

STAFF REPORT

Date: December 6, 2023

To: Mayor and City Council

Thru: Doug Thornley, City Manager

Subject: Staff Report (For Possible Action): Approval of a Landscape Agreement for sidewalk maintenance by the Comstock Cottages homeowners' association (HOA).

From: Michael Mischel, Engineering Manager

Department: Development Services - Engineering

Summary:

Council is being asked to approve a Landscape Agreement that will allow the homeowners' association (HOA) for Comstock Cottages to maintain the sidewalk and landscape within the portion of George Sullivan Parkway that was acquired by the developer from the Truckee Meadows Water Authority (TMWA) and subsequently offered for dedication to the City from the developer. George Sullivan Parkway is the main access for the Comstock Cottages Phase 1 subdivision. It also serves several subdivisions to the west and north of it. A portion of George Sullivan Parkway bisects a parcel of land owned by TMWA. The developer of Comstock Cottages Phase 1 purchased a portion of TMWA's property so it could be conveyed to the City for George Sullivan Parkway. The developer in turn has irrevocably offered to dedicate this purchased property to the City. This property is 49 feet in width, 36 feet of which are for asphalt, curb, and gutter, and 13 feet are for the parkway. The parkway is comprised of an 8-foot sidewalk and 5 feet of landscape. These 13 feet of parkway are subject to the Landscape Agreement being considered by Council with this action. All the parkway within George Sullivan Parkway is maintained by the subdivision's HOA. The subject Landscape Agreement will allow the HOA to maintain the sidewalk and landscape within the parkway of the portion of George Sullivan Parkway that the developer acquired from TMWA and subsequently offered to the City. This is in accordance with the conditions of approval for the Comstock Cottages tentative map.

Consent Review	Yes	No
1. Is this item an annual or standard item that comes before Council for regular approval?		X
2. Is this item an agreement required based on an item previously approved by Council?		X
3. Is this item included in the current budget approved and adopted by Council?		X
Other Considerations		
What percent of the total City budget does this item represent?	N/A	

Alignment with Strategic Plan:

Economic and Community Development

Previous Council Action:

There is no recent Council action relevant to this item.

Background:

George Sullivan Parkway is the main access for the Comstock Cottages Phase 1 subdivision. It also serves Phase 2 of the Comstock Cottages tentative map and the Mountain West subdivisions to the west and north. A portion of George Sullivan Parkway within Phase 1 bisects a parcel of land owned by TMWA. The alignment of George Sullivan Parkway was established with the approval of the tentative map for Comstock Cottages. This includes the portion of George Sullivan Parkway through TMWA property. The developer of Comstock Cottages Phase 1 purchased a portion of TMWA's property so it could be dedicated to the City for George Sullivan Parkway. The purchased portion is consistent with the width and alignment established by the tentative map. The developer in turn has irrevocably offered to dedicate this property to the City to satisfy the conditions of approval for the Comstock Cottages tentative map. This irrevocably offered property for George Sullivan Parkway is 49 feet in width, 36 feet of which are for the street itself and 13 feet for the parkway. The parkway is comprised of an 8-foot sidewalk and 5 feet of landscape. This configuration of street width, sidewalk width, and landscape width is consistent throughout the entire Comstock Cottages tentative map. The tentative map conditions of approval for the Comstock Cottages tentative map require the HOA to maintain the parkway along George Sullivan Parkway. This includes the sidewalk and landscape. The Landscape Agreement, subject to this Council action, allows the HOA to maintain the sidewalk and landscape within the parkway area for the portion of George Sullivan Parkway that the developer acquired from TMWA and subsequently offered to the City. The portions of George Sullivan Parkway outside this subject area and within this tentative map area will be maintained by the HOA.

Discussion:

The alignment and width of George Sullivan Parkway, including the parkway, were established

with the approval of the Comstock Cottages tentative map. All sidewalk and parkway landscape along George Sullivan Parkway is required to be maintained by the HOA. This is in accordance with the conditions of approval for the tentative map. The offer of dedication for George Sullivan Parkway is recorded and will be accepted by Council once constructed to City standard.

Financial Implications:

No financial impact will result from this action. All maintenance costs associated with this Council action are being covered by the HOA.

Legal Implications:

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

Recommendation:

Staff recommends Council approval of the subject agreement.

Proposed Motion:

I move to approve staff recommendation.

Attachments:

Vicinity Map Landscape Agreement