



Planning Commission Staff Report

Meeting Date: December 4, 2012

Subject: **Master Plan Amendment Case No. MPA12-001**

Applicant: Sugarloaf Peak, LLC

Agenda Item No. **10B**

Summary: To amend the **Spanish Springs Area Plan** a part of the Washoe County Master Plan.

Recommendation: **Deny**

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Staff Report Date: November 26, 2012

Washoe County
Commission District: District No: 4

Master Plan Amendment Description: To consider a request to amend the Spanish Springs Area Plan, being a part of the Washoe County Master Plan. The amendment request involves the redesignation of a 39.83 acre parcel from a mix of Industrial (I), Commercial (C) and Open Space (OS) to Suburban Residential (SR). The amendment request also includes a change to the Character Statement in the Spanish Springs Area Plan to change the residential density limitations in the suburban core such that the new language of the Character Statement would state "This suburban core includes a broad mix of non-residential uses together with single family residential densities of up to three dwelling units per acre and Specific Plan as defined herein" (emphasis added). Additionally, the request includes an amendment to policy SS1.3(d) of the Spanish Springs Area Plan to add "Specific Plan (for Multi Family densities up to 9 dwelling units per acre)" to the list of regulatory zones. To reflect changes requested within this application and to maintain currency of general area plan data, administrative changes to the Spanish Springs Area Plan are proposed. These administrative changes include: a revised map series with updated parcel base, and updated applicable text.

- Property Location: North of Calle De La Plata, several hundred feet to the northeast of the intersection of Pyramid Highway and Calle De La Plata.
- Citizen Advisory Board: Spanish Springs
- Area Plan: Spanish Springs
- TMSA: Within the Truckee Meadows Service Area
- Parcel Size: ±39.83

- i. Any existing development in the Spanish Springs planning area, the Sun Valley planning area, the Warm Springs planning area, or the City of Sparks, which is subject to the conditions of a special use permit will not experience undue hardship in the ability to continue to comply with the conditions of the special use permit or otherwise to continue operation of its permitted activities.

Support:

This finding is not applicable; no approved special use permit will be impacted by the proposed request.

- Existing Master Plan: Commercial (C)
Industrial (I)
Open Space (OS)
- Existing Regulatory Zone: Neighborhood Commercial (NC)
Industrial (I)
Open Space (OS)
- Assessor's Parcel No(s): 534-562-07
- Section/Township/Range: Within Sections 23 & 24, T21N, R20E, MDM
- Washoe County, NV
- Development Code: Authorized in Article 820
- Commission District: 4 – Commissioner Bob Larkin
- Staff: Trevor Lloyd, Senior Planner
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Staff Report Contents

Purpose of Master Plan Amendment	Page 4-5
Vicinity Map	Page 6
Master Plan Map	Page 7
Analysis	Page 8
Summary	Page 8-9
Community Visioning Workshops.....	Page 9-10
Services and Facilities	Page 10
Applicable Goals and Policies of the Master Plan	Page 11-12
Applicable Policies of the Truckee Meadows Regional Plan.....	Page 13
Development Suitability within the Spanish Springs Area Plan	Page 13
Citizen Advisory Board.....	Page 13
Public Meeting Notice	Page 14
Agency Comments.....	Page 14
Required MPA Findings	Page 14-15
Recommendation for MPA12-001	Page 16
Motion for MPA12-001	Page 16
Appeal Process.....	Page 18

Exhibits Contents

Signed Petition List	Exhibit A
Correspondence Letters.....	Exhibit B

Master Plan Amendment

The purpose of a Master Plan Amendment application is to provide a method of review for requests to amend the Master Plan.

The Master Plan guides growth and development in the unincorporated areas of Washoe County, and consists of three volumes. By establishing goals and implementing those goals through policies and action programs, the Master Plan addresses issues and concerns both countywide and within each community. Master Plan amendments ensure that the Master Plan remains timely, dynamic, and responsive to community values. The Washoe County Master Plan can be accessed on the Washoe County website at <http://www.washoecounty.us>, click on Departments, click on Community Development, click on Master Plan - or it may be obtained at the front desk of the Washoe County Planning and Development Division.

Volume One of the Master Plan outlines six countywide priorities through the year 2025. These priorities are known as Elements and each is summarized below. The Land Use and Transportation Element in particular, plays a vital role in the analysis of a Master Plan Amendment.

