

**Carson City
Agenda Report**

Date Submitted: May 12, 2015

Agenda Date Requested: May 21, 2015

To: Board of Supervisors

Time Requested: 5 minutes

From: Community Development Department

Subject Title: For Possible Action: To adopt Bill No. 105 on second reading, Ordinance 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. (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

Formal Action/Motion

Ordinance (Second Reading)

Other (No Action)

Does This Action Require a Business Impact Statement: Yes No

Recommended Board Action: I move to adopt Bill No. 105 on second reading, Ordinance 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) 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

Reviewed By: <u></u>	Date: <u>5-12-15</u>
(Community Development Director)	
<u></u>	Date: <u>5/12/15</u>
(Public Works Director)	
<u></u>	Date: <u>5/12/15</u>
(City Manager)	
<u></u>	Date: <u>5/12/15</u>
(District Attorney's Office)	
<u></u>	Date: <u>5/12/15</u>
(Finance Director)	

Board Action Taken:

Motion: _____

1) _____

2) _____

Aye/Nay

(Vote Recorded By)

BILL NO. 105

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:

Exhibit 1 (April 6, 2015)

C5.0

DATE: JAN 2015
 DRAWN BY: KIN
 CHECKED BY: CAS
 JOB NO: 19

REVISIONS

NO.	DATE	DESCRIPTION	BY

ROVENTINI, LLC

CLEARVIEW RIDGE PUD

PHASE I IMPROVEMENT PLANS

SURFACE IMPROVEMENTS

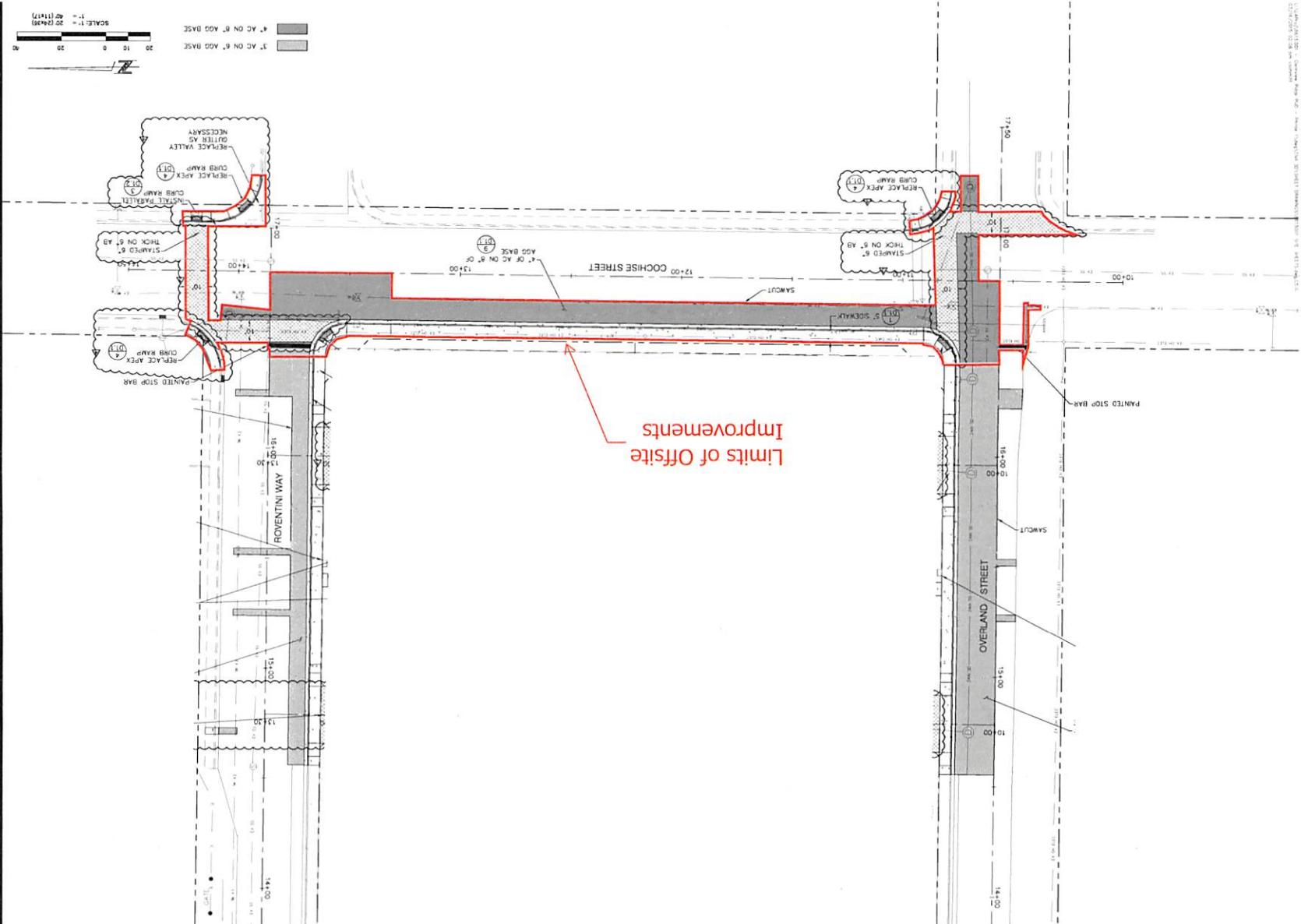
CARSON CITY, NEVADA

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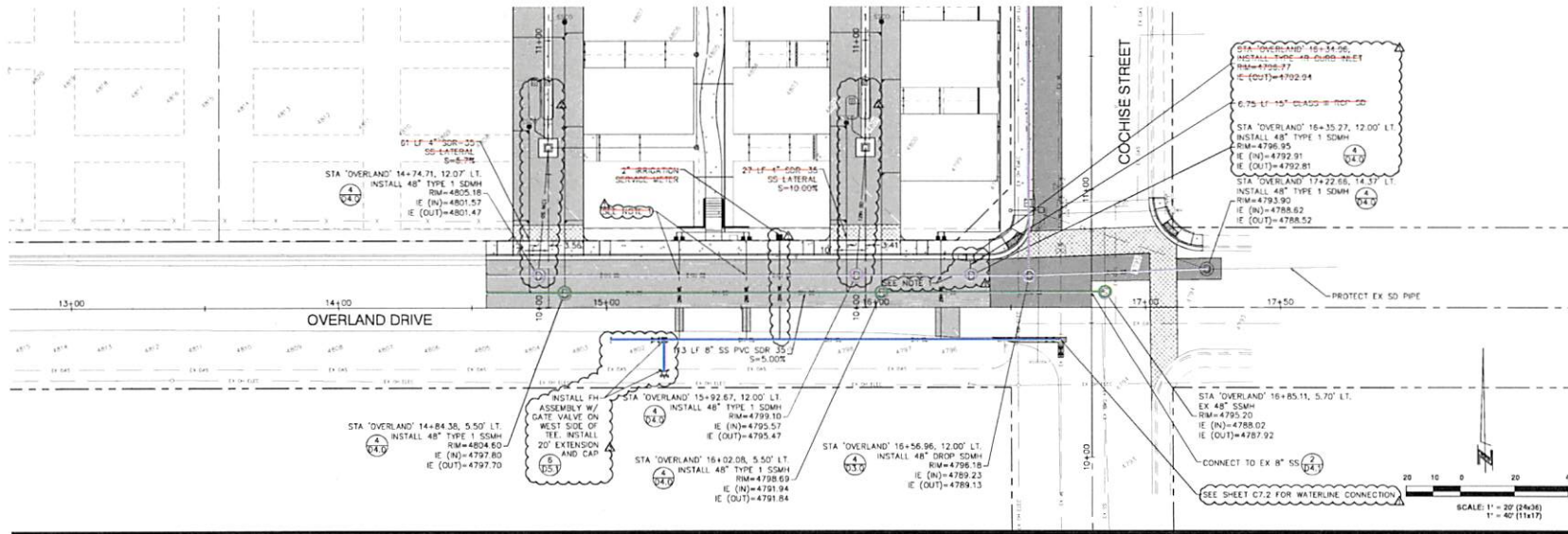
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 GEOTECHNICAL ENGINEERING
 STRUCTURAL ENGINEERING
 MECHANICAL ENGINEERING
 ELECTRICAL ENGINEERING
 PLUMBING ENGINEERING
 MATERIALS TESTING

