



PLANNING COMMISSION MEETING MINUTES

Planning Commission Members

Dian A. VanderWell, Chair
Neal Cobb, Vice Chair
Roger Edwards
Vaughn Hartung
Roy H. Hibdon
William Weber
D.J. Whittemore
Kimberly H. Robinson, MUP, Secretary

Tuesday, April 5, 2011
6:30 p.m.

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

The Washoe County Planning Commission met in regular session on Tuesday, April 5, 2011, in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

DETERMINATION OF QUORUM

Chair VanderWell called the meeting to order at 6:32 p.m. The following Commissioners and staff were present:

Commissioners present: Dian A. VanderWell, Chair
Neal Cobb, Vice Chair
Roger M. Edwards
Vaughn Hartung
Roy Hibdon
William Weber
D.J. Whittemore

Commissioners absent: None

Staff present: Kimberly Robinson, Planning Manager, Community Development
Trevor Lloyd, Senior Planner, Community Development
Sandra Monsalve, AICP, Senior Planner, Community Development
Roger Pelham, Senior Planner, Community Development
Bill Whitney, Senior Planner, Community Development
Nathan Edwards, Esq., Deputy District Attorney
Sara DeLozier, Recording Secretary, Community Development

PLEDGE OF ALLEGIANCE

Commissioner Whittemore led the pledge to the flag.

ETHICS LAW ANNOUNCEMENT

Deputy District Attorney Edwards provided the ethics procedure for disclosures.

APPEAL PROCEDURE

Ms. Robinson recited the appeal procedure for items heard before the Planning Commission.

APPROVAL OF AGENDA

Ms. Robinson requested items four and five be moved to the May Planning Commission agenda. In accordance with the Open Meeting Law, Commissioner Hartung moved to approve the agenda as amended for the April 5, 2011 meeting. Commissioner Weber seconded the motion, which carried unanimously.

APPROVAL OF MINUTES

Commissioner Hibdon moved to approve the minutes for the March 1, 2011, Planning Commission meeting as written. Commissioner Cobb seconded the motion which carried unanimously.

PUBLIC COMMENT

As there was no one wishing to speak, Chair VanderWell closed the public comment period.

CONSENT ITEMS

- A. To consider and adopt a resolution initiating an update to the Public Services and Facilities Element, a component of the Washoe County Master Plan.
- B. To consider and adopt a resolution initiating an update to the Warm Springs Area Plan, a component of the Washoe County Master Plan.
- C. To consider and adopt a resolution initiating an amendment to the Washoe County Development Code at Article 106, Master Plan Categories and Regulatory Zones; Article 226, Warm Springs Area Plan Regulations; Article 302, Allowed Uses; Article 306, Accessory Uses and Structures; Article 326, Wind Machines; Article 406, Building Placement Standards; Article 502, Billboard Regulations; Article 504, Sign Regulations, to both change the name of "General Rural Residential" zoning category to "General Rural Agricultural" and to make changes to the allowed and permitted uses within this renamed category.
- D. To consider and adopt a resolution initiating an amendment to the Washoe County Development Code at Article 406, Building Placement Standards, relating to the Regional Utility Corridor.

There was no interest in moving any item from the Consent agenda for discussion and no member of the public wishing to speak on any consent item. Commissioner Hibdon moved to approve all the consent items; Commissioner Cobb seconded the motion which carried unanimously.

PROJECT REVIEW ITEMS

ITEM ONE

PUBLIC HEARING: Tentative Subdivision Map Case Number TM09-001 (Silver Hills) (Continued from the March 1, 2011 agenda) – To subdivide 4 parcels totaling 780.30 acres in order to develop a 680-lot common open space subdivision, as authorized in Article 608, Tentative Subdivision Maps, and Article 408, Common Open Space Development, of the Washoe County Development Code. The subject properties are located west and northeast of the intersection of Red Rock Road and Silver Knolls Blvd. The subject parcels are within the Truckee Meadows Service Area (TMSA), and within the Area of Interest of the City of Reno, as identified by the 2007 Truckee Meadows Regional Plan. The subject parcels are located within Sections 23 & 24, T21N, R18E, MDM, Washoe County, Nevada. The property is within Washoe County Commission District 5 and within the North Valleys Citizen Advisory Board boundary. (APNs: 086-203-05; 086-232-31; 087-390-10 & 13).