- **Population Element.** Projections of population, housing characteristics, trends in employment, and income and land use information for the County.
- **Conservation Element.** Information, policies and action programs, and maps necessary for protection and utilization of cultural and scenic, land, water, air and other resources.
- **Land Use and Transportation Element.** Information, policies and action programs, and maps defining the County's vision for development and related transportation facilities needed for the forecasted growth, and protection and utilization of resources.
- **Public Services and Facilities Element.** Information, policies and action programs, and maps for provision of necessary services and facilities (i.e. water, sewer, general government and public safety facilities, libraries, parks, etc.) to serve the land use and transportation system envisioned by the County.
- **Housing Element.** Information, policies and action programs, and maps necessary to provide guidance to the County in addressing present and future housing needs.
- **Open Space and Natural Resource Management Plan Element.** Information, policies and action programs, and maps providing the necessary framework for the management of natural resources and open spaces.

Volume Two of the Master Plan consists of 13 Area Plans, which provide detailed policies and action programs for local communities in unincorporated Washoe County relating to conservation, land use and transportation, public services and facilities information, and maps.

Volume Three of the Master Plan houses Specific Plans, Joint Plans and Community Plans that have been adopted by the Washoe County Commission. These plans provide specific guiding principles for various districts throughout unincorporated Washoe County.

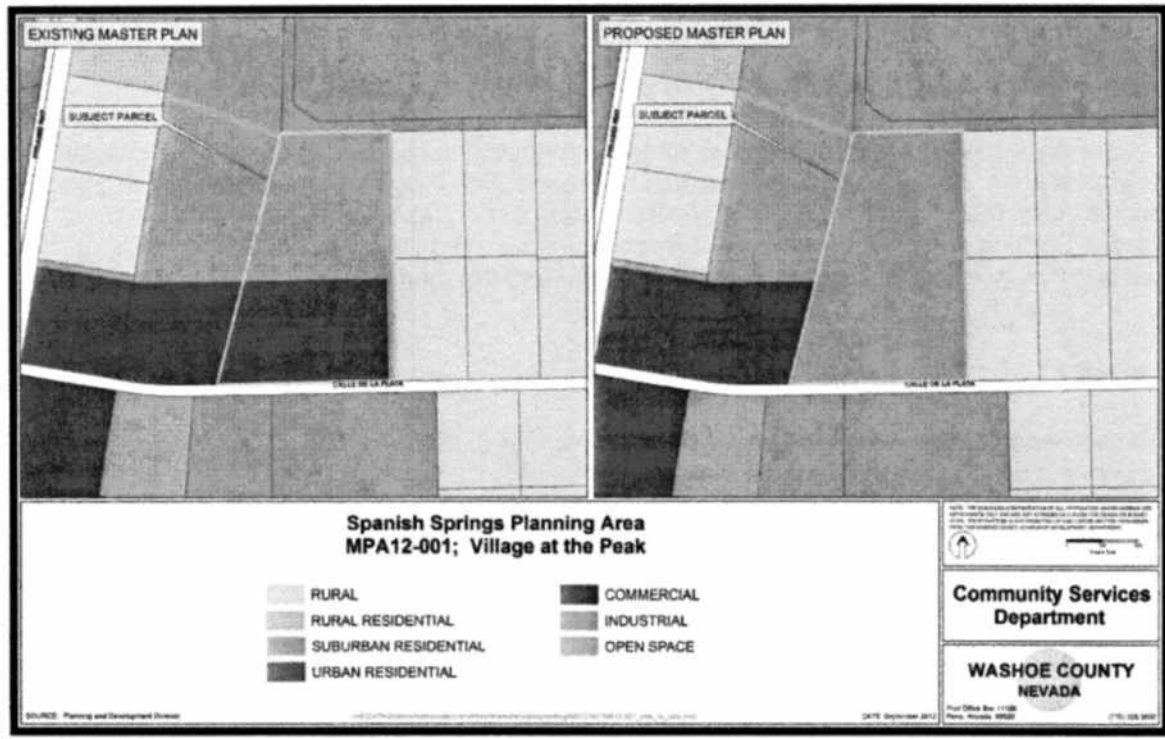
Requests to amend the Master Plan may affect text and/or maps within one of the four Elements, one of the 13 Area Plans, or one of the Specific Plans, Joint Plans or Community Plans. Master Plan Amendments require a change to the Master Plan and are processed in accordance with Washoe County Development Code Article 820, Amendment of Master Plan.