1000 N. COLLETT PARKWAY
 CARSON CITY, NEVADA 89701
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LUMOS
 & ASSOCIATES



L:\Projects\2015\15001 - Clearview Ridge PUD - Phase I Improvements\Drawings\15001-01-01-01.dwg (1/17/15) 10:51 AM



LUMOS & ASSOCIATES

800 E. COLLEGE PARKWAY
 CARSON CITY, NEVADA 89706
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 SURVEYING / GIS
 CONSTRUCTION SERVICES
 MATERIALS TESTING

ROVENTINI, LLC

CLEARVIEW RIDGE PUD
 PHASE I IMPROVEMENT PLANS
 OVERLAND STREET UTILITY PLAN

NEVADA
 CARSON CITY

NO.	DATE	DESCRIPTION	BY
1	12/17/14	ISSUE FOR PERMITS	KLN
2	1/27/15	REVISED PER COMMENTS	KLN
3	2/17/15	REVISED PER COMMENTS	KLN
4	3/17/15	REVISED PER COMMENTS	KLN

C7.0

DATE: JAN 2105
 DRAWN BY: KLN
 DESIGNED BY: KLN/SH
 CHECKED BY: TR
 JOB NO.: 6613.001

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.

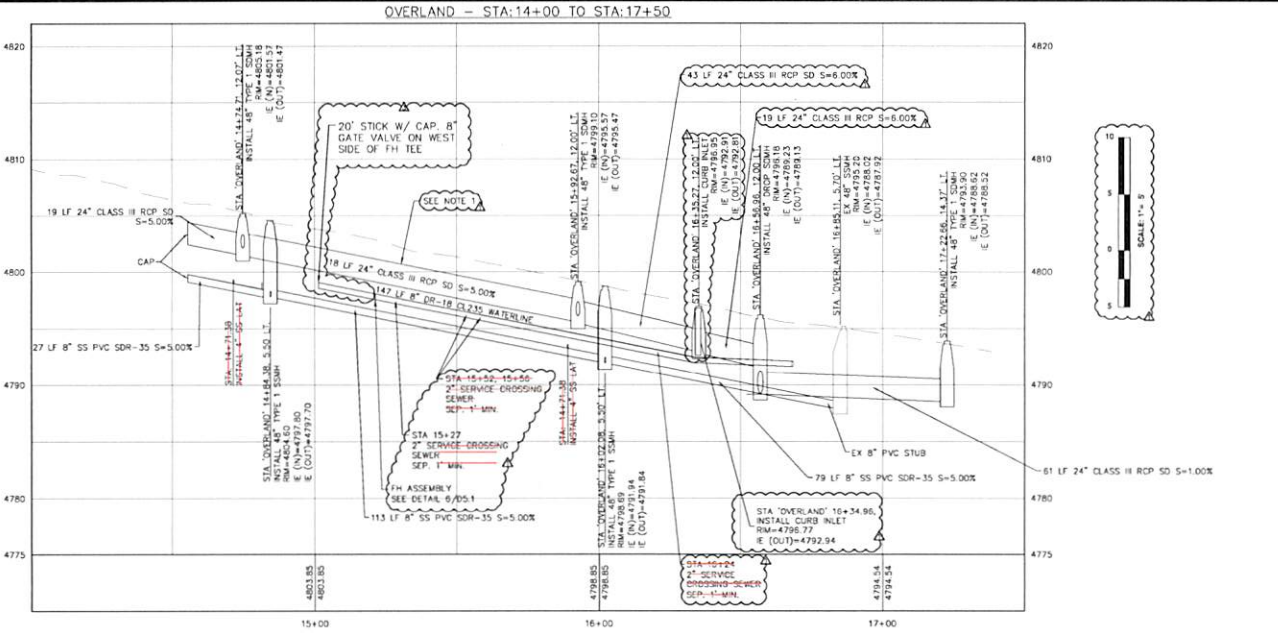
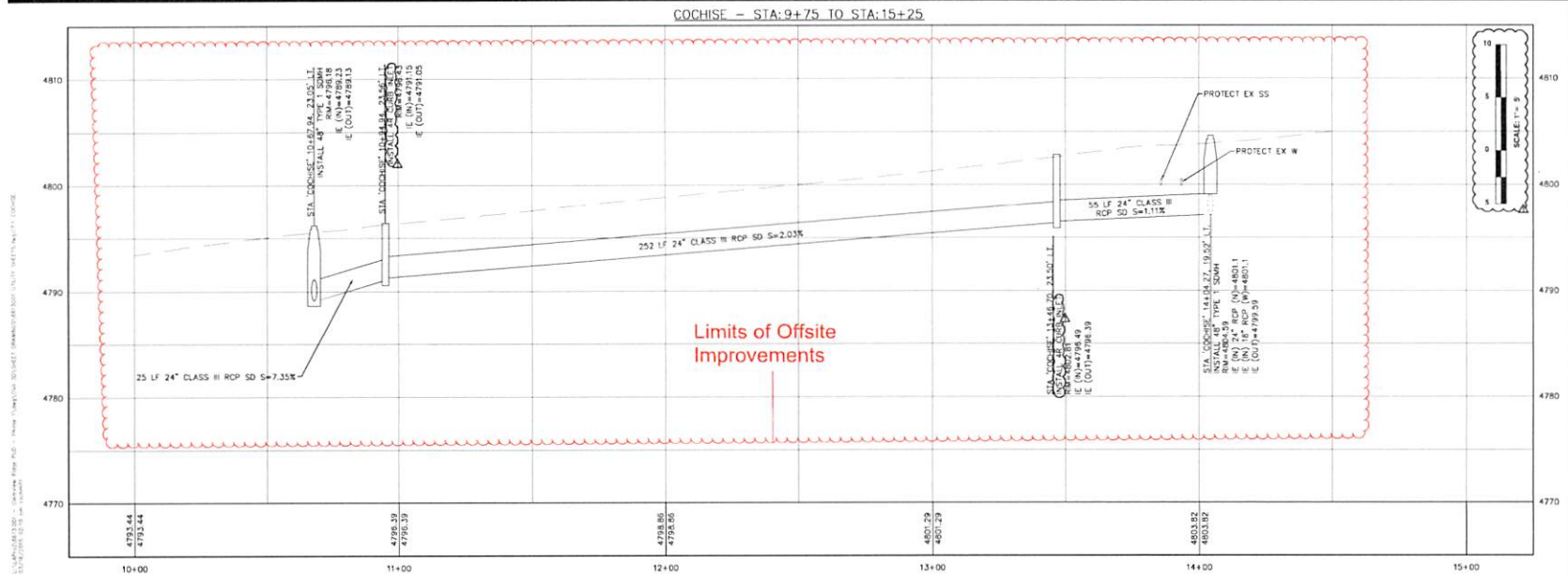
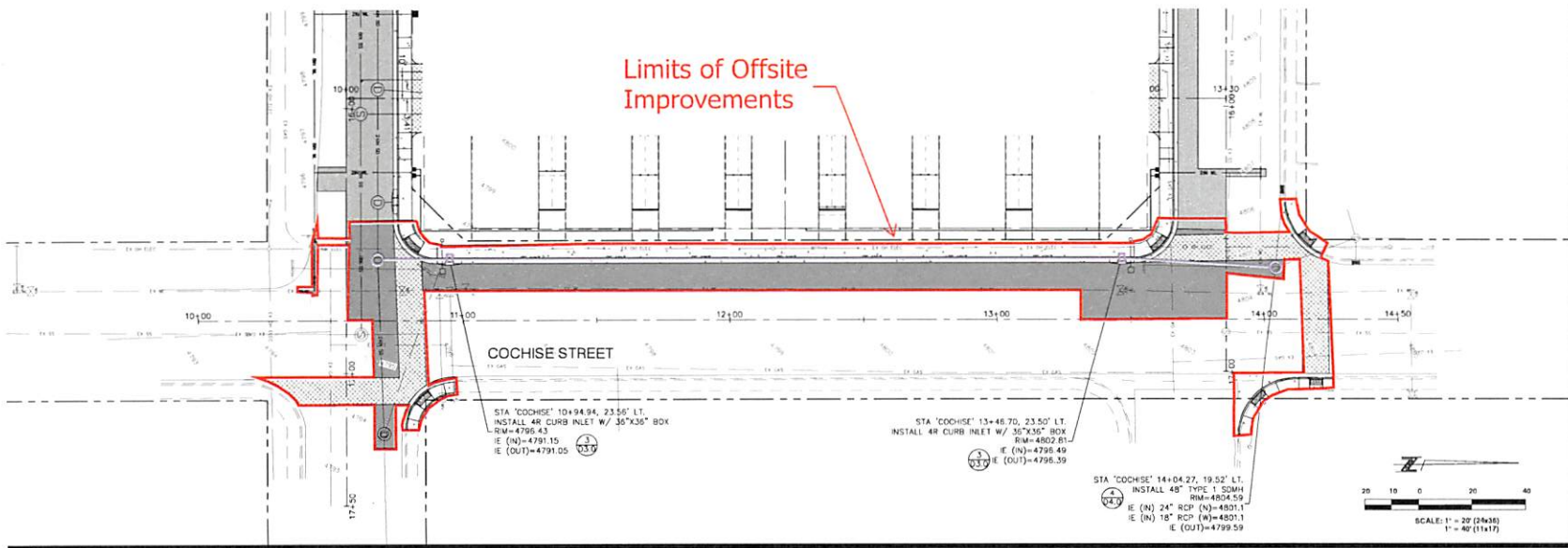


