



Planning Commission Staff Report

Meeting Date: March 5, 2024

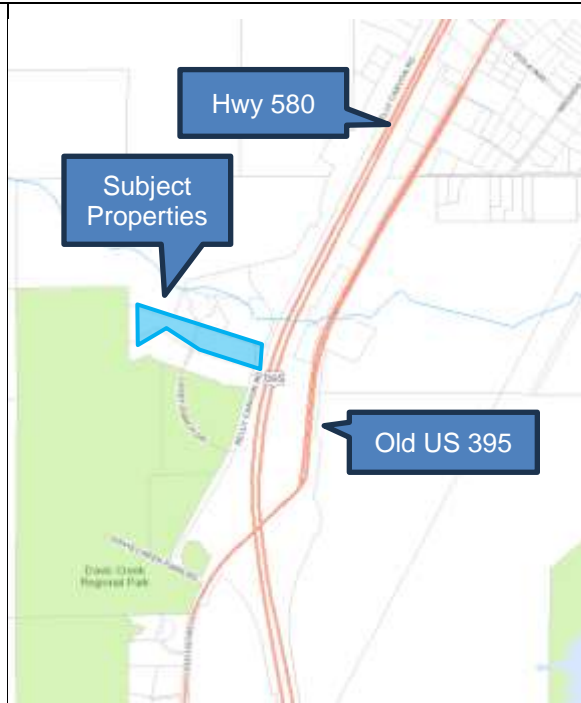
Agenda Item: 9A

ABANDONMENT CASE NUMBER:	WAB24-0001 (Cote and Stevens Abandonment)
BRIEF SUMMARY OF REQUEST:	Request to abandon two access easements within parcels identified by APNs 046-051-42 and 046-051-37.
STAFF PLANNER:	Kat Oakley, Planner Phone Number: 775.328.3628 E-mail: koakley@washoecounty.gov

CASE DESCRIPTION

For hearing, discussion, and possible action to approve an abandonment of Washoe County's interest in two access easements, which include the portion of Casey Ranch Road and Winters Creek Lane lying within parcels identified by APNs 046-051-42 and 046-051-37, except for a 20' emergency turnaround easement that falls partially within the subject access easements and will be separately recorded.

Applicant: Thomas J. & Gloria Cote; and Timothy L & Christina Stevens
 Property Owner: Thomas J. & Gloria Cote; and Timothy L & Christina Stevens
 Location: 2305 Kelly Canyon Rd & 1435 Casey Ranch Dr
 APN: 046-051-42 & 046-051-37
 Parcel Size: 5.17 & 4.982 Acres
 Master Plan: Rural Residential
 Regulatory Zone: Medium Density Rural
 Area Plan: South Valleys
 Development Code: Authorized in Article 806, Vacations and Abandonments of Easements or Streets
 Commission District: 2 – Commissioner Clark



Vicinity Map

STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

POSSIBLE MOTION

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission approve Abandonment Case Number WAB24-0001 for Cote and Stevens, with the conditions included as Exhibit A to this matter, having made all three findings in accordance with Washoe County Code Section 110.806.20.

(Motion with Findings on Page 8)

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Abandonment Definition

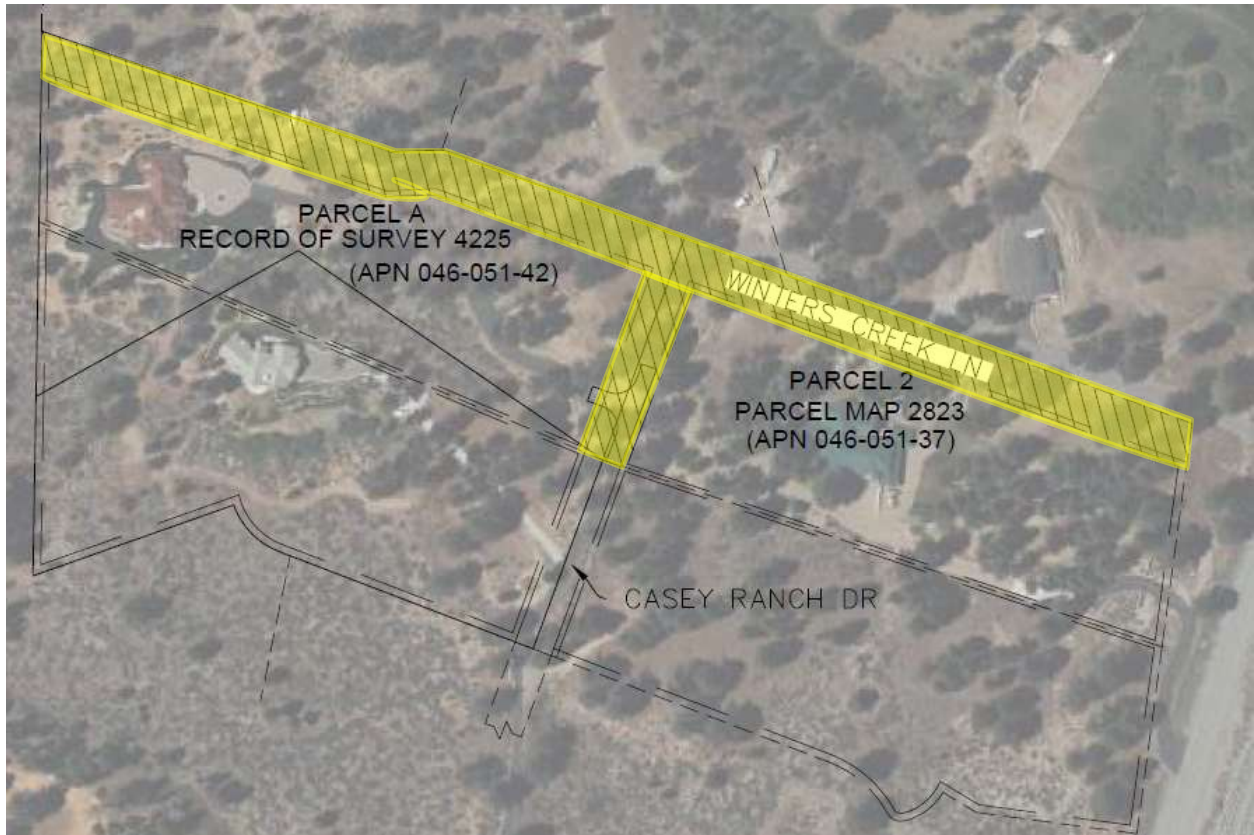
The purpose of an abandonment is to allow for the vacation or abandonment of easements or streets. If the Planning Commission grants an approval of the abandonment, that approval is subject to Conditions of Approval. Conditions of Approval are requirements that need to be completed prior to the recordation of the Resolution and Order of Abandonment.

The Resolution and Order of Abandonment is the legal record, prepared by the Engineering and Capital Projects Division which is recorded to complete the abandonment process. The Engineering and Capital Projects Division completes a technical review of the legal description, exhibit maps and any new easements, submitted by the applicant's surveyor, that are required by the Conditions of Approval. When the Engineering and Capital Projects Division is satisfied that all Conditions of Approval have been met, then the Engineering and Capital Projects Division will record the Resolution and Order of Abandonment with the County Recorder. The abandonment is complete upon the recordation of the Resolution and Order of Abandonment with the County Recorder.