When making a recommendation to the Washoe County Commission, the Planning Commission must make at least three of the findings as set forth in Section 110.820.15 of the Washoe County Development Code, unless a military installation is required to be noticed, then a finding of fact pursuant to subsection 6 of Section 110.820.15 is also required. If there are findings contained in the Area Plan in which the subject property is located, then the Planning Commission must make all of these findings in addition to the above-referenced findings.

After adoption by the Washoe County Commission, as described in Chapter 278 of the Nevada Revised Statutes (NRS), a Master Plan Amendment must be found in conformance with the Truckee Meadows Regional Plan. The purpose of the Regional Plan is to provide a collaborative structure that will serve the Truckee Meadows well into the future. Four modules within the Regional Plan focus goals and policies on the coordination of master planning in Washoe County as it relates to land use, infrastructure provision, resource management, and plan implementation.



Vicinity Map



Existing and Proposed Master Plan Map

ANALYSIS

Sugarloaf Peak, LLC. is requesting a master plan amendment (with accompanying regulatory zone amendment) in order to allow a multi-family residential development for up to nine units per acre on a ±39 acre parcel. In order to accommodate the request and grant the changes to the Master Plan, the applicants have asked to amend the Character Statement of the Spanish Springs Area Plan. Additionally, the applicants are asking to amend policy SS.1.3(d) of the Spanish Springs Area Plan to allow the Specific Plan zoning (for multi-family densities up to 9 dwelling units per acre) within the Suburban Character Management Area (SCMA).

Summary

This item was scheduled to be heard on the November 5, 2012 Planning Commission hearing, but the item was continued from the November Planning Commission meeting to the December 4, 2012 meeting in order for the applicants to make some clarifying changes to their request. The changes include a clarification to the change of the Character Statement, a clarification to the Specific Plan designation [per Policy SS.1.3(d)], the removal of the request for the HDS designation [in Policy SS.1.3(d)] and the removal of the amendment to the table C-1 of the Area Plan. These changes will not change the fundamental request to increase residential densities (multi-family) to 9 units per acre, but it helps simplify the request.

A regulatory zone amendment has been submitted with the requested master plan amendment. The regulatory zone amendment provides the details for the proposed 360 unit apartment complex on the subject property. These details are identified in the proposed Design Standards Manual. If the Planning Commission approves the master plan amendment, then the Planning Commission will need to determine if the proposed change of zoning to Specific Plan adequately supports the goals and policies of the Area Plan. The applicants have asked to remove the requested amendment to table C-1 which would have established an allowance for Multi-family uses in the Spanish Springs Valley. The removal of the amendment to table C-1 may present a conflict or an inconsistency with the Spanish Springs Area Plan and Development Code as there is no identified multi-family use in table C-1 or in any of the suburban designations identified in Article 302 – Allowed Uses. The only mention of multi-family uses would be within Policy SS.1.3(d) if approved.

The Introduction to the Spanish Springs Area Plan states: “The Spanish Springs Area Plan responds to a citizen-based desire to identify, implement and preserve the community character that has evolved in the Spanish Springs Valley over time.” Staff’s recommendation therefore gives considerable weight to the overwhelming preference to maintain the existing character of the Spanish Springs Valley as voiced by the citizens of Spanish Springs who participated in the community workshops which preceded the Planning Commission hearing.

The applicants have made a request to change the Master Plan designation on approximately ±39 acres of land from Industrial, Commercial and Open Space land use to Suburban Residential designation. However, the request cannot be granted within the current framework of the Spanish Springs Area Plan. Therefore, the applicants have made the following requests to amend the Spanish Springs Area Plan which must be amended in order to grant the proposed land use (and zoning) changes:

- The Character Statement within the Spanish Springs Area Plan must be amended to include Specific Plan as an allowed use in the SCMA.
- Policy SS.1.3(d) must be amended to allow Specific Plan (for multi-family densities up to 9 dwelling units per acre).

