



# Planning Commission Staff Report

Meeting Date: October 4, 2016

Subject: Tentative Subdivision Map Case Number: TM15-001  
Applicant: SP58, LLC  
**Agenda Item Number: 9B**  
Project Summary: 161-lot common open space subdivision  
**Recommendation: Approval with Conditions**  
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## **Description**

**Tentative Subdivision Map Case Number TM15-001 (Blackstone Estates)** – Hearing, discussion, and possible action to approve a 161-lot, single family detached, common open space subdivision on a  $\pm 58.49$ -acre parcel. Lots will range in size from 8,595 square feet ( $\pm .19$  acres) to 19,271 square feet ( $\pm .44$  acres) with lot sizes averaging approximately 11,140 square feet ( $\pm .25$  acres).

- Applicant: SP58, LLC
- Property Owner: Jacie, LLC
- Location: 350 Calle de la Plata, on the north side of the road and approximately 650 feet east of its intersection with Pyramid Hwy
- Assessor's Parcel Number: 534-571-01
- Parcel Size:  $\pm 58.49$  acres
- Master Plan Category: Suburban Residential (SR)
- Regulatory Zone: Medium Density Suburban (MDS)
- Area Plan: Spanish Springs
- Citizen Advisory Board: Spanish Springs
- Development Code: Article 608, *Tentative Subdivision Maps* and Article 408, *Common Open Space Development*
- Commission District: 4 – Commissioner Hartung
- Section/Township/Range: Section 23, T21N, R20E, MDM, Washoe County, NV

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**Exhibit Contents**

Conditions of Approval.....	Exhibit A
Agency Comments.....	Exhibit B
Excerpt of Minutes from Spanish Springs CAB Meeting, September 14, 2016 .....	Exhibit C
Public Notice Map .....	Exhibit D
Project Application .....	Exhibit E
Updated Traffic Study, Dated August 2016 .....	Exhibit F

**Tentative Subdivision Map**

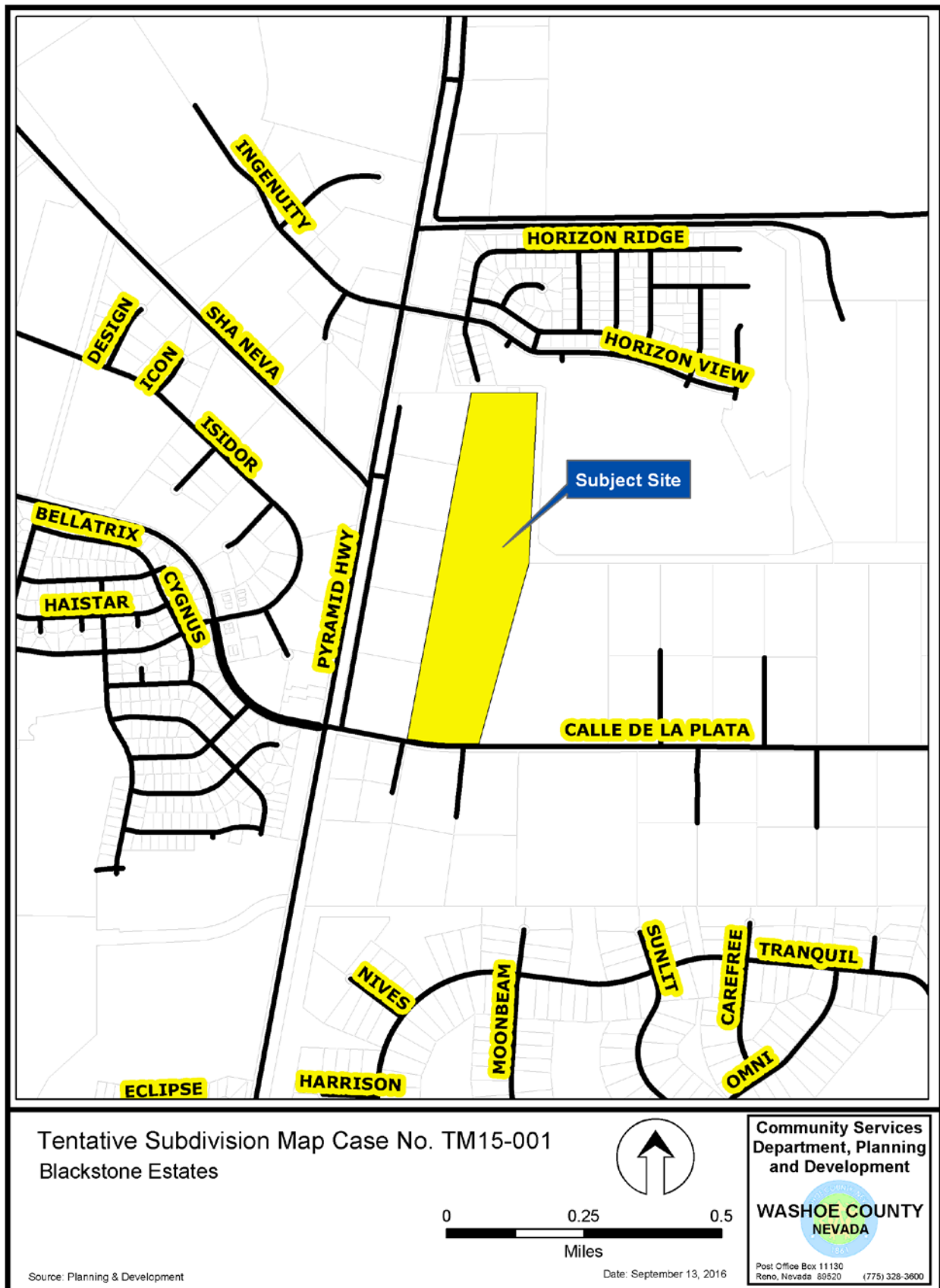
The purpose of a Tentative Subdivision Map is:

