



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: March 13, 2018

DATE: Wednesday, March 07, 2018

TO: Board of County Commissioners

FROM: Roger Pelham, MPA, Senior Planner, Planning and Building Division, Community Services Department, 328-3622, rpelham@washoecounty.us

THROUGH: Mojra Hauenstein, Architect, AICP Planner, LEED AP, Director of Planning and Building, 328-3619, mahuenstein@washoecounty.us

SUBJECT: Introduction and first reading of an ordinance, pursuant to NRS 278.0205 and WCC 110.814.40, to approve the cancellation of a series of development agreements associated with various ordinances that extended the deadlines for filing final maps in connection with tentative subdivision map case number TM05-016 (Harris Ranch Subdivision). The agreements are no longer needed and are proposed for cancellation by the developers of the applicable property because the tentative map or maps to which they correspond have since been superseded by a new tentative map or maps. Those agreements and associated ordinances include:

- 1) that certain Agreement recorded on August 16, 2007 as Document No. 3566290;
- 2) that certain Amended And Restated Agreement recorded on September 28, 2010 as Document No. 3926841;
- 3) that certain Ordinance Approving Second Amended and Restated Agreement (Harris Ranch) recorded on November 14, 2013 as Document No. 4298929;
- 4) that certain Ordinance No. 1424 recorded on September 15, 2010 as Document No. 3922552; and
- 5) that certain Ordinance No. 1335 recorded on September 22, 2010 as Document No. 3924761.

The applicant is Spanish Springs Associates. The subject site is located east of Pyramid Highway (SR445), approximately 1200 feet southeast of the intersection of Alamosa Drive and Pyramid Highway (SR445). The project area is ± 554.83 acres in size, and has a regulatory zone of Low Density Suburban (LDS). The site is located within the Spanish Springs Area Plan and is situated in portions of Sections 22, 23, 26 & 27, T 21N, R 20E, MDM, Washoe County, NV. (APNs: 534-600-01, 534-600-02 and 076-290-44); and, if approved, schedule a public hearing for a second reading and possible adoption of the ordinance for March 27, 2018. (Commission District 4.)

AGENDA ITEM # _____

SUMMARY

The applicant is requesting that the Board of County Commissioners (Board) consent to cancel Development Agreements and Ordinances approved and recorded as documents numbers: 3566290, 3926841, 4298929, 3922552 and 2924761, each of which extended the deadlines for filing a final map in connection with the Harris Ranch Subdivision map. The agreements are no longer needed.

The agreements proposed for cancellation by the developers of the applicable property were originally entered into to extend the life of the tentative map, but that tentative map has since been superseded by a new tentative map (Case Number TM16-007, Harris Ranch).

Washoe County Strategic Objective supported by this item: Proactive Economic Development and Diversification

PREVIOUS ACTION

On December 7, 2005 the Washoe County Planning Commission approved Tentative Subdivision Case Number TM05-016 for the Harris Ranch Subdivision, a 262-lot common open-space subdivision. On June 12, 2007 the Board of County Commissioners approved Development Agreement Case Number DA07-002 extending the date for the filing of the first final map until December 7, 2009. In 2010 the Board of County Commissioners approved an “Amended and Restated” agreement and the required date for filing the first final map was extended until December 7, 2011, with the ability to be further extended to December 7, 2013 at the discretion of the Director of Community Development. The Director exercised that discretion and extended the filing date. In 2013 the Board of County Commissioners approved a “Second Amended and Restated” agreement and the required date for filing the first final map was extended until December 7, 2017, with the ability to be further extended to December 7, 2019 at the discretion of the Director of Community Development.

BACKGROUND

During the recent economic recession the Board approved several Development Agreements for several property owners, similar to the agreements referenced above, with the intent of extending the approvals of tentative subdivision maps. As the economy has improved final subdivision maps have been recorded in some areas and new tentative maps have been approved in other areas. On October 25, 2016, the Board overturned the Planning Commission’s denial of Tentative Map case number TM16-007, approving the new Harris Ranch Tentative Map. The approval of the new Harris Ranch Tentative Map superseded the approval of the previous Harris Ranch Tentative Map, therefore the Development Agreements associated with the previous Tentative Map are no longer needed. The Development Code anticipates the need for the cancellation of development agreements and provides that, “A development agreement may be amended or canceled, in whole or in part, by mutual consent of the parties to the agreement or their successors in interest...” [WCC110.814.40] The applicant has requested such cancellation and staff is in agreement that the need for the agreement no longer exists. For that reason staff recommends that the Board consent to the cancellation of the agreement.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

It is recommended that the Board of County Commissioners, hold the introduction and first reading of an ordinance, pursuant to NRS 278.0205 and WCC 110.814.40, to approve the cancellation of a series of development agreements associated with various ordinances that extended the deadlines for filing final maps in connection with tentative subdivision map case number TM05-016 (Harris Ranch Subdivision). The agreements are no longer needed and are proposed for cancellation by the developers of the applicable property because the tentative map or maps to which they correspond have since been superseded by a new tentative map or maps. Those agreements and associated ordinances include:

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And, if approved, schedule a public hearing for a second reading and possible adoption of the ordinance for March 27, 2018.

POSSIBLE MOTION

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

“Move to hold the introduction and first reading ordinance, pursuant to NRS 278.0205 and WCC 110.814.40, to approve the cancellation of a series of development agreements associated with various ordinances that extended the deadlines for filing final maps in connection with tentative subdivision map case number TM05-016 (Harris Ranch Subdivision). The agreements are no longer needed and are proposed for cancellation by the developers of the applicable property because the tentative map or maps to which they correspond have since been superseded by a new tentative map or maps. Those agreements and associated ordinances include:

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Further move to find that the proposed cancellation is consistent with the Master Plan.

And, if approved, schedule a public hearing for a second reading and possible adoption of the ordinance for March 27, 2018.

Attachments: A: Proposed Ordinance Cancelling Development Agreements

Ordinance Exhibit A: "Termination and Release"

B: Recorded Documents Numbered: 3566290, 3926841, 4298929, 3922552 and 2924761

cc: Spanish Springs Associates Limited Partnership, c/o Robert M. Sader, Esq., 8600 Technology Way, Reno, Nevada 89521