The Character Statement which is located on pages 1 and 2 of the Spanish Springs Area Plan contains language that states: "A distinct suburban core is and will continue to be concentrated along Pyramid Highway. This suburban core includes a broad mix of non-residential uses together with residential densities of up to three units per acre." It is important to recognize that the Character Statement establishes the fundamental direction for the development of the unincorporated Spanish Springs Valley. The goals and policies of the Area Plan are designed to implement the overall theme and direction of the Vision and Character Statements. When the Area Plan was originally adopted in its current form, considerable thought and effort was given to the specific language of the Character Statement, and by design any change to the Character Statement requires significant discussion and buy-in from the residents of Spanish Springs. For this reason, policy SS.17.4 states: "For any amendment that proposes to alter the Spanish Springs Vision or Character Statement, the Department of Community Development has conducted a series of community visioning workshops with the Spanish Springs Citizen Advisory Board (CAB), and the results of that process, including any CAB and staff recommendations, have been included and discussed in the staff analysis of the proposed amendment." The Spanish Springs CAB has been temporarily suspended, but the visioning workshops that were conducted with the Spanish Springs residents and the results of these workshops are clearly articulated within this staff report.

Compatibility

The subject property is located within the Suburban Character Management Area (SCMA), which is the designated growth area for Spanish Springs. The Character Statement, however, identifies this general area of the SCMA as a "transitional zone" from the higher density "medium density suburban" - MDS which allows 3 units per acre on the west side of Pyramid Highway to the rural zones to the east of this site. This general area is targeted to accommodate one to five acre parcels which the community supported during the last area plan update as an appropriate transitional land use as the density feathers from low density residential to rural. For this reason, the highest density which currently exists along the east side of Pyramid Highway is one dwelling unit per acre (low density suburban). The property is immediately surrounded by 10-acre rural residential properties to the east, vacant property that is zoned low density suburban (LDS) which allows a maximum density of one dwelling unit per acre to the north, vacant property to the west that is zoned Neighborhood and Industrial and vacant and 10-acre residential properties that are zoned industrial to the south. The proposed Specific Plan designation proposes a density which is consistent with the High Density Suburban (HDS) designation. According to the compatibility table in the Land Use and Transportation Element of the Washoe County Master Plan, this designation has a low compatibility with the properties to the west and south, a medium compatibility with the properties to the east and a high compatibility rating with the properties to the north.

Community Workshops

The applicants conducted a series of community workshops with residents of the Spanish Springs Valley. These workshops were held on August 8th, September 13th and October 1st,

2012. The workshops were very well attended with each subsequent workshop much better attended than each previous workshop. In total, over 100 residents attended at least one of the three workshops. Significant discussion was provided regarding the details of the applicant's specific request, however the purpose and function of these workshops was to obtain feedback from the residents relating to their general desires regarding the language of the character statement in the Spanish Springs Area Plan. These workshops are typically held in coordination with the Citizen Advisory Board (CAB) meetings, however, the CABs have been temporarily suspended and therefore the community workshops outside of the traditional CAB format.

Goal 17 and Policy SS.17.1 of the Spanish Springs Area Plan provide that amendments to the area plan will further implement the Vision and Character Statement or respond to new or changing circumstances. The residents that attended each of the three workshops expressed an overwhelming desire to maintain the existing language of the character statement and retain the maximum density of three units per acre within the Suburban Character Management Area (SCMA) of the Spanish Springs Area Plan. The general observation from the attending residents is that the proposed amendments are out of character with the surrounding uses and that any intensification more than three units per acre as established in the character statement is not consistent with the general character of the area. The residents also expressed the following concerns:

- Opposition to multi-family/apartments
- No public transportation available to support multi-family.
- The proposed density is inconsistent with existing uses.
- Concerns that the character of the area has not changed substantially but the requested amendment(s) would change the character of the area.
- Desires expressed to maintain the current character.
- The housing market is already saturated.
- Much time and effort has been spent creating the existing character statement language.
- Concerns expressed about the impacts on the schools.
- Community has already expressed their desires with the current language of the character statement.
- The CAB clearly expressed a desire for no apartments with the last Area Plan update.
- Significant impact to the neighbors to the east.
- Transitional zoning is necessary, the proposed amendments do not provide for transitional zoning.
- Concerns expressed regarding water and potential impacts to existing wells.
- Many Spanish Springs residents moved out here to get away from urban/suburban environments.
- The proposed traffic light is already warranted without this project.
- Likely result in higher crime rate.
- Is the property located within a flood zone, will there be flood retention on site?
- Who will pay for flood control.

