



Planning Commission Staff Report

Meeting Date: February 6, 2018

Agenda Item: 8A

STAFF REPORT CASE NUMBER: Master Plan Amendment WMPA17-0012
(Spanish Springs – General Commercial)

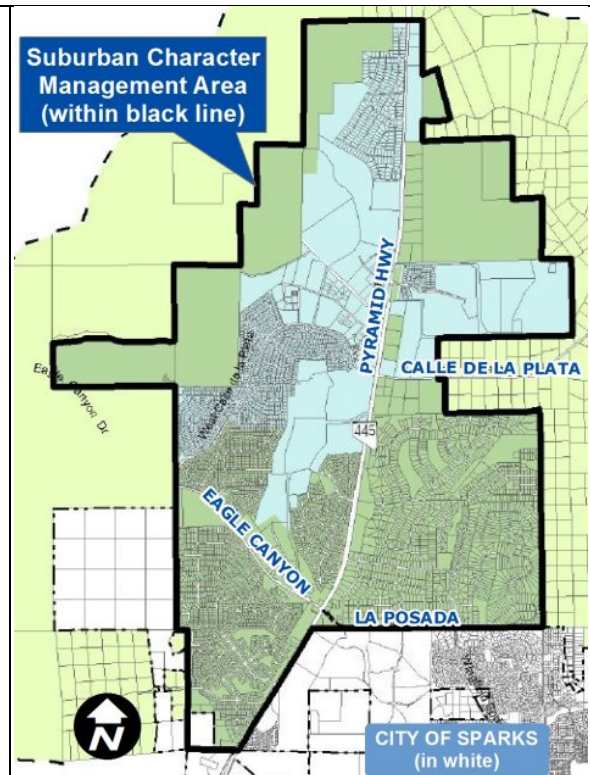
BRIEF SUMMARY OF REQUEST: Amend the Spanish Springs Area Plan to modify Policy SS.1.3(f), which limits General Commercial (GC) to properties with a regulatory zone of GC prior to August 17, 2004.

STAFF PLANNER: Kelly Mullin, AICP, 775.328.3608, kmullin@washoecounty.us

CASE DESCRIPTION

For possible action, hearing and discussion to amend the Spanish Springs Area Plan to modify Policy SS.1.3(f), which currently limits the General Commercial (GC) regulatory zone to properties with a regulatory zone of GC prior to August 17, 2004. The amendment would remove the date limitation in this policy. If the amendment is adopted, final approval will be contingent upon a finding of conformance with the Truckee Meadows Regional Plan.

- ◆ Applicant: Washoe County
- ◆ Location: Spanish Springs Suburban Character Management Area
- ◆ Area Plan: Spanish Springs
- ◆ CAB: Spanish Springs
- ◆ Dev Code: Authorized in Article 820
- ◆ Comm. District: 4 – Commissioner Hartung



STAFF RECOMMENDATION

ADOPT

DENY

POSSIBLE MOTION

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission adopt Master Plan Amendment Case Number WMPA17-0012 to amend the Spanish Springs Area Plan by removing the date limitation within Policy SS.1.3(f), having made the following five findings in accordance with Washoe County Code Section 110.820.15(d) and the three findings required by the Spanish Springs Area Plan. I further move to certify the resolution contained as Exhibit A of this staff report for submission to the Washoe County Board of Commissioners, and authorize the chair to sign the resolution on behalf of the Planning Commission.

(Motion with Findings on Page 8)