- To allow the creation of saleable lots;
- To implement the Washoe County Master Plan, including the Area Plans, and any specific plans adopted by the County;
- To establish reasonable standards of design and reasonable procedures for subdivision and re-subdivision in order to further the orderly layout and use of land and insure proper legal descriptions and monumenting of subdivided land; and;
- To safeguard the public health, safety and general welfare by establishing minimum standards of design and development for any subdivision platted in the unincorporated area of Washoe County.

If the Planning Commission grants an approval of the Tentative Subdivision Map, that approval is subject to Conditions of Approval. Conditions of Approval are requirements that need to be completed during different stages of the proposed project. Those stages are typically:

- Prior to recordation of a final map.
- Prior to obtaining a final inspection and/or a certificate of occupancy on a structure.
- Prior to the issuance of a business license or other permits/licenses.
- Some Conditions of Approval are referred to as "Operational Conditions." These conditions must be continually complied with for the life of the project.

The Conditions of Approval for Tentative Subdivision Map Case Number TM15-001 are attached to this staff report and will be included with the Action Order if the application is approved by the Planning Commission.



**Vicinity Map**

**Site Plan**



## **Project Evaluation**

The applicants are proposing to develop a 161-lot common open space subdivision on a  $\pm 58.49$ -acre parcel that has a regulatory zone of medium density suburban (MDS). The MDS regulatory zone was established on this property in July 2016 and has a residential density of three dwelling units per acre. The zoning would allow for up to 175 lots, so this development utilizes a reduced density of approximately 2.75 dwelling units per acre. The previous regulatory zones on the property were Industrial and Neighborhood Commercial.

As a common open-space subdivision, parcels would be smaller than otherwise allowed in the regulatory zone, but would also provide for  $\pm 9.27$  acres of common open space. Lots will range in size from 8,595 square feet ( $\pm .19$  acres) to 19,271 square feet ( $\pm .44$  acres), with lot sizes averaging approximately 11,140 square feet ( $\pm .25$  acres).

The Character Statement of the Spanish Springs Area Plan describes the existing and desired land use pattern in the Spanish Springs planning area as containing a distinct suburban core concentrated along Pyramid Highway. This core is described as having a broad mix of non-residential uses together with residential densities of up to three dwelling units per acre located predominately, but not exclusively, on the west side of Pyramid Highway. The subject parcel and the suburban core are both located within the Suburban Character Management Area, which is the designated growth area in the Spanish Springs Valley.