Chair VanderWell opened the public hearing. Trevor Lloyd reviewed his staff report dated February 16, 2011. He proposed modifying Condition 7a to read “agrees to extend Echo Avenue through to Osage Road.”

Bill Thomas, Conrey Consulting, LLC, representative, reviewed the proposed development’s history, design features as well as how community concerns had been addressed. He stated the applicant was in agreement with the conditions proposed by staff. The current development plans for a 680-lot subdivision, 100 less than permitted. The design is reflective of considerable community input and a balance of the needs of the property owner with the desires of the Silver Knolls community. Design features include the use of a path system instead of sidewalks; the use of Type L curb rather than rolled gutters; the allowance of livestock; dark sky principles; and the feathering of lot sizes. Approximately twenty percent of developable land that was identified as important to the community has been set aside as common open space.

Of the three new water sources identified in the water facility plan, the most likely source is the Fish Springs project with 8,000 acre-feet currently permitted and the potential for 13,000 acre-feet. Between the three sources, at least 10,000 acre-feet is available which would be more than sufficient to meet the development’s projected maximum requirement of 474 acre-feet.

Recharge concerns are addressed through the introduction of a new water source, the absence of new wells, and through the development of multiple stormwater detention basins. Mr. Thomas noted the Silver Knolls Volunteer Fire Station was adjacent to the development and clarified that the proposed new road intended to provide fire access would be a private, 20-foot paved road with a control gate, rather than an extension of a public road. Development took into consideration the siting of the two identified earthquake faults.

Mr. Thomas expressed appreciation to the community members for their considerable time and efforts to help develop a product that is both reflective and respectful of the community.

Michael Welling, 11655 Summertime, noted concern with the identification or existence of a utility easement next to his property suggesting if one was meant to exist there, it is not identified on current maps. He requested an increase in the setback for grading from 10 to 20 feet from his property line to allow for a more gradual grade from the seven-foot berm and to provide a fire-break and more buffering from the detention basin; he also suggested adding an additional detention basin.

Adrian Freund, 9036 Cabin Creek Trail, spoke to the Annexation Settlement Agreement and the rollback of the SOI noting the subject property was intended to act as a buffer. He spoke to the planning process, to the quality of the project, the value of the community input, and the development's value to the community. He noted concurrency concerns had been addressed.

Elizabeth Howe, 11510 Osage Road, spoke to the productive nature of the many meetings between the community and the applicant toward compromise. Of particular importance were those compromises which maintain a rural atmosphere specifically those which allow for livestock, the absence of sidewalk, and access to open space. She expressed appreciation for the diligent past and continuing work of Mr. Lissner and Mr. Thomas.

Sarah Chvilicek, 11595 Osage Road, North Valleys Citizen Advisory Board Chair, spoke in support of development. She expressed appreciation for the time and approach taken by Mr. Lissner and Mr. Thomas finding them to be very open to community concerns and suggestions. She spoke in favor of the maintenance of the community character with increased lot sizes and limited disturbance of native species.

Casey Meaden, 11300 Carlsbad Road, asked about the proposed project timeline and starting location.

Mr. Thomas indicating the first phase of development, likely 20-50 lots, would begin near the intersection of Silver Knolls Boulevard and Red Rock Road and would continue out concentrically. In response to the timing, it was anticipated that the first phase would begin within five years but full build-out could take up to 20 years depending on the market.

Commissioner Cobb complimented the applicant for the work with the community. He asked if the 20-foot setback and modified grade cut requested by Mr. Welling would be possible. Mr. Lloyd stated final engineering would likely be required before making that determination. Mr. Thomas agreed. He noted some initial concerns and though he was uncomfortable committing to a certain setback without the final engineering, he committed to work with Mr. Welling and to be mindful of his concerns and suggestions.

