

STAFF REPORT

Date: November 8, 2023

To: Mayor and City Council

Thru: Doug Thornley, City Manager

Subject: Staff Report (For Possible Action): Ordinance Introduction - Bill No. _____ Case No. ANX24-00001 (Pembroke Drive Annexation) Ordinance annexing to and making part of the City of Reno certain specifically described territory of three parcels being ±112.4 acres of property located north of Pembroke Drive, ±796 feet from its intersection with South McCarran Boulevard. The site is adjacent to the City of Reno jurisdictional boundary, located within the Sphere of Influence, and has a Master Plan land use designation of Public/Quasi-Public (PQP). Upon annexation, the site will have the Parks, Greenways, and Open Space (PGOS) zoning designation; together with other matters which pertain to or are necessarily connected therewith.

From: Carter Williams, Assistant Planner

Department: Development Services - Planning

Summary:

A request has been made for the annexation of three parcels owned in fee by the City of Reno totaling ±112.4 acres located north of Pembroke Drive, ±796 feet from its intersection with South McCarran Boulevard (**Exhibit A**). The site is adjacent to the City of Reno jurisdictional boundary, located within the Sphere of Influence (SOI), and has a Master Plan land use designation of Public/Quasi-Public (PQP). Upon annexation, the site will have the Parks, Greenways, and Open Space (PGOS) zoning designation. Based on general compliance with the annexation review factors in the Reno Municipal Code, staff recommends approval of the requested annexation.

Alignment with Strategic Plan:

Economic and Community Development

Previous Council Action:

There is no recent Council action relevant to this item.

Discussion:

Three parcels totaling ±112.4 acres of land area comprise the site. All three properties considered in this application were acquired by the City of Reno in 2006. The site is located within unincorporated Washoe County. The property currently has the General Rural (GR) Washoe County zoning designation and has been assigned a City of Reno Master Plan land use designation of Public/Quasi Public (PQP). According to the zoning translation table within the Land Development Code, either Public Facilities (PF) or Parks, Greenways, and Open Space (PGOS) zoning designations may be assigned. Based on the development restrictions due to the property being entirely within the Critical Flood Zone 1, staff recommends that the PGOS zoning be accepted for this property.

The City of Reno has adopted 10 criteria for the evaluation of annexation requests. Each criterion is identified and evaluated below.

1. Location of the property to be considered for annexation:

The site is within the City's SOI, the Truckee Meadows Service Area (TMSA) boundary, and is contiguous to the City of Reno on the east and west. The site can be accessed via Pembroke Drive from the south.

2. The logical extension or boundaries of city limits:

Property to the east was annexed in 1986, while the property to the west was annexed in 2002. The unannexed properties to the north are associated with the University of Nevada, Reno and are also located within the SOI. The properties to the south are characterized by medium density suburban residential development outside of the City limits and sphere of influence. See discussion on islands within Annexation Criterion 9.

The site is a logical extension of the City's boundary because it is within the area identified for City expansion according to the SOI and TMSA. The adjacent annexed land to the east and west is already served by the Reno Police Department and the Reno Fire Department. The site overall does not include irregular geometries because it logically continues the capture of properties within the SOI and it forms the topmost boundary between the existing SOI and unincorporated Washoe County territory.

3. The need for the expansion to accommodate planned regional growth:

Per the 2019 Truckee Meadows Regional Plan, the subject site is located within the TMSA and has a Tier 2 Regional Land Designation. Tier 2 land is comprised of areas within the TMSA where generally less dense development occurs with a mix of residential and non-residential uses. There is a desire to have connectivity from Tier 2 to

Tier 1 lands and Mixed Use Core area through multi-modal means. This site can support regional growth by providing preserved open space or potentially active recreation opportunities supporting the uses expected within these tiers within the TMSA.

4. *The location of existing and planned water and sewer service:*

The site does not currently have water or sewer service though both facilities are readily available along Pembroke Drive. Future development of the parcel may require the extension and connection of utilities. The subject site is partially located inside of the Truckee Meadows Water Authority (TMWA) service area. Future development of the site may require acceptance of the properties into the TMWA service territory and subsequently a will-serve letter from TMWA will need to be provided. Abutting sewer facilities are owned by the City of Reno and may require an extension along Pembroke Drive to better serve the larger site.

