

Item # 8B

**City of Carson City
Agenda Report**

Date Submitted: December 11, 2007

Agenda Date Requested: December 20, 2007

Time Requested: 10 minutes

To: Mayor and Board of Supervisors

From: Development Services - Planning Division

Subject Title: Action to approve a Master Plan Amendment application from the Carson City Parks and Recreation Department/Open Space Division (property owner: Carson City) to change the Master Plan land use designation of APN 010-071-25, approximately 86 acres located east of Carson River Road, a portion of property formerly known as "Buzzy's Ranch," from Low Density Residential" and "Rural Residential" to "Open Space." (File MPA 07-163)

Staff Summary: Carson City recently purchased the subject property through the City's open space program. The proposed Master Plan Amendment would change the designation for the future use of the property to reflect the current public ownership and the intent to keep the property for open space.

Type of Action Requested:

Resolution

Ordinance

Formal Action/Motion

Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Planning Commission Action: Approved 7:0 at the Planning Commission Meeting of November 28, 2007.

Recommended Board Action: I move to approve a Master Plan Amendment application from the Carson City Parks & Recreation Department/Open Space Division (property owner: Carson City) to change the Master Plan land use designation of APN 010-071-25, approximately 86 acres located east of Carson River Road, a portion of property formerly known as "Buzzy's Ranch," from Low Density Residential" and "Rural Residential" to "Open Space."

Explanation for Recommended Board Action: Carson City recently purchased the subject property through the City's open space program. The proposed Master Plan Amendment would change the designation for the future use of the property to reflect the current public ownership and the intent to keep the property for open space. See the attached staff report to the Planning Commission for further information.

Applicable Statute, Code, Policy, Rule or Regulation: CCMC 18.02.070 (Master Plan).

Fiscal Impact: N/A

Explanation of Impact: N/A

Funding Source: N/A

Alternatives: 1) Deny the application, or
2) refer the matter back to Planning Commission for further review.

Supporting Material:

- 1) Planning Commission Resolution 2007-PC-11 recommending approval
- 2) Planning Commission Case Record
- 3) Staff report to the Planning Commission

Prepared By: Donna Fuller, Administrative Service Manager

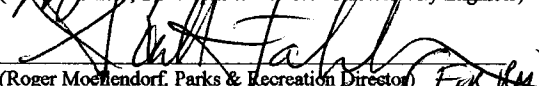
Reviewed By:


(Walter Sullivan, Planning Director)

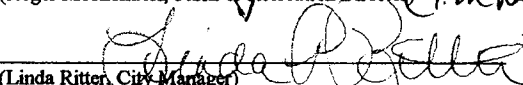
Date: 12-05-07

for 
(Larry Warner, Development Services Director/City Engineer)

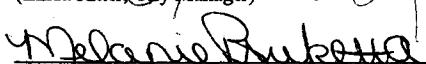
Date: 12/11/07


(Roger Moellendorf, Parks & Recreation Director)

Date: 12-12-07


(Linda Ritter, City Manager)

Date: 12-11-07


(Edward Oueille, Senior Deputy District Attorney - Civil)
Melanie Bruketta, Chief

Date: _____

Board Action Taken:

Motion: _____

1) _____ Aye/Nay

2) _____

(Vote Recorded By)

RESOLUTION 2007-PC-11

A RESOLUTION RECOMMENDING TO THE BOARD OF SUPERVISORS APPROVAL OF MPA-07-163, A MASTER PLAN AMENDMENT TO CHANGE THE MASTER PLAN LAND USE DESIGNATION OF APN 010-071-25, APPROXIMATELY 86 ACRES LOCATED EAST OF CARSON RIVER ROAD, A PORTION OF PROPERTY FORMERLY KNOWN AS "BUZZY'S RANCH," FROM "LOW DENSITY RESIDENTIAL" AND "RURAL RESIDENTIAL" TO "OPEN SPACE."

WHEREAS, NRS 278.210 requires that any adoption of a master plan amendment shall be by resolution of the Planning Commission; and

WHEREAS, the Planning Commission has given proper notice of the proposed amendment in accordance with the provisions of NRS and CCMC 18.02.070, and is in conformance with City and State legal requirements; and

WHEREAS, on November 28, 2007, the Planning Commission obtained public testimony and duly considered recommendations and findings for the proposed master plan amendment and approved Master Plan Amendment request MPA-07-163 by an affirmative vote of a two-thirds majority of the Commission, at least five members of the seven-member Commission, pursuant to NRS 278.210, based on four findings of fact; and

WHEREAS, Carson City has purchased the subject property through the Open Space program to preserve the scenic qualities of the area and protect future and current residents from flood hazards in conformance with the goals and policies of the Open Space Master Plan, Carson River Master Plan and Land Use Plan.