Commissioner Weber spoke in favor of the work done by the applicant. Mr. Lloyd indicated he was not familiar with the specific considerations fire services staff had made in determining response times.

Chair VanderWell commended the developer for working in and with the community to ensure the project's success.

Chair VanderWell closed the public hearing.

Commissioner Cobb moved that after considering the information contained within the staff report and the information received during the public hearing, the Washoe County Planning Commission approve with conditions Tentative Subdivision Map Case No. TM09-001 for Silver Hills, with the staff proposed change to Condition 7a, having made all ten findings in accordance with Washoe County Development Code Section 110.608.25. Commissioner Weber seconded the motion which carried unanimously.

The motion was based on the following findings:

- 1) Plan Consistency. That the proposed map is consistent with the Master Plan and any specific plan;

- 2) Design or Improvement. That the design or improvement of the proposed subdivision is consistent with the Master Plan and any specific plan;
- 3) Type of Development. That the site is physically suited for the type of development proposed;
- 4) Availability of Services. That the subdivision will meet the requirements of Article 702, Adequate Public Facilities Management System;
- 5) Fish or Wildlife. That neither the design of the subdivision nor any proposed improvements is likely to cause substantial environmental damage, or substantial and avoidable injury to any endangered plant, wildlife or their habitat;
- 6) Public Health. That the design of the subdivision or type of improvement is not likely to cause significant public health problems;
- 7) Easements. That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision;
- 8) Access. That the design of the subdivision provides any necessary access to surrounding, adjacent lands and provides appropriate secondary access for emergency vehicles;
- 9) Dedications. That any land or improvements to be dedicated to the County is consistent with the Master Plan; and
- 10) Energy. That the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

ITEM TWO

Extension of Time Request for Tentative Subdivision Map Case Number TM05-007 (Majestic Ranch Estates) – To extend for two years, until April 16, 2013, the approval of the tentative map for Majestic Ranch Estates II. The 30-lot single-family subdivision is located south and west of the intersection of Ravazza Road and Ramona Road. The two subject parcels, totaling ±36.209 acres, are designated Low Density Suburban (LDS) and General Rural (GR) in the South Valleys Area Plan. The parcels are situated in a portion of Section 3, T17N, R20E, MDM, Washoe County, Nevada, and are within the Galena-Steamboat Citizens Advisory Board boundary and Washoe County Commission District No. 2. (APN: 017-410-40 & 017-410-47)

Roger Pelham reviewed the staff report dated March 18, 2011.

Commissioner Edwards moved that the Washoe County Planning Commission approve the two-year Extension of Time Request, until April 16, 2013, for Tentative Subdivision Map Case No. TM05-007 for Majestic Ranch Estates II, subject to the attached original conditions of approval (as later modified), having made the findings that the conditions of approval ensure consideration of the items enumerated in NRS 278.360, that the original findings remain valid, and that the circumstances have not appreciably changed since the original approval. Commissioner Cobb seconded the motion which carried unanimously.

- 1) Plan Consistency. That the proposed map is consistent with the Master Plan and the South Valleys Area Plan;
- 2) Design or Improvement. That the design or improvement of the proposed subdivision is consistent with the Master Plan and the South Valleys Area Plan;
- 3) Type of Development. That the site is physically suited for the type of development proposed;
- 4) Availability of Services. That the subdivision will meet the requirements of Article 702, Adequate Public Facilities Management System;
- 5) Fish or Wildlife. That neither the design of the subdivision nor any proposed improvements is likely to cause substantial environmental damage, or substantial and avoidable injury to any endangered plant, wildlife or their habitat;
- 6) Public Health. That the design of the subdivision or type of improvement is not likely to cause significant public health problems;
- 7) Easements. That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision;
- 8) Access. That the design of the subdivision provides any necessary access to surrounding, adjacent lands and provides appropriate secondary access for emergency vehicles;
- 9) Dedications. That any land or improvements to be dedicated to the County is consistent with the Master Plan; and
- 10) Energy. That the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