5. *Community goals that would be met by the proposed annexation:*

The City of Reno Master Plan supports a fiscally responsible growth pattern and annexation policy to maintain and improve existing levels of service for current residents and future generations. Specifically, Policy 2.1D: Annexation outlines ten factors that should be utilized in considering annexation requests. Each of these factors is discussed below.

- a) Support the coordinated expansion of City infrastructure and efficient provision of services: Refer to discussion under Annexation Criteria 4 and 6.
- b) Are located in the TMWA service area: Refer to discussion under Annexation Criterion 4.
- c) Have existing or funded adequate facilities to support growth: The subject site is currently vacant land owned and maintained by the City of Reno. Any future development or expansion would be responsible for the extension of water and sewer facilities to support growth at the time of development. Capital facilities are further discussed under Annexation Criterion 6.
- d) Submit a concurrent request to change to desired Master Plan land use designation(s): The existing PQP Master Plan designation was assigned to the site through the *ReImagine Reno* Master Plan process. Per Reno Municipal Code Section 18.02.106(b), the PF or PGOS City of Reno zoning designations may be granted according to the City of Reno Master Plan. The PGOS zoning designation is recommended based on the development constraints associated with this site.

- e) Enhance the mixture of uses and development types that match with the City's vision: This annexation potentially facilitates the development of the parcel as an active recreation resource for the city. It also provides for more secure means to protect development constraint areas and hydrological resources within the Critical Flood Zone area.
- f) Do not create a fiscal burden or mitigate fiscal burdens based on a fiscal impact analysis and mitigation plan for expected/desired future land use designations: Refer to discussion under Annexation Criterion 7.
- g) Include areas similar in character to the city and that have a demonstrated reliance on City services: City of Reno Police and Fire currently provide service to much of this area, and this would be a logical extension of their services. Roadway infrastructure needed to meet level of service standards would be further evaluated when a project is proposed. This site potentially can increase recreation opportunities for nearby residents and the city at-large.
- h) Facilitate annexation of County islands: Refer to Annexation Criterion 9.
- i) Are contiguous with Reno City limits and located in the SOI: The site is contiguous to the City of Reno limits on the east and west sides and is located within the City's SOI.
- j) Are consistent with other adopted policies: The proposed annexation supports the following policies:
 - Policy 2.1A: Growth Tiers – Annexation of the site would shift its classification from priority category five (all other locations in the SOI) to priority category four (areas located in the City that do not have infrastructure and services in place but can be served by the City if infrastructure is built and services can be provided).
 - Policy 2.1D: Annexation – The City of Reno Master Plan supports requests for annexation that meet the ten criteria listed in this policy. The annexation of this site would be in line with most of the criteria listed.
 - Policy 4.2D: Community Amenities – The Master Plan supports the integration of recreation opportunities. Whether this is retained as open space or developed into an active recreation facility, the annexation of this property supports this policy.
 - Policy 7.1B: Development Constraint Area – Development would be further limited with the property being assigned PGOS zoning to protect the Critical Flood Zone 1.

6. *The efficient and cost effective provision of service areas and capital facilities:*

The Reno Police Department (RPD) would be responsible for the provision of police services to the site upon annexation. Properties within City limits to the east and the west of the site are already served by RPD and this would be a logical extension of services.

The closest fire station to this project would be Station 6 located at 3970 Mira Loma Drive. The current response time from Station 6 would be three minutes. The second closest fire station is Station 3 located at 580 West Moana Lane. The response time from Station 3 would be 11 minutes. Per the Regional Standards of Cover, the first due response objective for fire or medical emergency response in an urban area is six minutes. Fire mitigation measures (i.e. fire sprinklers) are required for properties with a response time of six minutes or more. Upon annexation, the City of Reno is responsible for all fire service costs. Like RPD, RFD currently provides service to properties on either side of the site, and this would be a logical extension of services.

7. *Fiscal analysis regarding the proposed annexation:*

The properties to be annexed are already owned by the City of Reno and a fiscal impact analysis was performed as a part of the Reimagine Reno's assignment of the PQP Master Plan designation on the site. The property is potentially to be developed as an active recreation facility. The annexation of this property would not result in a net positive fiscal impact when considering fire and police service extension; however, the expansion of park facilities is a public investment that furthers Master Plan policies related to active recreation facilities and active living. The annexation also serves by limiting development on properties within the Critical Flood Zone 1 designation.

