



October 23, 2017

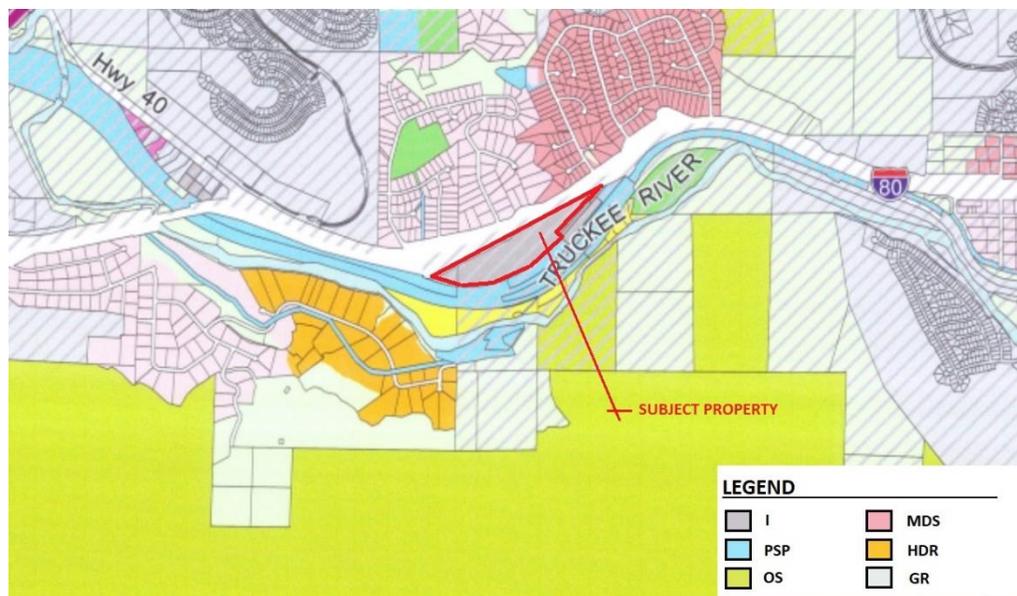
Claudia Hansen, AICP  
 City of Reno  
 Community Development Department  
 1 East First Street, Second Floor  
 Reno, Nevada 89501

**Re: Mogul Annexation**

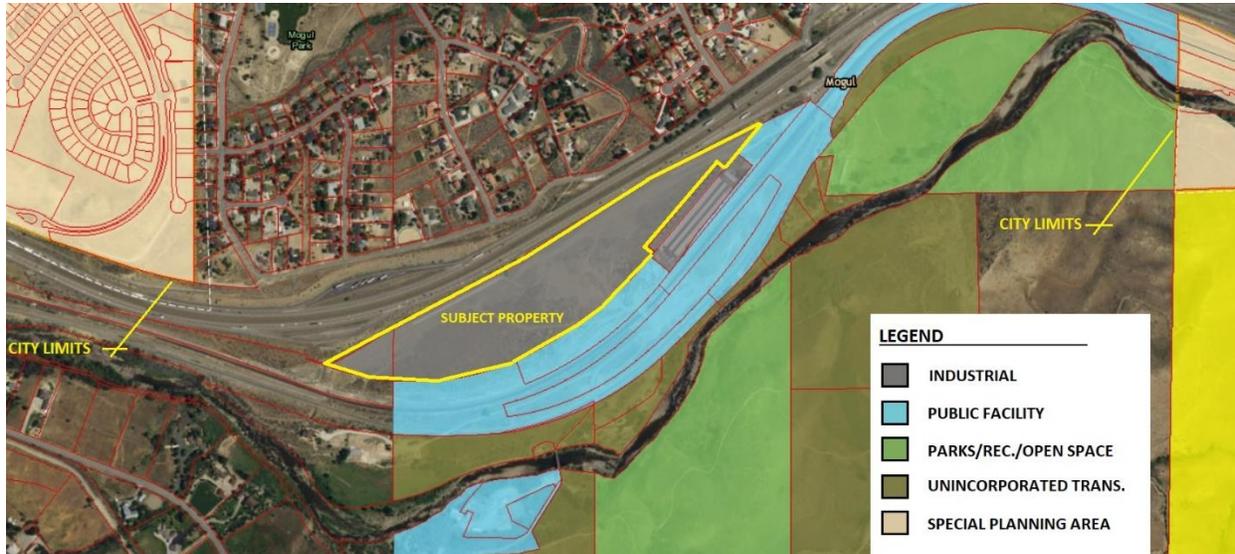
Dear Claudia,

As discussed in our October 17, 2017 meeting, the purpose of this letter is to formally request that the City of Reno consider not exerting its extraterritorial jurisdiction on two parcels located in the Mogul area. Specifically, the subject property is located south of Interstate 80, adjacent to the Union Pacific Railroad tracks and is currently within the City of Reno Sphere of Influence.

The property consists of two parcels (APN #'s 038-181-01 and 038-172-14) totaling 27.9± acres and has been zoned Industrial in Washoe County for over 20 years. As noted previously, the property is located within the City's Sphere of Influence and is designated as Industrial in the Reno Master Plan. Based on the existing Industrial zoning in the County and Industrial Master Plan designation in the City, the property would be zoned Industrial in the City upon annexation.