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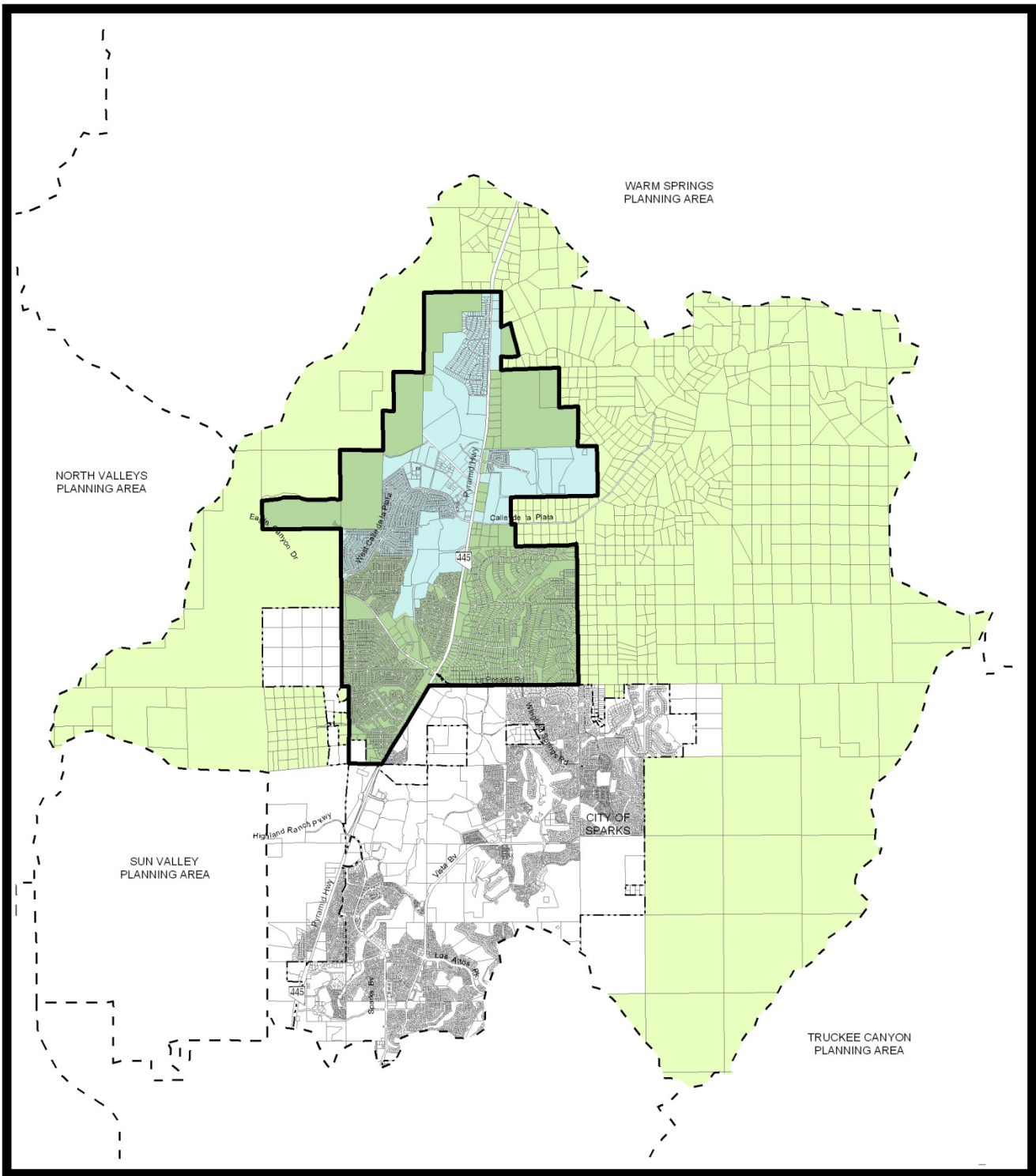
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SPANISH SPRINGS CHARACTER MANAGEMENT PLAN

- SUBURBAN CHARACTER MANAGEMENT AREA
- RURAL CHARACTER MANAGEMENT AREA
- DESIGN GUIDELINES APPENDIX A (Spanish Springs Area Plan)
- DESIGN GUIDELINES APPENDIX B (Spanish Springs Area Plan)

SOURCE: COMMUNITY SUPPORT SERVICES

WCPC DATE: December 1, 2009
 BCC DATE: January 12, 2010
 RPC DATE: April 14, 2010

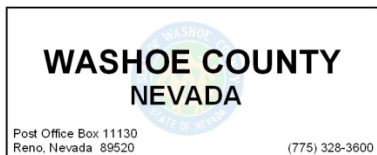
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Overview of Proposal

Within the Spanish Springs Area Plan, Policy SS.1.3(f) currently limits the General Commercial (GC) regulatory zone to those properties within the Spanish Springs Suburban Character Management Area (SCMA) that were zoned GC prior to Aug. 17, 2004.

On Nov. 28, 2017, the Washoe County Board of Commissioners (Board) initiated an amendment to modify this policy by removing or modifying the date limitation. This change would potentially allow for additional GC regulatory zoned properties within the SCMA.

Background

This amendment stems from previous action by the Board involving a different Master Plan amendment (WMPA17-0001) reviewed in 2017. Below is a summary of prior actions that led to the current amendment request.

April 4, 2017 Planning Commission (PC) Meeting. The PC heard Master Plan Amendment WMPA17-0001, which sought to amend the Spanish Springs Area Plan to allow the Storage of Operable Vehicles use type on properties with a Neighborhood Commercial regulatory zone, subject to the issuance of a special use permit. The PC voted unanimously to deny the amendment request. Members of the PC noted that the required findings for approval could not be made – specifically, those related to consistency with the Master Plan, compatible land uses, a response to changed conditions, and desired pattern of growth.

May 23, 2017 Board of County Commissioners Meeting. On appeal, the Board voted 4-1 (Hartung opposed) to reverse the PC's denial, remanding WMPA17-0001 back to the PC for a required report. The Board indicated the amendment request was appropriate and that the necessary findings could be made to approve the amendment.

July 5, 2017 Planning Commission Meeting. After conducting a public hearing, taking public testimony and discussing the Board's action to overturn the PC's denial, the PC voted to provide a report to the Board in the form of individual comments made on the record.

August 8, 2017 Board of County Commissioners Meeting. The Board reviewed the PC's report and denied the appeal, upholding the PC's initial denial of the request. This action stemmed from Commissioner Hartung's request during the hearing that the Board deny WMPA17-0001 and authorize an exception that would allow for the storage of operable vehicles on the applicant's specific parcel (8900 La Posada Drive in Spanish Springs). Assistant District Attorney Lipparelli noted that any future proposal to change the regulatory zoning on the property would have to stand on its own merits. An excerpt of the meeting minutes has been included as Exhibit C to this staff report.