### *Compatibility*

To the north and northeast of the subject parcel is the single-family residential subdivision Donovan Ranch. Currently under construction, Donovan Ranch is a common open space subdivision with reduced-size lots that are generally in the vicinity of one-third acre, which is compatible and consistent with Blackstone Estates' proposed development pattern. To the southeast is a  $\pm 39.8$ -acre property currently being reviewed for a proposed 119-lot subdivision (Sugarloaf Ranch Estates) that is substantially similar to this project. To the west of the subject property are five parcels of approximately ten acres each. Two of the five parcels are developed with single-family dwellings and the others are undeveloped. A 20-foot to 30-foot-wide common open space strip of land along the western property line, and a  $\pm 3.19$ -acre common open space area at the western property boundary will both act as a buffer area between the smaller proposed lots and the existing larger lots to the west. To the south is Calle de la Plata. Across Calle de la Plata are parcels with regulatory zones of Neighborhood Commercial, Open Space and Industrial, along with one ten-acre parcel with a regulatory zone of Medium Density Rural that has been developed with one single-family residence.

To minimize potential impacts to neighboring properties to the west, the applicant has proposed, and staff has conditioned, that lots located along the western perimeter not allow homes or structures of more than one story. Staff has proposed a condition of approval that a note to this effect shall be placed on applicable final maps, and that a disclosure be made by the developer to affected homebuyers on their closing documents. Also, in order to minimize impacts to neighboring properties, construction hours will be limited to 7 a.m. to 6 p.m., Monday through Saturday. These construction hours were agreed to by the applicant's representative at the Spanish Springs Citizen Advisory Board meeting on September 14, 2016.

### *Washoe County Schools*

Washoe County schools in Spanish Springs are currently nearing or over capacity, and they will be further impacted by the proposed development. The subdivision is expected to generate 45

elementary school students, 10 middle school students and 22 high school students. The property is currently zoned for Alice Taylor Elementary School, Shaw Middle School and Spanish Springs High School. According to the Washoe County School District (WCSD), Alice Taylor Elementary School is operating at 111 percent of base capacity, Shaw Middle School is operating at 95 percent of base capacity and Spanish Springs High School is at 107 percent of base capacity. Per WCSD-adopted Policy 6111, most elementary schools will transition to a multi-track year round schedule when their enrollment reaches 120 percent of capacity and most middle and high schools will be converted to either multi-track or a double session calendar when enrollment exceeds 120 percent of capacity. Also, assignments to the closest schools with available capacity may be implemented for students in this development. The Washoe County School District has requested a condition requiring that a disclosure shall be made by the developer to each homebuyer/renter on their closing/rental documents that K-12 students in this subdivision may be assigned to the nearest WCSD schools with available capacity in the event that the currently zoned schools cannot accommodate additional students.

### *Recreational Amenities*

The proposed subdivision includes  $\pm 9.27$  acres of open space. The application indicates that  $\pm 3.19$ -acres of this open space would be located along the western property boundary and would serve as a neighborhood park, providing passive and active recreational opportunities for residents. Although the application states this location would serve as a park, the submitted landscape plan shows it as a native landscape and revegetated area. Therefore, staff is proposing a condition of approval requiring a minimum of 1.5 acres of common open space to be developed into a park area providing landscaping, shade, picnic areas, seating and other amenities common to neighborhood parks. As with all of the common open space in the subdivision, the continuing maintenance of this area shall be addressed in the CC&Rs and funded in perpetuity through the homeowners' association. The applicant will have flexibility to adjust the location of this 1.5+ acre park to another location within the subdivision if necessary.

There are also 20-foot to 30-foot-wide open space buffers that run along the entire length of the western, eastern and northern property lines. The applicant has proposed a public multi-use trail easement to connect the subdivision to the proposed development to the east, as well as to the regional trail system that connects to Sugarloaf Peak. Washoe County Regional Parks and Open Space has included a condition of approval requiring that a 20-foot to 30-foot-wide non-motorized (equestrian and pedestrian) public access trail easement be established to provide access from Calle de la Plata to the Sugarloaf Peak & Trail, and that an acceptable trail be constructed within that easement.

The nearest existing Washoe County regional park site is located approximately 1.5 miles from this property at the Gator Swamp park adjacent to Alice Taylor Elementary School.

### *Traffic*

The primary access to the project site is via Calle de la Plata, just off of Pyramid Highway. The initial traffic study provided with the application was deemed to be insufficient for complete review, and an updated traffic study was requested. The updated study (Exhibit F) was reviewed by the Nevada Department of Transportation (NDOT), the Regional Transportation Commission (RTC) and the Washoe County Engineering & Capital Projects Division.

