



CITY OF FERNLEY

CITY COUNCIL AGENDA REPORT

Meeting Date: July 21, 2021

REPORT TO:	Mayor & City Council	
REPORT THRU:	Daphne Hooper, City Manager	
REPORT BY:	Tim Thompson, Planning Director	
REVIEWED BY:	Brandi Jensen, City Attorney	
REVIEWED BY:	Denise Lewis, Finance Director	

FINANCIAL IMPACT: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	CURRENTLY BUDGETED: <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	FUND/ACCOUNT:
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ACTION REQUESTED:	<input type="checkbox"/> Consent <input type="checkbox"/> Motion <input type="checkbox"/> Presentation <input type="checkbox"/> Receive/File	<input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
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AGENDA ITEM: Second Reading, Public Hearing, consideration, and possible action on Bill # 300 (FOR POSSIBLE ACTION)

Consideration and possible action on Bill #300, an Ordinance authorizing the City of Fernley to enter into a Development Agreement (DA21001) with D.R. Horton Inc. to allow for an extension of time for the presentation of a Final Map for Cook Ranch Estates Phase 3 pursuant to NRS 278.360 and 278.0201.

AGENDA ITEM BRIEF:

The purpose of this development agreement is to allow for an extension of time for the presentation of a Final Map for Cook Ranch Estates Phase 3 pursuant to NRS 278.360. The Cook Ranch Estates Phase 3 Tentative Map was approved on September 20, 2017. The property, including previously mapped lots associated with Phases 1 and 2 of Cook Ranch Estates, is in the process of a change of ownership. This agreement will help to facilitate the continued development of this subdivision.

RECOMMENDED MOTION:

“I move to adopt Bill #298, an Ordinance authorizing the City of Fernley to enter into a Development Agreement (DA21001) with D.R. Horton, Inc. to allow for an extension of time for the presentation of a Final Map for Cook Ranch Estates Phase 3 pursuant to NRS 278.360 and 278.0201.”

Business Impact (per NRS Chapter 237):

A Business Impact Statement is Attached.

A Business Impact Statement is Not Required because:

this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B);

See Attached Report for Background/Analysis/Alternatives.

PROJECT SUMMARY

- CASE NUMBER(S):** • DA21001
- REQUESTED ACTION(S):** • Development Agreement
- PROJECT DESCRIPTION:** • Authorizing the City of Fernley to enter into a Development Agreement (DA21001) with D.R. Horton Inc N N V for the third phase of the Cook Ranch tentative map for an extension of time.
- PROPERTY OWNER:** • D.R. Horton Inc N N V
- APPLICANT:** • D.R. Horton Inc N N V
- LOCATION:** • Generally located West of Jill Marie Lane, North of Crimson Road, and South of Cottonwood Lane.
- SITE SIZE:** • 22.62 acres
- EXISTING ZONING:** • SF9 (single family 9,000 sqft minimum lot size)
- EXISTING LAND USE:** • Single Family 9,000 sqft minimum
- WARD INFORMATION:** • Ward 4 – Albert Torres

***A PUBLIC HEARING IS REQUIRED**

POLICY REFERENCE

- Nevada Statutes:* NRS 278A
- Fernley Municipal Code:* Title 32
- Policies & Procedure Manual:* N/A
- Community Assessment:* N/A
- City of Fernley Development Code:* Chapter 32.03.100

BACKGROUND

Phase 3 of the Cook Ranch Development is located on Assessor's Parcel Number 021-171-52. The tentative map (TM) was originally approved on February 4, 2004. Final Maps for Phases 1 and 2 were recorded on March 7, 2005, and June 21, 2005, respectively. It was approved for a second time via TSM 2017-001 on September 20, 2017, by the City Council, subject to 20 Conditions of Approval.

The approximately 22.62-acre site's land use is designated High Density Residential per the Master Plan and is zoned SF9 (single family residential, 9000 sf minimum parcel size). The current TM is approved for a 76-lot single family subdivision, with one additional lot to be dedicated to the City of Fernley. The residential lots range in size from 9,100 square feet (sf) to 20,840 sf.

The current Tentative Map will expire on September 20, 2021, unless a Final Map has been recorded in accordance with Nevada Revised Statutes Chapter 278.0201. The current ownership of the property, Fernley Tuscany, LLC, is in the process of selling the property to the applicants in this application, D.R. Horton. The Development Agreement included with this application package proposes a two-year extension to present a Final Map the Cook Ranch Phase 3 Subdivision.

ANALYSIS

The project proposal is to allow for a 76-lot single-family residential subdivision. The Cook Ranch Estates subdivision was originally approved in 2004. Two final maps for a total of 71 lots were recorded in 2005. Currently, there are 29 homes which have been constructed. Because a subsequent map was not presented in accordance with state law, the previous tentative map expired. The developers of Cook Ranch hope to enter a development agreement in accordance with NRS 278.0201 granting them an extension of time not more than two (2) years. The City of Fernley can approve a development agreement if the project in question is both consistent with the cities master plan (NRS278.0284) and consistent with Nevada or Federal Law as stated in Fernley's municipal code (Sec. 32.03.100).

The proposed subdivision must be consistent with the city's master plan and is required to comply with the requirements of the development code. The property is currently zoned SF9 (Single Family, 9000 Square Feet Minimum Parcel Size) with a land use designation of Residential High Density.

Staff sees this Development Agreement as an opportunity to work with a developer to complete the Cook Ranch Estates Subdivision. The subdivision commenced prior to the Great Recession and has only been partially developed. The agreement serves to further several goals and policies within the Comprehensive Master Plan. The proposed agreement is consistent with the City's Master Plan as well as state and federal law.

It should be noted that D.R. Horton Inc. recently acquired the project site from the previous owner Fernley Tuscany, LLC. All documents have been or will be updated accordingly prior to recordation of the agreement.

ATTACHMENTS

1. Attachment 1 – Development Agreement with Legal Description
2. Attachment 2 – Bill #300 – Ordinance