November 28, 2017 Board of County Commissioners Meeting. The Board initiated Master Plan Amendment Case Number WMPA17-0012 to modify Spanish Springs Area Plan Policy SS.1.3(f) by amending or removing the date limitation.

January 12, 2018 Spanish Springs Citizen Advisory Board (SSCAB) Meeting. The SSCAB voted unanimously to recommend approval of the proposed amendment to modify Policy SS.1.3(f) by removing the date limitation.

Per the Board's action at their August 8, 2017 meeting, and per subsequent direction provided by Commissioner Hartung, staff investigated alternative options that might lead to the outdoor Storage of Operable Vehicles commercial use type being allowed or permitted at 8900 La Posada Drive. This property currently has a regulatory zone of Neighborhood Commercial (NC), and such a use type is not allowed within the Spanish Springs planning area on NC regulatory zoned properties. Per Appendix A of the Spanish Springs Area Plan, and per Washoe County Code Table

110.302.05.3, the Storage of Operable Vehicles use type is allowed in the Industrial regulatory zone, and permitted with a special use permit in the GC regulatory zone.

8900 La Posada Drive is located at the southeast corner of La Posada Drive and Pyramid Highway in Spanish Springs, adjacent to the City of Sparks. Other properties with a GC regulatory zone are located both to the northeast and west of the La Posada parcel. No properties with an Industrial regulatory zone are located nearby, and as a result, it is staff's opinion that a request to change the regulatory zone on this property to Industrial would likely be unsuccessful. Therefore, it has been determined that the most feasible path forward at this point would be for the property owner to seek a change to a GC regulatory zone, and if successful, to subsequently seek a special use permit to allow the Storage of Operable Vehicles use type on the property.

However, Spanish Springs Area Plan Policy SS.1.3(f) restricts GC regulatory zones within the SCMA as "limited to the areas designated GC prior to August 17, 2004." In order for the property owner to pursue a regulatory zone amendment to GC, this portion of the policy would first need to be either amended or removed. As a result, the Board voted Nov. 28, 2017 to initiate an amendment to this policy, and staff recommends that the date limitation be removed

Additional Review Considerations

Apart from the history that led to this amendment request, there are some additional details for the Planning Commission to consider in their review:

- Spanish Springs Area Plan Policy SS.17.2 limits commercial and industrial regulatory zone acreage to 9.86% of the Suburban Character Management Area. Commercial and industrial zoning is currently at 9.65%. This policy cap would remain in place and the amendment request does not seek to change it.
- The Spanish Springs Area Plan identifies the Suburban Character Management Area (SCMA) as the designated growth area for Spanish Springs. There are over 1,600 residential subdivision lots in the SCMA that have been approved but not yet recorded. As additional housing is constructed within the SCMA and to the south in the City of Sparks, there may be a need for more flexibility in the commercial services provided to the area. However, Policy SS.1.3(f) limits the introduction of the General Commercial regulatory zone, even in areas surrounded by existing General Commercial, such as the corner of La Posada and Pyramid Highway.
- Pursuant to Spanish Springs Area Plan Policy SS.17.3, commercial land use intensifications (zone changes) on specific parcels require a market analysis that establishes a community serving trade area. Any new Master Plan amendment and/or regulatory zone amendment seeking a commercial land use intensification will be required to provide this analysis during the application process.
- If an owner of property inside the SCMA were interested in pursuing a regulatory zone of General Commercial, the same review processes as usual would still apply – a Regulatory Zone amendment, and possibly also a Master Plan amendment. These review processes would go to the Citizen Advisory Board (or separate neighborhood meeting), Planning Commission, Board of County Commissioners, and in the case of a Master Plan amendment, also to the Regional Planning Commission. The purpose of each of these meetings would be to determine if it would be appropriate to amend the regulatory zone of the subject parcel.

Staff Comment on Required Findings

For a Master Plan amendment to be adopted, WCC Section 110.820.15(d) requires the Planning Commission make all required findings contained in the area plan subject to the amendment. The Commission must also make at least three of the following five findings of fact. No military installations were required to be noticed as a result of this application; therefore, the finding related to a military installation is not included.

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.

Staff Comment: The proposal is in substantial compliance with the policies and action programs of the Master Plan. The General Commercial regulatory zone is present in most planning areas within Washoe County; this amendment simply removes the date limitation found in the Spanish Springs Area Plan. Any property owner seeking to be re-zoned to General Commercial will still need to first apply for and be successful in obtaining a Master Plan amendment and/or regulatory zone amendment for the specific property. Such amendments will also need to be in substantial compliance with the policies and action programs of the Master Plan.

2. Compatible Land Uses. The proposed amendment will not result in land uses which are incompatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.

Staff Comment: The proposed amendment will not result in land uses incompatible with adjacent land uses, nor will adversely impact public health, safety or welfare. Future Master Plan amendment and/or regulatory zone amendment requests to establish General Commercial zoning will be reviewed for their appropriateness and for compatibility with surrounding properties at the time of review.

