

**Carson City  
Agenda Report**

**Date Submitted:** April 28, 2015

**Agenda Date Requested:** May 7, 2015

**To:** Board of Supervisors

**Time Requested:** 15 minutes

**From:** Community Development Department

**Subject Title:** For Possible Action: To introduce, on first reading, Bill No. \_\_\_\_, an ordinance approving an amendment to a development agreement between Carson City and Roventini, LLC, to extend the tentative planned unit development map expiration date to September 6, 2018, for the development known as Clearview Ridge, located west of Cochise Street between West Roventini Way and West Overland Street, east of Voltaire Street, APNs 9-263-06, -07, -08 and -09, and to require the developer to complete certain off-site infrastructure improvements by December 31, 2015, and matters properly related thereto. (Lee Plemel)

**Staff Summary:** The Clearview Ridge Planned Unit Development tentative map expires on September 6, 2015, unless the Board approves an extension of time as permitted under the current development agreement. The developer is requesting an extension of time to 2018 in order to allow time for the housing market to improve. In exchange for the extension of time, the developer will complete certain improvements in the public right-of-way adjacent to the property including sidewalk, water line extensions, and sewer line extensions along Cochise Street.

**Type of Action Requested:**

(check one)

Resolution

Ordinance (First Reading)

Formal Action/Motion

Other (No Action)

**Does This Action Require a Business Impact Statement:**  Yes  No

**Recommended Board Action:** I move to introduce, on first reading, Bill No. \_\_\_\_, an ordinance approving an amendment to a development agreement between Carson City and Roventini, LLC, to extend the tentative planned unit development map expiration date to September 6, 2018, for the development known as Clearview Ridge, located west of Cochise Street between West Roventini Way and West Overland Street, east of Voltaire Street, APNs 9-263-06, -07, -08 and -09, and to require the developer to complete certain off-site infrastructure improvements by December 31, 2015, and matters properly related thereto.

**Explanation for Recommended Board Action:** The Clearview Ridge Planned Unit Development (PUD) tentative map expires on September 6, 2015, unless the Board approves an extension of time as permitted under the current development agreement. During hearings for similar extension requests in prior years, including the last extension request for the Clearview Ridge PUD, the Board expressed concern over continuing to approve extensions for tentative subdivision maps that have not been initiated.

The developer is requesting an extension of time to 2018 in order to allow time for the housing market to improve before constructing houses within the development. In exchange for the extension of time, per the agreement, the developer will complete by December 31, 2015, certain improvements in the public right-of-way adjacent to the property including sidewalk, water line

extensions, and sewer line extensions along Cochise Street. These improvements would not only represent an investment in the future development of the property, it would provide benefits to the existing neighborhood by improving pedestrian connections and drainage and provide water and sewer infrastructure to serve the subject parcel and surrounding properties, to the general benefit of the public systems. Should the improvements not be constructed this year per the agreement, the agreement and the tentative PUD map would expire.

Staff recommends approval of the extension of the tentative PUD map to September 6, 2018, based upon the proposed off-site public improvements that are to be constructed by the developer this year.

For more information regarding this item, contact Lee Plemel ([lplemel@carson.org](mailto:lplemel@carson.org)) in the Community Development Department.

**Applicable State, Code, Policy, Rule or Regulation:** CCMC 17.09 (Planned Unit Development), 17.08 (Development Agreements), NRS 278.0205 (Agreement Amendments).

**Fiscal Impact:** N/A

**Explanation of Impact:** N/A



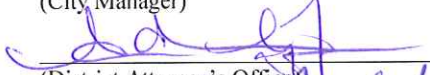
**Funding Source:** N/A

**Alternatives:** Do not amend the agreement and allow the tentative PUD map to expire in September.

**Supporting Material:**

- 1) Ordinance and development agreement amendment
- 2) Clearview Ridge phasing plan and site map

**Prepared By:** Lee Plemel, AICP, Community Development Director

<b>Reviewed By:</b> <u></u>	Date: <u>4-28-15</u>
(Community Development Director)	
<u></u>	Date: <u>4/28/15</u>
(Public Works Director)	
<u></u>	Date: <u>4/28/15</u>
(City Manager)	
<u></u>	Date: <u>4/28/15</u>
(District Attorney's Office)	
<u></u>	Date: <u>4/28/15</u>
(Finance Director)	

**Board Action Taken:**

Motion: \_\_\_\_\_

- 1) \_\_\_\_\_
- 2) \_\_\_\_\_

Aye/Nay

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Vote Recorded By)