Current Zoning



Current Master Plan

The property owner wishes to develop mini-storage and a small industrial park use at the site. Both Washoe County and the City of Reno permit these uses by right within the Industrial zone. However, in the case of the subject parcels, the City of Reno would require the approval of a Special Use Permit based on the City’s Residential Adjacency Standards. This is triggered by the existing subdivision located north of the property on the other side of Interstate 80.

Currently, the subject property is not contiguous to the City of Reno corporate boundary. In fact, it is highly unlikely that the property will ever become contiguous to the City of Reno. Properties to the north are located within Washoe County and are not included within the Sphere of Influence. The property is completely “ringed” by Union Pacific Railroad parcels on the south, east, and west which includes the current railroad tracks. As such, it is extremely unlikely that these railroad right-of-way parcels will ever be further developed. Thus, there is no reason whatsoever for Union Pacific to request a voluntary annexation to the City of Reno. Therefore, even if all other parcels in the Sphere of Influence were to be annexed, the City of Reno would have to force annexation of the railroad parcels in order for the subject property to be contiguous.

Annexation of the property does not represent a logical extension of the City of Reno at this time and would hold the potential to tax City services and infrastructure. The property is not identified as a Tier 1 or Tier 2 Annexation in the City’s 7-Year Annexation Program. Furthermore, annexation of the parcels is inconsistent with policies included in the City’s Annexation Program, as taken from NRS 268.646, including those listed below:

1. *Population, population density, land area and land uses, per capita assessed valuation, topography, including natural boundaries and drainage basins, proximity to other populated areas, and the likelihood of significant growth in the area and in adjacent incorporated and unincorporated areas during the next 10 years.*

The property is located in an area where little growth is anticipated. Properties to the north are essentially built-out and the majority of land within the Sphere to the south and east is designated for public facility (railroad), open space, or very low density development. Annexing this area would create a burden on existing City services and is not logical at this time.

2. *The need for organized community services, the present cost and adequacy of governmental services and controls in the area, probable future needs for such services and controls, and the probable effect of the proposed formation and of alternative courses of action on the cost and adequacy of services and controls in the area.*

Currently, the City has not annexed any properties in Mogul and has no immediate plans to do so. There are currently no City services in the area and no planned land uses that would warrant annexation based on the fiscal responsibilities of the City.

The Reno Master Plan also contains policies that are inconsistent with any annexation of the parcels. These policies are listed below:

*C&R-1 The City should support a fiscally responsible urban form and annexation policy.*

Annexation of the subject properties does not represent fiscally responsible growth based on the lack of available City services. Furthermore, the surrounding land uses within the Sphere further support this argument given they consist largely of open space and large-lot residential uses. In fact, given the topography to the south and east, many of the parcels within the Sphere of Influence in this area are simply undevelopable. In terms of urban form, it is highly unlikely that the subject property will ever be contiguous to the City of Reno unless the City were to force annexation of the adjoining railroad parcels.

*C&R-3 The City should develop and implement an annexation program which identifies the City's geographic sphere of influence and proposes measures for actively pursuing annexation of islands of County land.*

Annexation of this property would actually create a City island given the fact that it is surrounded by railroad parcels and right-of-way. It is highly unlikely that the railroad would ever request annexation. Therefore, the subject property would not be contiguous to the City, resulting in an island condition.

*C&R-4 The City should pursue annexation of properties requesting, receiving, or benefiting from City services, when such action is consistent with other adopted City Policies.*

The proposed project will not benefit from City services and is in an area served by County facilities and services.

*C&R-5 The City should pursue a growth pattern which is fiscally responsible in order to maintain and possibly improve existing levels of service for current residents and future generations.*

Annexation of the subject property does not represent fiscal responsibility and would actually force the City to eventually extend City services to an isolated area. This could result in negative impacts to existing services and significant expenditure on the part of the City.

Given the fact that the site will likely never be contiguous to the City and is located in an isolated area with no City services, we feel it is in the City's best interest to allow the property to remain within unincorporated Washoe County and to waive extraterritorial jurisdiction in this case. The property has been zoned appropriately for the envisioned use for well over 20 years by Washoe County. Additionally, all adjoining properties, including residential areas to the north of Interstate 80 are located within Washoe County, not the City. Thus, application of City standards and procedures is not appropriate.

We request that the Reno City Council consider the project to be reviewed, processed, and permitted in Washoe County. As discussed in our meeting, the property owner is willing to consent to signing an annexation petition which would allow the City to annex the site should it ever become contiguous to the corporate boundary (although highly unlikely).

Thank you for your assistance with this matter. Please do not hesitate to contact me at [mrailey@rubicondesigngroup.com](mailto:mrailey@rubicondesigngroup.com) or (775) 425-4800 with any questions or concerns, or if you require any additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Railey". The signature is fluid and cursive, with the first name "Michael" and last name "Railey" clearly distinguishable.

Michael Railey  
Partner

cc: Chi Chi Bengochea – Bentar Development, Inc.  
Matt Rasmussen – Tectonics Design Group