3. Response to Changed Conditions. The proposed amendment identifies and 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.

Staff Comment: As described in the staff report, this amendment was initiated by the Board in lieu of another proposal that would potentially have had wider reaching impacts in the Spanish Springs planning area. This amendment will remove a date limitation that was established in the plan in 2004. The Spanish Springs planning area has grown significantly in the past 14 years, especially within the Suburban Character Management Area (Spanish Springs' designated growth area). Although overall commercial and industrial uses are severely limited by other policies within the Spanish Springs Area Plan, updating this policy will potentially allow for the possibility of more flexibility in the commercial services provided to the area.

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 amendment.

Staff Comment: Appropriate transportation, recreation, utility and other improvements would be implemented by the applicant at the time of future development through the Master Plan amendment and/or regulatory zone amendment review process.

5. Desired Pattern of Growth. The proposed amendment promotes the desired pattern for the orderly physical growth of the County and guides the 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.

Staff Comment: *The proposed text amendment will allow for the possibility of a wider variety of commercial establishments to serve the Spanish Springs community, especially as the suburban core along Pyramid Highway continues to develop. The proposed amendment supports the desired pattern of growth as stated in the Spanish Springs Area Plan's Character Statement which reads in part, "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 dwelling units per acre." However, any commercial intensification is still tempered by several factors, including: the commercial/industrial cap found in Policy SS.17.2, which has almost been reached; and the fact that any proposed intensification will first require a Master Plan amendment and/or regulatory zone amendment to ensure such a change is appropriate on the specific property.*

Spanish Springs Area Plan Findings – Policy SS.17.1

In order for the Washoe County Planning Commission to recommend the approval of an amendment to the Spanish Springs Area Plan, the following findings must also be made:

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

Staff Comment: *The Character Statement affirms that "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 dwelling units per acre." The Character Statement further includes, "Future commercial land use designations will be aimed at providing services and employment opportunities to the local community and not the greater region." Removing the General Commercial date limitation within Policy SS.1.3(f) will further implement and preserve this vision.*

- b. The amendment conforms to all applicable policies of the Spanish Springs Area Plan and the Washoe County Master Plan.

Staff Comment: *The proposed amendment conforms to all applicable policies of the Area Plan and Master Plan. The amendment is consistent with other Area Plans within the Master Plan, and will further implement the character statement as described above.*

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

Staff Comment: *Any future requests for a General Commercial regulatory zone will require approval of a Master Plan amendment and/or regulatory zone amendment, with numerous public hearings and a thorough analysis of the appropriateness of such a request on the specific property. Eventual development of any such parcel will also require the appropriate licenses and building permits, and will be required to comply with all applicable safety and health regulations.*

Neighborhood Meeting

In accordance with the provisions of NRS 278.210.2, a neighborhood meeting is required prior to a Master Plan Amendment being scheduled before the Planning Commission. The proposed Master Plan Amendment was discussed at the regularly scheduled Spanish Springs Citizen Advisory Board meeting of January 12, 2018. There were approximately 28 residents in attendance.

During the meeting, several audience-member questions focused on requirements that may be placed if a specific project is proposed in the future at 8900 La Posada Drive. Questions were also asked about other existing businesses in the Spanish Springs valley. One public comment was made in opposition to the Master Plan amendment currently being reviewed. The Citizen Advisory Board voted unanimously to recommend approval of the amendment. Minutes of the meeting are attached to this staff report as Exhibit D.

Public Hearing Notice

Notice for Master Plan amendments must be given in accordance with the provisions of Nevada Revised Statutes 278.210, as amended, and WCC Section 110.820.23. Notice was provided in a newspaper of general circulation within Washoe County at least 10 days before the public hearing date. A legal ad was placed with the Reno Gazette Journal on January 26, 2018.

Recommendation

It is recommended that the Washoe County Planning Commission adopt Master Plan Amendment Case Number WMPA17-0012 to amend the Spanish Springs Area Plan by removing the date limitation within Policy SS.1.3(f). It is further recommended that the Planning Commission adopt the resolution attached as Exhibit A to this staff report and authorize the Chair to sign the resolution on behalf of the Commission. The following motion is provided for your consideration:

Motion

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission adopt Master Plan Amendment Case Number WMPA17-0012 to amend the Spanish Springs Area Plan by removing the date limitation within Policy SS.1.3(f), having made the following five findings in accordance with Washoe County Code Section 110.820.15(d) and the three findings required by the Spanish Springs Area Plan. I further move to certify the resolution contained as Exhibit A of this staff report for submission to the Washoe County Board of Commissioners, and authorize the chair to sign the resolution on behalf of the Planning Commission.

Washoe County Code Section 110.820.15(d) Master Plan Amendment Findings

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 Changed 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 amendment.
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.

Spanish Springs Area Plan Findings - Policy SS.17.1

- 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.