8. *Whether Washoe County has adopted a community management plan for the annexation area:*

Due to the inclusion of the site within the City's SOI and the City's exertion of extraterritorial jurisdiction, all discretionary and ministerial land use approvals fall under the City's jurisdiction. Development of the site will continue to be governed by the Reno Master Plan and Reno Municipal Code standards.

9. *Whether the annexation creates any islands:*

The annexation of this site will create an island to the south of Pembroke Drive. Although islands are discouraged and Master Plan policies drive for the annexation of these islands, this case includes an intentional island according to the Truckee Meadows Regional Plan.

The area that will become an island is Tier 3 land, located within the Washoe County TMSA. This annexation further serves to establish the boundaries between the planned service areas between the City of Reno and Washoe County.

10. *Any other factors concerning the proposed annexation deemed appropriate for consideration by the City Council:*

This request was forwarded to both the Washoe County Clerk for distribution to Commissioners and the Washoe County Community Services Department and no comments were received.

The annexation request was reviewed by the Ward 3 Neighborhood Advisory Board on October 3, 2023. No concerns were identified by the NAB members or the public at the meeting. A courtesy notice was sent to property owners within 750 feet of the annexation area and one comment was received in opposition to the request (**Exhibit B**). All future public comments will be forwarded to the City Council.

Financial Implications:

Please refer to the fiscal analysis discussion in Criterion No. 7 above.

Legal Implications:

Legal review completed for compliance with City procedures and Nevada law.

Recommendation:

Staff recommends Council refer Bill No. _____ for a second reading and adoption.

Proposed Motion:

I move to refer Bill No. _____ for a second reading and adoption.

Findings:

General Review Criteria: The decision-making body shall review all development applications for compliance with the applicable general review criteria stated below.

- 1) Consistency with the Reno Master Plan. The proposed development shall be consistent with the Reno Master Plan. The decision-making authority:
 - b) Shall weigh competing plan goals, policies, and strategies; and
 - c) May approve and application that provides a public benefit even if the development is contrary to some of the foals, policies, or strategies in the Reno Master Plan.

- 2) Compliance with Title 18. The proposed development shall comply with all applicable standards in this Title, unless the standard is lawfully modified or varied. Compliance with these standards is applied at the level of detail required for the subject submittal.
- 3) Mitigates Traffic Impacts. The project mitigates traffic impacts based on applicable standards of the City of Reno and the Regional Transportation Commission.
- 4) Provides Safe Environment. The project provides a safe environment for pedestrians and people on bicycles.
- 5) Rational Phasing Plan. If the application involves phases, each phase of the proposed development contains all of the required streets, utilities, landscaping, open space, and other improvements that are required to serve or otherwise accompany the completed phases of the project, and shall not depend on subsequent phases for those improvements.

Annexation Review Considerations: When considering an application for annexation submitted under NRS Section 268.670, the City Council shall consider the following factors in deciding on the application:

- 1) Location of the property to be considered for annexation;
- 2) The logical extension or boundaries of city limits;
- 3) The need for the expansion to accommodate planned regional growth;
- 4) The location of existing and planned water and sewer service;
- 5) Community goals that would be met by the proposed annexation;
- 6) The efficient and cost-effective provision of service areas and capital facilities;
- 7) Fiscal analysis regarding the proposed annexation;
- 8) Whether Washoe County has adopted a community management plan for the proposed annexation area;
- 9) Whether the annexation creates any islands; and
- 10) Any other factors concerning the proposed annexation deemed appropriate for consideration by Council.

Attachments:

Exhibit A – Case Maps

Exhibit B – Public Comment

Legal Noticing for 10-25-23 meeting

BILL NO. ____

ORDINANCE NO. ____

ORDINANCE ANNEXING TO AND MAKING PART OF THE CITY OF RENO CERTAIN SPECIFICALLY DESCRIBED TERRITORY OF THREE PARCELS BEING ±112.4 ACRES OF PROPERTY LOCATED NORTH OF PEMBROKE DRIVE, ±796 FEET FROM ITS INTERSECTION WITH SOUTH MCCARRAN BOULEVARD. THE SITE IS ADJACENT TO THE CITY OF RENO JURISDICTIONAL BOUNDARY, LOCATED WITHIN THE SPHERE OF INFLUENCE, AND HAS A MASTER PLAN LAND USE DESIGNATION OF PUBLIC/QUASI-PUBLIC (PQP). UPON ANNEXATION, THE SITE WILL HAVE THE PARKS, GREENWAYS, AND OPEN SPACE (PGOS) ZONING DESIGNATION; TOGETHER WITH OTHER MATTERS WHICH PERTAIN TO OR ARE NECESSARILY CONNECTED THEREWITH.