The Conditions of Approval for Abandonment Case Number WAB24-0001 are attached to this staff report and will be included with the Action Order if granted approval.

- All Conditions of Approval are required to be completed before the abandonment can be recorded and finalized.
- The abandonment will be effective after the approval of a Resolution and Order of Abandonment by the Engineering and Capital Projects Division and after the recordation of the Resolution and Order of Abandonment by the County Recorder.

The subject properties have a regulatory zone of Medium Density Rural (MDR). Setbacks in the MDR regulatory zone are 30 feet from the front and rear property lines and 15' from the side property lines. Access to both properties is provided by Casey Ranch Dr.

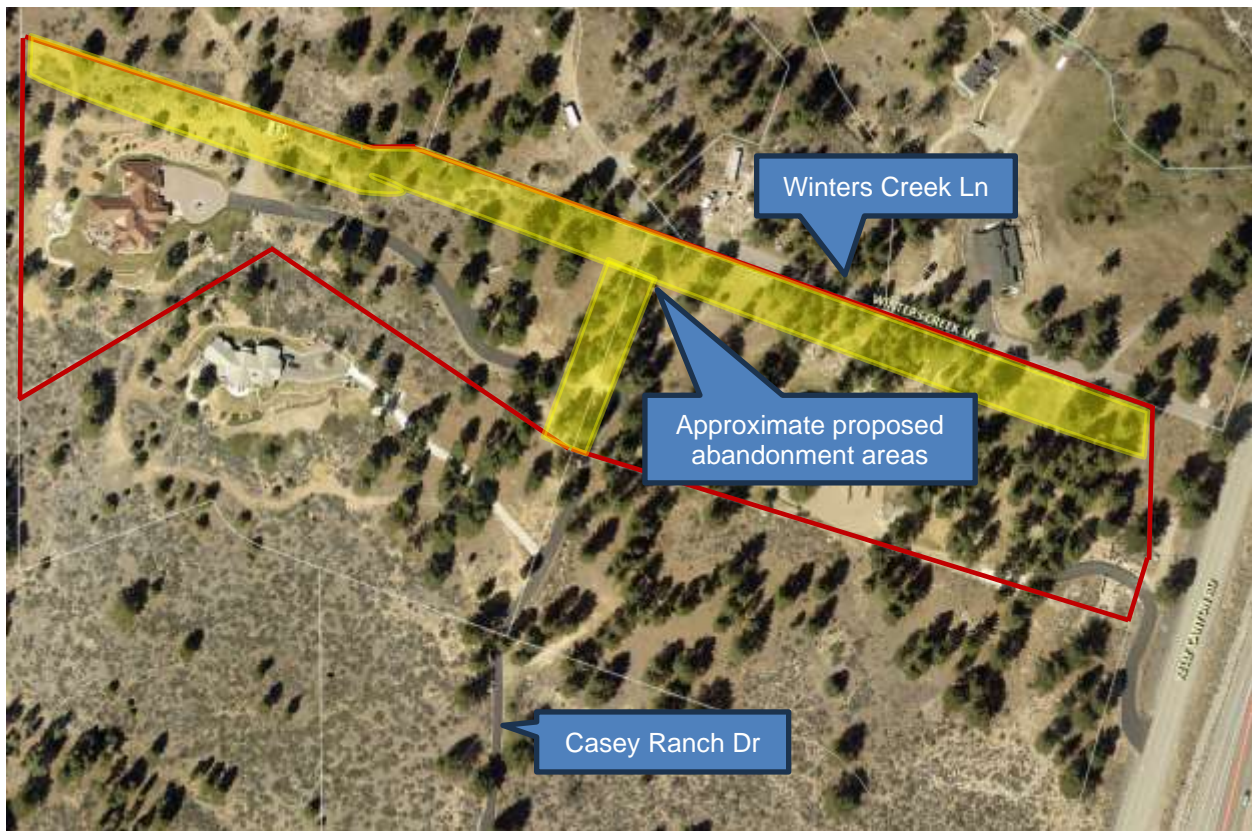


Site Plan –Easements Proposed to be Abandoned

Project Evaluation

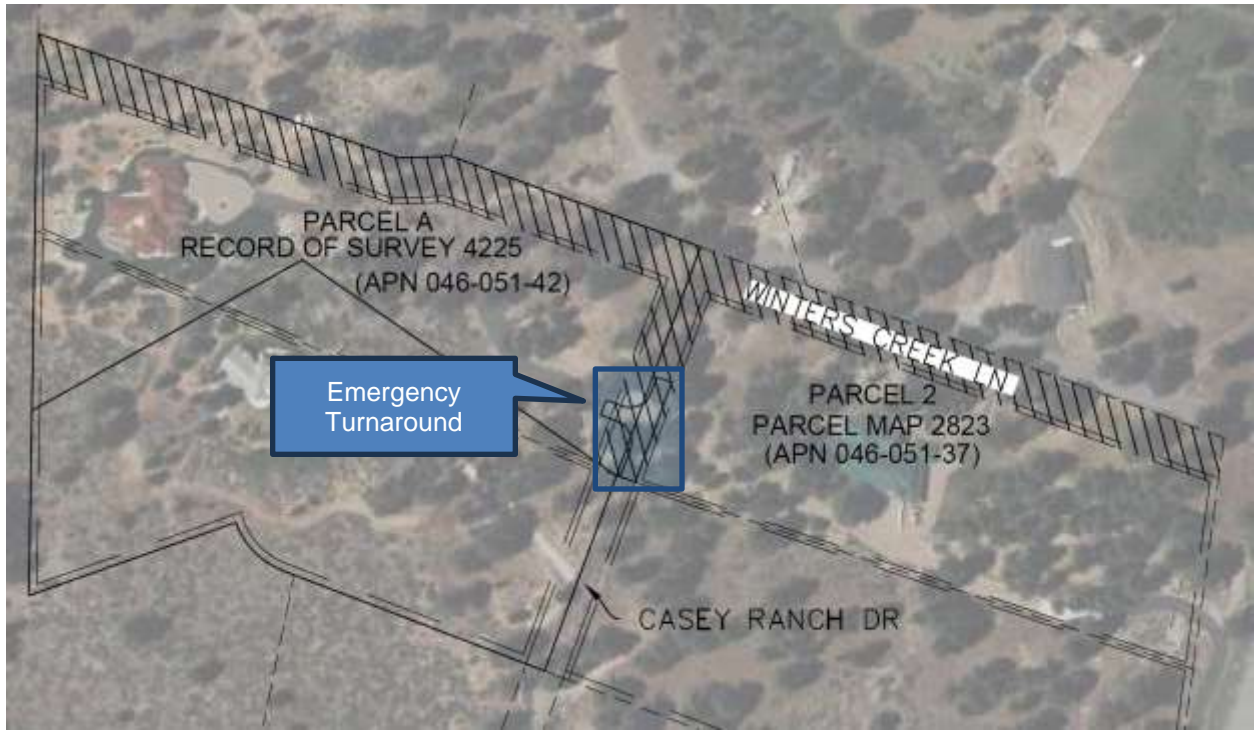
The applicant is requesting to abandon two 50-foot roadway easements, one for Winters Creek Lane and one for Casey Ranch Drive. The first runs along the northern property boundary of both parcels (APN's 046-051-37 and 046-051-42) and the latter along the shared north-south property boundary. Both proposed abandoned areas are depicted on the site plan above. The two subject parcels are zoned medium density rural (MDR) and developed with single family residences. The proposed abandonment was processed and approved in 2010 under WAB10-001. However, the Resolution and Order of Abandonment was never recorded and the approval therefore lapsed.