Appeal Process

Planning Commission action will be effective 10 calendar days after the Resolution or written decision is filed with the Secretary to the Planning Commission, unless the action is appealed to the Washoe County Board of Commissioners, in which case the outcome of the appeal shall be determined by that Board. Any appeal must be filed in writing with the Planning and Building Division within 10 calendar days after the Resolution or written decision is filed with the Secretary to the Planning Commission.



RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

ADOPTING AN AMENDMENT TO THE WASHOE COUNTY MASTER PLAN, SPANISH SPRINGS AREA PLAN (WMPA17-0012), AND RECOMMENDING ITS ADOPTION TO THE BOARD OF COUNTY COMMISSIONERS

Resolution Number 18-05

Whereas, Master Plan Amendment Case Number WMPA17-0012 came before the Washoe County Planning Commission for a duly noticed public hearing on February 6, 2018; and

Whereas, the Washoe County Planning Commission heard public comment and input from both staff and the public regarding the proposed Master Plan amendment; and

Whereas, the Washoe County Planning Commission gave reasoned consideration to the information it received regarding the proposed Master Plan amendment;

Whereas, the Washoe County Planning Commission has made the following findings necessary to support adoption of the proposed Master Plan Amendment Case Number WMPA17-0012, as set forth in NRS Chapter 278 and Washoe County Code Section 110.820.15 and in Spanish Springs Area Plan Policy SS.17.1:

Washoe County Code Section 110.820.15 (d) Master Plan Amendment Findings

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 Changes 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.

Spanish Springs Area Plan Policy SS.17.1 Required Findings

- 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.

Now, therefore, be it resolved that pursuant to NRS 278.210(3):

- (1) Subject to approval by the Washoe County Board of County Commissioners and a finding of conformance with the Truckee Meadows Regional Plan, the Washoe County Planning Commission does hereby adopt Master Plan Amendment Case Number WMPA17-0012, comprised of the updated language included as Exhibit A-1 to this resolution, descriptive matter and other matter intended to constitute the amendments as submitted at the public hearing noted above; and,
- (2) To the extent allowed by law, this approval is subject to the conditions adopted by the Planning Commission at the public hearing noted above.

A certified copy of this resolution shall be submitted to the Board of County Commissioners and any appropriate reviewing agencies in accordance with NRS 278.220.

ADOPTED on February 6, 2018

WASHOE COUNTY PLANNING COMMISSION

ATTEST:

Trevor Lloyd, Secretary

Sarah Chvilicek, Chair

Attachment: Exhibit A-1 – Updated language for Spanish Springs Area Plan Policy SS.1.3

Exhibit A-1, WMPA17-0012

SECTION 1. Within the Spanish Springs Area Plan, Policy SS.1.3 is hereby amended to read as follows, with deleted text identified in strikethrough (ex. ~~deleted text~~):

SS.1.3 The following Regulatory Zones are permitted within the Spanish Springs Suburban Character Management Area:

- a. High Density Rural (HDR – One unit per 2.5 acres).
- b. Low Density Suburban (LDS – One unit per acre).
- c. Medium Density Suburban (MDS – Three units per acre).
- d. High Density Suburban (HDS limited to the areas designated HDS prior to August 17, 2004)
- e. Neighborhood Commercial/Office (NC).
- f. General Commercial (GC)—~~GC limited to the areas designated GC prior to August 17, 2004.~~
- g. Industrial (I).
- h. Public/Semi-Public Facilities (PSP).
- i. Parks and Recreation (PR).
- j. General Rural (GR).
- k. Open Space (OS).
- l. Medium Density Rural (MDR – One unit per 5 acres).



**RESOLUTION OF THE WASHOE COUNTY
BOARD OF COUNTY COMMISSIONERS**

**INITIATING AN AMENDMENT TO THE WASHOE COUNTY MASTER PLAN,
SPANISH SPRINGS AREA PLAN (WMPA17-0012)**

Whereas, Section 110.820.05 of the Washoe County Code allows for amendments to the Master Plan to be initiated by resolution of the Washoe County Commission or Washoe County Planning Commission; and

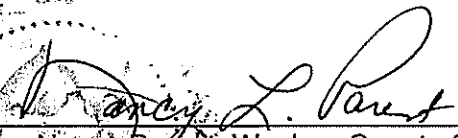
Whereas, the Board of County Commissioners provided direction to amend the Washoe County Master Plan, Spanish Springs Area Plan Policy SS.1.3(f), to remove or modify a clause that currently limits the General Commercial (GC) regulatory zone to properties with a regulatory zone of GC prior to August 17, 2004; and

Now, therefore, be it resolved that pursuant to Washoe County Code Section 110.820.05(b) that an amendment is initiated to the Washoe County Master Plan, Spanish Springs Area Plan as set forth in the agenda for the November 28, 2017 meeting of the Washoe County Board of County Commissioners, that a public hearing with the Washoe County Planning Commission on the amendment shall be held within a reasonable period of time from this resolution's adoption date, and that this amendment is initiated without prejudice to its final disposition.

