



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: April 14, 2020

DATE: March 13, 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: Introduction and first reading of an ordinance approving an "Amended and Restated Development Agreement (Sierra Reflections)" originally approved in 2008 (DA08-003) regarding Sierra Reflections Subdivision (approved in 2006 as Tentative Map TM06-001) for World Properties Inc. The project is a 938-lot, single-family residential, common open space subdivision as authorized in Article 408 of the Washoe County Development Code. This agreement extends the deadline for filing the next in a series of final maps from June 14, 2020 to June 14, 2022;

And

To approve an amendment to conditions of approval for Tentative Subdivision Map Case Number TM06-001 (Sierra reflections) to update and remove outdated language including the following:

1. Remove Department of Water Resources conditions; Truckee Meadows Water Authority (TMWA) is now the water provider;
2. Remove Vector Control conditions; Washoe County District Health has updated conditions and added conditions for water and grading requirements;
3. Amend Fire Safety provisions with current fire code requirements; and
4. Remove two conditions and updated the other condition for the Regional Transportation Commission (RTC).

The project is bordered on the north by Pagni Lane, on the east by old US Highway 395, on the south and as far south as Little Washoe Lake in the Pleasant Valley area. The project encompasses a total of 29 parcels that total approximately 759.6 acres. The parcels are located within the South Valleys Area Plan. The property is located within the South Truckee Meadows/Washoe Valley Citizen Advisory Board boundaries and within Washoe County Commission District No. 2. (APNs 046-060-45 and 47; 046-080-40; 046-090-01, 04 through 18, and 23 through 26; and 046-100-02 through 04, 07, 09 and 10).

AGENDA ITEM # _____

And, if approved, schedule a public hearing, second reading and possible adoption of the ordinance for April 28, 2020. (Commission District 2.)

SUMMARY

The Washoe County Commission is asked to introduce and conduct a first reading and possibly set the second reading and public hearing to adopt an ordinance approving Development Agreement Case Number WAC19-0005. The Development Agreement, included as part of the ordinance, is for the purpose of an extension of time for the approved tentative subdivision map within the South Valleys Area Plan.

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

PREVIOUS ACTION

On March 5, 2020, the applicant presented an update to the South Truckee Meadows/Washoe Valley CAB to renew the development agreement to June 14, 2022, and to update the original conditions of approval. The CAB recommended approval of these proposals.

On May 13, 2014, the Board of County Commissioners (Board) approved an amendment and restatement of the 2008 agreement, extending the deadline in NRS 278.360 for filing a final map until 2018, the filing deadline was further extended in accordance with that agreement by the Director until June 14, 2020.

On May 25, 2010, the Board approved an amendment and restatement of the 2008 agreement, extending the deadline in NRS 278.360 for filing a final map until June 14, 2012, the filing deadline was further extended in accordance with that agreement by the Director until June 14, 2014.

On May 2, 2008, the Board approved a development agreement extending the deadline in NRS 278.360 for filing a final map until June 14, 2009, the filing deadline was further extended in accordance with that agreement by the Director until 2010.

On June 14, 2006, the project received final approval from the Truckee Meadows Regional Planning Commission, as a project of regional significance, due to the number of lots approved.

On May 2, 2006, the Washoe County Planning Commission unanimously approved the Tentative Subdivision Map for Sierra Reflections, Case Number TM06-001.

BACKGROUND

The approved subdivision is the end result of a process and a series of approvals that date back more than twenty years. In 1984, the applicant received approval for a project, also called Sierra Reflections, that included a 250-room hotel, a casino and a 550-unit condominium complex. The land use designation for the property at that time was Resort Hotel and later Tourist Commercial. Later, the project was amended to include a golf course with the resort. During the 2002 Truckee Meadows Regional Plan Update the City of Reno proposed to include the project within their Sphere of Influence (SOI). The City of Reno and Washoe County finally came to the agreement that if the property were “down-zoned” to a less intense residential use that the city would agree to roll back the Sphere of

Influence from this property as well as from properties to the south within the South Valleys Area Plan.

Washoe County initiated a Comprehensive (Master) Plan Amendment to re-designate the area as residential. That Comprehensive Plan Amendment was reviewed and unanimously recommended for approval by the Galena/Steamboat Citizen Advisory Board in May of 2004. The Comprehensive Plan Amendment was approved by the Washoe County Planning Commission in July of 2004, with a vote of five in favor and two opposed, with the total number of 1,090 dwelling units over the entire property. The Washoe County Commission held a public hearing in August of 2004, and a subsequent hearing in September of 2004, which resulted in an approval of land use designations allowing 938 dwelling units. That Comprehensive Plan Amendment was then reviewed by the Truckee Meadows Regional Planning Agency and was found to be in conformance with the Regional Plan. In August of 2005, the Planning Commission held a public hearing on a request for a Special Use Permit to construct a sanitary sewer line to serve this project. That Special Use Permit was heard by the Planning Commission in September 2005 and was approved.