Winters Creek Ln is an existing road that is developed to the north of the subject properties. It falls within an easement that is not proposed to be abandoned. The proposed abandoned area falls entirely within the subject properties and does not contain any portion of the developed road. Casey Ranch Dr is also developed and provides access to the two subject properties, developed to their borders. On the subject properties, driveways extend from the road but do not connect through to Winters Creek Ln. Neither easement proposed to be abandoned exclusively provides access to any property. The Washoe County Division of Engineering reviewed this proposal and did not indicate any concerns about negative impacts to the roadway system.

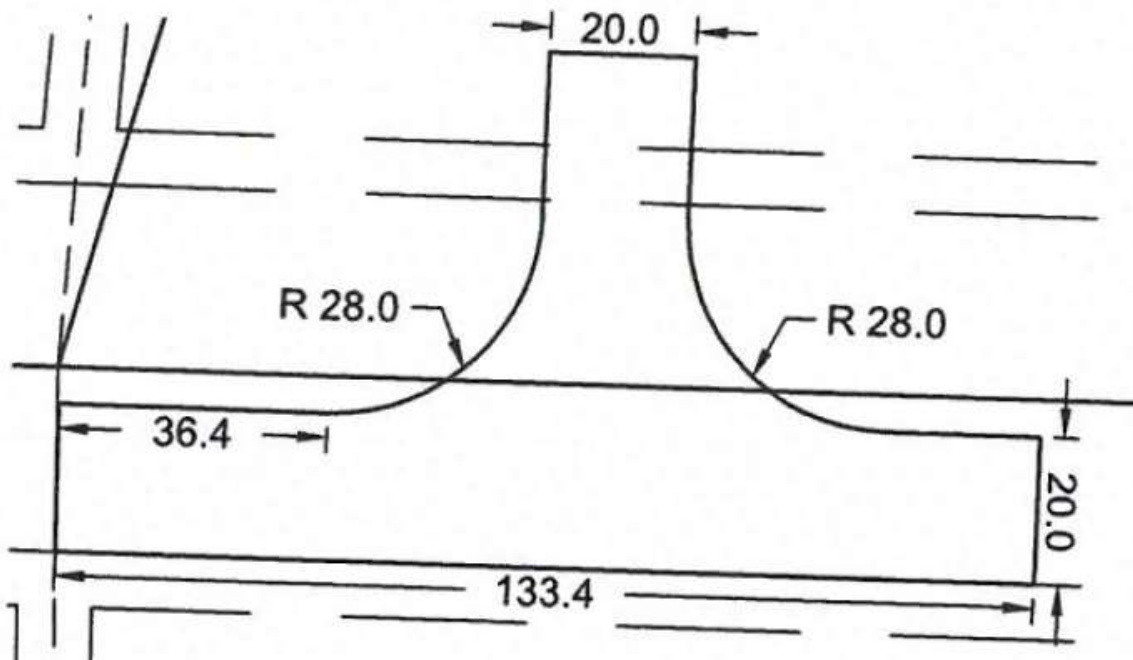


Site Plan with Existing Roads

In order to accommodate for emergency vehicle access, a 20' emergency turnaround is proposed at the end of Casey Ranch Drive on assessor's parcel numbers 046-051-42 and 046-051-37 and the area of this turnaround will be recorded and included as part of the Casey Ranch Dr access easement. Details of the turnaround are shown below. This proposal was reviewed by emergency service providers, including the Truckee Meadows Fire Protection District, the Washoe County Sheriff, and the Emergency Medical Services Division of Northern Nevada Public Health. All relevant agencies commented and indicated no concerns. The emergency turnaround easement will be required to be recorded as condition of approval 1(d).



Emergency Turnaround Location



Emergency Turnaround Details

All reviewing agencies have recommended approval, and the Washoe County Engineering Division has provided Conditions of Approval.

South Valleys Area Plan

The subject parcels are located within the South Valleys Area Plan. Staff was unable to find any relevant policies related to the abandonment of easements in the South Valleys Area Plan.

Reviewing Agencies

The following agencies/individuals received a copy of the project application for review and evaluation.

Agencies	Sent to Review	Responded	Provided Conditions	Contact
FS - Carson Ranger District	X			
Washoe County Operations Division Director	X			
Washoe County Parks & Open Space	X	X		Faye-Marie Pekar, fpekar@washoecounty.gov
Washoe County Surveyor (PMs Only)	X			
Washoe County Water Resource Planning	X			
Washoe County Water Rights Manager (All Apps)	X	X		Timber Weiss, tweiss@washoecounty.gov
WCSD Law Enforcement	X	X		Brandon Zirkle, bzirkle@washoecounty.gov
Washoe County Engineering (Land Development) (All Apps)	X	X	X	Rob Wimer, rwimer@washoecounty.gov
NNPH EMS	X	X		April Miller, EMSProgram@nnph.org
TMFPD	X	X		Brittany Lemon, blemon@tmfpd.us
AT&T	X	X		Cliff Cooper, cc2132@att.com
NV Energy	X			

All conditions required by the contacted agencies can be found in Exhibit A, Conditions of Approval.

Staff Comment on Required Findings

WCC Section 110.806.20 requires that all of the following findings be made to the satisfaction of the Washoe County Planning Commission before granting approval of the abandonment request. Staff has completed an analysis of the application and has determined that the proposal is in compliance with the required findings as follows.

- (a) Master Plan. The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the South Valleys Area Plan.

Staff Comments: The abandonment is consistent with the policies, action programs, standards, and maps of the Master Plan and the South Valleys Area Plan, as staff has not found any applicable policies, action programs, standards, or maps related to this abandonment request.

- (b) No Detriment. The abandonment or vacation does not result in a material injury to the public.

Staff Comments: The proposed abandonment does not result in a material injury to the public. Abandonment of the subject access easements will not eliminate access to any parcels. Furthermore, the easements are intended for roads that are already developed in other easements. Per condition 1(d), an emergency turnaround easement will be established prior to the abandonment to ensure sufficient access for emergency services.

- (c) Existing Easements. Existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service.

Staff Comments: The applicant has indicated that both of the easements requested for abandonment are roadway easements only and not utility easements. In addition, Washoe County Engineering reviewed the project and provided a condition (Exhibit A) requiring retention or relocation of all public utility easements to the satisfaction of and at no expense to Washoe County or the existing public utilities. If any utility easements were discovered, then this condition would ensure retention or relocation of those utility easements.

Recommendation

After a thorough analysis and review, Abandonment Case Number WAB24-0001 is being recommended for approval with conditions. Staff offers the following motion for the Commission's consideration.