Exhibit 2 (April 6, 2015)



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

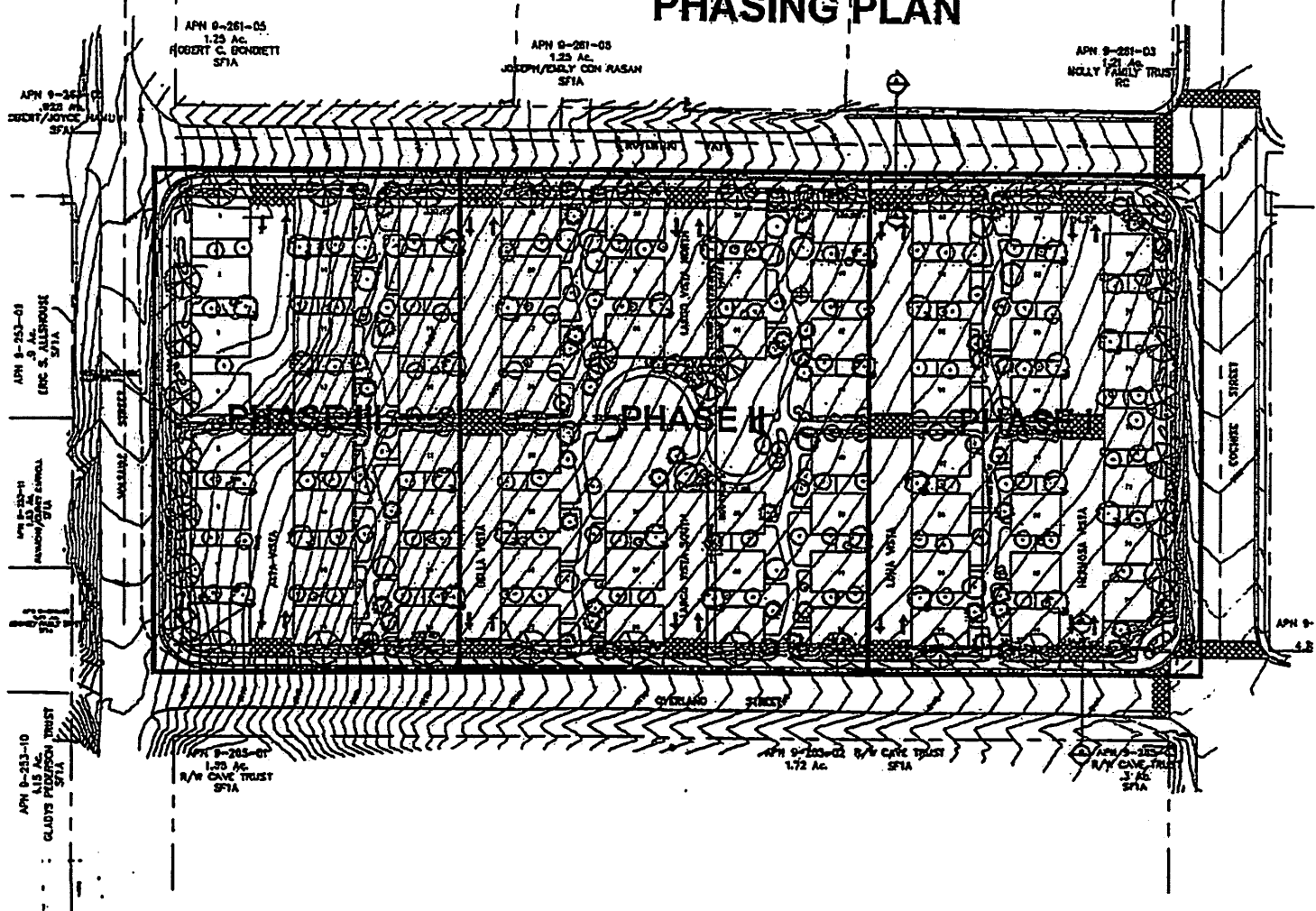
REV	DATE	DESCRIPTION
1	1/7/14	ISSUE FOR PERMIT AND RECORD SET

C7.1

DATE	JAN 2015
DRAWN BY	KLU
CHECKED BY	TR
JOB NO.	6613.001

Exhibit 3 (April 6, 2015)

CLEAR VIEW RIDGE PHASING PLAN

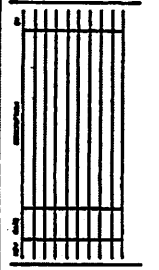


PHASE I	=	23
PHASE II	=	25
PHASE III	=	24
TOTAL	=	72 UNITS



WE ARE GRATEFUL TO OUR CLIENTS FOR THE OPPORTUNITY TO ASSIST IN THE DEVELOPMENT OF THIS PROJECT. OUR SERVICES INCLUDE ARCHITECTURAL, ENGINEERING, LANDSCAPE ARCHITECTURE, SURVEYING, CONSTRUCTION SERVICES, AND INTERIORS DESIGN.

PROJECT NO. LUC
CLEAR VIEW RIDGE
PHASING PLAN
CONTRACT NO.



P1

DATE: JULY 14, 2010
DRAWN BY: RO
CHECKED BY: R
JOB NO.: 041246

PRELIMINARY
NOT FOR CONSTRUCTION

NTS

390476
391966