BILL NO. \_\_\_\_

ORDINANCE NO. 2015-\_\_

AN ORDINANCE APPROVING AN AMENDMENT TO A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND ROVENTINI, LLC, TO EXTEND THE TENTATIVE PLANNED UNIT DEVELOPMENT MAP EXPIRATION DATE TO SEPTEMBER 6, 2018, FOR THE DEVELOPMENT KNOWN AS CLEARVIEW RIDGE, LOCATED WEST OF COCHISE STREET BETWEEN WEST ROVENTINI WAY AND WEST OVERLAND STREET, EAST OF VOLTAIRE STREET, APN'S 9-263-06, -07, -08 AND -09, AND TO REQUIRE THE DEVELOPER TO COMPLETE CERTAIN OFF-SITE INFRASTRUCTURE IMPROVEMENTS BY DECEMBER 31, 2015, AND MATTERS PROPERLY RELATED THERETO.

The Board of Supervisors of Carson City do ordain:

SECTION I:

WHEREAS, CARSON CITY and ROVENTINI, LLC entered into a Development Agreement that was approved by the Board of Supervisors as Ordinance 2009-15, Bill No. 114 on July 16, 2009 (hereinafter "Development Agreement"). CARSON CITY and ROVENTINI, LLC desire to amend the Development Agreement by agreeing to the First Amendment to the Development Agreement (hereinafter "Amendment") attached hereto as Exhibit "A"; and

WHEREAS, the land that is the subject of this Amendment is comprised of land commonly known as Carson City Assessor's Parcel Numbers 009-263-06, -07, -08, and -09 located at 449 West Roventini Way, West Overland Street, Voltaire Street and Roventini Way, Carson City Nevada; and

WHEREAS, the permitted uses of the land, the density or intensity of the land use, and the maximum height and size of any proposed buildings are not affected by this Amendment and are provided for in the approved Clearview Ridge Planned Unit Development Map, the conditions of the Map, and the Development Agreement; and

WHEREAS, the Carson City Board of Supervisors finds that the contents of the Amendment conforms with CCMC 17.08, NRS 278.0205 and Carson City's Master Plan; and

WHEREAS, the Board finds that the provisions of the development agreement are consistent with the Carson City Master Plan and the original approval of Planned Unit Development Tentative Map.

NOW, THEREFORE, the Board hereby approves by ordinance the First Amendment to the Development Agreement between CARSON CITY and ROVENTINI, LLC attached and incorporated herein as Exhibit "A" and associated with all or portions of Carson City Assessor's Parcel Numbers 009-263-06, -07, -08, and -09.

The Board further directs that the City Clerk shall cause a certified copy of this ordinance and original agreement to be filed with the Carson City Recorder.

PROPOSED on \_\_\_\_\_, 2015.

PROPOSED BY Supervisor \_\_\_\_\_

PASSED \_\_\_\_\_, 2015.

VOTE:

AYES:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NAYS:

\_\_\_\_\_  
\_\_\_\_\_

ABSENT:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
ROBERT L. CROWELL, Mayor

ATTEST:

\_\_\_\_\_  
SUE MERRIWETHER, Clerk-Recorder

This ordinance shall be in force and effect from and after the \_\_\_\_\_ day of the month of \_\_\_\_\_ of the year 2015.

**FIRST AMENDMENT TO  
THE DEVELOPMENT AGREEMENT  
between Carson City  
and Roventini, LLC**

1. **AMENDMENTS.** All provisions of the original Development Agreement dated May 21, 2011, Document #390476 as recorded with the Carson City Recorder's Office on June 10, 2009, attached hereto as Exhibit A, remain in full force and effect with the exception of the following amendments:

An amendment to Section 2.7 of the Agreement, as follows (added text is underlined, deleted text is ~~stricken~~):

2.7 Expiration by Inaction

This Agreement adopted pursuant to CCMC 17.08 requires that THE PROJECT shall be diligently pursued and the approvals referenced above (~~if no extension has been granted~~) shall expire if the off-site improvements for Phase 1 of THE PROJECT, as illustrated within the attached Exhibits 1, 2, and 3, as such are shown on the Improvement Plans submitted and approved by the Engineering Division under Permit #14-530 are not completed and a final inspection approved by December 31, 2015. If such off-site improvements are completed and a final inspection approved by December 31, 2015, the approvals referenced above shall expire (if no extension has been granted) if the final map and commencement of construction for Phase 1 of THE PROJECT is not recorded and begun by September 6, 2012 2018. If the map for Phase 1 is recorded prior to September 6, ~~2012~~ 2018, this Agreement shall automatically extend the time for an additional two (2) year period from said date within which the next succeeding map for the next succeeding phase must be filed. So long as DEVELOPER files each phase within the two (2) year extension period provided in this Agreement, as envisioned herein, this Agreement shall remain in full force and effect. DEVELOPER may request additional extensions beyond ~~that date~~ those dates contemplated above if done in writing prior to expiration.