NOW, THEREFORE, the Carson City Planning Commission hereby recommends to the Board of Supervisors approval of the Master Plan Amendment to change the Master Plan Land Use designation of APN 010-071-25, located east of Carson River Road, a portion of property formerly known as "Buzzy's Ranch," from "Low Density Residential" and "Rural Residential" to "Open Space," as illustrated in the attached Exhibit A.

ADOPTED this 28th day of November, 2007

VOTE: AYES: _____

NAYS:

ABSENT:

John Peery, Chairman

ATTEST:

WALTER SULLIVAN, Community Development Director

CARSON CITY PLANNING COMMISSION

CASE RECORD

MEETING DATE: November 28, 2007

AGENDA ITEM NO.: H - 6

APPLICANT(s) NAME: Carson City Parks & Recreation
Dept./Open Space Div.

FILE NO. MPA-07-163

PROPERTY OWNER(s): Carson City

ASSESSOR PARCEL NO(s): APN 010-071-25

ADDRESS: East of Carson River Rd., a portion of property formerly known as "Buzzy's Ranch"

APPLICANT'S REQUEST: To change the Master Plan land use designation, approximately 86 acres from "Low Density Residential" and Rural Residential" to "Open Space."

COMMISSIONERS PRESENT: [X] REYNOLDS [X] VANCE [X] BISBEE
[X] MULLET [X] PEERY [X] KIMBROUGH [X] WENDELL

STAFF REPORT PRESENTED BY: LEE PLEMEL [] REPORT ATTACHED

STAFF RECOMMENDATION: [X] APPROVAL [] DENIAL

APPLICANT REPRESENTED BY: JUAN GUZMN, OPEN SPACE MGR.

APPLICANT/AGENT PRESENT

APPLICANT/AGENT SPOKE

APPLICANT/AGENT NOT PRESENT

APPLICANT/AGENT DID NOT SPEAK

APPLICANT/AGENT INDICATED THAT HE HAS READ THE STAFF REPORT, AGREES AND UNDERSTANDS THE FINDINGS, RECOMMENDATIONS, AND CONDITIONS, AND AGREES TO CONFORM TO THE REQUIREMENTS THEREOF.

0 PERSONS SPOKE IN FAVOR OF THE PROPOSAL 0 PERSONS SPOKE IN OPPOSITION OF THE PROPOSAL

DISCUSSION, NOTES, COMMENTS FOR THE RECORD:

APPEAL PROCESS MENTIONED AS PART OF THE RECORD

MOTION WAS MADE TO RECOMMEND APPROVAL

- [] WITH THE FINDINGS AND CONDITIONS AS ENUMERATED ON THE STAFF REPORT
- [] WITH THE FINDINGS AND CONDITIONS OF THE STAFF REPORT AS MODIFIED
- [] WITH THE FINDINGS AND CONDITIONS OF THE COMMISSION ENUMERATED ON THIS CASE RECORD

MOVED: MULLET SECOND: REYNOLDS PASSED: 7 /AYE 0 /NO /DQ /AB

SCHEDULED FOR THE BOARD OF SUPERVISORS

DATE: 12-20-07

STAFF REPORT FOR PLANNING COMMISSION MEETING OF NOVEMBER 28, 2007

FILE: MPA-07-163

AGENDA ITEM: H-6

STAFF AUTHOR: Lee Plemel, AICP, Principal Planner

REQUEST: A Master Plan Amendment to change the Land Use designation of approximately 86 acres from Low Density Residential and Rural Residential to Open Space, on property formerly known as the "Anderson Ranch" or a portion of "Buzzy's Ranch," which was recently purchased by Carson City for open space.