PLANNING ITEMS

ITEM THREE

PUBLIC HEARING: Master Plan Amendment Case Number MPA11-001 (Hillside Holdings, LLC) – To consider a request to amend a portion of the master plan designations from Suburban Residential (SR) to Rural Residential (RR) on ±0.82 acres; and from Open Space (OS) to Rural Residential (RR) on ±5.0 acres within the Southeast Truckee Meadows Area Plan, being a part of the Washoe County Master Plan. The subject property of this amendment request totals approximately ±40.14 acres. The property is located at the northeast portion of Hidden Valley, two miles east of the intersection of Pembroke Drive and S. McCarran Boulevard, between Clean Water Way and Man of War Drive, directly north of the Sharon Hills Subdivision. The subject property is within the unincorporated portion of the Washoe County Truckee Meadows Services Area (TMSA). The subject property is located within Section 23, T19N, R20E, MDM, Washoe County, Nevada. The property is within Washoe County Commission District 2 and within the Southeast Truckee Meadows Citizen Advisory Board boundary. (APN: 051-010-07)

Chair VanderWell opened the public hearing. Sandra Monsalve reviewed her staff report dated March 24, 2011.

Applicant Ken Krater reviewed his request indicating adoption of the proposed amendment would allow him to create two, single-family residential lots he could sell while maintaining the same number of lots (151) identified in the Hidden Hills development plan. He indicated he had been working with the neighbors, the Hidden Valley Home Owner's Association and the Southeast Truckee Meadows Citizen Advisory Board, the latter of which had provided a unanimous recommendation for approval of his request. He reviewed the location of the lots, reviewing the adjacent land use designations and their compatibility. He indicated that minimal infrastructure was needed to connect to the sewer system and that the cost was comparable to that of installing de-nitrification septic tanks. He indicated there was adequate traffic access capacity available on Pembroke and that the level of service would not be significantly impacted.

Should the Master Plan Amendment request be granted, it would be followed by a Regulatory Zone Amendment request and a Boundary Line Adjustment to create the two proposed parcels. Each parcel would have an approximate half-acre building envelope on the portion of the lots under 30% slope with approximately 70% of the lots to be designated Open Space.

Addressing the findings of concern noted in the staff report, Mr. Krater cited text and policies identified in the Vision and Character portions of the Southeast Truckee Meadows Area Plan, the Land Use and Transportation Element, Public Services and Facilities Element and the Regional Plan. He spoke to the compatibility between his proposal with those policies and the vision and character of the area plan. Specifically, he noted compatible land use designations and densities; respect for the identified architectural standards and the private property rights of existing home owners; minimal impact on available infrastructure; the provision of Open Space; access to Bureau of Land Management land; and the proximity of the proposed lots to already disturbed properties. He noted he had a private access road which could serve up to four homes. He added that two, forty-acre lots on either side of his property had sold in the past 18 months seeming to indicate a demand for large view lots within the Hidden Valley area.

As there was no response to the call for public testimony, Chair VanderWell closed the public hearing.

Commissioner Weber expressed concern and disagreement with staff's recommendation to deny the proposed amendment. Commissioner Hartung expressed compassion for the request but voiced concern that this request would be followed by similar ones for additional lots in the Hidden Hills project. Mr. Krater assured the Planning Commission this would be the only one as these are the only two parcels with available infrastructure without developing the subdivision as a whole.