Of primary concern to reviewers and surrounding property owners is anticipated traffic impact at the intersection of Calle De La Plata and Pyramid Highway. That intersection currently operates at a Level of Service (LOS) F during morning and afternoon peak hours, but otherwise operates

at LOS A. If approved, this development and other subdivisions proposed along Calle de la Plata and to the north would generate additional negative traffic impacts to this intersection.

The following is an excerpt from the NDOT review of this project:

“Existing traffic plus combined anticipated traffic volumes (Blackstone Estates, Sugarloaf Ranch Estates and Harris Ranch Subdivision) appear to have a significant impact to the intersection at Pyramid Highway and Calle De La Plata. If all three development projects are approved and constructed, it is likely the traffic generated will warrant the need for a traffic signal. There would be a benefit to the public if these projects installed the necessary signal infrastructure to mitigate the traffic impacts. The traffic signal mast arms, signal heads and signage would not be installed until such time as a traffic signal study is conducted and the signal activation approved by NDOT.”

The following proposed condition of approval has been provided by the Washoe County Engineering and Capital Projects Division:

“Before approval of the first final map, the planning, design, and construction of a fully signalized intersection at Pyramid Highway and Calle De La Plata meeting the requirements of the Washoe County Engineer, NDOT and RTC shall occur, or a financial assurance shall be posted for the construction of said improvements by the developer. In order for the signalization improvements located within NDOT right-of-way to be eligible for Regional Road Impact Fee waiver under the terms and provisions of the Regional Transportation Commission’s General Administrative Manual, 5th Addition including Amendment No. 1, the minor leg (Calle de la Plata) shall be constructed by the developer to regional roadway standards, meeting Washoe County, RTC and NDOT requirements. The County Engineer shall determine compliance with this condition.”

The County Engineer is also requiring improvements to Calle de la Plata, the installation of traffic calming measures within the subdivision, and secondary access. As an important safety measure, NDOT also recommends the creation of a deceleration lane from Pyramid Highway to Calle de la Plata.

### *Grading and Drainage*

The subject site is vacant and without significant topographic features. The property is relatively level and slopes gently down from east to west. A small portion of the southeast corner of the parcel is designated as being in a FEMA flood zone AO, and the proposed tentative map identifies that area as being developed with a detention basin. The Development Suitability Map identifies the remainder of the property as being “unconstrained.”

Currently, the parcel is largely undisturbed and contains significant native vegetation. The anticipated grading necessary to support the project involves the disturbance of the entire 58.49-acre site, involving the cut and fill of approximately 130,000 cubic yards of material to be balanced on site. The maximum allowable steepness for cut and fill within the development are 3:1 slopes.

A conceptual level hydrology analysis was provided with the application and reviewed by the County Engineer. The final design of the drainage system will need to ensure that the development has mitigated any increase in runoff, and that runoff discharge onto offsite properties



is substantially in the same manner and location of existing runoff. The County Engineer has provided conditions of approval related to drainage for the subdivision.

#### *Fire Protection*

Fire protection services will be provided by the Truckee Meadows Fire Protection District (TMFPD). Their nearest station is located approximately 2.5 miles to the south on La Posada Drive. All developments on the property shall comply with Washoe County Code Chapter 60. Additionally, open space and drainage shall be maintained in accordance with the vegetation management plan of Washoe County Code Chapter 60.

#### *Water and Sewer*

The Truckee Meadows Water Authority (TMWA) shall be the water service provider and is agreeable to supplying water to this project subject to certain conditions being met including the annexation of this property into the TMWA retail service area. In 2015, TMWA prepared a discovery for the subject site; the findings were based on 186 units (not the 161 units as proposed). TMWA has estimated the maximum daily domestic demand to be approximately 149 gallons per minute.

The State of Nevada's Division of Water Resources also reviewed the project and indicated that municipal water service is subject to TMWA requirements and approval by the Office of the State Engineer regarding water quantity and availability. The State Engineer anticipates that the project would require 79.98 acre-feet annually.

Sewer service will be provided by Washoe County and treatment will be at the Truckee Meadows Water Reclamation Facility.