Motion

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission approve Abandonment Case Number WAB24-0001 for Cote and Stevens, with the conditions included as Exhibit A to this matter, having made all three findings in accordance with Washoe County Code Section 110.806.20:

- (a) Master Plan. The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the Spanish Springs Area Plan; and
- (b) No Detriment. The abandonment or vacation does not result in a material injury to the public; and
- (c) Existing Easements. Existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service.

Appeal Process

Planning Commission action will be effective 10 calendar days after the written decision is filed with the Secretary to the Planning Commission and mailed to the applicant(s), unless the action is appealed to the Washoe County Board of County Commissioners, in which case the outcome of the appeal shall be determined by the Washoe County Board of County Commissioners. Any appeal must be filed in writing with the Planning and Building Division within 10 calendar days from the date the written decision is filed with the Secretary to the Planning Commission and mailed to the applicant(s).

Applicant/Owner: Timothy L & Christina Stevens, ttime107@me.com; Thomas J. & Gloria Cote, tcote.cc@gmail.com



Conditions of Approval

Abandonment Case Number WAB24-0001

The project approved under Abandonment Case Number WAB23-0001 shall be carried out in accordance with the conditions of approval granted by the Planning Commission on March 5, 2024. Conditions of approval are requirements placed on a permit or development by each reviewing agency. These conditions of approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act or to abide by all other generally applicable Codes, and neither these conditions nor the approval by the County of this project/use override or negate any other applicable restrictions on uses or development on the property. Furthermore, to the extent that Washoe County does not own the easements in question, it cannot abandon them. Therefore, this request is in effect a “quitclaim” by the County of whatever interest it might have in the easements in favor of the owners who applied for the abandonment. Nothing in this abandonment should be construed as an assertion by the County of ownership over the easements in question. To the extent other property owners nearby or other entities might have any ownership interests in these easements, this abandonment does not affect those interests and the property owners associated with this abandonment are responsible for utilizing whatever legal mechanisms are necessary to address those interests on their own.

Unless otherwise specified, all conditions related to the approval of this Abandonment shall be met prior to recordation of the Resolution and Order of Abandonment. Prior to recordation of the Resolution and Order of Abandonment, each agency shall determine when compliance of their specific conditions is met by the applicant as set forth in the Conditions of Approval. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Community Services Department – Planning and Building Division.

Compliance with the conditions of approval related to this abandonment is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. All conditions of approval must be met prior to the Engineering and Capital Projects Division recording the required Resolution and Order of Abandonment.

For the purpose of conditions imposed by Washoe County, “may” is permissive and “shall” or “must” is mandatory.

- All conditions of approval are required to be completed before the Abandonment can be recorded and finalized.
- The abandonment will be effective after the approval of a Resolution and Order of Abandonment by the Engineering and Capital Projects and after the recordation of the Resolution and Order of Abandonment by the County Recorder.

FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

Washoe County Planning and Building Division

1. The following conditions are requirements of CSD – Planning and Building Division, which shall be responsible for determining compliance with these conditions.

Contact Name – Kat Oakley, Planner, 775.328.3628, koakley@washoecounty.gov

- a. **The applicant shall attach a copy of the action order approving this project to all permits and applications (including building permits) applied for as part of this abandonment.**
- b. The applicant shall demonstrate substantial conformance to the plans approved as part of this abandonment action. The County Engineer shall determine compliance with this condition.
- c. This Abandonment will be effective upon recordation of the Resolution and Order of Abandonment by the County Recorder.
- d. The applicant shall provide evidence of the recordation of an access easement covering the area of the emergency turnaround as described in the application.

Washoe County Engineering and Capital Projects

2. The following conditions are requirements of Engineering and Capital Projects, which shall be responsible for determining compliance with these conditions.

Contact Name – Robert Wimer, P.E., 775.328.2059, rwimer@washoecounty.gov

- a. Prior to recordation of the Order of Abandonment, the applicant shall submit legal descriptions and exhibit maps for the areas of abandonment, any new easements and any easement reservations that are required, to the Engineering and Capital Projects Division for review and approval. Legal descriptions and exhibit maps shall be prepared by a Nevada professional land surveyor.
- b. Retention or relocation of all public utility easements is required to the satisfaction of and at no expense to Washoe County or the existing public utilities that originally accepted and approved said easements, as well as any other public utilities now in existence that currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of new easements (if required) to said public utilities and the relinquishment by said public utilities of their former easements.
- c. This Abandonment approval is for the elimination of the Offer of Dedication of public right-of-way and any County rights to drainage and utility easements. Public Utility Easements remain unless relinquished by the Public Utility Company holding the easement right.
- d. The applicant shall comply with conditions necessary to affect the Resolution and Order of Abandonment within two (2) years from the date of the action by the Planning Commission or this conditional abandonment will be null and void.

*** End of Conditions ***

Oakley, Katherine

From: COOPER, CLIFFORD <cc2132@att.com>
Sent: Wednesday, January 17, 2024 8:57 AM
To: Oakley, Katherine
Cc: Roman, Brandon
Subject: WAB24-0001 (Cote and Stevens Abandonment)
Attachments: January Agency Review Memo II.pdf

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

Kat,
AT&T does not have any adverse comments regarding this project.

CLIFF COOPER
SR SPECIALIST-OSP DESIGN ENGINEER
AT&T NEVADA
1375 Capital Blvd rm 115
Reno, NV 89502
ROW Office: 775-453-7578
Email: cc2132@att.com
TEXTING and DRIVING...It Can Wait

From: Roman, Brandon <BRoman@washoecounty.gov>
Sent: Friday, January 12, 2024 1:35 PM
Subject: January Agency Review Memo II

Good afternoon,

Please remember to send agency review responses/comments directly to the Planner for the case, rather than replying to me.

Please find the attached **Agency Review Memo II** with cases received in **January** by Washoe County Community Services Department, Planning and Building Division. You've been asked to review the application for **Item #1**. The item description and link to the application are provided in the memo. **Comments are due by January 26, 2024.**

Sincerely,



Brandon Roman
Office Support Specialist, Planning & Building Division | Community Services Department
broman@washoecounty.gov | Direct Line: 775.328.3606
My working hours: Monday-Friday 7:00am to 3:30pm
Visit us first online: www.washoecounty.gov/csd
Planning Division: 775.328.6100 | Planning@washoecounty.gov
CSD Office Hours: Monday-Friday 8:00am to 4:00pm
1001 East Ninth Street, Reno, NV 89512

Oakley, Katherine

From: Program, EMS
Sent: Friday, January 26, 2024 9:07 AM
To: Oakley, Katherine
Cc: Program, EMS
Subject: FW: January Agency Review Memo II - Abandonment Case Number WAB24-0001 (Cote and Stevens Abandonment)
Attachments: January Agency Review Memo II.pdf

Good morning,

The EMS Program has reviewed the January Agency Review Memo I – Abandonment Case Number WAB24-0001 (Cote and Stevens Abandonment), and has no concerns or questions at this time based on the information provided.

