

Stark, Katherine

Subject: Revisions to Address Housing Density in Marshall Ranch - 5 Acre Minimum Lots

From: Mullin, Kelly
Sent: Monday, February 04, 2019 4:53 PM
To: Stark, Katherine; Emerson, Kathy
Cc: Giesinger, Chad
Subject: FW: Revisions to Address Housing Density in Marshall Ranch - 5 Acre Minimum Lots

Hi Katy and Kathy,

Can the following email please be provided to the Planning Commission for tomorrow's hearing on Marshall Ranch? The applicant is proposing to add the following sentence to the new Marshall Ranch Character Management Area Character Statement and policies: "The minimum allowed lot size will be 5-acres and no clustering or density transfers will be allowed."

Staff is in support of the change and I'll mention it during the presentation.

Thank you,
Kelly



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From: Kenneth Krater
Sent: Sunday, February 03, 2019 3:19 PM
To: Pamela Roberts
Cc: Susan Ambrose; Mullin, Kelly; Giesinger, Chad; Herman, Jeanne
Subject: RE: Revisions to Address Housing Density in Marshall Ranch - 5 Acre Minimum Lots

Pamela, Gretchen, and Julie:

As we discussed yesterday, I made the changes shown in revision mode on the attached Character Management Area Plan Policies (see the 2nd and 7th pages) that I am simultaneously sending to staff and requesting that these changes be part of the record and approval for our project to ensure that minimum lot sizes are limited to 5-acres and that no clustering or density transfers are allowed on the Marshall Ranch. I will also present this change to the Planning Commission this Tuesday.

This should make it crystal clear that the areas outside the conservation easement could only be developed with 5-acre minimum size lots and that no clustering or density transfers could be done to allow greater than 5- acre densities on the portion of the ranch that lies outside the conservation easement. Again, our intent is to preserve the ranch via the recorded conservation easement and likely to ultimately sell 3 additional home sites (plus the actual ranch home site); all homes that will be off the grid as it would cost millions of dollars to bring in backbone infrastructure for a small number of lots.

As we discussed, the attached Character Management area policies will become a part of the Warm Springs Area Plan and apply to the Marshall Ranch in perpetuity no matter who owns the property. The land use and zoning designations run with the land. It would take a Master Plan Amendment and Regulatory Zone Amendment to change these policies and allow greater densities or smaller lot sizes. And the conservation easement will also remain in perpetuity preventing any development on the Marshall Ranch within the easement.

As stated in Section 3.1 Purpose of the Conservation Easement:

3.1 Purpose. It is the exclusive purpose of this Conservation Easement to ensure that the Conservation Area will be retained forever predominantly in its open, relatively-natural, and relatively-undeveloped condition, and with its Conservation Values intact, and to prevent any use of the Conservation Area that will significantly impair or interfere with the Conservation Values of the Conservation Area, as defined herein and in the Baseline Documentation. Owner intends that this Conservation Easement will confine the use of the Conservation Area to such activities as are consistent with the Conservation Purposes of this Conservation Easement.

This should remove any doubt that intense development could ever occur on the ranch sort of a major land use and zoning change that I can't see happening in my life time. In fact, I would be there with you arguing against such a change.

Thanks again for coming yesterday and telling me about your concerns.

Ken.

*Kenneth Krater, P.E., MSCE, President
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