2. **INCORPORATED DOCUMENTS.** Exhibit A (original Agreement) is attached hereto, incorporated by reference herein and made a part of this amended Agreement.

IN WITNESS WHEREOF, the Parties hereto have entered into this Agreement as of the day and year first above written and intend to be legally bound thereby.

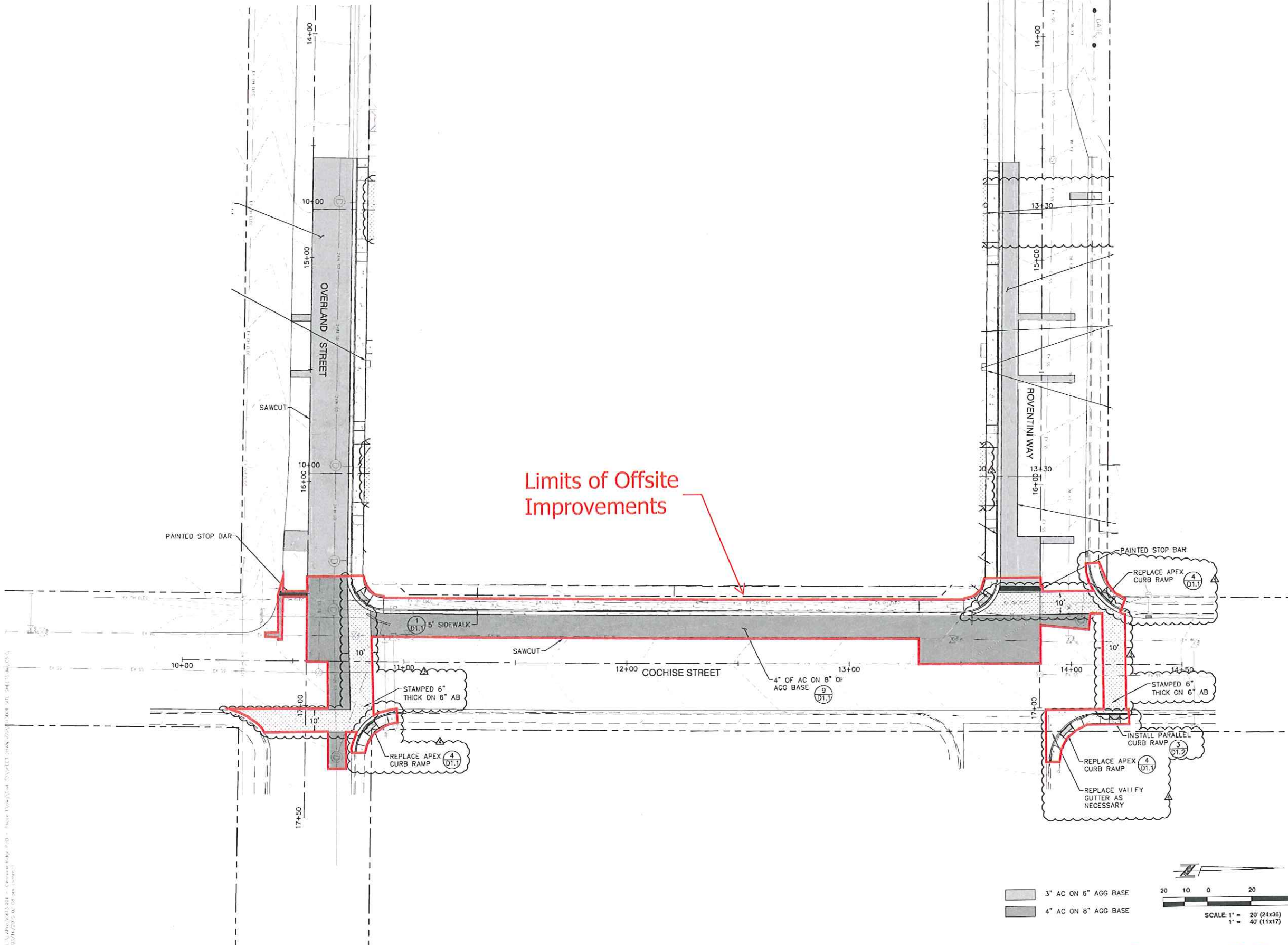
**CARSON CITY**

**ROVENTINI, LLC**

\_\_\_\_\_  
By: Robert L. Crowell, Mayor

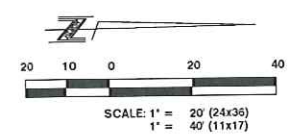
\_\_\_\_\_  
By:





L:\projects\0013001 - Overview Ridge PUD - Phase 1\Drawings\04 SURFACE IMPROVEMENTS\04 SURFACE IMPROVEMENTS.dwg  
 12/16/2014 10:08:08 AM (11/17)

3" AC ON 6" AGG BASE  
 4" AC ON 8" AGG BASE



**LUMOS & ASSOCIATES**  
 800 E. COLLEGE PARKWAY  
 CARSON CITY, NEVADA 89709  
 TEL (775) 833-7077  
 FAX (775) 833-7114  
 WWW.LUMOSENGINEERING.COM  
 CIVIL ENGINEERING  
 GEOTECHNICAL ENGINEERING  
 PLANNING  
 LANDSCAPE ARCHITECTURE  
 SURVEYING / GIS  
 CONSTRUCTION SERVICES  
 MATERIALS TESTING

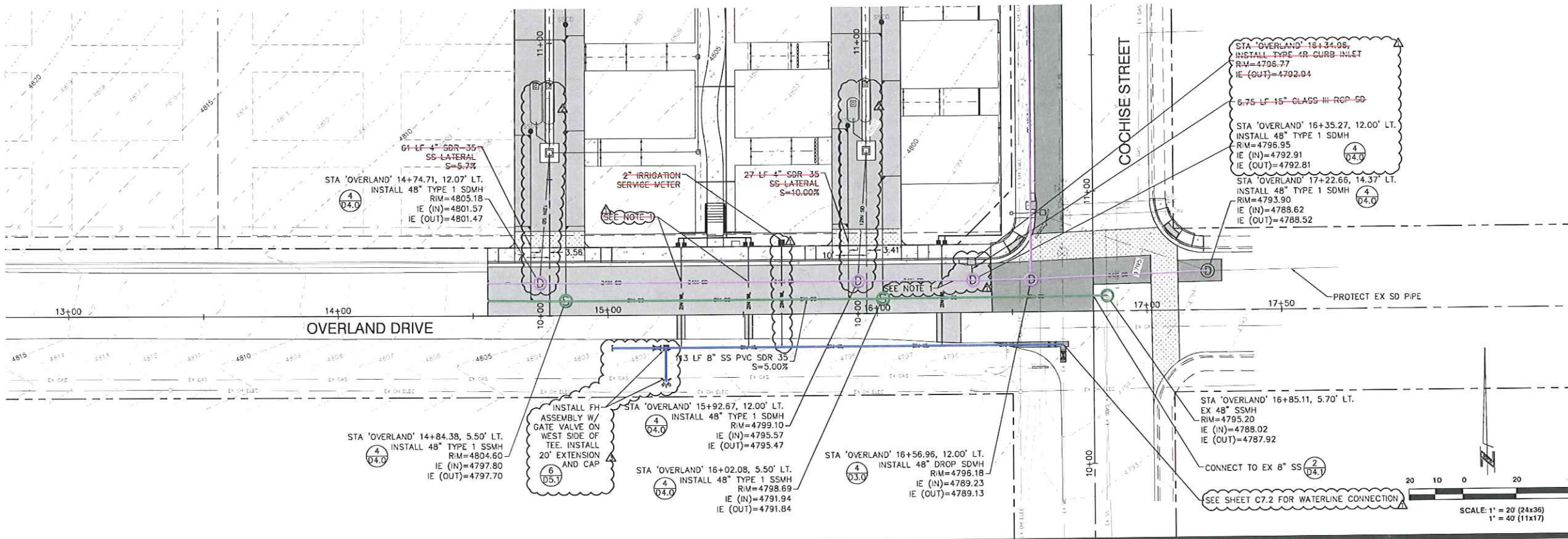
ROVENTINI, LLC  
 CLEARVIEW RIDGE PUD  
 PHASE I IMPROVEMENT PLANS  
 SURFACE IMPROVEMENTS  
 CARSON CITY NEVADA