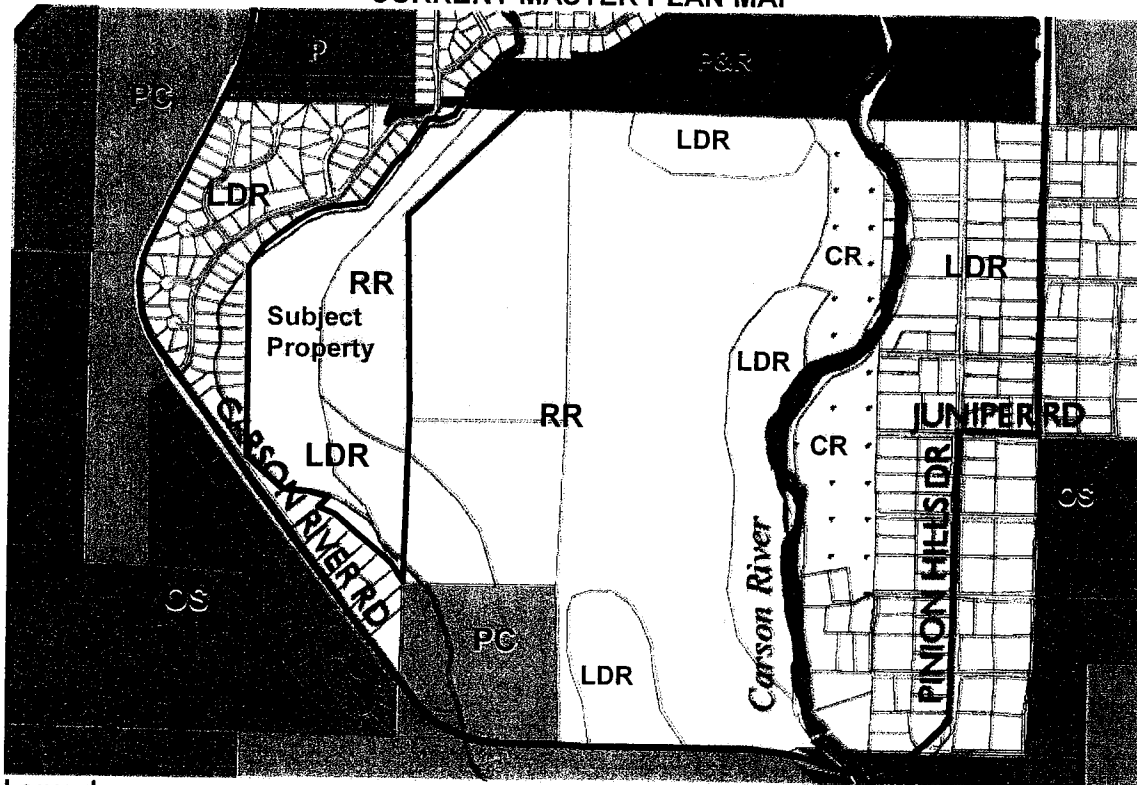
APPLICANT: Carson City Open Space

OWNER: Carson City

LOCATION: East of Carson River Road and Buzzys Ranch Road; APN 010-071-25

RECOMMENDED MOTION: "I move to adopt Resolution 2007-PC-11 recommending to the Board Of Supervisors approval of MPA-07-163, a Master Plan Amendment to change the Master Plan Land Use designation of APN 010-071-25, approximately 86 acres located east of Carson River Road, a portion of property formerly known as "Buzzy's Ranch," from "Low Density Residential" and "Rural Residential" to "Open Space," based on the findings contained in the staff report."

CURRENT MASTER PLAN MAP



Legend:

LDR – Low Density Residential (1/3 to 5 acres per dwelling unit)

RR – Rural Residential (5 to 20 acres per dwelling unit)

OS – Open Space

CR – Conservation Reserve (private lands)

P – Public

PC – Public Conservation

P&R – Parks and Recreation

LEGAL REQUIREMENTS: CCMC 18.02.050 (Review); 18.02.070 (Master Plan).

CURRENT MASTER PLAN DESIGNATION: Low Density Residential (1/3-acre to five acres per dwelling unit) and Rural Residential (5 to 20 acres per dwelling unit).

CURRENT ZONING: Agriculture

BACKGROUND:

The subject property was the focus of specific discussions during the Envision Carson City Master Plan update process, specifically regarding the future development potential of the property and the appropriate Master Plan land use designation. The 1996 Master Plan identified the property for future residential development as part of the overall Silver Saddle Ranch Specific Plan Area (SSR-SPA). Between 1996 and the Envision Carson City update process, much of the SSR-SPA area was purchased by BLM (through the Carson City Open Space program) for open space and recreation. This purchase removed most of the development potential identified in the SSR-SPA since the remaining private properties north and east of Carson River Road are significantly impacted by the floodplain.

