present significant challenges for development. Development at the intensity recommended by staff is appropriate given the constraints on the parcels. The appropriateness of development in this area is further enhanced if the applicant submits a “common open space” tentative subdivision map, creating lots smaller than typically allowed in the proposed regulatory zones. Development of this parcel will require provision of a community water and sewer systems.

It should be clearly noted that approval of this comprehensive plan amendment does not obligate the applicant to a particular type of development. The analysis of whether the land use designations are appropriate must stand independently of any project that is later proposed. The photo simulations provided by the applicant show one possible type of development, and may illustrate some possible impacts, but are not binding on the applicant as to the type of development that may later be constructed.

Existing Natural Systems

Land Use Change

Determining compatibility with the adjacent parcels is problematic as the applicant has proposed land use designations based upon the topography of the parcels. For that reason the adjacency table, below, will show the compatibility with the most intense land use designation (Medium Density Suburban) that has been requested, only. In some cases, the less intense land use designations of Open Space or Medium Density Rural, is actually adjacent.

Figure 1

ADJACENT PARCELS COMPATIBILITY WITH THE MEDIUM DENSITY SUBURBAN (MDS) LAND USE DESIGNATION

Direction	Land Use Designation	Land Use Compatibility Existing - Proposed
North	General Rural (GR), Public and Semi-Public Facilities (PSP) and Open Space (OS).	High/Low – Medium
South	General Rural (GR) and Open Space (OS)	High – Medium
East	Storey County “Forestry” Zoning	High-Medium*
West	General Rural (GR)	High – Medium

Source: Table 3, Land Use Compatibility Matrix, of the adopted Washoe County Comprehensive Plan, Land Use and Transportation Element.

* The “Forestry” regulatory zone in Storey County is roughly equivalent to the GR zone in Washoe County. The minimum lot size is 40 acres and is intended to “protect areas having important environmental qualities in Storey County from unnecessary degradation and to provide areas of very low density residential use.” (Storey County Code Chapter 17.32)

If the requested land use changes are granted there will be a reduction in land use compatibility, from “high” to “medium,” on all sides with the exception of the north. One of

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the parcels to the north has a land use designation of GR and PSP. The subject parcels has an existing land use designation of GR which has a “low” compatibility rating with PSP, whereas MDS has a “medium” compatibility rating.

In all cases it should be noted that actual development is likely to be located a large distance from existing development as there are steep slopes proposed to be designated as Open Space on the periphery of the project.

Water

The Comprehensive Plan amendment application indicates that water rights will be purchased and dedicated to Washoe County upon approval of development of the project.

Wastewater/Sewer

The application also indicates that the project can be served by Washoe County Utility Division sanitary sewer.

Streets and Highway System Plan Changes

There are no changes to the streets and highway system plan necessitated by the proposed change.

COMPREHENSIVE PLAN ELEMENTS INFORMATION

Public Services and Facilities Element

The proposed change in land use will necessitate the extension of infrastructure from adjacent developed areas this will result in negligible effect on water and waste-water service requirements in the Southeast Truckee Meadows Area Plan.

Public Schools

Staff received correspondence from the School District indicating that development of the area proposed for change in land use would probably result in approximately 40 additional students in the public schools. Hidden Valley Elementary is currently well under capacity, Vaughn Middle School is at capacity and Wooster High School is slightly over capacity. No additional schools are anticipated as a result of this change in land use.

<h3>CITIZEN ADVISORY BOARD COMMENTS</h3>

The proposal was submitted to the Southeast Truckee Meadows Citizen Advisory Board and was initially discussed during their December 20, 2006 meeting. The relevant portion of the notes from that meeting are as follows:

Ken Krater, property owner was available to address questions and concerns. Mr. Krater asked for comments and suggestions regarding the open space areas. This request will be brought back to the SETMCAB in January for final review and recommendations.