REV	DATE	DESCRIPTION	BY
1	7/15/14	ISSUES FOR CARSON CITY DEVELOPMENT SERVICES COMMENTS	CAS
2	8/13/14	ISSUES FOR CARSON CITY DEVELOPMENT SERVICES COMMENTS	CAS
3	10/7/14	ISSUES FOR CARSON CITY DEVELOPMENT SERVICES COMMENTS	CAS

**C5.0**  
 DATE: JAN 2015  
 DRAWN BY: KLN  
 DESIGNED BY: CAS  
 CHECKED BY: TR  
 JOB NO.:

Exhibit 1 (April 6, 2015)



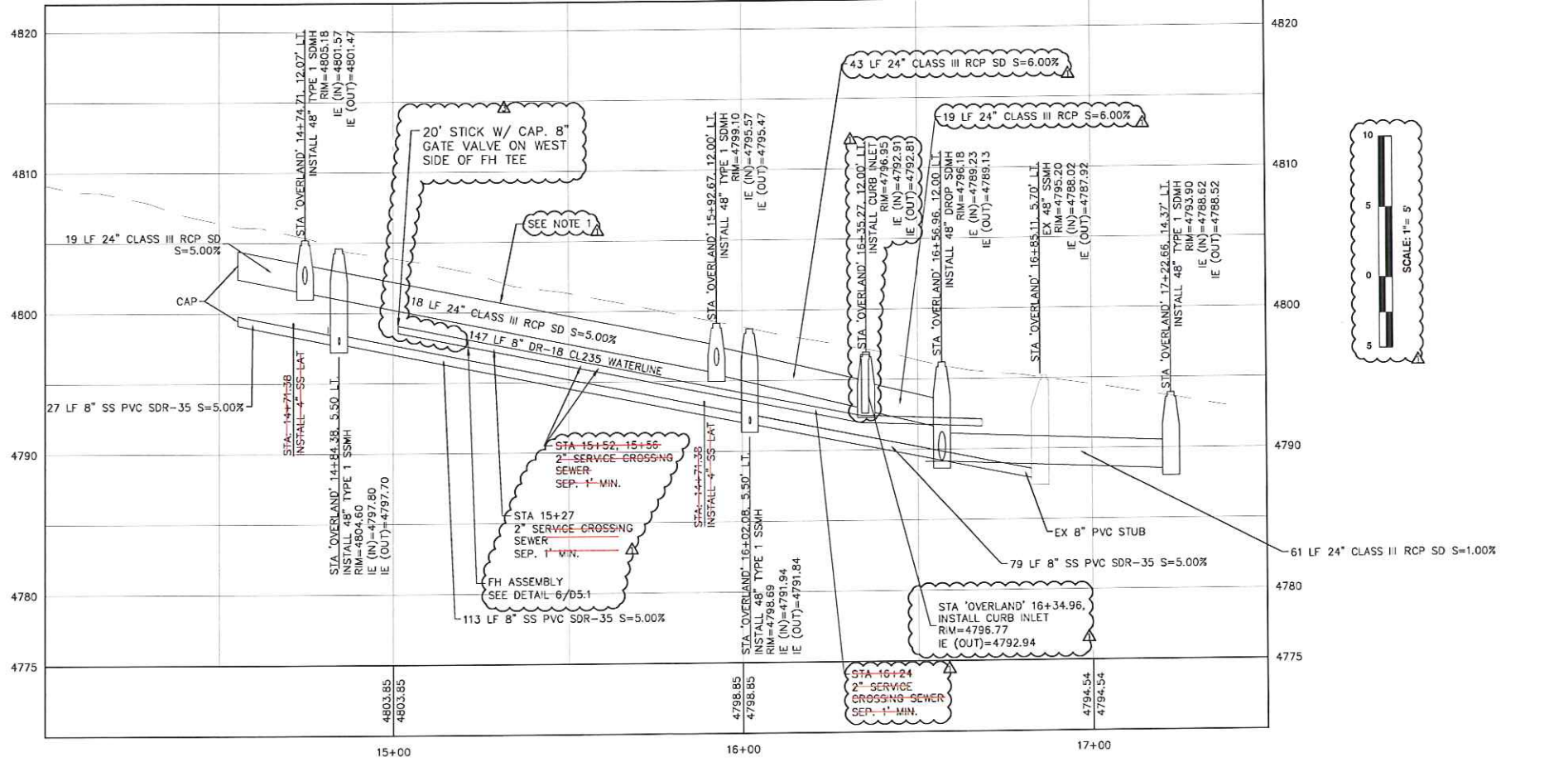


**LUMOS & ASSOCIATES**  
 800 E. COLLEGE PARKWAY  
 CARSON CITY, NEVADA 89708  
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CIVIL ENGINEERING  
 GEOTECHNICAL ENGINEERING  
 PLANNING  
 LANDSCAPE ARCHITECTURE  
 SURVEYING / GIS  
 CONSTRUCTION SERVICES  
 MATERIALS TESTING