Thank you,



April Miller
Sr. Office Specialist
Epidemiology and Public Health Preparedness

O: [775-326-6049](tel:775-326-6049)
1001 E Ninth St. Bldg. B Reno, NV 89512

[NNPH.org](https://www.nnp.org) |     

[Click here to take our customer satisfaction survey](#)

From: Roman, Brandon <BRoman@washoecounty.gov>
Sent: Friday, January 12, 2024 1:35 PM
To: Schull, Shyanne <SSchull@washoecounty.gov>; Wines-Jennings, Tammy L <TWines-Jennings@washoecounty.gov>; Crump, Eric S <ECrump@washoecounty.gov>; Handrock, Wayne <WHandrock@washoecounty.gov>; Philumalee, Matthew <MPhilumalee@washoecounty.gov>; WRWC <WRWC@washoecounty.gov>; Zirkle, Brandon <BZirkle@washoecounty.gov>; Rosa, Genine <GRosa@nnph.org>; Restori, Joshua <JRestori@nnph.org>; Program, EMS <EMSProgram@nnph.org>; English, James <JEnglish@nnph.org>; Rubio, Wesley S <WRubio@nnph.org>; Kelly, David A <DAKelly@nnph.org>
Cc: Smith, Dwayne E. <DESmith@washoecounty.gov>; Hein, Stephen <SHein@washoecounty.gov>; Thomas, Janelle K. <JKThomas@washoecounty.gov>; Gustafson, Jennifer <jgustafson@da.washoecounty.gov>; EHS Plan Review <EHSPlanReview@nnph.org>; West, Walt <WWest@washoecounty.gov>; Mullin, Kelly D. <KMullin@washoecounty.gov>; Lloyd, Trevor <TLloyd@washoecounty.gov>; Albarran, Adriana <AAlbarran@washoecounty.gov>; Emerson, Kathy <KEmerson@washoecounty.gov>; Olander, Julee <JOlander@washoecounty.gov>; Weiche, Courtney <CWeiche@washoecounty.gov>; Evans, Timothy <TEvans@washoecounty.gov>; Oakley, Katherine <KOakley@washoecounty.gov>
Subject: January Agency Review Memo II

Good afternoon,



Date: January 26, 2024

To: Kat Oakley, Planner

From: Janelle K. Thomas, P.E., Senior Licensed Engineer
Robert Wimer, P.E., Licensed Engineer

Re: Abandonment Case WAB24-0001 Abandonment
APN: 046-051-42; 046-051-37

GENERAL COMMENTS

Washoe County Engineering and Capital Project staff have reviewed the above referenced application. The application is for the abandonment of 50 feet of access easement along the northern border on the subject parcels. The parcels are located on approximately 5.17 and 4.98 acres at 1453 Casey Ranch Drive and 2305 Kelly Canyon Road, west of Interstate 580 in Washoe Valley. The Engineering and Capital Projects Division recommends approval with the following comments and conditions of approval which supplement the applicable County Code and are based upon our review of the application prepared by the owners. The County Engineer shall determine compliance with all the following conditions of approval.

For questions related to sections below, please contact the staff's name referenced.

GENERAL CONDITIONS

Contact Information: Robert Wimer, P.E. (775) 328-2059

1. Prior to recordation of the Order of Abandonment, the applicant shall submit legal descriptions and exhibit maps for the areas of abandonment, any new easements and any easement reservations that are required, to the Engineering and Capital Projects Division for review and approval. Legal descriptions and exhibit maps shall be prepared by a Nevada professional land surveyor.
2. Retention or relocation of all public utility easements is required to the satisfaction of and at no expense to Washoe County or the existing public utilities that originally accepted and approved said easements, as well as any other public utilities now in existence that currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of new easements (if required) to said public utilities and the relinquishment by said public utilities of their former easements.
3. This Abandonment approval is for the elimination of the Offer of Dedication of public right-of-way and any County rights to drainage and utility easements. Public Utility Easements remain unless relinquished by the Public Utility Company holding the easement right.
4. The applicant shall comply with conditions necessary to affect the Resolution and Order of Abandonment within two (2) years from the date of the action by the Planning Commission or this conditional abandonment will be null and void.

Oakley, Katherine

From: Lemon, Brittany
Sent: Monday, January 22, 2024 12:24 PM
To: Oakley, Katherine
Cc: Way, Dale
Subject: WAB24-0001 (Cote and Stevens Abandonment) Conditions of Approval

Hi Kat,

TMFPD has no specific conditions for this request.

Thank you!

Brittany Lemon

Fire Captain - Fire Prevention | Truckee Meadows Fire & Rescue

blemon@tmfpd.us | Office: 775.326.6079 | Cell: 775.379.0584
3663 Barron Way, Reno, NV 89511



"Committed to excellence, service, and the protection of life and property in our community"

Oakley, Katherine

From: Pekar, Faye-Marie L.
Sent: Tuesday, February 6, 2024 11:17 AM
To: Oakley, Katherine
Subject: WAB24-0001 (Cote and Stevens Abandonment)

Good Morning Kat,

Parks has reviewed Abandonment Case Number WAB24-0001 (Cote and Stevens Abandonment) and does not have comments.

Sincerely,



Faye-Marie L. Pekar, MPA

Park Planner, Planning & Building Division | Community Services Department

fpekar@washoecounty.gov |

Visit us first online: www.washoecounty.gov/csd

Planning Division: 775.328.6100 | Planning@washoecounty.gov

CSD Office Hours: Monday-Friday 8:00am to 4:00pm

1001 East Ninth Street, Reno, NV 89512



Have some kudos to share about a Community Services Department employee or experience? Submit a nomination for a Washoe Star by clicking this link: [**WASHOE STAR**](#)

Oakley, Katherine

From: Zirkle, Brandon
Sent: Tuesday, January 16, 2024 8:53 PM
To: Oakley, Katherine
Subject: RE: January Agency Review Memo II

Sorry on the delay. The sheriff's office has no concerns with Item 1.

Thank you,

Captain Brandon Zirkle
Washoe County Sheriff's Office
Patrol Command
Office (775) 328-3350
Cell (775) 232-9477



From: Roman, Brandon <BRoman@washoecounty.gov>
Sent: Friday, January 12, 2024 1:35 PM
To: Schull, Shyanne <SSchull@washoecounty.gov>; Wines-Jennings, Tammy L <TWines-Jennings@washoecounty.gov>; Crump, Eric S <ECrump@washoecounty.gov>; Handrock, Wayne <WHandrock@washoecounty.gov>; Philumalee, Matthew <MPhilumalee@washoecounty.gov>; WRWC <WRWC@washoecounty.gov>; Zirkle, Brandon <BZirkle@washoecounty.gov>; Rosa, Genine <GRosa@nnph.org>; Restori, Joshua <JRestori@nnph.org>; Program, EMS <EMSProgram@nnph.org>; English, James <JEnglish@nnph.org>; Rubio, Wesley S <WRubio@nnph.org>; Kelly, David A <DAKelly@nnph.org>
Cc: Smith, Dwayne E. <DESmith@washoecounty.gov>; Hein, Stephen <SHein@washoecounty.gov>; Thomas, Janelle K. <JKThomas@washoecounty.gov>; Gustafson, Jennifer <jgustafson@da.washoecounty.gov>; EHS Plan Review <EHSPlanReview@nnph.org>; West, Walt <WWest@washoecounty.gov>; Mullin, Kelly D. <KMullin@washoecounty.gov>; Lloyd, Trevor <TLloyd@washoecounty.gov>; Albarran, Adriana <AAlbarran@washoecounty.gov>; Emerson, Kathy <KEmerson@washoecounty.gov>; Olander, Julee <JOlander@washoecounty.gov>; Weiche, Courtney <CWeiche@washoecounty.gov>; Evans, Timothy <TEvans@washoecounty.gov>; Oakley, Katherine <KOakley@washoecounty.gov>
Subject: January Agency Review Memo II

Good afternoon,

Please remember to send any agency review responses/comments directly to the Planner for the case, rather than replying to me.



