

STAFF REPORT

Date: January 11, 2023

To: Mayor and City Council

Thru: Doug Thornley, City Manager

Subject: Staff Report (For Possible Action): Case No. ABN23-00001 (Nevada CARES Campus Abandonment) Request for the abandonment of a ±17,548 square foot (0.403 acre) portion of Line Drive located between E. Fourth Street and the Interstate 580 Exit 15 off ramp. The abandonment area is located within the Mixed-Use Urban (MU) zoning district and has a Master Plan land use designation of Urban Mixed-Use (UMU).

From: Leah Brock, Assistant Planner

Summary: The applicant is requesting the abandonment of a portion of Line Drive located between E. Fourth Street and the Interstate 580 Exit 15 off ramp (**Exhibit A**). The abandonment area is ±39 feet wide by ±450 feet long (±17,548 square feet) (**Exhibit B**). The remaining portion of Line Drive and the surrounding street network provide access to all surrounding parcels. Staff analysis focused on public services, utilities, traffic and access, financial, and legal implications. Staff recommends approval of the request subject to conditions.

Alignment with Strategic Plan:

- Fiscal Sustainability
 - Advocate for new, sustainable, and equitable sources of revenue for the City and ensure equitable allocation of resources at the state and local level.
- Public Safety
 - Increase attention and efforts on traffic and pedestrian safety.
- Economic and Community Development
 - Implement the Master Plan to support revitalization of urban areas and well-designed neighborhoods.
 - Enhance procedures to comprehensively evaluate the environmental, infrastructure, and service impacts/benefits of developments.
 - Enhance and streamline processes to support and attract businesses interested in expanding or establishing projects in Reno.
 - Update and maintain a land development code that facilitates economic development and improves quality of life.

Background: On November 18, 2020, the Washoe County Board of Commissioners, Sparks City Council, and Reno City Council entered into an interlocal agreement to develop and support two operations of the Nevada CARES Campus. Previous entitlements were secured to support this project: LDC22-00033 (Washoe County Safe Camp) and LDC21-00025 (Nevada Cares Campus) On November 2, 2022 Planning Commission approved a CUP LDC23-00014 that encompassed the entirety of the project in a conceptual phasing plan for future development. A portion of Line Drive lies between the two existing parcel. The abandonment will tie the two parcels together to support the expansion of the Nevada CARES campus.

Discussion: This request has been processed in accordance with Reno Municipal Code (RMC) 18.08.707 (Abandonment), which requires a proposed abandonment, other than such involving a sewer or storm drain easement, to be heard by Council. In order for Council to approve the requested abandonment, Council must first make a determination that the abandonment finding shown at the end of this report can be made.

City records indicate that Line Drive was not dedicated to the City but is owned by the City in fee. The applicant may be required to compensate the City of Reno a monetary amount as determined by the property manager; unless, the City of Reno decides to convey the real property to Washoe County without charge if the property is to be used for a public purpose as required per NRS 277.053. If abandoned, the area would become its own parcel. The applicant intends to combine that parcel and with the existing Nevada CARES Campus parcels to consolidate the campus and reduce security concerns.

Traffic, Access, and Circulation: Line Drive currently serves only the Nevada Cares Campus. There is one parcel to the west of Line Drive which may be landlocked without access from Line Drive. That parcel is under the same ownership as the parcels to the south up to E 4th Street. Currently the parcel is accessed through the parcel to the south. The applicant revised the abandonment area to provide adequate access along off the public portion of Line Drive should independent access to that parcel ever be required. There is currently no vehicular thru-traffic as Line Drive terminates at the campus. It is not anticipated the approval of this request will have an impact on overall circulation in this area.

Utilities: If the abandonment is approved, the applicant should coordinate any and all utility relocations to the approval of the servicing Utility Company prior to issuance of the order of abandonment. The order of abandonment should reserve public utility easements for all existing utilities unless they are relocated prior to the order of abandonment (**Conditions No. 4 & 5**).

Public Safety: No noted concerns were received from either the Reno Fire Department (RFD) or Reno Police Department (RPD) in regards to this request.

Reno Fire Department comments did not identify any concerns with the requested abandonment. Comments noted that any future development will need to comply with the International Fire Code as amended and adopted by the City of Reno.

Master Plan Conformance: The subject site has an Urban Mixed-Use (UMU) Master Plan land use designation and is located in an Urban Corridor per the Structure Plan framework of the Master Plan. As proposed and with recommended conditions, the abandonment appears to be consistent with the following applicable Reno Master Plan policies:

- GP 6.4C: Homeless Resources
- GP 6.4F: Funding Priorities
- GP 8.6C: Partnerships
- C-UC.10: Pedestrian/Bicycle Connectivity
- C-UC.14: Lot Consolidation

Public and Stakeholder Engagement: Agency comments received have been incorporated into the discussion as applicable. The December Neighborhood Advisory Board (NAB) meeting was canceled. Courtesy notices were sent out to surrounding property owners. Two comments have been received from the public (**Exhibit C**) relating to the loss of the defunct baseball stadium and the widening of the highway. Any future comments will be forwarded to Council, as received.

Financial Implications: Excluding current maintenance requirements for the public right-of-way by the Public Works Department, staff is not aware of any financial impact associated with this abandonment.

Legal Implications: NRS 278.480(5) states that: except as provided in Subsection 6 [dealing with continuation of a utility easement], if, upon public hearing, the governing body is satisfied that the public will not be materially injured by the proposed vacation, it shall order the street or easement vacated.

NRS 278.480(7) provides that the order of abandonment must be filed in the office of the county recorder if all the conditions of the order have been fulfilled. Accordingly, the order of abandonment shall not be filed until the conditions have been satisfied.

Recommended Conditions of Approval: All conditions shall be met to the satisfaction of Community Development Department staff, unless otherwise noted:

1. The order of abandonment shall reserve to the City all water rights, whether surface or groundwater, appurtenant to the area to be abandoned.

2. Prior to the recordation of the order of abandonment, the applicant shall deposit with the City a check made payable to the Washoe County Recorder for the recording fee.
3. The abandonment order shall be recorded with the Washoe County Recorder within eighteen (18) months of the date of Council approval, or said approval shall be null and void.
4. The order of abandonment shall provide public utility easements for existing utilities, unless the utilities are relocated to the approval of the servicing utility company prior to issuing the order of abandonment.
5. Any relocated utility lines shall be accomplished in such a fashion that flow, capacity, access, and other functions are not diminished in comparison to their current configurations.

Findings:

Abandonment: In approving any abandonment, the City Council shall find that the public will not be materially injured by the proposed abandonment.

Recommendation: Staff recommends Council make a determination that the public will not be materially injured by the proposed vacation and approve the abandonment, subject to the conditions in the staff report.

Proposed Motion: I move to approve staff recommendation.

Attachments:

Exhibit A - Case Maps

Exhibit B - Abandonment Area

Exhibit C – Public Comments

Proof of Public Notice