The draft Envision Carson City Land Use Map identified the subject property and the adjacent private lands to the east as Conservation Reserve (private lands). At the same time, the Carson City Open Space Manager was working with the property owners towards a purchase of the properties. Therefore, the owners, including the owner of the subject property, requested that any change to the Master Plan designation from the 1996 Master Plan be delayed or continued pending resolution of the potential purchase of the properties by the City for open space. In January 2006 the Planning Commission voted to continue the issue indefinitely to allow the owners to work with City staff on the open space purchase, with the understanding that the issue would be addressed by the Planning Commission prior to any development occurring on the parcels or upon purchase of the property by the City.

The open space purchase of the Anderson Ranch property (86 acres) by Carson City was completed in the summer of 2007. Discussions and progress continues towards a purchase of the remaining 400 acres of Jarrard property to the east. The Carson City Open Space Manager will provide an update on the status of that purchase at the Planning Commission meeting. Both the Open Space Master Plan and Carson River Master Plan identify the properties as critical or high priority for preservation.

DISCUSSION:

This Master Plan Amendment will make the Master Plan Land Use designation consistent with the intended long-term use of the property; that is, for open space and passive recreation. The purchase of the property for open space has the benefit of protecting the views of the pastoral setting, protecting existing and future development from the impacts of development within the floodplain, and providing public trail access and linkages for the extension of the Mexican Ditch trail through the southwest portion of the property.

The continued use of the property for agricultural/ranching uses meets the intent of the Open Space land use designation. As part of the open space purchase agreement, the former property owner will continue to ranch and manage the land for a certain period of time. It is the City's intent to keep the current Agriculture zoning of the property in place at this time to allow the ranching activities to occur, as necessary, and to allow the continued management of the property for that use. It should be noted that the current zoning limits the use of the property to those uses permitted within the Agriculture zoning district, which are generally agriculture and ranching-related uses. If

other public uses are considered for the property by Carson City in the future, it may be necessary to change the zoning of the property to a Public zoning designation.

PUBLIC COMMENTS: Public notices were mailed to 60 adjacent property owners within 300 feet of the subject parcel in accordance with the provisions of NRS and CCMC 18.02.045. As of November 15, 2007, no written comments have been received either in support or opposition of this application. Any comments that are received after this report is completed will be submitted prior to or at the Planning Commission meeting, depending on their submittal date to the Planning Division. Staff notes that previous discussions regarding the property with the Planning Commission and the Open Space Advisory Committee included wide-spread neighborhood support for retaining the property as open space.

OTHER CITY DEPARTMENT OR OUTSIDE AGENCY COMMENTS:

No city department comments were received.

FINDINGS: Staff recommends the following findings for approval of the Master Plan Amendment pursuant to the Carson City Municipal Code Section 18.02.070, Master Plan.

1. ***The proposed amendment is in substantial compliance with the goals, policies and action programs of the Master Plan.***

Rationale: The proposed Open Space land use designation is consistent with the current ownership of the property by Carson City and its purchase through the open space program, as well as the intended future use of the property for open space. The current Master Plan land designations on the property of Low Density Residential and Rural Residential are not consistent with the current ownership and proposed open space, and therefore should be changed.

2. ***The proposed amendment will provide for land uses compatible with existing adjacent land uses and will not have detrimental impacts to other properties in the vicinity.***

Rationale: The proposed Open Space designation will provide for the preservation of the property and open space uses that will have minimal or no impacts on adjacent properties. Ranching activities may continue to occur on the property consistent with the continued use of the property for more than a century, and the proposed Open Space designation will not create additional land uses that would have detrimental impacts to adjacent properties and will actually protect surrounding properties from potential future negative impacts due to development.

3. ***The proposed amendment will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare.***

Rationale: The proposed amendment will create no additional burden on existing or planned public services or facilities as the property will be preserved for open space. The purchase of the property may have a positive impact on public facilities by providing a mutually beneficial location for the disposal of effluent from the city's wastewater system. The open space will have a positive impact on the public health, safety and welfare by protecting current and future residents from the impacts of development within the floodplain.