Date: February 7, 2024

To: Kat Oakley, Planner

From: Timber Weiss, P.E., Licensed Engineer

Re: Abandonment Case Number WAB24-0001 (Cote and Stevens Abandonment)

GENERAL PROJECT DISCUSSION

For hearing, discussion, and possible action to approve an abandonment of two easements, which include the portion of Casey Ranch Road and Winters Creek Lane lying within parcels identified by APNs 046-051-42 and 046-051-37, except for a 20' emergency turnaround easement.

The Community Services Department (CSD) recommends approval of this project with the following Water Rights conditions:

No water rights conditions for this abandonment.

Public Notice

Washoe County Code requires that public notification for an abandonment be given to each owner of property abutting or connected to the proposed abandonment. Seven property owners were noticed a minimum of 10 days prior to the public hearing date. A notice setting forth the time, place, purpose of hearing, a description of the request and the land involved was sent.



Public Notice Map

Cote and Stevens Abandonment Case Number WAB24-0001

Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Building staff at 775.328.6100.

Project Information		Staff Assigned Case No.: _____	
Project Name: Tom Cote and Tim Stevens			
Project Description: 50 Feet Wide Road Easement			
Project Address: 1453 Casey Ranch Dr. and 2305 Kelly Canyon Rd. Washoe Valley, NV			
Project Area (acres or square feet): 79,152 sq ft			
Project Location (with point of reference to major cross streets AND area locator): Kelly Canyon Rd and Winters Cr Washoe Valley, NV			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
046-051-42	5.17 Acres		
046-051-37	4.982 Acres		
Indicate any previous Washoe County approvals associated with this application: Case No.(s). AB10-001			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name: Stevens Timothy L. & Christina		Name:	
Address: 2305 Kelly Canyon Rd		Address:	
Washoe Valley, NV	Zip: 89704		Zip:
Phone: 626-222-5800	Fax:	Phone:	Fax:
Email: ttime107@me.com		Email:	
Cell: 626-222-5800	Other:	Cell:	Other:
Contact Person: Tom Cote		Contact Person:	
Applicant/Developer:		Other Persons to be Contacted:	
Name:		Name:	
Address:		Address:	
	Zip:		Zip:
Phone:	Fax:	Phone:	Fax:
Email:		Email:	
Cell:	Other:	Cell:	Other:
Contact Person:		Contact Person:	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

December 2018

**Abandonment Application
Supplemental Information**
(All required information may be separately attached)

1. What and where is the abandonment that is being requested?

A 50 ft. wide easement located at Kelly Canyon Road and Winters Creek Lane.

2. On which map or document (please include with application) is the easement or right-of-way first referenced?

Parcel map 2823

3. What is the proposed use for the vacated area?

To fully utilize the two parcels it runs through.

4. What replacement easements are proposed for any to be abandoned?

There are no replacement easements. Winters Creek Ln. is an existing road to the north that abuts the properties.

5. What factors exist or will be employed to prevent the proposed abandonment from resulting in significant damage or discrimination to other property in the vicinity?

It does not affect any other properties in the vicinity.

6. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that apply to the area subject to the abandonment request? (If so, please attach a copy.)

* Yes	* <input checked="" type="radio"/> No
-------	---------------------------------------

IMPORTANT

NOTICE REGARDING ABANDONMENTS:

To the extent that Washoe County does not own the easements in question, it cannot abandon them. Therefore, an abandonment request is in effect a "quitclaim" by the County of whatever interest it might have in the easements in favor of the owners who applied for the abandonment. For example, if the abandonment is approved by Washoe County and recorded, it will likely affect the allowable building envelope on the property, to the benefit of the applicant. However, even if the abandonment is approved, it should not be construed as an assertion by the County of ownership over the easements in question. To the extent other property owners nearby or other entities might have any ownership interests in these easements, an approved abandonment by the County does not affect those interests and the property owners associated with this abandonment are responsible for utilizing whatever legal mechanisms are necessary to address those interests on their own.



Community Development

"Dedicated to Excellence in Public Service"

Adrian P. Freund, FAICP, Community Development Director
Nathan Edwards, Legal Counsel



Washoe County Planning Commission
Dian VanderWell
Neal Cobb
Roy H. Hibdon

William Weber
Vaughn Hartung
Roger M. Edwards
D.J. Whittemore

ACTION ORDER

May 5, 2010

Tim Stevens
100 Winters Creek Lane
Washoe Valley, NV 89704

Tim Cote'
1453 Casey Ranch Road
Washoe Valley, NV 89704

Dear Applicant and Property Owner:

The Washoe County Planning Commission, at its regular meeting of May 4, 2010, approved the following request with two (2) conditions.

ABANDONMENT CASE NUMBER AB10-001 (STEVENS/COTE' RESIDENCES) – To abandon segments of Winters Creek Lane, Casey Ranch Road and associated public access as authorized in Article 806 of the Washoe County Development Code (Washoe County Code Chapter 110). The project is located at 100 Winters Creek/1453 Casey Ranch Road Lane near the Highway 395 Bowers Mansion off ramp in the West Washoe Valley. The two 5-acre parcels are designated Medium Density Rural (MDR) in the South Valleys Area Plan, and are situated in a portion of Section 27, T17N, R19E, MDM, Washoe County, Nevada. The properties are located in the West Washoe Valley Citizen Advisory Board boundary and Washoe County Commission District No. 2. (APN 046-051-42 and APN 046-051-37)

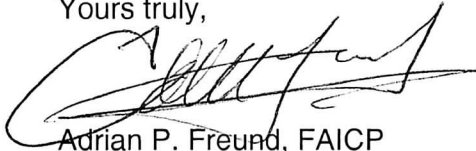
The approval was based on the following findings:

1. Comprehensive Plan. That the abandonment or vacation is consistent with the policies, action programs, standards and maps of the Comprehensive Plan and the South Valleys Area Plan;
2. No Detriment. That the abandonment or vacation does not result in a material injury to the public;
3. Existing Easements. That existing public utility easements in the area shall remain and continue to provide needed service and
4. Reasoned Consideration. That the Planning Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.

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Subject: Abandonment Case No. AB10-001
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If no appeals have been filed in the time period stipulated in the Washoe County Development Code, the decision by the Planning Commission is final.

