WASHOE COUNTY

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STAFF REPORT
BOARD MEETING DATE: October 27, 2020

DATE: September 11, 2020

TO: Board of County Commissioners

FROM: Julee Olander, Planner, Planning and Building Division, Community Services Department, 328-3627, jolander@washoecounty.us

THROUGH: Mojra Hauenstein, Arch., Planner, Division Director, Planning & Building Division, Community Services Department, 328-3619, mhauenstein@washoecounty.us

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 (1) Washoe County and (2) Spanish Springs Associates Limited Partnership for Harris Ranch, a residential subdivision originally approved in 2016 (TM16-007), to extend the recording of the first final map from November 1, 2020 to November 1, 2022. The approved subdivision is a 610-lot, single-family residential, common open space subdivision as authorized in Article 408 of the Washoe County Development Code.

The location is southeast of Pyramid Highway and Alamosa Drive in Spanish Springs and is comprised of 9 parcels that total approximately 610.34 acres. The parcels are located within the Spanish Springs Area Plan. The property is located within the Spanish Springs Citizen Advisory Board boundaries and within Washoe County Commission District No. 4. (APNs 534-600-14, 15, 16, 17, 18, 19 ,20, 21 and 076-290-44). (Commission District 4.)

SUMMARY

The Washoe County Commission is asked to conduct a public hearing and second reading to adopt an ordinance approving a Development Agreement for Harris Ranch, to extend the recording of the first final map from November 1, 2020 to November 1, 2022 for Tentative Map Case Number TM16-007. The development agreement, included as part of the ordinance, is for an approved tentative subdivision map within the Spanish Springs Area Plan.

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

PREVIOUS ACTION

On October 13, 2020, the Board of County Commissioners (Board) heard and approved the introduction and first reading of an ordinance for the development agreement for Spanish Springs Associates Limited Partnership for Harris Ranch.

AGENDA ITEM # _____

On October 25, 2016, the Board of Commissioners overturned the Planning Commission's denial of Tentative Map Case Number TM16-007 (Harris Ranch). Commissioner Hartung made a motion and Commissioner Herman seconded the motion. The motion was duly carried on a vote 5-0.

On September 6, 2016, the Planning Commission unanimously denied the Tentative Map Case Number TM16-007 (Harris Ranch). The Planning Commission was unable to make any of the findings, specifically finding number 6, relating to public health.

On August 4, 2016, the applicants held a neighborhood meeting at Spanish Springs Elementary School. The discussion focused on traffic concerns, especially involving safety concerns for traffic entering and exiting onto Pyramid Highway from Alamosa. The Spanish Springs Citizen Advisory Board (SSCAB) did not have a scheduled meeting during the application review period.

BACKGROUND

The applicant is requesting a development agreement to extend the filing for recording of the first final map for Tentative Subdivision Map (TM16-007- Harris Ranch) to November 1, 2022 because they are unable to make the statutory deadline of November 1, 2020. There are several reasons for the time extension being requested by the applicant, which are due to a combination of factors below:

1. change of County policies on flood plain elevation and flood mitigation;
2. extensive off-site infrastructure plan approvals; and
3. delays caused by the Covid-19 pandemic.

In December 2018, the applicant did submit a final map for 72-lots, a portion of the development. However, due to the stated challenges the applicant will not be able to record the final map by November 1, 2020. Approval of the development agreement to extend the timeframe will enable the tentative subdivision map to not expire and will maintain the approved TM16-007- Harris Ranch.

The Tentative Subdivision Map (TM16-007- Harris Ranch) is a 610-lot, single-family residential, common open space subdivision with lots ranging from 10,000 square feet to 50,855 square feet with lot sizes averaging approximately 14,866 square feet. The development will cluster the lots toward the western portion of the property and provide 358 acres of common open space. A portion of the common open space will be dedicated lands for a future school, park and trails. The parcels have a master plan designation of Suburban Residential (SR) and a regulatory zoning of Low Density Suburban (LDS).

The Tentative Subdivision Map (TM16-007- Harris Ranch) was appealed to the Board on October 25, 2016. The Board overturned the Planning Commission's denial after a lengthy hearing. Commissioner Hartung moved to approve the tentative subdivision map, with the added condition that the appellant either build a high "T" intersection or a lighted signal depending on NDOT's approval.

The Planning Commission had been unable to make the findings and denied the tentative subdivision map on September 6, 2016. The application was not presented to the Spanish Springs Citizen Advisory Board (SS CAB) because the CAB had no meeting prior to the application being presented to the Planning Commission. The applicant did have a

neighborhood meeting that was well attended and included various discussions with the main concern being traffic and the intersection of Pyramid and Alamosa.

PROCESS TO AMEND THE DEVELOPMENT AGREEMENT

Under NRS 278.0205 and Washoe County Code (WCC) Section 110.814.25, a development agreement must be made by ordinance after special notice and a public hearing. Included as Attachment A is the Ordinance and proposed amendment which extends the potential date for recording the next final map until November 1, 2022, and provides that the tentative map will terminate if the next map is not filed by then.

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

PERIODIC REVIEW OF COMPLIANCE BY DEVELOPER

As required by NRS 278.0205 (1) and WCC Section 110.814.35 the Director of Planning and Building has reviewed the Development Agreement and the status of the project and believes that the developer is in good faith compliance with the terms of the agreement.

COMPLIANCE WITH MASTER PLAN

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 did not change any uses, standards or policies that would be inconsistent with the Master Plan. Likewise, this amendment makes no changes to uses, standards or policies that would be inconsistent with the Master Plan. Only the time schedule (extension of time) for development is being added.

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 regarding Harris Ranch Subdivision (Tentative Map TM16-005) for Spanish Springs Associates, L.P. This agreement extends the deadline for filing the next in a series of final maps to November 1, 2022. And to approve amending the conditions of approval as stated in the staff report.

If adopted, the Ordinance will be effective on November 6, 2020.

POSSIBLE MOTION

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

"If adopted, the Ordinance will be effective for Spanish Springs Associates Limited Partnership for Harris Ranch originally approved in 2016 (TM16-007) to extend the recording of the first final map from November 1, 2020 to November 1, 2022. 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
Attachment B – Application

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cc:

Owner /Applicant: Spanish Springs Associates, L.P., 550 W Plumb Lane, Reno, NV, 89509, Email: jessejhaw@gmail.com

Consultant: Robert M. Sader, 241 Ridge St. #340, Reno, NV 89501,
Email: rmsader@robertmsaderltd.com