WHEREAS, all of the property owners within the area proposed to be annexed by this Ordinance have petitioned for annexation pursuant to the provisions of the Nevada annexation law (N.R.S. 268.670); and

WHEREAS, it appears in the best interest of the City of Reno that the property described herein be annexed to the City of Reno; and

WHEREAS, said property as described in "Attachment A" will adopt a Parks, Greenways, and Open Space (PGOS) zoning designation upon date of annexation.

THEREFORE, THE CITY COUNCIL OF THE CITY OF RENO DO ORDAIN:

SECTION 1. In compliance with the provisions of the Nevada Annexation Law (N.R.S. 268.610 et. seq.) and pursuant to Petitions filed August 31, 2023 with the City of Reno by one hundred percent (100%) of the owners of record within the hereinafter described property contiguous to Ward 3 of the City of Reno, the exterior boundaries of the City of Reno are hereby extended to annex and include the real property described in "Attachment A."

CASE NO. ANX24-00001 (Pembroke Drive Annexation)

APN NOS. 021-050-01, 021-050-02, & 021-050-03

SECTION 2. Said real property together with all the tenements and inhabitants thereof, shall be subject to all of the laws applicable to the City of Reno and entitled to all the benefits of the government of the City of Reno and is hereby annexed and made a part of Ward 3 of the City of Reno.

SECTION 3. The City Clerk of the City of Reno is hereby instructed to prepare and to file a plat of said territory described in Section 1 of this Ordinance and record the same in the office of the County Recorder of Washoe County, Nevada, together with this Ordinance.

SECTION 4. This Ordinance shall be in effect after its passage, adoption, and publication in one issue of a newspaper printed and published in the City of Reno.

SECTION 5. The City Clerk and Clerk of the City Council of the City of Reno is hereby authorized and directed to have this Ordinance published in one issue of the Reno-Gazette Journal, a newspaper printed and published in the City of Reno.

PASSED AND ADOPTED this ____ day of _____, 20 ___, by the following vote of the Council:

AYES: _____
NAYS: _____
ABSTAIN: _____ ABSENT: _____

APPROVED this ____ day of _____, 20 ____.

MAYOR OF THE CITY OF RENO

ATTEST:

CITY CLERK AND CLERK OF THE CITY
COUNCIL OF THE CITY OF RENO, NEVADA

EFFECTIVE DATE:

**LAND DESCRIPTION
OF
PROPOSED AREA FOR ANNEXATION**

ATTACHMENT A

All that certain real property situate within Section Twenty-one (21), and a portion of the West One-Half (W 1/2) of Section Twenty-two (22), Township Nineteen (19) North, Range Twenty (20) East, Mount Diablo Meridian, County of Washoe, State of Nevada, being all of that certain real property as described within Deed Document No. 3441229 and Deed Document No. 3441300, recorded September 22, 2006, Official Records of Washoe County, Nevada, and being more particularly described as follows:

Parcel 1:

Commencing at the One-Quarter Corner common to Sections 20 and 21, Township 19 North, Range 20 East, M.D.B. M.;
Thence South 88°56'30" East, 122.33 feet to a point on the Easterly line of the Huffaker-Glendale Road, said road now known as Boynton Lane;
Thence North 26°55' East, 51.40 feet along the Easterly line of said Boynton Lane;
Thence South 76°29'30" East, 1936.00 feet along the Northerly line of a county road to the True POINT OF BEGINNING;
Thence continuing South 76°29'30" East, along the Northerly line of said county road 1548.31 feet to a point on the east line of the Wilber property;
Thence North 1510.19 feet along said line to the Northeast corner of said Wilber property;
Thence South 89°57'22" West, 1437.66 feet along the North line of said Wilber property;
Thence South 865.04 feet to a point, from which point the Northeast corner of the Eli Matza property, as described by deed dated November 1, 1955, and recorded in Book 398 of Deeds at Page 421, records of Washoe County, State of Nevada, bears North 76°29'30" West 300.00 feet;
Thence South 13°30'30" West 290.40 feet to the true POINT OF BEGINNING.

The above legal description appeared previously in that certain deed recorded September 22, 2006, as Document No. 3441229, of Official Records, pursuant to NRS Section 6. NRS 111.312.