The approved Tentative Subdivision Map allows a 938-lot, single-family residential, common open space subdivision as authorized in Article 408, Common Open Space Development, of the Washoe County Code Chapter 110 (Development Code). Lot sizes range from 8,000 square feet to 43,445 square feet, with an average of 13,722 square feet for detached homes. Included in the 938 lots are 147 townhouses with a footprint of 1,102 square feet.

The applicant has applied for the Development Agreement to be extended three times: in April 2008, June 2010 and April 2014. The Development Agreement is currently valid until June 14, 2020.

The applicant is now seeking an approval of an amended and restated development agreement to extend the statutory deadline for filing a final map to June 14, 2022. The reason for the previous extension was for the lack of demand for housing due to the downturn in the economy. The applicant acknowledges that the housing market has improved, however the project still faces many issues that need to be resolved before work can move forward. The applicant states the following issues

- Need for construction of the Reach 3 and 4 sanitary sewer lines and connection of these lines;
- Need to complete the jurisdictional determination for Steamboat Creek and Browns Creek and approval from both the Army Corp of Engineers and Nevada State Environmental Protection Agency (NDEP) on a 4040 permit;
- Need to do additional geotechnical investigation to accurately determine solid rock areas and the need to revise grading plans to minimize rock removal and blasting; and
- Need to develop a new water plan with Truckee Meadows Water Authority.

The submitted application further explains and details these issues, see Attachment B. The applicant is confident that extending the agreement “will ensure the best possible project and allow development of Sierra Reflections to be successful”.

Staff also took this opportunity to review the originally approved 2006 conditions of approval. Staff was concerned that the conditions might be outdated and not address current codes and requirements. The specific agencies and departments were asked to review each condition and to confirm the need for the condition and if needed recommend removal or update of the condition to address current requirements and procedures. Numerous changes were recommended and conditions were removed or amended to reflect current procedures and requirements. The recommendations include the following:

1. Re-title General Conditions and Landscaping and Common Open Space to Planning and Building Division;
2. Re-title Engineering Conditions to Engineering and Capital Projects;
3. Remove three of the conditions from the Regional Transportation Commission (RTC) conditions which are now standard RTC requirements;
4. Remove Department of Water Resources conditions, since Truckee Meadows Water Authority (TMWA) is now the water provider for this area and move some conditions to Engineering and Capital Projects conditions;
5. Re-title Fire Safety conditions to the Truckee Meadows Fire Protection District (TMFPD) and remove one condition which is not needed per TMFPD; and
6. Re-title Vector Control to Washoe County Health District (WCHD), remove some conditions per WCHD and add new current conditions per WCHD.

Staff also updated formatting, contact person, added current standard conditions and updated dates as needed.

PROCESS TO AMEND THE DEVELOPMENT AGREEMENT

Under NRS 278.0205 and Washoe County Code (WCC) Section 110.814.40, an amendment to 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 June 14, 2022 and provides that the tentative map will terminate if the next map is not filed by then.

If the Board chooses to introduce and conduct a first reading, the County Clerk will publish title to the ordinance and the required notice of intent to adopt the amendment and schedule a public hearing for the second reading and possible adoption in accordance with County Code.

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 subdivision Tentative Map was approved, the Planning Commission 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 for development is being changed.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

It is recommended that the Board introduce and conduct the first reading of an ordinance amending and restating a development agreement originally approved in 2008 (DA08-003) regarding Sierra Reflections Subdivision (approved in 2006 as Tentative Map TM06-001) for World Properties, Inc. This agreement extends the deadline for filing the next in a series of final maps to June 14, 2022. And to approve amending the conditions of approval as stated in the staff report.

And if approved, schedule a public hearing date and second reading for April 28, 2020.

POSSIBLE MOTION

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

“Move to introduce Bill Number (insert bill number as provided by the County Clerk) and to set the public hearing and second reading of the Ordinance for possible adoption during the meeting of April 28, 2020.”

Attachments:

Attachment A – Ordinance with Proposed Second Amendment to Development Agreement
Attachment B – Application

cc:

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