OVERLAND - STA: 14+00 TO STA: 17+50

NOTE: PER DETAIL 6 ON SHEET D5.0 THE STORM DRAIN SHALL BE INSTALLED W/ EXTERNAL JOINT SEALANT FOR ANY JOINTS WITHIN 10-FT OF THE WATER LATERAL CROSSINGS



ROVENTINI, LLC  
 CLEARVIEW RIDGE PUD  
 PHASE I IMPROVEMENT PLANS  
 OVERLAND STREET UTILITY PLAN  
 NEVADA  
 CARSON CITY

REV	DATE	DESCRIPTION
1	7/15/14	ISSUING PER CARSON CITY DEVELOPMENT SERVICE COMMENTS
2	8/27/14	DRAINAGE REVISIONS
3	9/23/14	ISSUING PER CARSON CITY DEVELOPMENT SERVICE COMMENTS

**C7.0**

DATE: JAN 2105  
 DRAWN BY: KLN  
 DESIGNED BY: KLN/CSH  
 CHECKED BY: TR  
 JOB NO.: 6613 001

**Exhibit 2 (April 6, 2015)**





800 E. COLLEGE PARKWAY  
CARSON CITY, NEVADA 89705  
TEL (775) 883-7077  
FAX (775) 883-7114

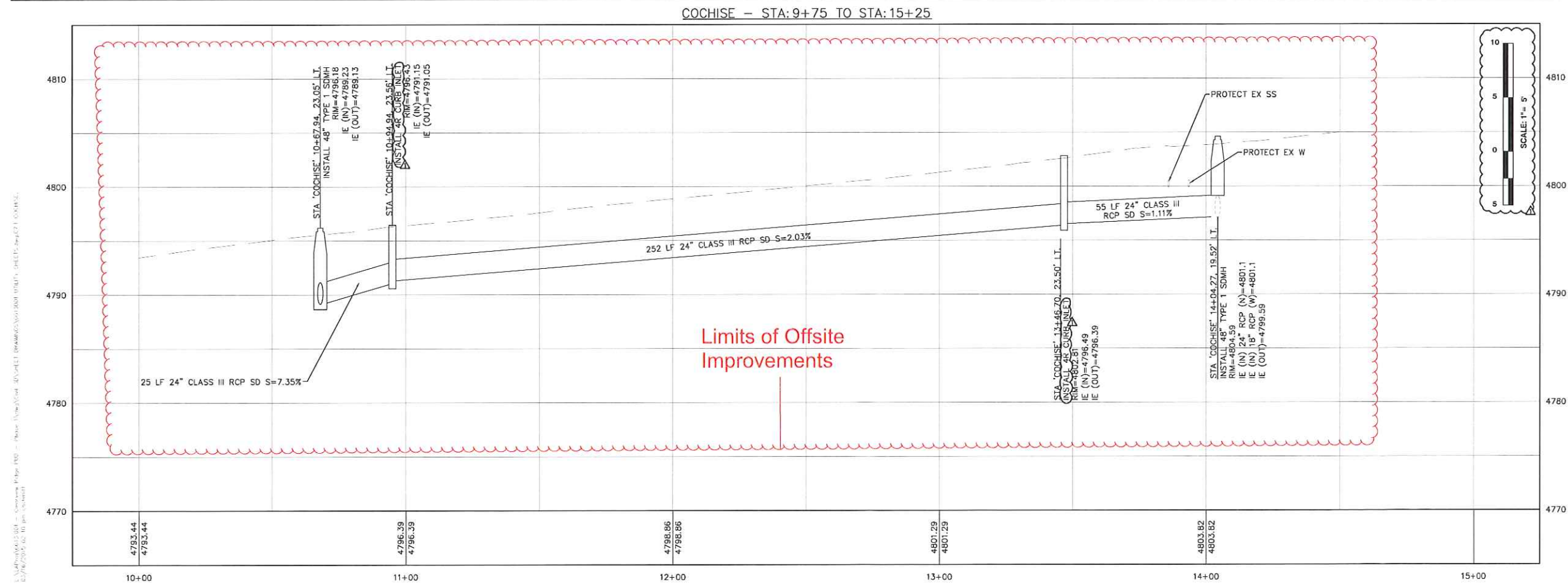
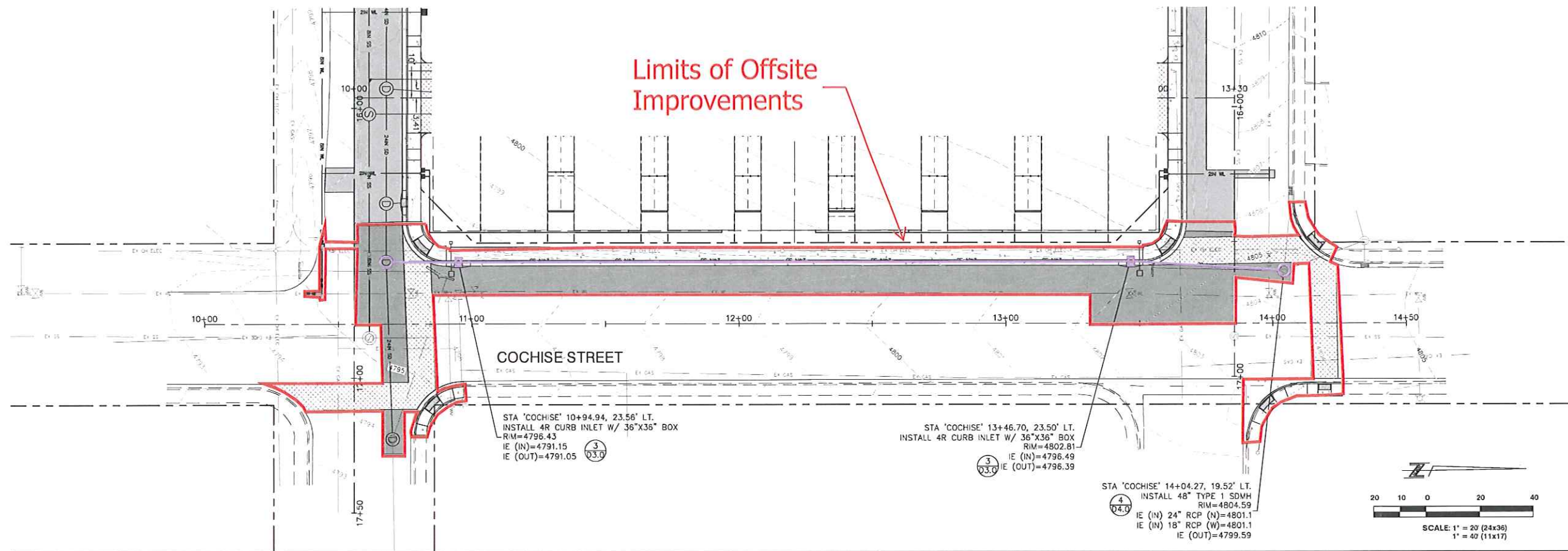
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PLANNING  
LANDSCAPE ARCHITECTURE  
SURVEYING / GIS  
CONSTRUCTION SERVICES  
MATERIALS TESTING