APN: 021-050-01

TOGETHER WITH:

Parcel 2:

BEGINNING at a point marked by a capped 2 inch diameter iron pipe, said pipe accepted as the official 1/4 Section Corner common to Sections 21 and 22, Township 19 North, Range 20 East, M.D.B. &M;

Thence North 88°56'30" West, 2.54 feet along the south line of the South 1/2 of the Northeast 1/4 of said Section 21, to an iron pin set in a division fence line running northerly and southerly;
Thence North 01°09'30" East, 81.99 feet along said division fence to an iron pin at the intersection of a division fence to an iron pipe;
Thence South 87°57'22" West, 883.12 feet;
Thence due South 1535.90 feet along the West line of the Aldon C. and Emmeline C. Grant property described by deed dated April 17, 1952, as Document No. 246486, Deed Records, to a point on the northern line of Pembroke Drive, from which point an iron pipe marking the southwest corner of said Grant property bears due South 51.42 feet;
Thence from said point easterly along the northern line of Pembroke Drive parallel to and 25.0 feet north of the following described centerline;
Beginning at a point on the herein mentioned west line of the said Grant property, from which point the southwest corner thereof bears due South 25.71 feet;
Thence South 76°29'30" East, 902.94 feet to the beginning of a curve to the left, having a radius of 716.35 feet, and a central angle of 53°59'00";
Thence along the curve a distance of 674.94 feet to its point of tangency;
Thence North 49°31'30" East, 912.11 feet to the beginning of a curve to the right having a radius of 573.14 feet, and a central of 40°48'18";
Thence along the curve a distance of 408.18 feet to its point of tangency;
Thence South 89°40'12" East, 1247.40 feet along said center line to an angle point;
Thence along the Northern line of said Pembroke Drive parallel to and 30.0 feet northerly of the following described centerline;
Thence from said aforesaid angle point North 86°45'29" East, 688.82 feet more or less to the centerline of steamboat creek, the point of ending;
Thence leaving the aforesaid northern line and running northeasterly 3.00 feet more or less along the approximate center of said steamboat creek to a point on the East-West 1/4 line of said Section 22, Township 19 North, Range 20 East, M.D.B. &M.;
Thence South 89°18'06" West, 202.81 feet along said 1/4 Section Line to an iron pin marking the center point of said Section 22;
Thence continuing along said line South 89°16'06" West, 2683.85 feet to the 1/4 corner common to Sections 21 and 22, of said Township and Range, to the place of BEGINNING.

The above legal description appeared previously in that certain deed recorded September 22, 2006, as Document No. 3441300, of Official Records, pursuant to NRS Section 6. NRS 111.312.

APN: 021-050-02

TOGETHER WITH:

Parcel 3:

BEGINNING at a point marked by a 2 inch diameter iron pipe, said pipe being commonly accepted as the Quarter Section Corner common to Sections 21 and 22, Township 19 North, Range 20 East, M.D.B. &M.;

Thence North $88^{\circ}56'30''$ West, 772.54 feet along the south line of the Northeast 1/4 of said Section 21 to an iron pin set in a fence line running northerly and southerly;

Thence North $01^{\circ}09'30''$ East, 821.97 feet along said fence to the south line of Parcel No. 1 conveyed to Robert S. Gilbert by deed recorded February 26, 1953, as Document No. 213857, Washoe County, Nevada, records;

Thence easterly along the south line of said Gilbert parcel to the east line of the Northeast 1/4 of said Section 21;

Thence Southerly along said east line to the POINT OF BEGINNING.

The above legal description appeared previously in that certain deed recorded September 22, 2006, as Document No. 3441229, of Official Records, pursuant to NRS Section 6. NRS 111.312.

APN: 021-050-03

Containing 112.40 acres of land, more or less.

BASIS OF BEARINGS for this description is the East-West 1/4 line of aforesaid Section 22, having a bearing of South $89^{\circ}16'06''$ West as described within Deed Document No. 3441300, recorded September 22, 2006, Official Records of Washoe County, Nevada.

Prepared By:

ODYSSEY ENGINEERING, INC.

Justin M. Moore, P.L.S.