Respectfully submitted,

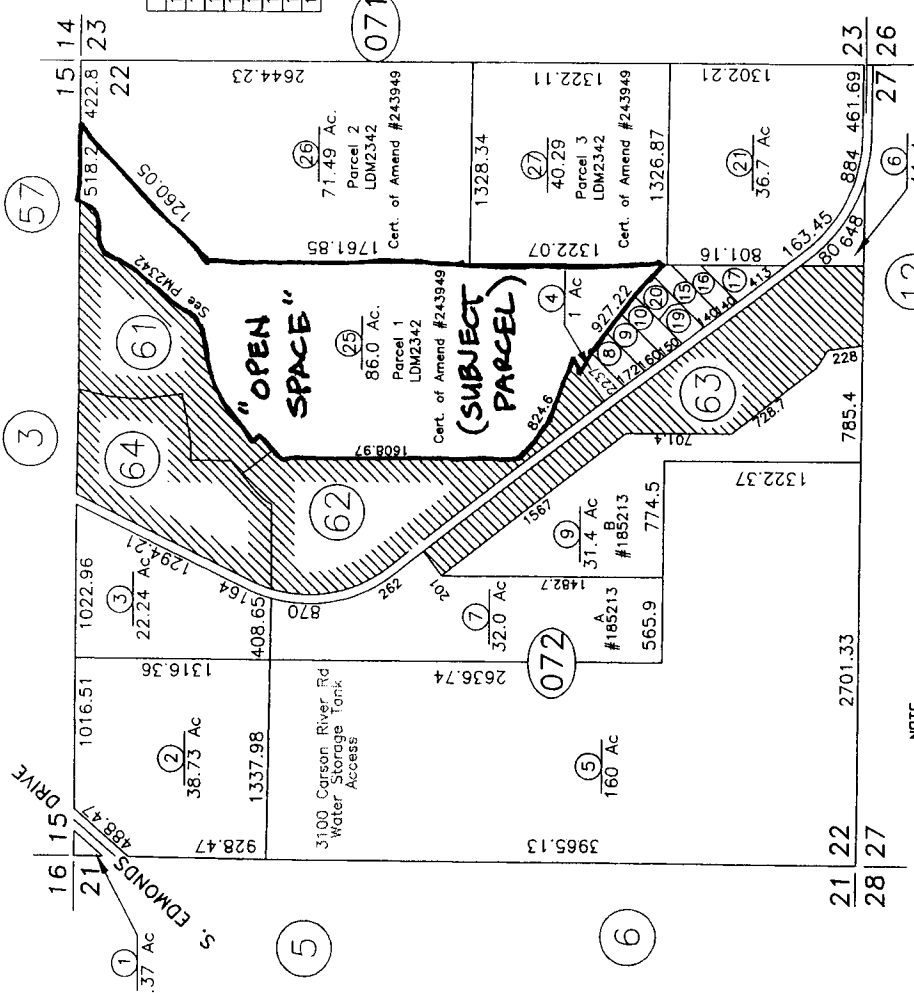
PLANNING DIVISION



Lee Plemel, AICP, Principal Planner

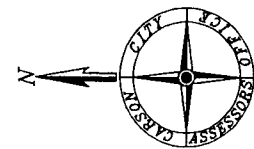
10-07

SECTION 22, T. 15 N., R. 20 E., M.D.B. & M.



APN	MAP	ACREAGE	ADDRESS
10-071-08	A PM1019	1.392 AC	2245
10-071-09	B PM1019	1.458 AC	2257
10-071-10	C PM1019	1.511 AC	2301
10-071-15	E PM1304	1.575 AC	2315
10-071-16	F PM1304	1.317 AC	2333
10-071-17	G PM1304	1.663 AC	2389
10-071-19	A PM1905	1.00 AC	2395
10-071-20	B PM1905	1.00 AC	2395

EXHIBIT "A"



Scale: 1" = 800'
Revised: 02.25.2002

NOTE
SOME PARCELS DELINEATED HEREON MAY NOT
BE PRESENTED IN TRUE SIZE, SHAPE, OR LOCATION
DUE TO DISCREPANCIES BETWEEN LOT LINES.

CARSON CITY, NEVADA
THIS MAP IS PREPARED FOR THE USE OF THE CARSON CITY
ASSESSOR FOR ASSESSMENT AND ILLUSTRATIVE PURPOSES
ONLY. IT DOES NOT REPRESENT A SURVEY, AND LIABILITY
IS ASSUMED AS TO THE SUFFICIENCY OR ACCURACY OF
THE DATA DELINEATED HEREON.