#### *Citizen Advisory Board Meeting*

The proposed project was presented by the applicant at the Spanish Springs Citizen Advisory Board (CAB) meeting on September 14, 2016. The CAB voted unanimously with three members present to recommend denial of the project. An excerpt from the minutes of the meeting is attached as Exhibit C and reflects discussion of the following topics:

- Construction hours
- Traffic
- Size of proposed homes
- Source of water to serve proposed subdivision
- Parks in the area
- Capacity of nearby schools
- Emergency services
- Process to review this request
- Applicant's proposed development schedule
- Nearby property values

No additional comments were received from the public regarding this request.

#### **Reviewing Agencies**

The following agencies received a copy of the project application for review and evaluation.

- Washoe County Community Services Department

- Engineering and Capital Projects
- Planning and Development
- Regional Parks and Open Space
- Traffic
- Utilities (Sewer)
- Nevada Division of Environmental Protection
- Nevada Division of Water Resources
- Nevada Department of Transportation
- Truckee Meadows Fire Protection District
- Truckee Meadows Regional Planning Agency
- Regional Transportation Commission
- Washoe County Health District
  - Air Quality Management Division
  - Environmental Health Division
  - Vector Control
  - Emergency Medical Services
- Washoe County School District
- Washoe-Storey Conservation District
- Truckee Meadows Water Authority
- United States Postal Service

Several of the above-listed agencies/departments submitted responses to the proposed tentative subdivision map. A summary of each agency's comments and/or recommended conditions of approval and their contact information are provided. The Conditions of Approval document is attached to this staff report and will be included with the Action Order should the Planning Commission approve the tentative subdivision map application.

- Washoe County Planning and Development addressed common area standards, lot sizes, structure heights, landscaping, grading of slopes, CC&Rs, timing of final map submittals, etc.  
**Contact:** Kelly Mullin, 775.328.3608, [kmullin@washoecounty.us](mailto:kmullin@washoecounty.us)
- Washoe County Engineering and Capital Projects addressed grading, drainage, stormwater management, maintenance of common area, easements, traffic, etc.  
**Contact:** Walt West, 775.328.2310, [wwest@washoecounty.us](mailto:wwest@washoecounty.us) and Clara Lawson, 775.328.3603, [clawson@washoecounty.us](mailto:clawson@washoecounty.us)
- Washoe County Utility Services requires improvement plans for construction of sanitary sewer collection system(s), sanitary sewer report, fees, and easements.  
**Contact:** Tim Simpson, 775.954.4648, [tsimpson@washoecounty.us](mailto:tsimpson@washoecounty.us)
- Washoe County Health District addressed water system requirements, catch basin and detention basin design, mass grading, roadside ditch design, etc.  
**Contact:** James English, 775.328.2434, [jenglish@washoecounty.us](mailto:jenglish@washoecounty.us)  
Jim Shaffer, 775.785.4599, [jshaffer@washoecounty.us](mailto:jshaffer@washoecounty.us)
- Washoe County Regional Parks and Open Space requires a trail easement and a constructed trail providing access from Calle de la Plata to the Sugarloaf Peak & Trail.  
**Contact:** Dennis Troy, 775.328.2059, [dtroy@washoecounty.us](mailto:dtroy@washoecounty.us)

- Washoe County School District asks for a condition for a disclosure to all future homebuyers that students may be assigned to the nearest school(s).  
**Contact: Mike Boster 775.232.1571, [mboster@washoeschools.net](mailto:mboster@washoeschools.net)**
- Truckee Meadows Fire Protection District addressed requirements of Washoe County Code Chapter 60, including the International Fire Code, vegetation management, and CC&R requirements.  
**Contact: Amy Ray, 775.326.6000, [aray@fmfpd.us](mailto:aray@fmfpd.us)**
- Nevada Division of Environmental Protection (NDEP) stated that the developer will need to obtain coverage under NDEP's Construction Stormwater Permit prior to any grading.  
**Contact: Patrick Mohn, 775.687.9419, [pmohn@ndep.nv.gov](mailto:pmohn@ndep.nv.gov)**
- Nevada Department of Transportation evaluated the applicant's traffic study and provided comments and recommendations, including a suggestion for a deceleration lane.  
**Contact: Jae Pullen, 775.834.8300**
- Regional Transportation Commission (RTC) evaluated the applicant's traffic study and provided comments on the analysis. It was also requested that the developer contact the RTC to discuss options for future transit improvement.  
**Contact: Rebecca Kapuler, 775.332.0174, [rkapuler@rtcwashoe.com](mailto:rkapuler@rtcwashoe.com)**
- Nevada Division of Water Resources stated that water rights are required. A will-serve letter from TMWA will be required.  
**Contact: Steve Shell, 775.684.2836, [sshell@water.nv.gov](mailto:sshell@water.nv.gov)**

### **Staff Comments on Required Findings**

Washoe County Code Section 110.608.25 requires that all of the following findings be made to the satisfaction of the Washoe County Planning Commission before granting approval of the tentative map request. Staff has completed an analysis of the application and has determined that the proposal is in compliance with the required findings as follows.