Comments and Concerns

- In response to questions raised, Ms. Lindell reviewed the slope analysis.
- Ms. Lindell stated that there is no project at this time and if CP06-019 is approved, the tentative map will be reviewed by the CAB for recommendations.

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- Mr. Krater addressed questions related to how flows and erosion would be handled. Mr. Krater stated that minimizing grading and disturbance would be addressed in the Tentative Map review.
- Tom Judy disclosed that he works for UNR (University of Nevada Reno) and is aware of this property through the university.
- Concerns were raised that the applicant needs to be aware of and take the Dark Skies ordinance into consideration.
- Ms. Lindell stated that they will be addressing roadways in the Tentative Map part of the project
- Concerns were raised regarding negative visual impacts of cuts in the hillsides and powerlines. Ms. Lindell stated that they do not plan to flatten the hillsides and build homes on them. Mr. Krater stated that they intend to use set-backs and buffers throughout the residential development.

The proposal was also discussed at the January 17, 2007 meeting of that board.

After lengthy discussion regarding the likely type of development, traffic, visual impact and grading, the CAB voted to recommend modified approval of the project, such that 165 dwelling units are allowed, as that was the number stated in the traffic report and the maximum number of dwellings verbally agreed to by the applicant. A copy of the minutes from that meeting is attached to this report.

AGENCY COMMENTS

The proposal was submitted to all interested agencies. Comments relevant to the proposed change in land use were received from the School District. Other agency comments were received that are applicable if the change is approved and a tentative map is applied for.

The application was delivered to the City of Reno, Department of Community Development, and to the City of Sparks, Department of Community Development no correspondence was received from either agency.

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APPLICABLE REGULATIONS

Nevada Revised Statutes Chapter 278; Washoe County Code Chapter 110, 2002 Truckee Meadows Regional Plan

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Attachments: SETM CAB Notes dated 1/23/07
Staff Proposal Option One Map

Property Owner: Hillside Holdings, LLC. c/o Ken Krater, 540 West Plumb Lane, Suite 1A, Reno, NV 89509

Professional Consultant: Wood Rodgers, Inc., c/o Melissa Lindell, 575 Double Easel Ct, Reno, NV 89511

Agencies: SETM CAB
City of Sparks, Department of Community Development
City of Reno, Department of Community Development

- Mr. Krater stated that he would not be requesting variances on the hillside ordinance or any other code or ordinance.
- Concerns were raised regarding negative visual impacts to existing residents in Hidden Meadows. Mr. Krater discussed the line of sight and the flat areas, ridge lines and depressions where dwellings would be constructed.
- Mr. Krater reviewed the plans for open space throughout the project.
- Opposition was stated to the townhouse and cluster types of development as not being compatible with the concept of rural living. Opposition was stated to density increases by way of clustering which invites annexation.
- In response to questions raised, Mr. Krater stated that the land use application conforms to the Southeast Area Plan Update.
- In response to concerns raised, Mr. Krater confirmed that he has no intention or desire to have this development annexed into the City of Reno. They (Hillside Holdings) feel very strongly that this project needs to stay in the county.
- Mr. Pelham reviewed how the application is analyzed for its compatibility with the community.
- Concerns were stated for the compatibility of townhouses with the community.
- In response to questions raised, Mr. Krater confirmed that they only intend to build 165 dwelling units which is less than the allowed 184 units.
- Mr. Pelham reminded the CAB that Washoe County can not condition a comprehensive plan amendment. It must stand on its own. Staff can bring options forward to the Planning Commission for consideration.
- Concerns were raised that this land use change was not addressed in the Area Plan Update.
- Mr. Pelham stated that the Hidden Valley Modifiers would apply to this project. The tentative map would have to comply with the Hidden Valley Modifiers.
- Neil Upchurch stated that to his recollection, the 40 acres were excluded from the Hidden Valley Modifiers.

c: David Humke, Commissioner
 Tom Judy, Chair.
 Bob Webb, Planning Manager
 Sarah Tone, Community Outreach Coordinator
 Kenneth Krater, Consultant