



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: July 16, 2024

DATE: June 7, 2024
TO: Board of County Commissioners
FROM: Tim Evans, Planner, Planning and Building Division, Community Services Department, 328-2314, tevans@washoecounty.gov
THROUGH: Kelly Mullin, AICP, Division Director, Planning & Building Division, Community Services Department, 328-3619, kmullin@washoecounty.gov
SUBJECT: Public Hearing: Second reading and possible adoption of an ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207 approving a development agreement between Washoe County and Mesa View Reno, LLC, for Sun Mesa, a residential subdivision (Tentative Subdivision Map Case No. TM04-001).

The purpose of the development agreement is to extend the deadline for recording the next final map from April 28, 2024, to April 28, 2025, and to adopt amended conditions of approval (WAC24-0005). The project is located along the eastern terminus of Sun Valley Drive and Rising Ridge Drive in Sun Valley. The project encompasses a total of approximately 24.89 acres, and the total number of residential lots allowed by the approved tentative map is 207 with 149 lots recorded and 58 lots remaining to be recorded. The parcel is located within the Sun Valley Planning Area and Washoe County Commission District No. 3. (APN: 504-460-03.)

If approved, authorize the Chair of the Board of County Commissioners to sign the Development Agreement. (Commission District 3.)

SUMMARY

The Washoe County Commission is asked to hold a second reading and possibly adopt an ordinance approving a development agreement for Sun Mesa, a 207-lot, single-family residential subdivision. The proposed development agreement, included as an attachment to the ordinance, is for the purpose of extending the deadline for one (1) year to record the final map for Phase 4 for an approved tentative subdivision map (Sun Mesa) within the Sun Valley Planning Area, and also to adopt amended conditions of approval.

Washoe County Strategic Objective supported by this item: Meets the Need of Our Growing Community and Support a Thriving Community.

AGENDA ITEM # _____

PREVIOUS ACTION

June 18, 2024 – The Board of County Commissioners (Board) introduced and conducted a first reading of an ordinance approving the aforementioned development agreement between Washoe County and Mesa View Reno, LLC, for Sun Mesa, for the purpose of extending the time to record the next final map under approved Tentative Subdivision Map Case No. TM04-001, a residential subdivision, and to adopt amended conditions of approval (WAC24-0005).

February 1, 2022 – The Washoe County Planning Commission approved a two (2) year Extension of Time Request for the subdivision until April 28, 2024.

April 21, 2020 – Phase 3 (45 lots) of the tentative subdivision map was recorded as Tract Map #5371.

April 9, 2019 – The Board approved Amendment of Conditions Case Number WAC19-0001, which updated the development agreement so that the deadline to record the next final map for Phase 3 of the subdivision was extended to April 28, 2020.

August 27, 2013 – The Board approved Amendment of Conditions Case Number AC13-006, which updated the development agreement so that the deadline to record the next final map was extended to April 28, 2019.

April 28, 2009 – The Board approved Development Agreement DA09-002 through Ordinance No. 1399, which extended the deadline to file the next final map to April 28, 2014.

May 7, 2008 – The Planning Commission approved a one (1) year Extension of Time Request for the subdivision.

May 16, 2007 – Phase 2 (54 lots) of the tentative subdivision map was recorded as Tract Map #4780, Document No. 3533088.

February 6, 2007 – The Planning Commission approved a one (1) year Extension of Time Request for the subdivision.

March 14, 2006 – Phase 1 (50 lots) of the tentative subdivision map was recorded as Tract Map #4618, Document No. 3360640.

April 20, 2004 – Tentative Subdivision Map TM04-001 for Sun Mesa was approved by the Washoe County Planning Commission for 207 lots.

BACKGROUND

The Sun Mesa tentative subdivision map was approved in 2004 and consists of approximately 70.28 acres being subdivided into 207 residential lots ranging from 6,534 square feet (0.15 acres) to 35,719 square feet (0.82 acres).

The first final map was recorded in 2006 and the second final map recorded in 2007. As a result of the down-turn in the housing market starting in 2008, Washoe County entered into a development agreement with the property owner to extend expiration of the tentative map. The current expiration date was April 28, 2024; however, this application was submitted to Washoe County prior to the expiration date so the request for a development agreement is timely.