- 1) Plan Consistency. That the proposed map is consistent with the Master Plan and any specific plan.  
*Staff Comment: The proposed tentative map, as conditioned, meets all of the applicable goals and policies of the Washoe County Master Plan and the Spanish Springs Area Plan.*
- 2) Design or Improvement. That the design or improvement of the proposed subdivision is consistent with the Master Plan and any specific plan.  
*Staff Comment: The proposed tentative map meets all of the density, lot size and common open space criteria of the Washoe County Master Plan and the Spanish Springs Area Plan. The proposed development complies with the three dwelling units per acre overall density allowed in Medium Density Suburban (MDS) regulatory zone. Lot sizes smaller than MDS requirements are enabled through Article 408, Common Open Space Development.*

- 3) Type of Development. That the site is physically suited for the type of development proposed.

*Staff Comment: The site is a relatively level property adjacent to paved access, located within the designated growth area for Spanish Springs, and is suitable for a subdivision with 161 dwellings. Although the lots are smaller than the adjacent properties to the west, the proposed development is consistent with the lot sizes of the development to the north and northeast, and to the lot sizes proposed on the property to the east.*

- 4) Availability of Services. That the subdivision will meet the requirements of Article 702, Adequate Public Facilities Management System.

*Staff Comment: There are adequate public services available to serve the proposed development, including community water and sewer service.*

- 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.

*Staff Comment: The proposed development is not located within an environmentally sensitive location. The proposed improvements will not cause substantial environmental damage or harm to endangered plants, 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.

*Staff Comment: The design of the subdivision has been reviewed by the Health District and will comply with all generally applicable public health standards.*

- 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.

*Staff Comment: There are currently no public easements through this property. The design of the subdivision will include primary and secondary road access, pedestrian sidewalks, and multi-modal pedestrian and equestrian easements that may be used by future residents of the development as well as residents from neighboring developments. Conditions of approval requiring trails and trail easements to be established will allow for additional connections to the Sugarloaf Peak & Trail.*

- 8) Access. That the design of the subdivision provides any necessary access to surrounding, adjacent lands and provides appropriate secondary access for emergency vehicles.

*Staff Comment: The design of the subdivision provides any necessary access to surrounding adjacent lands and provides appropriate secondary access for emergency and other vehicles.*

- 9) Dedications. That any land or improvements to be dedicated to the County is consistent with the Master Plan.

*Staff Comment: Any improvements to be dedicated to the County are proposed to be consistent with the Master Plan.*

- 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.

*Staff Comment: The applicant has indicated that to the extent possible, homes will be located/oriented to take advantage of passive solar opportunities and will provide ample space on rooftops to accommodate solar panels.*

### **Recommendation**

Those agencies which reviewed the application recommended conditions in support of approval of the project. Therefore, after a thorough analysis and review, Tentative Subdivision Map Case Number TM15-001 is being recommended for approval with the Conditions of Approval included as Exhibit A to the staff report for this item. Staff offers the following motion for 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 approve Tentative Subdivision Map Case Number TM15-001 for Blackstone Estates with the Conditions of Approval included as Exhibit A to the staff report, having made all ten of the following findings in accordance with Washoe County Development Code Section 110.608.25:

- 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.

### **Appeal Process**

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

xc: Applicant: SP58, LLC, Attn: Josh Myers, 439 W. Plumb Lane, Reno, NV 89509  
Owner: Jacie, LLC c/o Douglas Properties, LLC, Attn: Samuel Douglas, 3820 Lone Tree Lane, Reno, NV 89511  
Representative: Rubicon Design Group, LLC, Attn: Mike Railey, 100 California Ave. #202, Reno, NV 89509  
Other: Blackstone Development Group, Inc., Attn: Scott Baumgardner, 439 Plumb Lane, Reno, NV 89509