CARSON CITY, NEVADA
CONSOLIDATED MUNICIPALITY AND STATE CAPITAL

MEMORANDUM

TO: Walter Sullivan, Planning & Community Development Director
Lee Plemel, Principle Planner
Rose Mary Johnson, Management Assistant

FROM: Roger Moellendorf, Parks & Recreation Director
Daria Petrenko, Management Assistant

DATE: November 5, 2007

SUBJECT: Planning Commission Agenda Items for Wednesday, November 28, 2007



The following are agenda item responses from the Parks and Recreation Department:

VAR-07-160	No Comments
SUP-07-161	No Comments
SUP-07-162	No Comments
MPA-07-163	Our department will provide supporting comments as a separate document from the memorandum.
VAR-07-164	No Comments
MISC-07-165	No Comments
MPA-07-166	Our department will provide the Annual Master Plan Report as a separate document from this memorandum.
ZCA-07-171	No Comments

Carson City Planning Division
 2621 Northgate Lane, Suite 62 • Carson City NV 89706
 Phone: (775) 887-2180 • E-mail: plandept@ci.carson-city.nv.us

FOR OFFICE USE ONLY:

MASTER PLAN AMENDMENT

FEE: \$2,000.00 + noticing fee

NOTE: Master Plan Amendment applications must be submitted by the January, April, July and October deadline dates.

FILE # MPA-07-163

PROPERTY OWNER

CARSON CITY
 MAILING ADDRESS, CITY, STATE, ZIP

201 N. CARSON ST.
 PHONE # FAX #

887-2115 (PARKS & REC)
 Name of Person to Whom All Correspondence Should Be Sent
 APPLICANT/AGENT

JUAN GUZMAN, OPEN SPACE MANAGER
 MAILING ADDRESS, CITY, STATE ZIP

887-2115 x1004
 PHONE # FAX #

E-MAIL ADDRESS

SUBMITTAL PACKET

- Application Form
- Site Plan
- Proposal Questionnaire With Both Questions and Answers Given
- Applicant's Acknowledgment Statement
- 31 Completed Application Packets (1 Original + 30 Copies)
- Documentation of Taxes Paid-to-Date
- Project Impact Reports (Engineering)

Application Reviewed and Received By:

Submittal Deadline: See attached PC application submittal schedule.

Note: Submittals must be of sufficient clarity and detail such that all departments are able to determine if they can support the request. Additional information may be required.

Project's Assessor Parcel Number(s): 016-071-25	Street Address CARSON RIVER RD.	ZIP Code
--	------------------------------------	----------

Project's Master Plan Designation LDR AND RR	Project's Current Zoning AGRICULTURE (A)	Nearest Major Cross Street(s) BUZZYS RANCH RD.
---	---	---

Briefly describe the components of the proposed project: In accordance with Carson City Municipal Code (CCMC) Section: 18.02.070.

MPA TO CHANGE THE MASTER PLAN LAND USE DESIGNATION FROM LOW DENSITY RESIDENTIAL (LDR) AND RURAL RESIDENTIAL (RR) TO "OPEN SPACE" CONSISTENT WITH THE RECENT PURCHASE OF THE PROPERTY BY CARSON CITY FOR OPEN SPACE.

PROPERTY OWNER'S AFFIDAVIT

I, Linda Ritter, being duly deposed, do hereby affirm that I am the record owner of the subject property, and that I have knowledge of, and I agree to, the filing of this application.

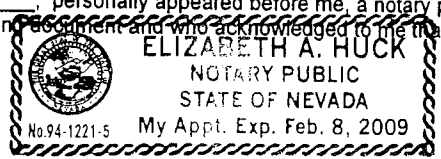
Signature: [Signature] Address: 201 N. Carson CC Date: 10/19/07

Use additional page(s) if necessary for other names.

STATE OF NEVADA
 COUNTY CARSON

On Oct 19, 2007, LINDA RITTER, personally appeared before me, a notary public, personally known (or proved) to me to be the person whose name is subscribed to the foregoing document and who acknowledged to me that he/she executed the foregoing document.

Elizabeth A. Huck
 Notary Public



NOTE: If your project is located within the historic district, airport area, or downtown area, it may need to be scheduled before the Historic Resources Commission, the Airport Authority, Downtown Design Review, and/or the Redevelopment Authority Citizens Committee. Prior to being scheduled for review by the Planning Commission the Planning Division personnel can help you make the above determination.