Several other issues and concerns were raised at the workshops, however, the nearly unanimous position of the residents at each of the three workshops was to retain the existing language of the character statement.

Services and Facilities

Throughout the visioning workshops a common theme was expressed from neighboring residents specifically concerning the availability and adequacy of facilities and services needed

to serve the amendment request. These issues have been addressed by the applicant to the satisfaction of Washoe County staff specifically relating to the subject property. However, based on the information provided, staff is unable to determine if there are adequate services and facilities available to support future intensifications that may occur as a result of the density increases proposed in the Character Statement and Policy SS.1.3(d). The following is a discussion of the availability of services for the subject ±39 acre property.

Water: Domestic water to serve this site is available from several sources including domestic wells and wholesale water from the Truckee Meadows Water Authority (TMWA). A 12" water line exists parallel to the west side of Pyramid Highway, approximately 900 feet to the west of the northwest corner of the subject property. A 6" water line exists in the southern cul-de-sac of Donovan Ranch that abuts the northern portion of the subject property. A 16" water line exists at the intersection of El Caballo Trail and Calle de la Plata east of the site. A 2 million gallon (MG) Spring Creek Northeast water storage tank is located approximately 1 mile from the subject property in the eastern portion of the Donovan Ranch property.

Sewer: Sanitary sewer which is provided by Washoe County exists to the north and west of the subject property. An existing sewer line is located to the north and west of the subject property. Also, an existing 10" sewer line runs north parallel to Pyramid Highway to the existing Pebble Creek lift station. Additionally, an 8" sewer line is located approximately 900-feet west of Pyramid Highway in West Calle de la Plata.

Applicable Goals and Policies of the Master Plan Elements

Spanish Springs Area Plan

- SS.1.6 Staff will review any proposed Master Plan Amendment against the findings identified in the Plan Maintenance section of this plan and make a recommendation to the Planning Commission. At a minimum, the Planning Commission must make each of these findings in order to recommend approval of the amendment to the Board of County Commissioners.
- SS.3.8 Washoe County will be an advocate for the establishment of transit services to and within the Spanish Springs planning area.

Goal Seventeen: Amendments to the Spanish Springs Area Plan will be for the purpose of further implementing the Vision and Character Statement, or to respond to new or changing circumstances. Amendments must conform to the Spanish Springs Vision and Character Statement. Amendments will be reviewed against a set of criteria and thresholds that are measures of the impact on, or progress toward, the Vision and Character Statement.

- SS.17.1 In order for the Washoe County Planning Commission to recommend the approval of ANY amendment to the Spanish Springs 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 Spanish Springs Area Plan and the Washoe County Master Plan.

- c. The amendment will not conflict with the public's health, safety or welfare

SS.17.2 In order for the Washoe County Planning Commission to recommend approval of any amendment involving a change of land use, the following findings must be made:

- a. A feasibility study has been conducted, commissioned and paid for by the applicant, relative to municipal water, sewer and storm water that clearly identifies the improvements likely to be required to support the intensification, and those improvements have been determined to be in substantial compliance with all applicable existing facilities and resource plans for Spanish Springs by the Department of Water Resources. The Department of Water Resources will establish and maintain the standards and methodologies for these feasibility studies.
- b. A traffic analysis has been conducted that clearly identifies the impact to the adopted level of service within the [unincorporated] Spanish Springs Hydrographic Basin and the improvements likely to be required to maintain/achieve the adopted level of service. This finding may be waived by the Department of Public Works for projects that are determined to have minimal impacts. The Department of Public Works may request any information it deems necessary to make this determination.
- d. For residential land use intensifications, the potential increase in residential units will not exceed Washoe County's policy growth level for the Spanish Springs Area Plan, as established in Policy SS.1.2.
- h. If the proposed intensification results in existing facilities exceeding design capacity and compromises the Washoe County School District's ability to implement the neighborhood school philosophy for elementary facilities, then there must be a current capital improvement plan or rezoning plan in place that would enable the District to absorb the additional enrollment. This finding may be waived by the Washoe County Planning Commission upon request of the Washoe County Board of Trustees.

SS.17.4 For any amendment that proposes to alter the Spanish Springs Vision or Character Statement, the Department of Community Development has conducted a series of community visioning workshops with the Spanish Springs Citizen Advisory Board (CAB), and the results of that process, including any CAB and staff recommendations, have been included and discussed in the staff analysis of the proposed amendment.