



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: May 10, 2022

DATE: April 8, 2022
TO: Board of County Commissioners
FROM: Julee Olander, Planner, Planning and Building Division, Community Services Department, 328-3627, jolander@washoecounty.gov
THROUGH: Mojra Hauenstein, Arch., Planner, Division Director, Planning & Building Division, Community Services Department, 328-3619, mhauenstein@washoecounty.gov
SUBJECT: Public Hearing: Second reading and adoption of an Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207 adopting a development agreement between Washoe County and LANSING – ARCUS LLC for Prado Ranch North, a residential subdivision originally approved in 2018 (WTM18-002), to extend the recording of the first final map from September 11, 2022 to September 11, 2024. The approved subdivision is a 490-lot, single-family residential, common open space subdivision as authorized in Article 408 of the Washoe County Development Code.

The location is adjacent to Lemmon Valley Drive, north of Nectar Street and adjacent to Chickadee Drive and Sand Pit Road and is comprised of 6 parcels that total approximately 154.65 acres. The parcels are located within the North Valleys Area Plan within Washoe County Commission District No. 5. (APNs 080-723-01, 080-723-02, 080-723-03, 080-721-03, 080-721-04, & 080-721-05). (Commission District 5.)

SUMMARY

The Washoe County Commission is asked to conduct a second reading and adopt an ordinance approving a Development Agreement for Prado Ranch North, to extend the recording of the first final map from September 11, 2022 to September 11, 2024 for Tentative Map Case Number WTM18-002. The development agreement, included as part of the ordinance, relates to an approved tentative subdivision map within the North Valleys Area Plan.

Washoe County Strategic Objective supported by this item: Safe, secure and healthy communities.

PREVIOUS ACTION

On April 12, 2022, the Board of County Commissioners (Board) approved the first reading of the ordinance to adopt a development agreement between Washoe County and LANSING – ARCUS LLC for Prado Ranch North, a residential subdivision originally approved in 2018 (WTM18-002), to extend the recording of the first final map from September 11, 2022 to September 11, 2024.

AGENDA ITEM # _____

On September 11, 2018, the Board overturned the Planning Commission's denial of Tentative Map Case Number WTM18-002 (Prado Ranch North). Commissioner Berkgigler moved to approve WTM18-002 with Commissioner Lucey seconding the motion, which duly passed.

On July 3, 2018, the Planning Commission unanimously denied Tentative Map Case Number WTM18-002 (Prado Ranch North). The Planning Commission was unable to make four of the required findings.

On February 12, 2018, the North Valleys Citizen Advisory Board (CAB) heard details of the proposed project and invited comments from the audience. The CAB voted unanimously to move the comments forward to the Planning Commission with no specific recommendation.

BACKGROUND

The applicant is requesting a development agreement to extend the filing for recording of the first final map for Tentative Subdivision Map (TM18-002 - Prado Ranch North) to September 11, 2024, because they are unable to make the statutory deadline of September 11, 2022. There are several reasons for the time extension being requested by the applicant, which included:

1. Finalizing the alignment of Lemmon Drive; and
2. Revising the Base Flood Elevation ("BFE") of Swan Lake as it relates to adjacent properties, which will influence the elevation of the Lemmon Drive project.

The Tentative Subdivision Map (WTM18-002 - Prado Ranch North) is a 490-lot, single-family residential, common open space subdivision with lots ranging from 6,000 to 24,058 square feet, with an average lot size of 8,610 square feet. The parcels have a master plan designation of Suburban Residential (SR) and a regulatory zone of Medium Density Suburban Four (MDS/4 units per acre).

PROCESS FOR ADOPTING A DEVELOPMENT AGREEMENT

Pursuant to NRS 278.0203(1) and Washoe County Code (WCC) Section 110.814.25, a development agreement must be entered into via ordinance after special notice and a public hearing. Included as Attachment A is the proposed Ordinance and included as Attachment A-1 is the proposed development agreement which extends the potential date for recording the first final map until September 11, 2024 and provides that the tentative subdivision map will terminate if the first map is not filed by that date.

If the Board introduces and conducts a first reading of the ordinance, then the County Clerk will publish the title of the ordinance and the required notice of intent to adopt the ordinance, and schedule a public hearing for the second reading and possible adoption in accordance with NRS 244.100 and Washoe County Code.

Under WCC 110.814.25 notice of the public hearing and possible adoption of a development agreement must be sent to all property owners within three hundred (300) feet of the property which is the subject of the development agreement. Notice will be provided in a newspaper of general circulation within Washoe County at least 10 days before the public hearing date.

COMPLIANCE WITH MASTER PLAN

NRS 278.0203(1), NRS 278.0205(2) and WCC Section 110.814.40(b) require that when development agreements are adopted or amended, there must be a finding that the agreement is consistent with the Master Plan.

When the tentative subdivision map was approved, the Board of County Commissioners determined that the development was consistent with the Master Plan. The development agreement does not seek to change any uses, standards or policies that would be inconsistent with the Master Plan. Only the time schedule for development is proposed to be changed.

WCC 110.814.30(d) also requires the Board to make findings as follows:

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| <p>(d) <u>Findings.</u> The approval or denial of the development agreement shall be accompanied by the following findings:</p> <ul style="list-style-type: none">(1) The reasons why the development agreement would or would not be in the best interests of the County.(2) The reasons why the development agreement would or would not promote the public interest and welfare of the County.(3) The reasons why departures from Development Code regulations are or are not deemed to be in the public interest.(4) In the case of a development agreement which proposes development over a period of years, the sufficiency of the terms and conditions intended to protect the interests of the public, residents and owners of the land subject to the development agreement in the integrity of the plan. |
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Staff believes that maintenance of the current development approval is in the best interest of the County, as it promotes the public interest and welfare by maintaining a consistency in allowable development, there are no departures from development code regulations and that sufficient terms and conditions of approval are in place to protect the interests of the public and the developer.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

It is recommended that the Board of County Commissioners conduct a second reading and adopt an ordinance approving a Development Agreement between Washoe County and Lansing—ARCUS LLC for Prado Ranch North Subdivision (Tentative Map WTM18-002), a residential subdivision originally approved in 2018 for WTM18-002, to extend the deadline for filing the first final map to September 11, 2024. If adopted, the Ordinance will be effective on May 20, 2022.

POSSIBLE MOTION

Should the Board agree with staff’s recommendation, a possible motion would be:

“Move to adopt Ordinance Number (insert ordinance number as provided by the County Clerk) for Lansing– ARCUS LLC for Prado Ranch North originally approved in 2018 (WTM18-008) to extend the recording of the first final map from

September 11, 2022 to September 11, 2024. The approval is based on the Board's ability to make all the findings required by WCC Section 110.814.30(d), Findings; and further to authorize the Chair to execute the final Development Agreement upon adoption of the Ordinance."

Attachments:

Attachments A & A-1 – Ordinance with Proposed Second Amendment to Development Agreement

cc:

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