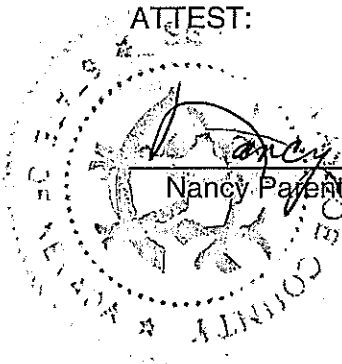
ADOPTED on November 28, 2017.

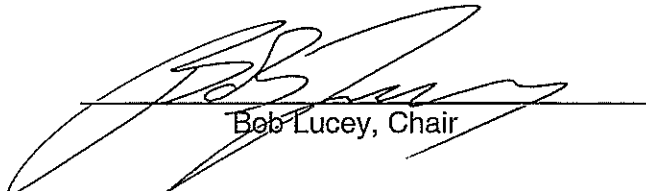
WASHOE COUNTY
BOARD OF COUNTY COMMISSIONERS:

ATTEST:



Nancy Parent, Washoe County Clerk





Bob Lucey, Chair

17-0689 **AGENDA ITEM 27** Public Hearing: Master Plan Amendment Case Number WMPA17-0001 - (1) To acknowledge receipt of the Planning Commission's report regarding the Board of County Commissioners' action on May 23, 2017 to reverse the Planning Commission's action of April 4, 2017 to deny WMPA17-0001; and (2) For possible action, public hearing and discussion to adopt an amendment to the Washoe County Master Plan, Spanish Springs Area Plan to amend the text within Table C-3, Allowed Uses (Commercial Use Types) in the Spanish Springs Area Plan to allow "Storage of Operable Vehicles" (including RV storage) in the Neighborhood Commercial (NC) regulatory zone, subject to the issuance of a Board of Adjustment approved special use permit. If the applicant's request is approved, staff recommends: (1) that the Personal Storage Guidelines of Appendix A of the Spanish Springs Area Plan (Western Theme Design Guidelines) also be updated to reflect the allowance of the Storage of Operable Vehicles commercial use type in the NC Regulatory Zone; and (2) clarifying that these design guidelines are applicable to this commercial use type throughout the NC Regulatory Zone in the Spanish Springs planning area. If adopted, amendments will be effective if and when the Regional Planning Commission finds that the amendment conforms to the Truckee Meadows Regional Plan. The request potentially impacts all properties with the NC regulatory zone within the boundaries of the Spanish Springs planning area. The Manke Family Trust is the applicant. Community Services. (Commission District 4.)

The Chair opened the public hearing by calling on anyone wishing to speak for or against adoption of Agenda Item 27.

A copy of an amended Exhibit A-1 was distributed to the Board by County Clerk Nancy Parent and placed on file with the Clerk.

Kelly Mullin, Planner with the Community Services Department, pointed out this item came before the Board in May of 2017. She conducted a PowerPoint presentation with the following slides: Washoe County Commission; Summary of Request; Areas of Neighborhood Commercial; Action to Date; Planning Commission Report; and County Commission Options.

Ms. Mullin explained the Spanish Springs Area Plan had its own table of uses which was separate from the County's general table of uses. The applicant sought to change the plan to allow for storage of operable vehicles with the issuance of a special use permit (SUP). The SUP would require that a project proposal be analyzed for potential impacts to surrounding properties to determine if the proposal was appropriate. She reminded the Board they received a copy of the amended Exhibit A-1.

Commissioner Hartung requested the Board not change the Spanish Springs Area Plan, though he asked they permit him to authorize a single exception for

the applicant's parcel. He stated the parcel had unique characteristics which made the request proper but there were other zoned parcels in Spanish Springs for which approval would not be appropriate. He expressed concern about not knowing how many parcels in Spanish Springs would be designated as neighborhood commercial zones (NCZs). He suggested making a motion to deny the change to the area plan with the caveat that the applicant's proposal be accepted. Commissioner Jung said she would second that motion.

On the call for public comment, Mr. Gordon Astrom spoke against changing the plan and conducted a PowerPoint presentation and reviewed the following slides: Appeal; Item #1 (two slides); Item #2; Item #3; Item #5; Appendix C; and Questions.

Ms. Francie Astrom conducted a PowerPoint presentation. She stated Spanish Springs was growing rapidly and agreed with Commissioner Hartung that restructuring certain zones could affect many acres of land, some of which had not yet been zoned. While she preferred not to have personal storage at the location in question, she accepted it since it was an approved use of the land. She objected to the storage of operative vehicles and opined no changes should be made to the current list of uses in Spanish Springs.

Mr. Stuart Mackie was called but was not present to speak.

Mr. Don Christensen noted he had a vested interest because a parcel adjacent to his would be impacted by the potential rezoning. He mentioned his opinion had softened about the specific parcel requested by Mr. Manke with the assurance it would not affect properties near his home. He objected to the storage of operative vehicles in general and claimed the applicant was showing bad faith by not taking care of the property's weeds or fence.

Mr. Dan Gearhart, sales agent for the Shadow Ridge development, opposed the proposed amendment. He argued the definition of operable vehicles was too broad and he did not want to see undesirable vehicles in his community. He added he was open to Commissioner Hartung's suggestion of permitting just the one applicant to store operable vehicles.