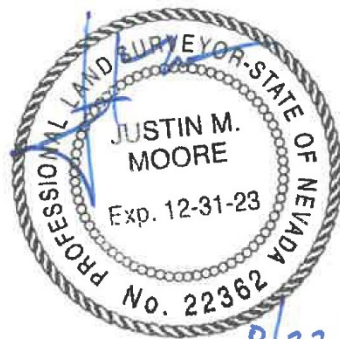
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info@odysseyreno.com

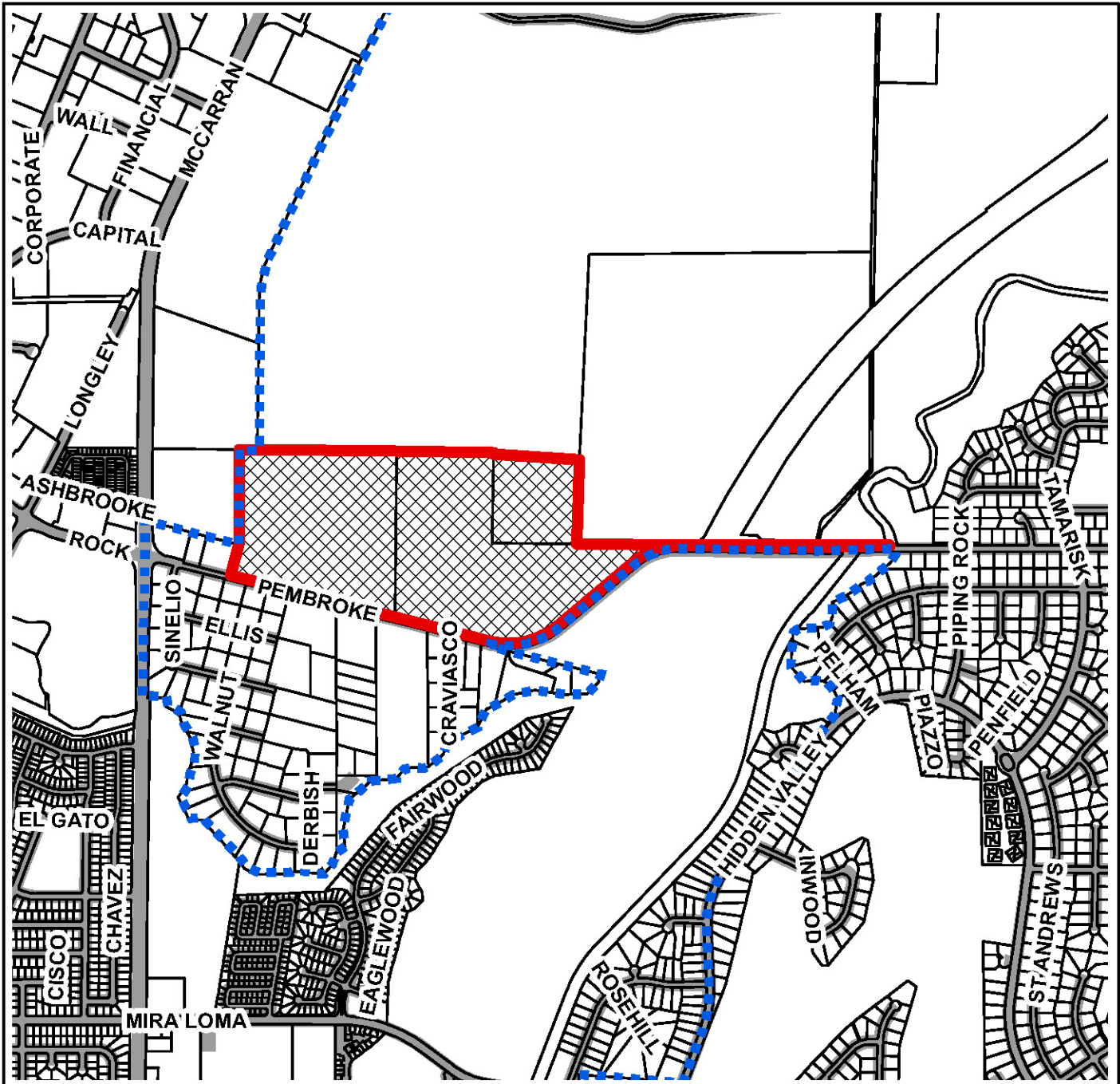
895 Roberta Lane, Suite 104,

Sparks, NV 89431

775-359-3303



8/22/2023



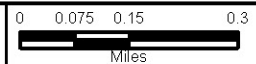
ANX24-00001 (Pembroke Drive)



ANNEXATION
of three parcels totaling ± 112.4 acres



CITY LIMITS



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Development Services
Department

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Map Produced: September 2023