Yours truly,



Adrian P. Freund, FAICP
Director, Washoe County Community Development
Secretary to the Planning Commission

APF/DM/ds(AB10-001A1)

Attachments: Conditions

xc: Nathan Edwards, Esq., District Attorney's Office; Carol Buonanoma, Assessor's Office (CAAS); Theresa Wilkins, Assessor's Office; Susan Hood, Department of Water Resources; Kimble Corbridge/Leo Vesely, Engineering Division; David Mills, Truckee Meadows Division, Reno Fire Department; Mike Greene, Sierra Fire Protection District

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Conditions of Approval

Abandonment Case No. AB10-001

The project approved under Abandonment Case No. AB10-001 shall be carried out in accordance with the Conditions of Approval granted by the Planning Commission on April 6, 2010. Conditions of Approval are requirements placed on a permit or development by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act.

Unless otherwise specified, all conditions related to the approval of this Abandonment shall be met or financial assurance must be provided to satisfy the conditions of approval prior to issuance of a grading or building permit. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Department of Community Development.

Compliance with the conditions of approval related to this Abandonment is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. Failure to comply with any of the conditions imposed in the approval of the Abandonment may result in the institution of revocation procedures.

Washoe County reserves the right to review and revise the conditions of approval related to this Abandonment should it be determined that a subsequent license or permit issued by Washoe County violates the intent of this approval.

For the purpose of conditions imposed by Washoe County, "may" is permissive and "shall" or "must" is mandatory.

Conditions of Approval are usually complied with at different stages of the proposed project. Those stages are typically:

- Prior to permit issuance (i.e., grading permits, building permits, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy.
- Prior to the issuance of a business license or other permits/licenses.
- Some "Conditions of Approval" are referred to as "Operational Conditions." These conditions must be continually complied with for the life of the project or business.

The Washoe County Commission oversees many of the reviewing agencies/departments with the exception of the following agencies.

- **The DISTRICT BOARD OF HEALTH, through the Washoe County Health District, has jurisdiction over all public health matters in the Health District.**

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Any conditions set by the District Health Department must be appealed to the District Board of Health.

- **The RENO-TAHOE AIRPORT AUTHORITY is directed and governed by its own Board. Therefore, any conditions set by the Reno-Tahoe Airport Authority must be appealed to their Board of Trustees.**
- **The REGIONAL TRANSPORTATION COMMISSION (RTC) is directed and governed by its own Board. Therefore, any conditions set by the Regional Transportation Commission must be appealed to that Board.**

FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

Washoe County Community Development

1. The following conditions are requirements of the Department of Community Development, which shall be responsible for determining compliance with these conditions.

Contact Name – Don Morehouse, 775.328.3632

GENERAL CONDITIONS

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this abandonment action. The County Engineer shall determine compliance with this condition.
- b. Prior to the recordation of the Order of Abandonment, the applicant shall submit to the County Engineer for review and approval a description prepared by a registered professional of the offer of dedication to be abandoned and replacement private access.
- c. The applicant shall comply with all conditions necessary to affect the Resolution and Order of Abandonment within two (2) years from the date of the action by the Washoe County Planning Commission or this conditional abandonment will be null and void.

Washoe County Department of Public Works

2. The following conditions are requirements of the Engineering Division, which shall be responsible for determining compliance with these conditions.

Contact Name – Leo Vesely, 775.325.8032

- a. Prior to recordation of the Order of Abandonment, the applicant shall submit legal descriptions to the County Engineer for review and approval. The legal

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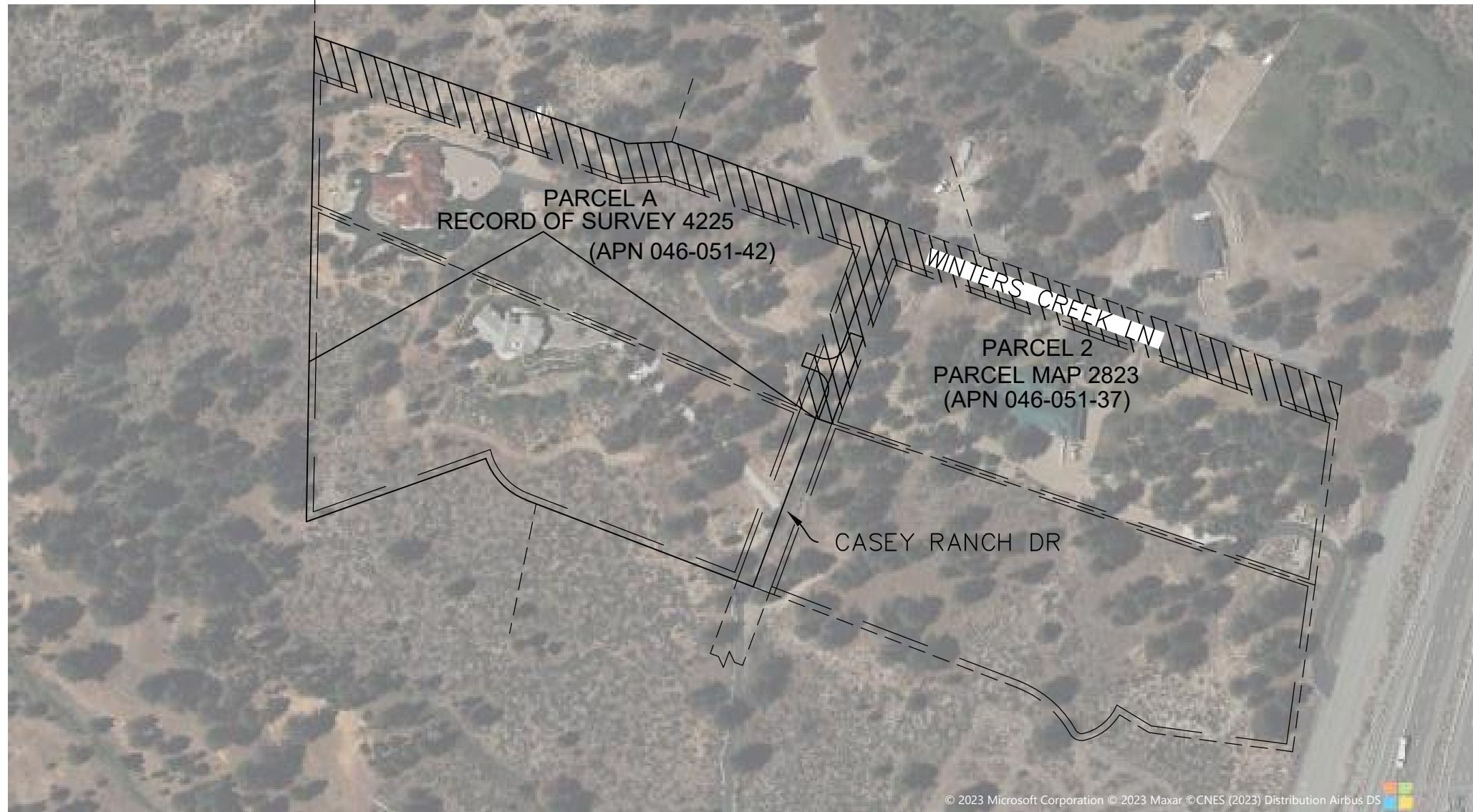
descriptions shall be prepared by a registered professional and shall be for area of abandonment, and any easements that may be required.