Ms. Cathy Brandhorst spoke about matters of concern to herself. Chair Lucey interrupted her to remind her to stay on topic.

Commissioner Hartung stated as part of the Community Advisory Board he was involved with drafting the master plan in the 1990s. He reiterated the particular parcel in question was unique and stressed the importance of compromise.

Commissioner Berkbigler expressed concern about making changes to master plans that could impact areas not yet developed. She acknowledged she approved the action taken by the Board regarding the parcel in May, but upon subsequent reflection

said she supported Commissioner Hartung's motion affirming the Planning Commission's decision while approving the one specific parcel.

Deputy District Attorney Paul Lipparelli reminded the Board the item was an action on a master plan amendment proposal and the Board could vote either way depending on the findings. He stated any later proposal to change zoning would have to stand on its own. He said if the Board chose to uphold the Planning Commission's report there was a recommended motion in the staff report which provided a place to insert findings; he added it would be appropriate to make them.

Derek Kirkland from Wood Rogers Inc., representing the Manke family, stated they were interested in the suggested compromise and requested clarification as to what the next steps would be.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered to deny Master Plan Amendment Case Number WMPA17-0001 based on the Board's inability to make any of the required findings regarding consistency with the master plan, compatible land uses, response to changed conditions, availability of facilities, or the desired pattern of growth as listed on page four of the staff report.

Mr. Lipparelli confirmed the motion was acceptable as the relevant code required three of five findings be made to amend the master plan and Commissioner Hartung contended none of the findings could be made.

17-0690 **AGENDA ITEM 28** Public hearing and discussion to affirm, modify or reverse the Planning Commission's approval of (1) Tentative Subdivision Map Case Number TM16-009 (Ascenté), a 225-lot single-family common open space subdivision on two parcels totaling ±632 acres, and (2) Special Use Permit Case Number SW16-003 (Ascenté Water Tank) a 560,000 gallon water storage tank. The site is located south of Fawn Lane and east of Shawna Lane within Section 1, T17N, R19E, MDM, Washoe County, NV. The parcels (APNs: 045-252-14 and 045-252-15) total ±632.13-acres size and are within the boundaries of the Forest Area Plan. The Master Plan Categories are Suburban Residential and Open Space, and the Regulatory Zones are Medium Density Suburban (MDS - 3 dwelling units per acre), Low Density Suburban (LDS - 1 dwelling unit per acre) and Open Space (OS). The property owners are Gary Nelson and Jeannie Janning, the tentative subdivision map applicant is Symbio Development, LLC, and the appellant is Callahan Neighbors Community Group (Ryan Loetscher, Todd Mihevc, Ken Allen and Kris Hemlein). Community Services. (Commission District 2.)

The Chair opened the public hearing by calling on anyone wishing to speak for or against adoption of Agenda Item 28.



Spanish Springs Citizens Advisory Board

MEMORANDUM

Date: January 11, 2018
To: Commissioner Vaughn Hartung
Re: **TEXT AMENDMENT TO SPANISH SPRINGS AREA PLAN**
From: Misty Moga, Recording Secretary

The following is an excerpt from the Spanish Springs Citizen Advisory Board on January 10, 2018

7. DEVELOPMENT PROJECTS

7A. TEXT AMENDMENT TO SPANISH SPRINGS AREA PLAN. Request for community feedback, discussion and possible action to make an advisory recommendation for approval or denial, with potential comments on a proposal by Washoe County to amend text within the Spanish Springs Area Plan to modify Policy SS.1.3(f), which currently limits the General Commercial (GC) regulatory zone in the Spanish Springs planning area to properties with a regulatory zone of GC prior to August 17, 2004. The request seeks to modify or remove the date limitation within the policy. Supporting information:

- BCC 11-28-17 Staff Report WMPA17-0012 Initiation
- BCC 11-28-17 Attachment A Resolution
- BCC 11-28-17 Attachment B Bcc Minutes 08-08-17

- **Staff:** Kelly Mullin, kmullin@washoecounty.us, (775) 328-3608
- **Reviewing Body:** Washoe County Board of County Commissioners

Master plan amendment proposed by Washoe County
Scope is narrow

She showed the highlighted proposed changes to the plan
1.3F policy – General Commercial (GC) designated as of 2004 specific to Spanish Springs Suburban character management area. Designated growth area. It’s affecting what’s within that area. That date limit is what we are looking to edit or delete.

Why are we looking at it? How did we get here?

Last year, an applicant wanted to open a RV storage zoned neighborhood commercial. They wanted to change the plan to allow RV storage if they could get a special use permit. It was denied, appealed, and went to County Commissioner where they overturned the denial.