The Phase 4 final map consisting of five (5) lots and encompassing approximately 24.89 acres was submitted to the County on December 11, 2023, and is currently under review

by Washoe County Engineering. The Phase 4 final map was not able to be recorded prior to the April 28, 2024, expiration date, due to the lengthy processing time specifically related to additional requirements imposed by the Sun Valley General Improvement District (SVGID) which require the combining of water projects for phases 3 and 4. For these reasons, the applicant is seeking a 1-year extension to April 28, 2025.

Mesa View Reno, LLC, is asking Washoe County to approve a development agreement to grant an extension of time for the approved Tentative Map for the Sun Mesa Subdivision (Case Number TM04-001). Specifically, the development agreement provides an extension of the deadline to record the final map for Phase 4 from April 28, 2024, to April 28, 2025.

The proposed development agreement was sent to reviewing agencies. Washoe County Engineering requested amendments to existing conditions and an additional condition. Please refer to the amended conditions in WAC24-0005 which are attached to the staff report as Attachment D. Engineering has requested that due to the extensive time that has passed since the original approval of the tentative map for this development, that conditions 2, 3, 38, 52, 53, 61, 62 be amended, and a condition added to ensure that any future final map submittals comply with current Washoe County Development Codes. The additional condition, as well as the amended conditions from the Engineering Division are included as Attachment D, Amended Conditions.

PROCESS FOR ADOPTING A DEVELOPMENT AGREEMENT

Pursuant to NRS 278.0203(1) and Washoe County Code (“WCC”) 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 deadline for recording the next final map until April 28, 2025, and provides that the tentative subdivision map will terminate if the final map is not recorded by that date. The proposed ordinance and development agreement also adopts and incorporates the amended conditions of approval recommended by Washoe County Engineering (WAC24-0005).

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 also 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), 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 Planning Commission determined that the development was consistent with the Master Plan. The proposed development agreement does not change any uses, standards or policies that would be inconsistent with the Master Plan. Only the time schedule for development is being changed and some Engineering conditions are being updated and added.

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

- (d) Findings. The approval or denial of the development agreement shall be accompanied by the following findings:
- (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.

Staff believes that continuation of the tentative map is in the best interest of the County, as it promotes the public interest and welfare by maintaining a consistency in allowable development, and that sufficient terms and amended 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 conduct the second reading of an ordinance pursuant to NRS 278.0201 through 278.0207 approving a development agreement between Washoe County and Mesa View Reno, LLC for Sun Mesa, a residential subdivision originally approved in 2004 (Tentative Subdivision Map Case Number TM04-001). This agreement extends the deadline for recording the next final map from April 28, 2024, to April 28, 2025, and adopts amended conditions of approval (WAC24-0005).

If approved, it is recommended that the Board authorize the Chair of the Board of County Commissioners to sign the Development Agreement.

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] adopting an ordinance pursuant to NRS 278.0201 through 278.0207 approving a development agreement between Washoe County and Mesa View Reno, LLC for Sun Mesa, a residential subdivision originally approved in 2004 (Tentative Subdivision Map Case Number TM04-001). This agreement extends the deadline for recording the next final map from April 28, 2024, to April 28, 2025, and adopts amended conditions of approval (WAC24-0005). And further move to authorize the Chair to sign the development agreement.

This approval is based on the Board's ability to make all the findings required by WCC 110.814.30(d), as well as the following finding:

That this development agreement is in the best interests of the County as it promotes the public interest and welfare by maintaining a consistency in allowable development, and that sufficient terms and amended conditions of approval are in place to protect the interests of the public and the developer.”

Attachments:

Attachments A & A-1 – Working Copy of Ordinance with Proposed Development Agreement and Exhibits

Attachment B – Sun Mesa Application for a Development Agreement

Attachment C – Conditions of Approval for TM04-001 approved February 1, 2022

Attachment D – Amended Conditions of Approval for WAC24-0005

Attachment E – Clean Copy of Ordinance (Attachment A) with Development Agreement and Exhibits (Attachment A-1)

cc:

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Applicant: Keusder Homes, Inc.; 3184 Airway Avenue, Suite B, Costa Mesa, CA 92626

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Consultant: Venture Engineering & Consulting; 530 R. Plumb Ln., Suite 4, Reno, NV 89502

Attn: John Munson

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