Commissioner Hibdon spoke in favor of a property owner's ability to recognize his land's potential and questioned staff's consideration of the economy in the analysis. He voiced concern that future master plan amendment requests would include similar analysis considerations. Ms. Monsalve reviewed her analysis and consideration of demographic and labor changes in Nevada, indicating her recommendation was based on an inability to make *all* the findings, specifically those addressing safety and maintenance of the vision and character of the planning area. Ms. Robinson stated analysis is done specific to the individual amendment request's location, geographic features and availability of services and that staff would be remiss to not address timing and economic considerations; a workshop to review this further was suggested. Commissioner Whittemore spoke in favor of approving the amendment request

noting the applicant's inability, due to timing and the necessary infrastructure, to bring forward the project in its entirety.

In response to Commissioner Edwards, Mr. Krater indicated the cost to connect to the sewer system would be approximately \$30,000 and, along with other infrastructure improvements, would be borne by the developer.

Commissioner Cobb voiced concern with the "swapping" of Open Space. Ms. Monsalve indicated that would be part of the applicant's Regulatory Zone Amendment request. He credited the recommendation of the Citizen Advisory Board and stated he would not support a denial.

Ms. Monsalve addressed the procedural timing of the request stating a Master Plan Amendment was the correct first step in the process.

Commissioner Weber moved to adopt Master Plan Amendment Case Number MPA11-001 (Hidden Hills) having made all the findings. The motion was seconded by Commissioner Hartung and carried unanimously.

The action was based on the following findings in accordance with Section 110.820.15(d):

- 1) Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.
- 2) Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.
- 3) Response to Change Conditions. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.
- 4) Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed Master Plan designation.
- 5) Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly 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.
- 6) Effect on a Military Installation. The proposed amendment will not affect the location, purpose and mission of the military installation.

And the following findings in accordance with the Southeast Truckee Meadows Area Plan:

SETM.20.1 In order for the Washoe County Planning Commission to recommend the approval of ANY amendment to the Southeast Truckee Meadows Area Plan, the following findings must be made:

- a. The amendment will further implement and preserve the Vision and Character Statement.

- b. The amendment conforms to all applicable policies of the Southeast Truckee Meadows Area Plan and the Washoe County Master Plan, and the Regional Water Management Plan.
- c. The amendment will not conflict with the public's health, safety or welfare.

ITEM FOUR

(Rescheduled to May 3, 2011 Planning Commission Agenda)

PUBLIC HEARING: Master Plan Amendment Case Number MPA10-002 (Spanish Springs Commercial Cap) – An amendment to Washoe County Master Plan, Volume Two, Spanish Springs Area Plan, to delete policy SS.17.2.c, otherwise known as the “Commercial Cap,” which limits industrial and commercial land uses to 9.86% of the land area within the designated Spanish Springs Suburban Character Management Area.

The public hearing was opened for this item though it was moved to the May 3, 2011 agenda. As there was no one expressing interest in providing testimony on this item, the Public Hearing was closed.

ITEM FIVE

(Rescheduled to May 3, 2011 Planning Commission Agenda)

REPORT: The Planning Commission will receive a report on, and be invited to comment and discuss, Washoe County staff's initiative to amend Policy 1.3.3 of the Truckee Meadows Regional Plan, in furtherance of a commitment to develop language that more clearly articulates the conformance standards for the establishment of commercial and industrial master plan designations in the unincorporated county.

Chair VanderWell invited testimony and comment on this item though it was moved to the May 3, 2011 agenda; there was no response.

CHAIR AND COMMISSION ITEMS

- a. Report on Previous Planning Commission Items

None

- b. Legal Information and Updates

Deputy District Attorney Nathan Edwards, Esq.

None

- c. National Volunteer Recognition Week

Commissioners were reminded to RSVP for volunteer recognition at the April 12, 2011 County Commission meeting.

DIRECTOR'S ITEMS

a. 2011 Legislative Session Update

Ms. Robinson provided a brief overview of those items currently being considered by the legislature that have potential to impact the Community Development Department.

ADJOURNMENT

Since there was no further business to come before the Planning Commission, the meeting adjourned at 8:16 p.m.

Respectfully submitted,

Sara DeLozier, Recording Secretary

Approved by Commission in session on May 3, 2011.

Kimberly H. Robinson, MUP
Secretary to the Planning Commission