

Summary: An ordinance to amend the Development Agreement between Carson City and Silver Oak Development Company.

BILL NO. 108

ORDINANCE No. 2020-8

AN ORDINANCE APPROVING A FOURTH ADDENDUM TO A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND SILVER OAK DEVELOPMENT COMPANY LIMITED PARTNERSHIP TO MODIFY ARTICLE 2.2 CLUSTER HOUSING OF THE SILVER OAK DEVELOPMENT AGREEMENT; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

The Board of Supervisors of Carson City do ordain:

SECTION I:

1. On January 6, 1994, the Carson City Board of Supervisors entered into a Development Agreement for a planned unit development ("PUD") with Silver Oak Development Company Limited Partnership (hereinafter "Silver Oak") which was approved by the Board of Supervisors as Ordinance 1994-1 on January 6, 1994 (hereinafter the "Development Agreement.") The Development Agreement was amended by the First Addendum to Development Agreement dated June 16, 1994 and recorded as File No. 000163818 and recorded July 1, 1994 in the Carson City Recorder's office. The Development Agreement was amended by the Second Addendum to Development Agreement dated February 2, 1995 and recorded as File No. 000171938 and recorded February 6, 1995 in the Carson City Recorder's office. The Development Agreement was amended by the Third Addendum to Development Agreement dated December 20, 2001 but was not recorded in the Carson City Recorder's office. Carson City and Silver Oak desire to amend the Development Agreement by agreeing to the Fourth Addendum to Development Agreement (hereinafter "Addendum" attached hereto as Exhibit "A".)

2. The land which is subject to this addendum includes four cluster housing blocks. The addendum reduces the maximum number of units in Block DD, located south of Silver Oak Drive and east of Siena Drive, from a maximum of 92 units to 64 units. For Blocks "CC," "DD," and "EE," the addendum eliminates references to zero lot line townhomes and limitations on lot coverage and modifies the required setbacks, and other development standards.

3. The Carson City Board of Supervisors finds that the contents of the Addendum conform with CCMC 17.08.020, NRS 278.0205 and Carson City's Master Plan.

NOW, THEREFORE, the Board of Supervisors hereby ordains:

1. The modifications to the Silver Oak PUD made by this Addendum do not affect the rights of residents to maintain and enforce the provisions of the plan.

2. The modifications to the Silver Oak PUD made by this Addendum are consistent with the efficient development and preservation of the entire PUD, do not adversely affect either the enjoyment of land abutting upon or across a street from the planned unit development or the public interest, and are not granted solely to confer a private benefit upon any person.

3. The Fourth Addendum to Development Agreement between Carson City and Silver Oak is attached and incorporated herein as Exhibit "A" and is associated with only Article 2.2 of the original Development Agreement.

4. The Board of Supervisors further directs that the Carson City Clerk shall cause a certified copy of this ordinance and the Addendum to be recorded with the Carson City Recorder.

PROPOSED on June 4, 2020, by Supervisor Lori Bagwell

PASSED June 18, 2020 by the following vote:

AYES: Supervisor Lori Bagwell
Supervisor Stacey Giomi
Supervisor John Barrette
Mayor Robert Crowell

NAYS: None

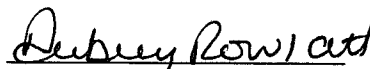
ABSENT: None

ABSTAIN: Supervisor Brad Bonkowski



Robert Crowell, Mayor

ATTEST:



Aubrey Rowlett, Clerk-Recorder

This ordinance shall be in force and effect from and after the 5th day of July 2020.