ROVENTINI, LLC  
CLEARVIEW RIDGE PUD  
PHASE I IMPROVEMENT PLANS  
COCHISE DRIVE UTILITY PLAN  
NEVADA  
CARSON CITY

REV	DATE	DESCRIPTION
1	7/7/14	REVISED FOR CARSON CITY DEVELOPMENT SERVICES COMMENTS

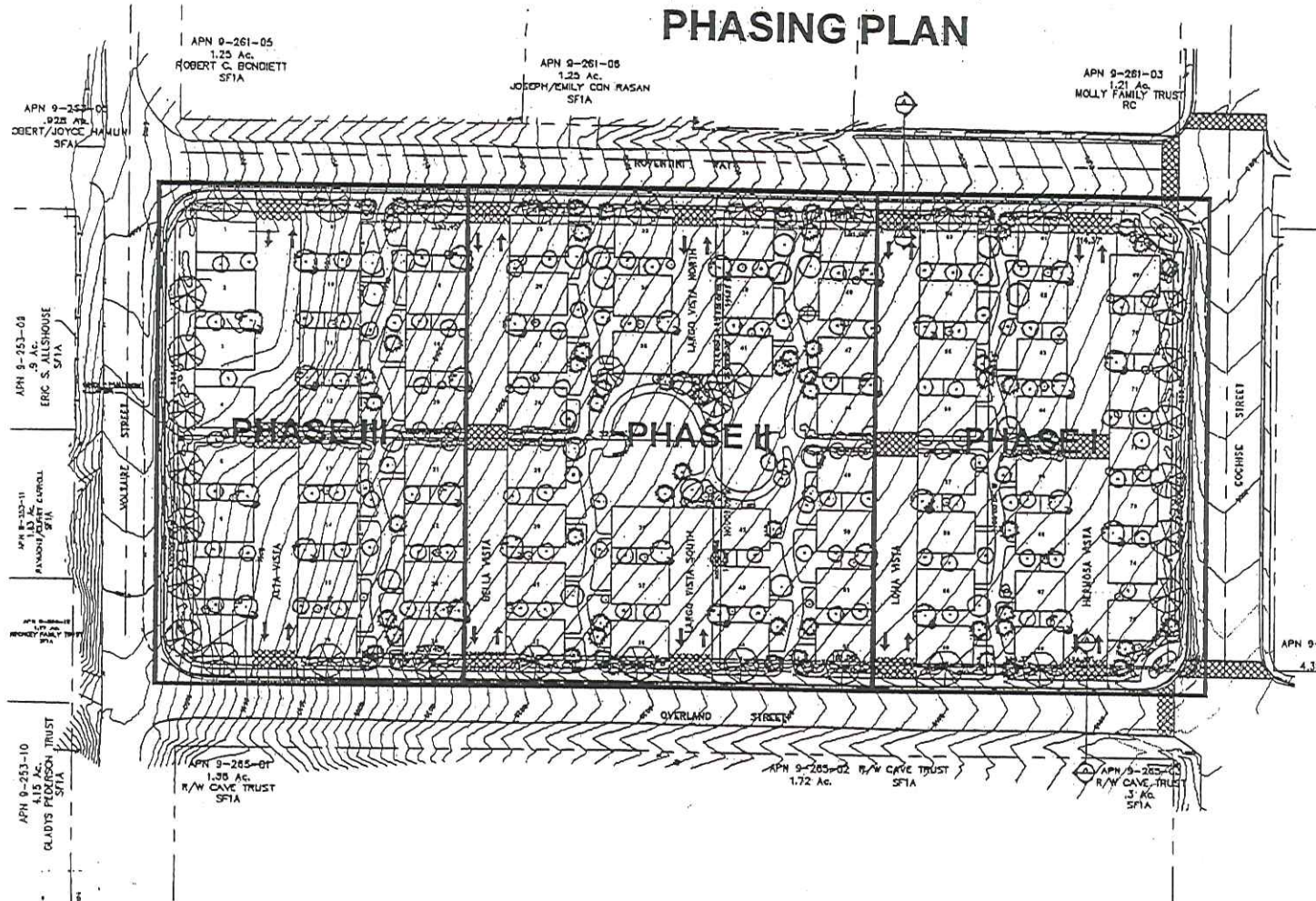
**C7.1**  
DATE: JAN 2015  
DRAWN BY: KLN  
DESIGNED BY: KLN/CSH  
CHECKED BY: TR  
JOB NO.: 6613.001



**Exhibit 3 (April 6, 2015)**



# CLEAR VIEW RIDGE PHASING PLAN

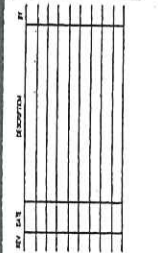


PHASE I	=	23
PHASE II	=	25
PHASE III	=	24
<b>TOTAL</b>	=	<b>72 UNITS</b>



100 E. COLLEGE AVENUE  
GAINESVILLE, FLORIDA 32608  
TEL: (352) 382-1111  
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PLANNING  
LANDSCAPE ARCHITECTURE  
SURVEYING/GIS  
CONSTRUCTION SERVICES  
MATERIAL TESTING

PROVENTER, LLC  
CLEAR VIEW RIDGE  
PHASING PLAN  
GAINESVILLE, FLORIDA



**P1**  
DATE: JULY 18, 2008  
DRAWN BY: R.G.  
DESIGNED BY: R.L.  
CHECKED BY: R.L.  
JOB NO.: 0412.000

PRELIMINARY  
NOT FOR CONSTRUCTION

NTS

390476  
391966