- b. Retention of all public utility easements or relocation of all public utility easements to the satisfaction of and at no expense to Washoe County or the existing public utilities that originally accepted and approved said easements as well as any other public utilities now in existence that currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements (if required) to said public utilities and the relinquishment by said public utilities of their former easements.
- c. Retention of all drainage easements or relocation of all drainage easements to the satisfaction of and at no expense to Washoe County as well as any drainage facilities now in existence that currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements (if required).
- d. A reciprocal access and emergency access easement shall be granted for either a circular turnaround (50' radius) or a 'Hammer Head" turnaround located on the common parcel line of parcels 046-051-37 and 046-051-42 adjacent to the north parcel lines of 046-051-38 and 046-051-43. Sierra Fire Protection District and the County Engineer shall determine compliance with this condition.
- e. The applicant shall comply with conditions necessary to effect the Resolution and Order of Abandonment within two (2) years from the date of the action by the Planning Commission or this conditional abandonment will be null and void.

***** End of Conditions *****

ROADWAY ABANDONMENT

LYING WITHIN A PORTION OF SECTIONS 26 & 27
TOWNSHIP 17 NORTH, RANGE 19 EAST, M.D.M.
WASHOE COUNTY, NEVADA



AREA OF ABANDONMENT



1"=200'

FILE: COTE_ABNDNMNT_2023.dwg
JUB PROJ. #: 49-23-039
DATE: 11/27/2023
SHEET # 1

ROADWAY ABANDONMENT
THOMAS J. COTE & TIMOTHY L. STEVENS

JUB
J-U-B ENGINEERS, INC.
9160 DOUBLE DIAMOND PKWY.
RENO, NEVADA 89521
(775) 852-1440 MAIN

EXHIBIT "___"
LEGAL DESCRIPTION
AREA OF ABANDONMENT

All that certain real property lying within a portion of the northeast quarter (NE1/4) of Section twenty-seven (27) and the northwest quarter (NW1/4) of Section twenty-six (26), Township seventeen (17) North, Range nineteen (19) East, Mount Diablo Meridian (MDM), County of Washoe, State of Nevada, further described as follows:

BEING that portion of Casey Ranch Road, together with that portion of Winters Creek Lane, lying within Parcel 2, as shown on Parcel Map 2823 filed as document number 1829982 on September 2, 1994 and Parcel A as shown on Record of Survey 4225 filed as document number 2828951 on March 31, 2003.

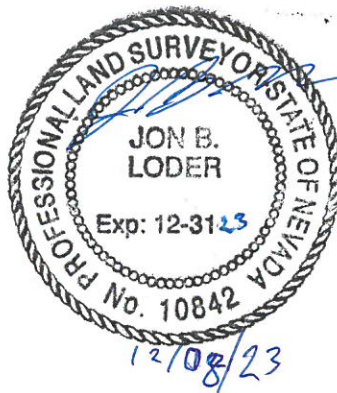
EXCEPTING THEREFROM: Any public utility easement for any existing utilities within the described area.

Containing 106,849 square feet of land, more or less;

Prepared by:

J-U-B Engineers, Inc.
5190 Neil Road, Suite 500
Reno, Nevada 89502
775-745-2176

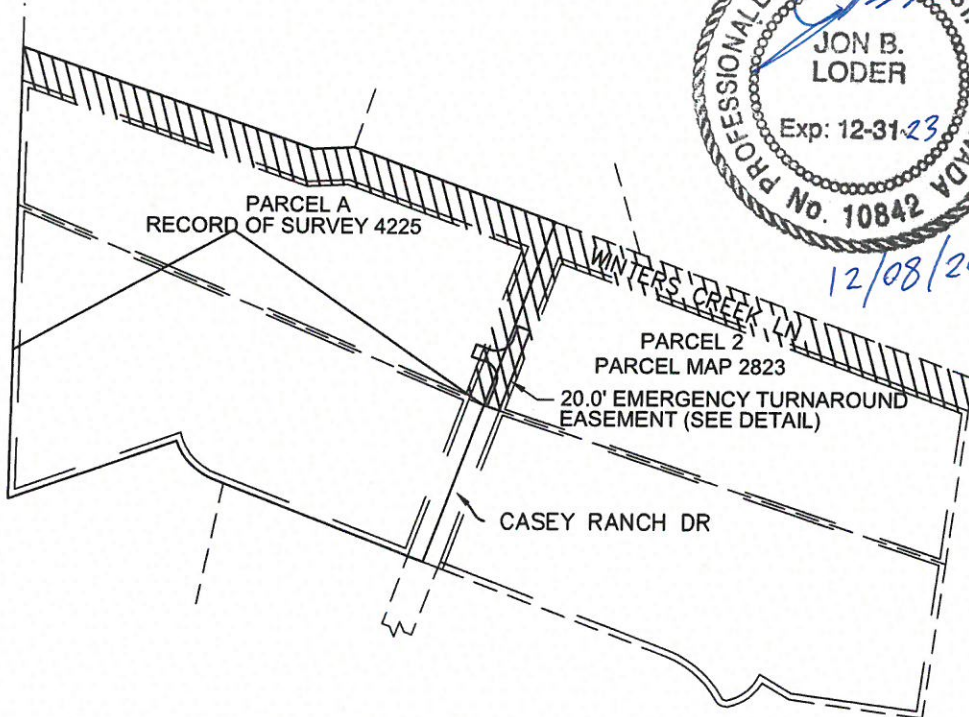
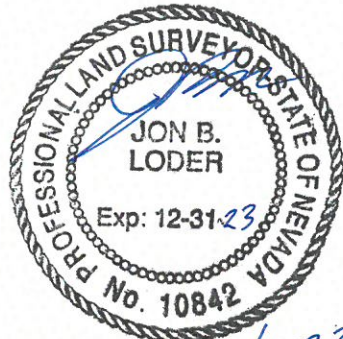
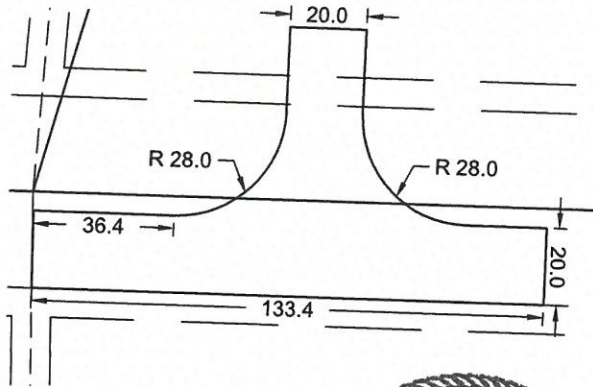
Jon Loder, P.L.S.
Nevada Certificate No. 10842



ROADWAY ABANDONMENT

LYING WITHIN A PORTION OF SECTIONS 26 & 27
TOWNSHIP 17 NORTH, RANGE 19 EAST, M.D.M.
WASHOE COUNTY, NEVADA


1"=50'
DETAIL:
EMERGENCY TURNAROUND
EASEMENT



 AREA OF ABANDONMENT


1"=300'

FILE: COTE_ABNDNMNT_2023.dwg
JUB PROJ. #: 49-23-039
DATE: 11/27/2023
SHEET # 1

ROADWAY ABANDONMENT
THOMAS J. COTE & TIMOTHY L. STEVENS


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