Commissioner Hartung said let’s not affect entire area plan. The subject property is on the corner of La Posada and Pyramid; it used to be a park. They staff and commissioners seek a path and a zone change to General Commercial. If eliminated, it would allow for a requested re-zone. There is a specific limit of 9.6% of suburban character management plan. There isn’t a lot of wiggle room for commercial industrial. Commissioner Hartung said the zone change concept was his idea. He said he was around in 2004; it was a compromise with Sparks in regards to industrial and commercial. There was no such thing as neighborhood commercial zoning. It’s the same zoning that we are asking for. We later added neighborhood commercial for less intense uses. This won’t change our cap. He said he didn’t want to make a big change to the entire plan. He said the road to the ballpark didn’t go to the north originally. They convinced the County to do a dog leg next to the store; it was the only store in town. The park was a fixture. Commissioner Hartung had to get rid of the park because it was becoming a hazard. It went back to the original owner of the land. David Frear was the successor who received the land. It was ultimately sold. The current property owner is requesting RV storage units there. Everything to

the south of that property is the City of Sparks. A piece of that land is zoned multifamily (MF). These people could have asked for self annexation and have built apartments there. Commissioner Hartung said he believes this is a compromise. This wasn't his first choice. He didn't want to change the entire area plan. The edge of Calle De La Plata is General Rural zoning, and could request a zone change and it could become too intense. We will place conditions on the requesting party. All access will be off of La Posada. There is no easement off of Pyramid. The Commissioner said the Commission was going to change the entire plan; but this one concession won't be bad. Sight visibility triangle and easement for vision for traffic is required. We would ask them to install a turn lane, and all those things will be looked at.

This is far less intense use on that corner versus turning it into a convenience store. He said he felt it's a compatible use. He said he is trying to abate the weeds at the property. A public member said he is a responsible land owner who isn't taking care of that property. It looks like a used parking lot. Commissioner Hartung said he wants manageable plans.

John Gwaltney said he appreciates the commissioner not wanting to change the area plan, but what is the cap. Commissioner Hartung said when we designed the Spanish Springs area plan, there was a job/housing balance so we didn't always have to commute out of the area. There needs to be a balance.

A public member asked about the rock quarry out by Pebble Creek. He said the trucks are bad. Its been in operation since early 1900s; they were hauling the best road aggregate in Nevada. It's a sad scenario. It was in the middle of nowhere. Pat Shane owned it. It's supplied the whole valley with aggregate. He said he wants to see an acceleration lane. We moved into their neighborhood.

Commissioner Hartung said the reason for the area plan change is that he didn't want to change the entire area plan over one request. When the City of Sparks develops the parcel to the south, there may be access granted. Until then, it's right-in, right-out on La Posada. We can place conditions on that when they come back for special use permit. Commissioner Hartung said he doesn't think anyone will notice this. This will be less intrusive than the ball park because of the noise and lighting.

Kelly Mullin gave her contact information. She provided staff report and business cards.

Planning Commission meeting is the first Tuesday in February. She gave an overview of the process for approval. There are a lot of steps before approval.

Public Comment:

Gordon Astrom said the Neighborhood Commercial zoning, you are allowed to have storage. You can put it on the corner. Now, let's talk about putting RVs on this property. The walls are 8-10 foot. RVs are 14 feet; it can stick out over the wall. They have to plant trees. The applicant came before the board to allow RVs for personal storage. The Planning Commission turned it down. Commissioners voted for it. He said he didn't believe they knew about the subject property. It went back to planning commission and it got turned it down again; the commission rejected it with provisions to revisit it. They are trying to change the parcel from neighborhood commercial to general rural for RV storage; it's not appropriate to have in that area. Just south of that area is Sparks. If that road hadn't changed, that area would probably be Sparks. Next to it is multifamily and they might not want to look at that storage facility. This is a run around the original agreement. He said he would hate to hear someone with money buy their way through the system. It's the wrong thing in the wrong place.

John Gwaltney said he believes the board will preserve it. He sympathizes with RV storage, but given the alternatives with multifamily unit, we are facing what is lesser of the evils.

Ken Theiss asked about parcel sizes. Kelly said she would have to check. The special use permit would show what and how much development would be requested. Kelly said the request is for modifying the area plan. This came about with a specific parcel. If this change is successful, the applicant would come back to request a zone change and special use permit.

Commissioner Hartung said its operable vehicle storage with a mini storage as well. It's a small pie shaped parcel. It's not a 40 acre parcel. What we are asking about is changing just a part about zoning of the plan versus the entire plan. It's parcel specific. It's a change in plan, but specific to that parcel. What keeps everyone else for not doing this is the cap is at its ceiling. There is a threshold. Kelly said the area plan has a percentage cap. We can dictate the conditions during special use permit request. Commissioner Hartung said people are already storing cars for a business. We can place conditions on this business. He said he lives here too.

John, a public member, asked about a shopping center. Commissioner Hartung said it can go in Neighborhood Commercial zoning. You will see more by Eagles Landing. Neighborhood Way and Eagle Canyon might get a shopping center. An additional 10 acres will put us close to the cap. This is leaser of the evils. He can annex himself and build multifamily units.

MOTION: Ken Theiss made a recommendation approval to amend text within the Spanish Springs Area Plan to modify Policy SS.1.3(f), which currently limits the General Commercial (GC) regulatory zone in the Spanish Springs planning area to properties with a regulatory zone of GC prior to August 17, 2004. John Gwaltney seconded the motion to recommend approval. Motion passed unanimously.

Ken said we can address the concerns when this comes back during special use permit.